

**February 7, 2022 Regular City Council Meeting**

**MINOT CITY COUNCIL – SCHEDULED MEETING – February 7, 2022 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.

**CITY OF MINOT VS D&S RENTALS II, LLC (EMINENT DOMAIN) – PENDING PREDICTABLE LITIGATION – EXECUTIVE SESSION**

Mayor Sipma state the next item on the agenda would be an executive session. The topic of this executive session is City of Minot vs. D&S Rentals II, LLC (Eminent Domain) – Case Number 51-2021-CV-1153. The legal authority for closing this portion of the meeting is North Dakota Century Code sections 44-04-19.1(9) and 44-04-19.2. The topic or purpose of this executive session is for (1) an attorney consultation on an action of the public entity which, if held in public would have an adverse fiscal effect on the entity and/or (2) to discuss negotiating strategy instructions to its attorneys and other negotiators regarding City of Minot vs D&S Rentals II, LLC, which is currently being negotiated and discussion in an open meeting have an adverse fiscal effect on the bargaining position of the city.

The Mayor stated, at this time, a motion would be needed in order to discuss the next topic in executive session rather than an open meeting.

Whereupon, Alderman Pitner moved the City Council mot to an executive session. Motion seconded by Alderwoman Olson, and carried the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

The Mayor then stated the executive session will be recorded and all members of the governing body are reminded to limit their discussion during the executive session to the announced topic. Any collective decision, collective commitment, or other final action by the governing body must occur after it reconvenes in an open meeting, unless final action is specifically required by law to be taken during the executive session. The prohibition on taking final action during the executive session did not apply to providing guidance or instructions to our attorney or negotiator.

Mayor Sipma asked the members of the public attending the meeting to leave the room. He stated, the Council anticipated adjourning the executive session, and reconvening the open portion of the meeting at approximately 5:45 pm.

The executive session began at 5:34 pm and was attended by all members of the City Council, as well as the Mayor, City Clerk, City Attorney, City Manager (via teams), Finance Director, Public Works Director, Communications Specialist, Assistant Disaster Recovery Grant Administrator and Attorney John Warcup (via teams).

At 5:53 pm, Alderman Pitner moved the City Council adjourn the executive session and return to the regular City Council meeting. Motion seconded by Alderman Ross, and carried the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

**DISCUSSION ON CITY OF MINOT VS D&S RENTALS II, LLC (EMINENT DOMAIN) - APPROVED**

Alderman Jantzer motioned the City Council approve the staff recommendations 1 – 5:

1. Agree to purchase the D & S Rentals II, LLC property at 405 Railway Avenue for the sum of \$629,000.00;
2. The City will pay an additional \$15,000.00 to the property owner's attorney for reasonable attorney's fees and costs pursuant to N.D.C.C. §32-15-32;
3. Closing of the sale will occur at North Dakota Guaranty & Title Company on or before April 22, 2022;
4. The City will pay the closing costs with the exception of the abstract of title which will be provided by D & S Rentals II, LLC; and

5. D & S Rentals II, LLC will be permitted to keep the open steel-framed tin roof structure currently on the property and remove such structure at its own expense on or before April 22, 2022.

Adding:

6. City staff are given discretion with regard to property owner wanting salvage items.

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

### **MAYORAL REPORT**

#### January Meetings & Activities

- 6<sup>th</sup> – Long Term Planning Minot Park Districts
- 6<sup>th</sup> - KMOT Interview regarding Anne Street Bridge next steps
- 10<sup>th</sup> – Task Force 21 meeting
- 12<sup>th</sup> – MACEDC Monthly Board Meeting
- 14<sup>th</sup> – Project Update with Dr Andrea Travnick MREFPP/NAWS
- 18<sup>th</sup> – Regular City Council Meeting
- 20<sup>th</sup> – 101<sup>st</sup> Birthday Celebration for John Sinn – WWII Veteran
- 21<sup>st</sup> – Anne Street Bridge Follow-Up Discussion
- 21<sup>st</sup> – Norsk Hostfest 2022 Meeting/Sister City
- 26<sup>th</sup> – Senator Hoeven Tour MI4 Maple Diversion
- 27<sup>th</sup> – Presentation to Minot Young Professionals Group

#### February Meeting & Activities

- 1<sup>st</sup> – Community & Economic Development Meeting with Community Partners
- 3<sup>rd</sup> – Military Affairs Meeting

Along with 14 other meetings regarding City Business and numerous phone calls, e-mails, social media, and staff interactions.

### **GIVING HEARTS DAY PROCLAMATION – FEBRUARY 10, 2022**

**WHEREAS**, the goals of Giving Hearts Day are to raise awareness of the charitable non-profit sector and its organizations in North Dakota, to promote online giving, and to provide donors with the opportunity to multiply the results of their giving; and

**WHEREAS**, Giving Hearts Day is a powerful example of the private sector providing assistance to charitable, non-profit organizations that offer vital services to improve the quality of life for many members of our community; and

**WHEREAS**, the charitable, non-profit sector supports individuals and families with quality programs, materials and funds that promote, encourage, and sustain independence and self-sufficiency; and

**WHEREAS**, in order to provide these benefits, charities need ongoing funds to continue providing long-term, sustainable services to our residents in need; and

**WHEREAS**, these charities have demonstrated a need for collaboration and resources, and have joined together for this 24-hour fundraising event that is dedicated to inspiring online donations for charities at [impactgiveback.org](http://impactgiveback.org);

**NOW, THEREFORE, DO I**, Shaun Sipma, Mayor of the City of Minot, hereby proclaim Feb. 10, 2022, as Giving Hearts Day in Minot, and call upon public officials, business and community leaders, and all Minot residents to observe this day with appropriate activities and programs; recognize charitable non-profits, their staffs and volunteers who provide essential services to our community; and support Giving Hearts Day by volunteering or providing financial support to local charities in Minot and central North Dakota at [givingheartstoday.org](http://givingheartstoday.org).

### **COVID REPORT**

Lisa Clute presented a COVID report to the council. She has been noticing a downward trend in numbers. Hospitalization is still high and most of the positive cases are the Omicron variant. Testing has gone down at all locations. If the testing numbers stay low, this next weekend at the Auditorium will be the last. There will still be Monday – Friday testing at First District Health Unit. First District does not have at home COVID tests as of yet. They will notify the public if they become available and also with any new upcoming guidance.

**MAYORAL APPOINTMENTS – APPROVED**

Alderman Jantzer moved the City Council to approve the following appointments:

1. Jason Hunze to another term on the Electrical Appeals Board with a term to expire February 2024.
2. Pat Bailey to another term on the Renaissance Zone Review Bard with a term to expire January 2025.

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

**CITY MANAGER REPORT**

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

**CITY ATTORNEY REPORT**

The City Attorney submitted a written report.

**COUNCIL MINUTES – APPROVED**

Alderman Ross moved the City Council approve the minutes of January 18, 2022 Regular City Council Meeting and the minutes of the January 26, 2022 Special City Council Meeting with Senator Hoeven.

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

**BILLS, TRANSFERS, AND PAYROLL – APPROVED**

Alderman Ross moved the City Council approve payroll for the period of December 19, 2022 through January 15, 2022 in the amount of \$2,216,691.97 and bills and transfers for January in the amount of \$6,012,625.75 as follows:

|                                    |             |        |                                  |              |        |
|------------------------------------|-------------|--------|----------------------------------|--------------|--------|
| AAAE                               | \$150.00    | 290149 | DAVIDSON CONSTRUCTION            | \$2,400.00   | 290258 |
| ACKERMAN ESTVOLD                   | \$25,633.86 | 290150 | DIG IT UP BACKHOE SERVICE        | (\$6,023.00) | 290259 |
| AGC NETWORKS, INC.                 | \$32,040.00 | 290151 | DIVISION OF CHILD SUPPORT        | \$102.00     | 290260 |
| AMERICAN WELDING & GAS, INC.       | \$4,240.80  | 290152 | DOMESTIC VIOLENCE CRISIS CENTER  | \$3,643.61   | 290261 |
| ARAMARK                            | \$86.53     | 290153 | DR TRANSPORT, INC.               | \$14,010.40  | 290262 |
| ARDELLE M OSTROM                   | \$1,334.00  | 290211 | ELECTRO WATCHMAN, INC.           | \$2,946.00   | 290263 |
| ASSINIBOINE RIVER BASIN INITIATIVE | \$10,000.00 | 290154 | Addie Weeks                      | \$3.28       | 290264 |
| CITY OF MINOT                      | \$25.00     | 290200 | Travis Gee                       | \$90.93      | 290265 |
| COMPUTER STORE                     | \$1,179.96  | 290158 | ENERBASE                         | \$9,688.16   | 290266 |
| CROWN ASSET MANAGEMENT, LLC        | \$538.05    | 290212 | EQUIPMENT MANAGEMENT COMPANY     | \$1,765.05   | 290267 |
| DACOTAH PAPER CO.                  | \$407.55    | 290159 | EXTREME SALES                    | \$9,510.00   | 290268 |
| DAKOTA FLUID POWER, INC.           | \$114.42    | 290160 | FACTORY MOTOR PARTS              | \$2,382.39   | 290269 |
| DAKOTALAND AUTOGLASS               | \$185.00    | 290161 | FARSTAD OIL CO                   | \$22,614.10  | 290270 |
| DAN JONASSON                       | \$20.00     | 290185 | FIRE EQUIPMENT CO.               | \$454.00     | 290271 |
| DIVISION OF CHILD SUPPORT          | \$102.00    | 290162 | FIRST INTERNATIONAL BANK & TRUST | \$620.00     | 290272 |
| DOMESTIC VIOLENCE CRISIS CENTER    | \$919.80    | 290163 | FLEETMIND SOLUTIONS, INC.        | \$1,987.50   | 290273 |
| DR TRANSPORT, INC.                 | \$13,935.20 | 290164 | FLEXIBLE PIPE TOOL COMPANY       | \$1,008.15   | 290274 |
| ECOLAB PEST ELIMINATION DIVISION   | \$393.60    | 290165 | GALE                             | \$150.00     | 290275 |
| EILEEN BEAN                        | \$18.48     | 290155 | GALLS, LLC                       | \$804.25     | 290276 |
| Amy Burke                          | \$405.00    | 290166 | RANDY DEMCHUK                    | \$395.50     | 290277 |
| Scott Timothy                      | \$86.67     | 290167 | Toad's Ride & Shine              | \$11.32      | 290278 |
| ENERBASE                           | \$2,928.54  | 290168 | GENERAL TRADING                  | \$109.24     | 290279 |
| FACTORY MOTOR PARTS                | \$162.63    | 290169 | HAWKINS, INC.                    | \$14,032.98  | 290280 |
| FINDAWAY WORLD, LLC                | \$1,048.09  | 290170 | HOMESTEADERS RESTAURANT          | \$28.85      | 290281 |
| FIRE EXTINGUISHING SYSTEMS         | \$449.60    | 290171 | HOUSTON ENGINEERING, INC.        | \$56,699.49  | 290282 |
| FIRST INTERNATIONAL BANK & TRUST   | \$620.00    | 290172 | INTOXIMETERS, INC.               | \$100.00     | 290283 |
| FIRST WESTERN INSURANCE            | \$11,025.00 | 290173 | JENNIFER QUAKKELAAR              | \$3,000.00   | 290330 |
| FORENSIC STORE                     | \$4,214.00  | 290175 | JIMS WELDING, INC.               | \$78.01      | 290284 |
| Candace Abelseth                   | \$8.33      | 290176 | JLG ARCHITECTS                   | \$129,651.93 | 290285 |
| Jacob Hundley                      | \$1,025.50  | 290177 | JOHN ZAKIAN                      | \$2,090.00   | 290371 |
| Jacob Thom                         | \$200.00    | 290178 | JOHNSON CONTROLS                 | \$5,135.00   | 290286 |
| Karlee Schmidt                     | \$25.00     | 290179 | KIWANIS CLUB OF MINOT            | \$150.00     | 290287 |

|                                     |              |        |                                     |              |        |
|-------------------------------------|--------------|--------|-------------------------------------|--------------|--------|
| Travis Rhods                        | \$8.33       | 290180 | KLJ ENGINEERING, LLC                | \$2,775.83   | 290288 |
| Victoria Hastings                   | \$8.34       | 290181 | LANDMARK STRUCTURES                 | \$183,105.00 | 290289 |
| GORDON LIEN                         | \$1,333.19   | 290190 | LANDRUM AND BROWN, INC.             | \$2,000.00   | 290290 |
| HOLLY BURCKHARD                     | \$17.25      | 290157 | LHOIST NORTH AMERICA OF MISSOURI    | \$4,856.76   | 290292 |
| HOMETOWN ELEGANCE EVENT CATERING    | \$4,500.00   | 290182 | MAGIC CITY DISCOVERY CENTER         | \$550,378.84 | 290295 |
| INFORMATION TECHNOLOGY DEPARTMENT   | \$3,515.60   | 290183 | MAIN ELECTRIC CONSTRUCTION          | \$15,740.00  | 290296 |
| INTERNATIONAL MUNICIPAL LAWYERS AS  | \$480.00     | 290184 | MARSHAL LIDDELL                     | \$50.00      | 290293 |
| JARED STEVEN FOLEY                  | \$300.00     | 290174 | MID-STATES ORGANIZED CRIME INFO CTR | \$250.00     | 290298 |
| KIWANIS CLUB OF MINOT               | \$150.00     | 290186 | MIDSTATES WIRELESS, INC.            | \$135.00     | 290299 |
| LHOIST NORTH AMERICA OF MISSOURI    | \$11,604.85  | 290189 | MINOT AREA CHAMBER EDC              | \$36,250.00  | 290294 |
| LPO CONFERENCE ACCOUNT              | \$565.42     | 290191 | MINOT AUTO                          | \$1,053.28   | 290300 |
| M-B COMPANY                         | \$6,894.00   | 290192 | MINOT EMPLOYEE DONATIONS            | \$774.45     | 290301 |
| MACEY WANTZ                         | \$58.24      | 290227 | MINOT RURAL FIRE DEPT               | \$636.79     | 290302 |
| MARCO, INC.                         | \$259.84     | 290194 | MINOT VETERINARY CLINIC             | \$5,305.00   | 290303 |
| MIDSTATES WIRELESS, INC.            | \$3,540.55   | 290195 | MINOT WELDING COMPANY               | \$194,500.00 | 290304 |
| MINOT AREA CHAMBER EDC              | \$824.00     | 290193 | MOUSE RIVER FIREFIGHTER'S ASSN      | \$25.00      | 290308 |
| MINOT AUTO                          | \$702.27     | 290196 | MOWBRAY & SONS                      | \$588.00     | 290309 |
| MINOT EMPLOYEE DONATIONS            | \$761.47     | 290197 | NAPA AUTO PARTS                     | \$1,435.77   | 290310 |
| MINOT LIONS CLUB                    | \$65.00      | 290198 | ND CLERKS ASSOCIATION               | \$100.00     | 290311 |
| MINOT PARK DISTRICT                 | \$2,250.00   | 290199 | ND FIREFIGHTER'S ASSOCIATION        | \$559.75     | 290312 |
| MOORE ENGINEERING, INC              | \$44,372.50  | 290201 | ND FRATERNAL ORDER OF POLICE        | \$650.00     | 290313 |
| MUNICODE                            | \$885.16     | 290202 | ND MUNICIPAL JUDGE'S ASSOCIATION    | \$75.00      | 290314 |
| NAPA AUTO PARTS                     | \$580.35     | 290203 | ND STATE RADIO COMM.                | \$3,000.00   | 290315 |
| NATIONAL PAYMENT CORPORATION        | \$138.24     | 290204 | NDDEQ                               | \$693.78     | 290316 |
| ND APWA                             | (\$3,515.00) | 290205 | NEBRASKA CHILD SUPPORT PAYMENT      | \$563.08     | 290317 |
| ND DEPT OF TRANSPORTATION           | \$211,765.72 | 290206 | NEW VISION SECURITY, LLC            | \$360.00     | 290318 |
| ND FRATERNAL ORDER OF POLICE        | \$650.00     | 290207 | NORTHWEST TIRE AND RETREAD          | \$5,759.27   | 290319 |
| ND LEAGUE OF CITIES                 | \$23,271.00  | 290208 | NOVA FIRE PROTECTION CO.            | \$1,300.00   | 290320 |
| NEBRASKA CHILD SUPPORT PAYMENT      | \$563.08     | 290209 | O'DAY EQUIP., INC.                  | \$150.00     | 290321 |
| NORTHWEST TIRE AND RETREAD          | \$1,225.68   | 290210 | OHNSTAD TWICHELL, P.C.              | \$494.50     | 290322 |
| RANDI LACROIX                       | \$17.25      | 290188 | OLSON'S TOWING                      | \$3,774.00   | 290323 |
| RDO EQUIPMENT                       | \$727.68     | 290213 | ONE CALL CONCEPTS, INC.             | \$64.75      | 290324 |
| SIGNS TODAY                         | \$560.00     | 290214 | ONLINE DAKOTA INFORMATION NETWORK   | \$306.00     | 290325 |
| SOURIS BASIN PLANNING COUNCIL       | \$1,250.00   | 290215 | OVERHEAD DOOR CO. OF MINOT          | \$141.00     | 290326 |
| SOURIS RIVER JOINT WATER RESOURCE   | \$1,070.00   | 290216 | PEC SOLUTIONS LLC                   | \$13,329.00  | 290243 |
| SOUTH DAKOTA CHILD SUPPORT          | \$188.31     | 290217 | PRINGLE & HERIGSTAD, P.C.           | \$2,196.13   | 290327 |
| STATE WATER COMMISSION              | \$548,308.41 | 290218 | PROCOLLECT                          | \$1,440.35   | 290328 |
| TED BOLTON                          | \$800.00     | 290156 | PROTECH INTEGRATIONS, LLC           | \$113.00     | 290329 |
| THOMSON REUTERS-WEST PAYMENT CENTER | \$351.00     | 290219 | RDO EQUIPMENT                       | \$1,996.96   | 290332 |
| TIMOTHY A KUNTZ                     | \$933.80     | 290187 | RONDEL ROTELIUK                     | \$42.00      | 290333 |
| TRINITY EVANGELICAL FREE CHURCH     | \$300.00     | 290220 | ROXI MATHIS                         | \$300.00     | 290297 |
| TYLER TECHNOLOGIES, INC.            | \$7,700.00   | 290221 | SCHOCKS SAFE AND LOCK SERVICE       | \$165.00     | 290334 |
| U.S. POST MASTER                    | \$500.00     | 290222 | SHORT ELLIOTT HENDRICKSON, INC      | \$6,400.00   | 290335 |
| UNITED MAILING SERVICE              | \$190.31     | 290223 | SOURIS RIVER JOINT WATER RESOURCE   | \$508,770.35 | 290336 |
| VANTAGEPOINT TRANSFER -- 10###      | \$552.03     | 290224 | SOUTH DAKOTA CHILD SUPPORT          | \$188.31     | 290337 |
| VERVE TRAINING CO                   | \$4,100.00   | 290225 | SRF CONSULTING GROUP                | \$5,726.30   | 290338 |
| VISIT MINOT                         | \$13,692.46  | 290226 | STATE WATER COMMISSION              | \$41,531.74  | 290339 |
| WARD COUNTY AUDITOR                 | \$7,630.00   | 290228 | SUBSURFACE INC                      | \$374,128.95 | 290340 |
| CULVER, ASHER                       | \$4.08       | 290229 | SUNDRE SAND & GRAVEL, INC.          | \$35,824.83  | 290341 |
| KUDRNA, ISAAC                       | \$14.03      | 290230 | SWANSTON EQUIPMENT COMPANIES        | \$1,022.13   | 290342 |
| MACARTHUR, MARK                     | \$21.14      | 290231 | TIM HORTONS                         | \$45.88      | 290343 |
| ND DEPT OF HUMAN SERVICES           | \$524.25     | 290232 | TIMMONS GROUP                       | \$18,696.50  | 290344 |
| WESTLIE FORD                        | \$125.80     | 290233 | TITAN MACHINERY                     | \$987.52     | 290345 |
| WESTLIE TRUCK CENTER                | \$519.36     | 290234 | TRINITY HEALTH                      | \$4,392.00   | 290346 |
| ESRI, INC.                          | \$38,500.00  | 290235 | TRITECH SOFTWARE SYSTEMS            | \$8,797.95   | 290347 |
| MOWBRAY & SONS                      | \$28,915.32  | 290236 | TYLER TECHNOLOGIES, INC.            | \$174,995.20 | 290348 |
| BERGER ENTERPRISES, LLC             | \$31,344.16  | 290237 | U.S. GEOLOGICAL SURVEY              | \$20,580.00  | 290349 |
| ACKERMAN ESTVOLD                    | \$23,234.13  | 290238 | ULTEIG                              | \$1,477.72   | 290350 |
| ADOBE SYSTEMS, INC.                 | \$16.11      | 290239 | UNITED MAILING SERVICE              | \$470.54     | 290351 |
| ADVANCED BUSINESS METHODS           | \$5,363.55   | 290240 | VANTAGEPOINT TRANSFER -- 10###      | \$552.03     | 290352 |
| ALL AMERICAN TROPHIES               | \$14.50      | 290241 | VERVE TRAINING CO                   | \$2,575.00   | 290353 |
| AMERICAN WELDING & GAS, INC.        | \$4,324.44   | 290242 | VILLAGE FAMILY SERVICE CENTER       | \$3,060.00   | 290354 |
| AZTECA SYSTEMS, LLC                 | \$89,000.00  | 290244 | VISIT MINOT                         | \$17,962.84  | 290355 |
| BALCO UNIFORM COMPANY, INC.         | \$3,779.69   | 290245 | VOICE PRODUCTS SERVICE, LLC         | \$7,873.00   | 290356 |
| BCBS                                | \$30.00      | 290246 | BAUER, FRED                         | \$51.81      | 290357 |
| BERRYDUNN                           | \$8,550.00   | 290247 | CARR, JOHN                          | \$16.25      | 290358 |
| BERT'S TRUCK EQUIPMENT              | \$16,330.00  | 290248 | IMM                                 | \$69.07      | 290359 |
| BILL BARTH                          | \$23,100.00  | 290249 | JOYNER, ALISON                      | \$2.58       | 290360 |
| BOGER & SON                         | \$200.00     | 290250 | KEIFFER, SHANIKA                    | \$20.00      | 290361 |
| BRANDON TRONDSON                    | \$204.00     | 290307 | KEYES, JOYCE                        | \$46.00      | 290362 |

|                             |              |        |                           |                |        |
|-----------------------------|--------------|--------|---------------------------|----------------|--------|
| CAROLINA SOFTWARE           | \$250.00     | 290251 | MINOT WELDING CO          | \$64.42        | 290363 |
| CASHWISE                    | \$31.93      | 290252 | PARTIN, REBECCA OR TRAVIS | \$7.51         | 290364 |
| CDM SMITH                   | \$125,927.05 | 290253 | PROSS, CHRISTOPHER        | \$13.25        | 290365 |
| CITY OF MINOT               | \$10.00      | 290305 | RAVENS CRAFT, JAMES       | \$24.45        | 290366 |
| COOKIES FOR YOU             | \$900.00     | 290254 | ROSA, MATTHEW             | \$4.08         | 290367 |
| CPS, LTD                    | \$63,282.75  | 290255 | RUIZ, VINCENT             | \$13.25        | 290368 |
| CROWN ASSET MANAGEMENT, LLC | \$711.45     | 290331 | WAYNE MOE                 | \$690.00       | 290306 |
| DACOTAH PAPER CO.           | \$1,011.12   | 290256 | WESTLIE FORD              | \$16.57        | 290369 |
| DAKOTA TRUCK & FARM         | \$60.50      | 290257 | WESTLIE TRUCK CENTER      | \$56.48        | 290370 |
| DAN LAWSON                  | \$75.00      | 290291 | GOETTLE LAW, PLLC         | \$7,000.00     | 290372 |
|                             |              |        |                           | \$4,047,770.24 |        |

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

#### **ADMINISTRATIVE APPROVALS – APPROVED**

Alderman Ross moved the City Council approve the following administrative approval requests:

1. Our Savior Lutheran Church Youth Ministry to conduct a raffle on March 4, 2022 at the Sleep Inn & Suites (2400 10<sup>th</sup> St SW).
2. Trinity Health Foundation to conduct a raffle on March 26, 2022 at the Sleep Inn & Suites (2400 10<sup>th</sup> St SW).
3. Minot Social Club for Exceptional Persons, Inc., 2<sup>nd</sup> Story to play bingo and conduct a raffle on March 5, 2022 at The Moose Lodge (400 9<sup>th</sup> St SW).
4. Minot High Basketball Cheer Team to conduct a raffle at all home games through February 28, 2022 at Magic City Campus (1100 11<sup>th</sup> Ave SW).
5. Minot State University Native American Cultural Awareness Club to play bingo and conduct raffles January 25, 2022, February 24, 2022, March 22, 2022, and April 23, 2022 at Minot State University (500 University Ave W).
6. Optimist Club of Minot to conduct a raffle on April 27, 2022 at the Grand Hotel (1505 N Broadway).

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

#### **ORDINANCE NO. 5694 – AMEND THE 2022 ANNUAL BUDGET – STEVENS WELDING COMMUNITY MATCH – SECOND READING – APPROVED**

Alderman Ross moved the City Council place ordinance no. 5694 on second reading amending the 2022 annual budget to increase the sales tax economic development community contributions expenditures for the local match on a BND PACE loan for the Stevens Welding Community Match.

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

#### **ORDINANCE NO. 5695 – AMEND THE 2022 ANNUAL BUDGET – POLICE PART-TIME CLERK – APPROVED**

Alderman Ross moved the City Council place ordinance no. 5695 on second reading amending the 2022 annual budget to increase the police department temporary employees and benefits expenditures and decrease the municipal court temporary employees and benefits expenditures for the reassignment of a part-time clerk position.

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

#### **ORDINANCE NO. 5696 – AMEND THE 2022 ANNUAL BUDGET – NEW SUNDRE ACQUIFER WELL – APPROVED**

Alderman Ross moved the City Council place ordinance no. 5696 on second reading amending the 2022 annual budget to increase the water plant capital infrastructure expenditures for the new Sundre Aquifer Well and approve the transfer and use of sales tax NAWS cash reserves.

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

#### **ORDINANCE NO. 5697 – AMEND THE 2022 ANNUAL BUDGET – LANDFILL TRANSFER STATION – APPROVED**

Alderman Ross moved the City Council place ordinance no. 5697 on second reading amending the 2022 annual budget to decrease the landfill capital building, infrastructure, and equipment expenditures for the new Landfill Transfer Station.

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

**ORDINANCE NO. 5698 – AMEND THE 2021 ANNUAL BUDGET – 24<sup>TH</sup> ST WATER-SANITARY SEWER REHAB – APPROVED**

Alderman Ross moved the City Council place ordinance no. 5698 on second reading amending the 2021 annual budget to increase the sewage pumping rehab maintenance and decrease the water distribution watermain maintenance expenditures for the 24<sup>th</sup> St SW sanitary and watermain improvements.

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

**ORDINANCE NO. 5699 – AMEND THE 2021 ANNUAL BUDGET – LANDFILL TRANSFER STATION – APPROVED**

Alderman Ross moved the City Council place ordinance no. 5699 on second reading amending the 2021 annual budget to increase the landfill capital building, infrastructure, and equipment expenditures for the New Landfill Transfer Station and approve the use and transfer of sanitation cash reserves.

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

**RETAIL BEER & WINE LICENSE – GUILTY SWEETS – APPROVED**

Alderman Ross moved the City Council approve the following retail beer & wine license request:

1. Guilty Sweets, LLC dba Guilty Sweets operating at 3 1<sup>st</sup> St SE #2.

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

**SPECIALTY RESTAURANT BEER & WINE LICENSE – TACO FELIZ NO 2 – APPROVED**

Alderman Ross moved the City Council approve the following specialty restaurant beer & wine license request:

2. Taco Hub Specialties, LLC dba Taco Feliz No 2 operating at 2400 10<sup>th</sup> St SW Space 332.

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

**GAMING SITE AUTHORIZATION – PRAIRIE GRIT ADAPTIVE SPORTS – APPROVED**

Alderman Ross moved the City Council approve the gaming site authorization for Prairie Grit Adaptive Sports to conduct a raffle at Sammy's Pizza, 400 N Broadway.

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

**PLEDGED ASSETS – APPROVED**

Alderman Ross moved the City Council approve the pledged assets as of 12/31/2021.

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

**60 X 200 BUILDING RELOCATION – FINAL PAYMENT (4506) – APPROVED**

Alderman Ross moved the City Council authorize the final payment to Huwe the Housemover, Inc. in the amount of \$10,000.00.

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

**REMOTE CONTROL MOWER – AWARD OF BID (4638) – APPROVED**

Alderman Ross moved the City Council award the bid to Sanitation Products, Inc. in the amount of \$59,670.00.

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

**HHW AND E-WASTE COLLECTION – AWARD OF BID (4679) – APPROVED**

Alderman Ross moved the City Council award the bid to Clean Harbors Environmental for HHW and ND E-Waste, LLC for e-waste for the 2022-2023 collection contracts and authorize the mayor to sign.

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

**BUILDING RELCATION MI-5B P#3529.1B – AWARD OF BID – APPROVED**

Alderman Ross moved the City Council award the bid Huwe the Housemover for relocation of a building in the amount of \$154,500.00 and recommend approval of award to the SJRB.

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

**QUIT CLAIM DEED FOR 1901 S BROADWAY – PULLED**

Alderman Ross moved the City Council to authorize the Mayor & City Clerk to sign the quit claim deed for 1901 S. Broadway conveying property to Project BEE and to authorize the City of Minot Finance Department to file signed & notarized quit claim deed for 1901 S Broadway with Ward County.

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

**APPROVAL OF SUBRECIPIENT AGREEMENT WITH SOURIS RIVER JOINT BOARD - APPROVED**

Alderman Ross moved the City Council approve the Subrecipient Agreement with the Souris River Joint Board for the DCIP grant for Phase MI-5D of the Mouse River Enhanced Flood Protection and authorize the Mayor and Finance Director to sign any necessary documents.

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

**LPND1, LLC BUSINESS INCENTIVE AGREEMENT - APPROVED**

Alderman Ross moved the City Council approve the Business Incentive Agreement, with exhibits, between the City of Minot and LPND1, LLC.

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

**CLASSIFICATION OF AIRPORT BUSINESS AND DEVELOPMENT MANAGER - APPROVED**

Alderman Ross moved the City Council approve the classification and job description of the Airport Business and Development Manager.

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

**UPDATED LETTER OF AGREEMENT (LOA) FOR AIRPORT EMERGENCY SERVICE - APPROVED**

Alderman Ross moved the City Council approve the updated Letter of Agreement (LOA) between the Minot International Airport, Magic City Tower (tower), Minot Central Dispatch, and Minot Fire Department to include language authorizing Minot Fire Department to monitor radio communications when the tower is closed outside of normal hours and authorize the mayor to sign.

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

**UPDATED LETTER OF AGREEMENT (LOA) FOR RUNWAY SAFETY AREAS (RSA) - APPROVED**

Alderman Ross moved the City Council approve the updated Letter of Agreement (LOA) between the Minot International Airport, Midwest-Minot ATCT, and Northwest Dakota System Support Center (NW DAK SSC)/Technical Operations (Tech Ops) to include language authorizing operational activity within runway safety areas (RSA) under certain conditions and authorize the mayor to sign.

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

**4628 – PAVEMENT MARKING – APPROVED**

Alderman Ross moved the City Council award the bid for the 2022 Pavement Markings Project to the low bidder, West River Striping Company, in the amount of \$224,815.21 and authorize the Mayor to sign the agreement for the project.

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

**2022 ELECTION POLLING SITE – APPROVED**

Alderman Ross moved the City Council adopt a resolution naming the inspector, fixing the polling place and setting the hours for the June 14, 2022 Primary election and the November 8, 2022 General Election.

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

**BID FOR PICKUPS (4635) – APPROVED**

Alderman Olson moved the City Council award the bid to Westlie Motor Company as follows:

- |                     |  |              |
|---------------------|--|--------------|
| • Street Department | (2) ¾-ton 4x4 extended cab                   | \$91,000.00  |
| • Sewer Department  | ½-ton 4x4 supercab                           | \$47,030.00  |
| • Sewer Department  | ½-ton 4x4 extended cab                       | \$44,685.00  |
| • Water Department  | (3) ¾-ton 4x4 extended cab with service body | \$198,765.00 |
| • Storm Sewer       | 1-ton 4x4 regular cab with service body      | \$61,735.00  |

and recommended the City Council approve the budget amendments for each department to cover the shortfall. The motion was seconded by Alderman Ross.

Mayor Sipma acknowledged the increase in costs in equipment. Alderman Jantzer mentioned it was good to see this go to a local company and appreciates that Westlie Motor Company put in a bid.

The motion carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

**P# 3529.04B MREFPP PHASE MI-4B MAPLE DIVERSION RAW WATER LINE RELOCATION BID APPROVAL – APPROVED**

Alderman Olson moved the City Council approve Kemper Construction as the low bidder for the raw waterline relocation and forward award approval and recommendation to the SRJB.

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

**4620 – BUDGET AMMENDMENT CITY-WIDE WAYFINDING SIGNAGE – APPROVED**

Alderman Pitner moved the City Council approve an amendment to the Wayfinding engineering contract with Ackerman-Estvold to create a Wayfinding Master Plan for the North Dakota Department of Transportation and approve the budget amendment to fund contract amendment. The motion was seconded by Alderman Evans.

Alderman Podrygula said he is looking forward to seeing a unified plan and would like the planners to include the new fitness paths along the flood plan.

The motion carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.



### **PROCUREMENT FOR VALVES AND FITTINGS (4632) – APPROVED**

Alderman Olson moved the City Council authorize Public Works to forego the procurement requirements for a purchase over \$50,000 and allow fittings, valves, and hydrants for the 2022 Watermain Replacement project to be purchased using quotes. The motion was seconded by Alderman Jantzer.

Finance Director, David Lakefield, stated that this is a result of supply chain issues and the need to complete this project during construction season. Alderman Jantzer wanted to clarify that this was just for the ordering of hardware in advance and the labor would still go out to bid. Alderman Podrygula appreciates the staff for the planning of this project.

The motion carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

### **REPEAL OF ARTICLE III OF CHAPTER 25 (MINOT AREA-WIDE PLANNING ORGANIZATION – APPROVED**

Alderman Olson moved the City Council approve the ordinance repealing Article II of Chapter 25 of the Minot Code of Ordinances. The motion was seconded by Alderman Pitner.

Alderman Olson mentioned that is has been brought up to council prior with a liaison report.

The motion carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

### **BIRD SCOOTERS INFORMATIONAL – RECOMMENDATION GIVEN**

Michael Covato with Bird Scooters did a short presentation about their electric vehicle company. It always people another sort of transportation by downloading an app on a smartphone, getting a short video on safe riding rules, and then the customer can take the scooter for a short trip. It is a \$1 to start and then a cost per mile.

Michael then discussed the Bird Zero Model of scooters which has lights, safety decals, and a max speed of 15 mph. It is no cost to the City of Minot. Bird Scooters works with a local entrepreneur to manage the fleet of scooters. They can set digital boundaries and promote helmet safety. They do allow for a warm-up mode for new riders that would put a max speed of 6 mph on the scooter.

Alderman Olson questioned if the scooters would be ridden on the street or the sidewalk. Both Michael Covato and Stephen Joersz said they will be treated like a bicycle, which might mean the City of Minot needs to look into the bicycle ordinances. Alderman Ross wanted to find out if this would just be downtown/MSU focused. Mr. Covato said he would like to see these as accessible as possible in city limits.

Alderman Jantzer was curious about the average cost of a ride. Michael thought the average scooter ride would be around \$5 for a 10-15 minute trip. Mayor Sipma wanted to see if we could get information from other towns and Lance Meyer, City Engineer, said we do have the MOU from Bismarck. Lance said that Bismarck has just renewed the MOU and has no major issues with Bird Scooter.

Podrygula inquired about the reason to go scooter vs a bike. Michael stated that scooters are more easily accessible, they are electronic, and the are more overly adopted with cities. Bird Scooters is also present in Williston, ND.

Alderman Evans motioned for staff to begin an MOU with Bird Scooters. The motion was seconded by Alderman Pitner and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Sipma; nays: none.

### **PERSONAL APPEARANCES**

N/A

### **MISCELLANEOUS & DISCUSSION ITEMS**

Alderman Olson wanted to address some errors to the roles of the Minot City Council. The executive committee discussed was previously used as a committee and it included the Mayor, President and Vice President of the City Council, and chairs of committees. City Council has previously agreed to eliminated this committee. There is a council handbook that states President and Vice President will be elected by the council members and would hold a 2-year term. She also believes the City Council works best as a whole.

Alderman Podrygula appreciated Alderwoman Olson for clarifying some of the information. He stated that the handbook has no official standing because he doesn't believe it was approved by the council and was given out during the employment of a previous City Manager. Mayor Sipma clarified that the previous City Manager was Lee Staab and it was handed out back in 2016.

**ADJOURNMENT**

There being no further business, Alderman Pitner moved the City Council meeting be adjourned. Motion seconded by Alderman Ross and carried unanimously. Meeting adjourned at 6:48 pm.

ATTEST: Mikayla McWilliams  
Mikayla McWilliams, City Clerk

APPROVED: Shaun Sipma  
Shaun Sipma, Mayor