

August 5, 2019 Regular City Council Meeting

MINOT CITY COUNCIL – SCHEDULED MEETING – AUGUST 5, 2019 AT 5:30 P.M.

ROLL CALL

Members Present:

Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky

Members Absent:

None

PLEDGE OF ALLEGIANCE

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

MAYOR'S REPORT

Mayor Sipma described some of his meetings and activities over the past month.

July 2 – Closing on Home Acquisition for Flood Control
July 3 – Joint Press Briefing with First District Health
July 8 – IEDC Steering Committee Meeting
July 11 – MADC Board Meeting
July 18 – Dinner with Colonel Richard Collins, Vice Commander 8th Air Force
July 19 – NDSF Welcome Concert Attendees & Introduce Rascal Flatts
July 20 – ND State Fair Parade
July 22 – Meeting with New MAFB Base Recruiter Sgt. Scott Callahan
July 23 – Meeting with representative from Allegiant Airlines regarding service and community involvement
July 25 – Attending 1st Day of Issue State & County Fairs US Postal Service at NDSF
July 26 - Met with Netflix Producer on Main Street regarding potential future project
July 30 – Dinner on the Prairie MC
July 31 – Council Retreat
August 1 – Council Retreat
August 2 – Attend Tour of New Roosevelt Park Zoo Exhibits

He also said, there were numerous meetings, phone calls, e-mails, and individual contact concerning City business.

PROCLAMATION- JIM OLSON APPRECIATION DAY

Minot Mayor Proclaims August 5 as Jim Olson Appreciation Day.

WHEREAS, Jim Olson has long been a recognizable voice and face of the television news industry in Minot and all of western North Dakota; and,

WHEREAS, Jim Olson has embodied the very spirit of community minded journalism for more than three decades and helped educate and mentor countless young television journalists as they began their careers in Minot.; and,

WHEREAS, Jim Olson has conducted himself with the highest levels of professionalism, integrity, and dedication throughout his career; and,

WHEREAS, Jim Olson, through his role as journalist, was a constant source of information as well as a calming and soothing local presence during Minot's flood of 2011; and

WHEREAS, Jim Olson, through his role as a husband, father, grandfather, and friend, has been an advocate, volunteer, and mentor to others in order to help make his community a better place to live, work, and play;

NOW, THEREFORE, DO I, Shaun Sipma, Mayor of the City of Minot, hereby designate Aug. 5, 2019, as Jim Olson Appreciation Day, and encourage all Minot residents to join me in recognizing and thanking Jim for his past and future contributions, both professionally and personally, to improving our community.

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CITY MANAGER REPORT

The City Manager began by listing the dates of upcoming meetings. National Night Out August 6th at 5:30 at Magic City Campus, NDR Town Hall Meeting August 15th at 6:30 at Washington School, City Council meeting Budget Q & A is August 19th at 4:15 in the Auditorium, Planning Commission August 26th at 5:30, and City Council Tuesday, September 3rd at 5:30.

Mr. Barry mentioned the City Council Retreat which took place July 31 and August 1 at the Washburn Lewis & Clark Interpretive Center. He provided a list of agenda items that the Council discussed but said, no action was taken at the retreat. The issues discussed will come back before the Council for public comment. He gave more detail regarding adjustments to the procurement policy. An improved policy will be brought before Council for approval. It contains a more streamlined process to avoid redundancies, improve financial processing, modernize purchasing limits and improve controls. They are also evaluating a local procurement preference.

He continued by providing construction updates for projects around the city. Work on Flood Control Phase 1 will continue work east of Broadway into September as floodwall footings and vertical walls continue to be placed. Road work on Broadway and 4th Avenue are substantially complete and 4th Avenue west of Broadway should be open this week. Concrete and underground work will continue on the Pump Station. Flood Control Phases 2/3 has additional work taking place to reroute main water lines through the flood wall closure. The levee work is nearing completion and the Perkett Pump Station will be tested later in August. There is an upcoming road closure on 16th Street from Burdick to 7th Ave SW which will take place August 7th or 8th and is expected to last 2-3 weeks. The contractor will be paving the northbound lanes so a detour will be 4th Avenue to Broadway. A chip seal project will reduce traffic to head to head this week from West Burdick to Broadway. The project should be complete before the closure of 16th Street. It will be using a new technique that fogs oil after chip placement which will need to cure.

Mr. Barry described the water main replacement taking place in Green Valley which began in early July. It is a challenging project because the water main is located in the resident's backyards and faces obstacles such as sheds, landscaping, fences, gardens and trees in the easements. Neighborhood meetings were held three months ahead of the project to alert the homeowners and promote ongoing coordination. Crews have laid pipe this week and will have yards seeded next week.

The Water Treatment Plant has recently had work done on placing precast walls, completing the roof, and on underground and internal components. The project is currently a couple months behind schedule due to an extremely cold winter, unknown lines underground, and reconnection of the Sundre Line. It is still expected to be online this winter. The total cost of the project is \$27 million and the City has a 35% cost share.

The City Manager then discussed the new FEMA Risk Maps. He reminded that the City and County had challenged the FEMA Maps when they were released last year. FEMA made several revisions to the maps which delayed implementation by about one year. The regulatory floodplain remained largely the same but the floodway was modified to expand the areas accounting for flood storage. He explained that the revised maps will be issued November 2019, the appeal period should begin February 2020, appeals should be addressed by July 2020 and letter of final determination received August 2020. The new maps are estimated to take effect February 2021.

He described the Main Street Convening which was hosted in Minot. Planning Regions 1 & 2 participated in group discussion about housing, community engagement, and workforce development. They plan to meet semi-annually or quarterly to hold topic-based meetings and encourage implementing resources for the Main Street Initiative project.

Mr. Barry recognized the Erven & Ida Weber Estate for providing a \$10,000 donation to the Cemetery. With the donation, the staff plans to construct a gazebo and plant new trees.

The City Manager briefly mentioned the success of the North Dakota State Fair by saying the estimated attendance was 293,145 visitors.

He then congratulated the three new Officers who were recently sworn in to the Police Department: Jesse Hartman, Seth LaBodda and Remington Petersen. He also congratulated four Officers promoted to Senior Officer: Dana Pollman, Krysta Becker, Heather Summers, Alex Nelson and four Officers who received Lifesaver Awards from the ND Peace Officers Association: Pat Blanchard, Brian Williams, Joshua Noyes, Anthony Hugg.

He also recognized Traffic Engineer, Stephen Joersz, who received his Professional Traffic Operations Engineer Certification. He said, Stephen is one of only eight PTOEs statewide.

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Mr. Barry then invited Chief Olson to introduce the newest K9 Team, Senior Officer Taylor Jensen and Caspian, a two-year-old Belgian Tervuren Shepherd. Chief Olson thanked Farm Credit Services for awarding the City of Minot with funds from the Rural Community Grant Fund to purchase the new K9. Senior Officer Jensen and Caspian then performed a demonstration on locating explosives.

Mr. Barry concluded his report by reminding everyone to attend National Night Out, August 6th at Magic City Campus and announcing Free Ride Week, provided by the City Transit Department, August 12-16.

ATTORNEY REPORT

The City Attorney provided a written report.

REPLAT OLT 9 OF SW LS RD S29-155-82 NEDROSE A 4.83 – APPROVED

Alderman Olson moved the City Council approve a request by Brian Niess for a replat of Outlot 9 and a portion of Outlot 29, Section 29-155N-82W into two new outlots.

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

PRAIRIE GREEN SECOND ADDITION LOTS 7,8,9 OF BLOCK 18 AND LOT 2, BLOCK 19, REPLAT OF LOTS 1-6, BLOCK 19, PLUS VACATED R.O.W – APPROVED

Alderman Olson moved the City Council approve a request by Farm Credit Services of North Dakota for a PUD (Planned Unit Development) amendment to add a storage building to Prairie Green Second Addition Lots 7, 8, 9 of Block 18, Lot 2 of Block 19, and a replat of Lots 1-6, Block 19, plus vacated R.O.W.

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

RIDGEDALE ACRES FIFTH ADDITION – APPROVED

Alderman Olson moved the City Council approve a motion for a request by Benjamin Hutchings for a replat of Outlot 15, Ridgedale Acres into two lots.

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

PUBLIC HEARING: ORDINANCE NO. 5407 – REZONE RAMSTAD HEIGHTS 3RD ADDITION – FIRST READING – APPROVED

The City Council held a Public Hearing to consider a request by the Bakken Development Group Minot I, LLC for a rezone from R4 (Planned Residence District) to R1S (Single-Family Residential District with Small Lot Flexibility). No one appeared on behalf of the public hearing.

Alderman Jantzer moved the City Council close the public hearing and place ordinance no. 5407 on first reading to rezone Ramstad Heights 3rd Addition from R4 (Planned Residence District) to R1S (Single-Family Residential District with Small Lot Flexibility). Motion seconded by Alderman Pitner and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5407 on first reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

SUBDIVISION OF RAMSTAD HEIGHTS 3RD ADDITION – APPROVED

Alderman Jantzer moved the City Council approve a motion to subdivide Lots 16A thru 21B of Block 5 of Statesboro Addition into single family lots to be known as Ramstad Heights 3rd Addition.

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

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PUBLIC HEARING: ORDINANCE NO. 5408 – REZONE RAMSTAD HEIGHTS 4TH ADDITION – FIRST READING – APPROVED

The City Council held a public hearing to consider a request by the Bakken Development Group Minot I, LLC for a rezone from R4 (Planned Residence District) to R1S (Single-Family Residential District with Small Lot Flexibility). No one appeared on behalf of the public hearing.

Alderman Pitner moved the City Council close the public hearing and place ordinance no. 5408 on first reading to rezone Ramstad Heights 4th Addition from R4 (Planned Residence District) to R1S (Single-Family Residential District with Small Lot Flexibility). Motion seconded by Alderman Olson and carried unanimously.

Alderman Pitner moved the City Council pass ordinance no. 5408 on first reading. Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

SUBDIVISION OF RAMSTAD HEIGHTS 4TH ADDITION – APPROVED

Alderman Pitner moved the City Council approve the subdivision of Lot 15A of Block 8 of Statesboro Addition into single-family lots to be known as Ramstad Heights 4th Addition.

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

PUBLIC HEARING: ORDINANCE NO. 5409 – REZONE RETRIEVER RIDGE SUBDIVISION – FIRST READING – APPROVED

The City Council held a Public Hearing to consider a request by Terry Davis for a rezone from AG (Agricultural District) to RA (Agricultural Residential District) on Retriever Ridge Subdivision.

Matt Munson, President of Minot Gun Club raised concerns about water runoff from the potential development. He also said they are worried about future complaints the residents of the development could bring forward about noise from the gun club. He stated, the activities at the club have been taking place since before 1969.

Alderman Straight asked if the drainage concerns were taken care of at the Planning Commission meeting to which Mr. Munson responded by saying, the Planning Commission decided the water drainage must comply with County standards.

David Van Lith, of 6311 11th St NE, said 11th Street was not built to specs and is not maintained by the Township or the County. It is a financial burden on himself and the other residents and he is concerned the road will be damaged when the new development is constructed.

Mayor Sipma asked who is responsible for road improvements in the two-mile extraterritorial zone.

Lance Lang, Principal Planner, said, the township has control, in this case, Eureka Township. The Developer's Agreement will specify that the road must be up to township standards. All two-mile roads are tied back to the township they are located, and are not regulated by the City. He also said, the water issues would be addressed in the required stormwater management plan.

Alderman Wolsky moved the City Council close the public hearing and deny the request for a subdivision and rezoning of Retriever Ridge Subdivision. Motion seconded by Alderman Straight.

Alderman Wolsky raised concerns about Park District dedication and asked why there was no requirement for the development.

Ron Merritt, Director of the Park District, responded by saying, the development is less than six contiguous lots, which does not reach the threshold to require park dedication.

Alderman Wolsky then asked if Eureka Township was given notification of the development. Mr. Lang said, notification letters are sent to a number of agencies but comments are rarely received.

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Upon questioning by Mayor Sipma, Mr. Lang said, the proposal is a four-lot rural residential subdivision, two of which already contain homes. There could potentially be two more homes either modular or stick built. The applicant hired a professional surveyor to prepare the plat to ensure all regulations are met.

Alderman Olson said, she is sensitive to the concerns that have been raised but after hearing Mr. Lang's comments, believes the issues will be addressed.

Alderman Wolsky commented that when dealing with conflicting property uses, he supports the longstanding use opposed a newly proposed use.

Alderman Podrygula said, the property owner is aware of the gun club when they develop the property and accept the risk of noise that comes along with it. He said, he doesn't see the two uses as incompatible and if the owner wants to develop the property they have that right. He then suggested the residents lobby the County or Township regarding road issues but applauded the current residents for taking ownership of maintenance.

Alderman Pitner stated, if someone wants to build on their own land they should have the right to do so and a government entity shouldn't limit an individual from developing property.

Whereupon a vote was taken on the above motion by Alderman Wolsky, seconded by Alderman Straight and was denied by the following roll call vote: ayes: Wolsky; nays: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight.

Alderman Olson moved the City Council close the public hearing and place ordinance no. 5409 on first reading to rezone Retriever Ridge Subdivision from AG (Agricultural District) to RA (Agricultural Residential District). Motion seconded by Alderman Pitner and carried.

Alderman Straight suggested the Council members who are appointed to the Eureka Township Board attend their next meeting for discussion.

Alderman Olson moved the City Council pass ordinance no. 5409 on first reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight; nays: Wolsky.

SUBDIVISION OF RETRIEVER RIDGE SUBDIVISION – APPROVED

Alderman Olson moved the City Council approve a subdivision plat of a four-lot rural residential subdivision to be known as Retriever Ridge Subdivision on property described as Section 25-156-83, S ½ of NE 1/4 of SE 1/4.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight; nays: Wolsky.

PUBLIC HEARING: ORDINANCE NO. 5410 – REZONE SOUTHWEST CROSSING CCRC, LOT 1, BLOCK 1, LOT 2, BLOCK 1, LOT 1, BLOCK 2, LOT 2, BLOCK 2 – FIRST READING – APPROVED

The City Council held a public hearing to consider a request by Southwest Crossing CCRC to approve a rezone from R4 (Planned Development), R3 (Multi-Family Residential), R3C (Townhouse Residential) & R2 (Two-Family Residential) to RH (Residential High Density) on Southwest Crossing CCRC, Lot 1, Block 1; Lot 2, Block 1; Lot 1, Block 2; Lot 2, Block 2.

Mark Black, who is working with the partners on the project, came forward to answer any questions.

Alderman Wolsky asked if the development is a for-profit or non-profit organization to which Mr. Black replied, they are for-profit.

Alderman Wolsky moved the City Council close the public hearing and place ordinance no. 5410 on first reading to rezone Southwest Crossing CCRC, Lot 1, Block 1; Lot 2, Block 1; Lot 1, Block 2; Lot 2, Block 2 from R4 (Planned Development), R3 (Multi-Family Residential), R3C (Townhouse Residential) & R2 (Two-Family Residential) to RH (Residential High Density). Motion seconded by Alderman Straight and carried unanimously.

Alderman Wolsky stated, he had made a request that staff develop a tool to evaluate the financial implications of outward development. He emphasized the importance of having that data available for these types of decisions.

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Alderman Wolsky moved the City Council pass ordinance no. 5410 on first reading. Motion seconded by Alderman Straight and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

SUBDIVISION OF SOUTHWEST CROSSING CCRC SUBDIVISION – APPROVED

Alderman Wolsky moved the City Council approve a subdivision plat to be known as Southwest Crossing CCRC Subdivision.

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

RESOLUTION NO. 3623 – SOUTHWEST CROSSING CCRC PLANNED UNIT DEVELOPMENT – APPROVED

Alderman Wolsky moved the City Council adopt resolution no. 3623 approving a request by Southwest Crossing CCRC for a Planned Unit Development (PUD) to develop a retirement community.

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

RESOLUTION NO. 3624 – COMPREHENSIVE PLAN MAP AMENDMENT – APPROVED

Alderman Wolsky moved the City Council adopt resolution no. 3624 to approve a Comprehensive Plan Map Amendment from Low Density Residential and Medium Density Residential to High Density Residential on Southwest Crossing CCRC Subdivision.

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

APPROVAL OF THE MINUTES- JULY 15, 2019 REGULAR CITY COUNCIL MEETING – APPROVED

Alderman Jantzer moved the City Council approve the minutes of the July 15, 2019 regular City Council meeting.

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

APPROVAL OF BILLS & TRANSFERS – APPROVED

Alderman Jantzer moved the City Council approve the bills and transfers as listed for July in the amount of \$6,557,358.98:

A-1 EVANS SEPTIC TANK SERVICE 1000829	200.00	AMERICAN BAR ASSOCIATION 1000836	195.00
AAA-E-GREAT LAKES CHAPTER 1000830	395.00	AMERICAN PLANNING ASSOC 1000837	590.00
ACKERMAN ESTVOLD 278027	3314.38	AMERICAN WELDING & GAS, INC. 278030	12447.47
ACKERMAN ESTVOLD 278222	22262.00	AMERICAN WELDING & GAS, INC. 1000838	405.21
ACME TOOLS 278028	319.30	AMERICAN WORKING DOGS, INC 1000839	210.00
ACME TOOLS 278223	644.74	AMERIPRIDE 278031	76.64
ACME TOOLS 1000831	789.18	AMERIPRIDE 278229	76.64
ACQUISIGN, LLC 278224	600.00	AMERITAS LIFE INSURANCE CORP 278032	2351.70
ADAPCO, INC 278225	37807.20	APEX ENGINEERING GROUP 278230	62348.10
ADOBE SYSTEMS INC. 1000832	29.99	ARROWHEAD ACE HARDWARE 1000840	93.52
ADVANCED BUSINESS METHODS 278029	204.24	ASHAM, CARMEN 278231	16.50
ALL AMERICAN TROPHIES 1000833	51.00	AT&T 1000842	4331.57
AMANO MCGANN, INC 278226	120.00	AUTO ZONE 6843 1000843	109.90
AMAZON.COM 1000835	1140.26	AXON ENTERPRISE, INC 278033	6080.00
AMAZON/GEGRB 278228	1602.82	BAKER & TAYLOR BOOKS 1000845	10747.20

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BAKKE GRINOLDS WIEDERHOLT	4147.50	278232	FELTNER, RICHARD	501.28	1000875
BAUER, KATHERINE	78.88	278034	FERGUSON ENTERPRISES, INC	48.47	1000876
BEAN, EILLEN	23.20	278035	FERGUSON WATERWORKS #2516	106.22	278406
BECHTOLD PAVING	15160.50	278036	FIDELITY SECURITY LIFE	2810.11	278087
BECHTOLD PAVING	37250.75	278234	FIRE EQUIPMENT CO.	137.50	278088
BEST BUY BUSINESS ADVANTAGE ACCOUNT	178.98	1000846	FIRST DISTRICT HEALTH UNIT	8333.33	278089
BISMARCK POLICE DEPARTMENT	170.00	278038	FIRST INTERNATIONAL BANK & TRUST	1080.00	278407
BISMARCK, CITY OF	65.00	278235	FIRST WESTERN INSURANCE	50.00	278279
BLUETARP FINANCIAL, INC	1512.17	1000847	FIRST WESTERN INSURANCE	50.00	278280
BNSF RAILWAY COMPANY	40.00	278039	FLAGSTAD, SANDY	15.00	278090
BOLTON, EDWARD T	200.00	278040	FLAIL-MASTER	517.10	278091
BORDER STATES INDUSTRIES INC	41.22	1000848	FLEETMIND SOLUTIONS INC	1987.50	278281
BOUND TREE MEDICAL	1003.82	1000849	FLEETMIND SOLUTIONS INC	.40	1000877
BRADY MARTZ	1500.00	278041	FLORES CONCRETE CONSTRUCTION, INC	36231.00	278092
BROADWAY PRINTING COMPANY	188.00	278042	FLORES CONCRETE CONSTRUCTION, INC	3325.00	278282
BROADWAY PRINTING COMPANY	2593.19	278236	FOOD SERVICES OF AMERICA	73.85	278283
BROCK WHITE CO LLC	155.88	278043	FORTERRA PIPE & PRECAST	9948.84	278284
BRORBY, KURT	714.00	278237	FRONTIER PRECISION	38.80	278094
BUDGET MUSIC & VIDEO	89.20	1000850	G & P COMMERCIAL SALES	630.60	278285
BULLETFROOF DIESEL	1757.40	1000851	G & P COMMERCIAL SALES	379.00	1000878
BURCKHARD, COURTENAY M.S., ATC	100.00	278238	GAFFANEYS	3498.75	278286
BURCKHARD, HOLLY	223.80	278044	GAFFANEYS	49.95	1000879
BUTLER MACHINERY CO.	835.42	278045	GALE	846.08	278049
BUTLER MACHINERY CO.	659.51	278239	GALE	188.53	278287
BUTLER MACHINERY CO.	25993.59	278405	GALLS LLC	480.19	1000880
BUTLER MACHINERY CO.	1269.71	1000852	GEFROH ELECTRIC	9595.00	278095
C.A. PIERSON LAW P.C.	6000.00	278240	GEFROH ELECTRIC	1479.80	1000881
C&C PLUMBING AND HEATING	2223.45	1000853	GEMAR PHOTOGRAPHY	210.00	1000882
CAMP GRAFTON TRAINING CENTER	110.00	1000854	GENERAL TRADING	116.57	278096
CAROLINA SOFTWARE	250.00	278241	GENERAL TRADING	262.17	278289
CASCO	922.00	278211	GENERAL TRADING	136.29	1000883
CASEY, DAVID	150.00	278046	GEOLOGIC COMPUTER SYSTEMS	2957.50	278290
CASH WISE LIQUOR	10.48	278047	GEOLOGIC COMPUTER SYSTEMS	2957.50	1000884
CDM SMITH	256783.50	278048	GERDAU RECYCLING	62.67	278097
CDW GOVERNMENT INC	429.77	1000855	GERDAU RECYCLING	153.53	278291
CENTER FOR EDUCATION & EMPLOYMENT	124.95	278242	GFOA	610.00	1000885
CENTRAL MACHINING&PUMP REPAIR	723.02	278243	GOETTLE, SHANE C	3500.00	278292
CHAMBAGNE, RICKAYLA	15.00	278050	GOLDSTAR PRODUCTS INC	499.50	278293
CHRISTOPHER A. CARLSON	113.01	278212	GOOSENECK IMPLEMENT	423.74	278099
CITY LAUNDRY	6.99	1000856	GOOSENECK IMPLEMENT	235.08	278294
CITY OF MINOT	200.00	278051	GOOSENECK IMPLEMENT	21.24	1000886
CITY OF MINOT	100.00	278244	GRAINGER	66.96	1000887
COLONIAL LIFE PREMIUM PROCESSING	2695.98	278053	GRAND FORKS FIRE EQUIPMENT	6650.00	278100
COMFORT SUITES-BISMARCK	507.60	1000857	GRAND FORKS FIRE EQUIPMENT	6990.00	278295
COMMERCIAL GLASS SYSTEMS, LLC	.00	278245	GRANITE SPRINGS CO.	138.50	278101
COMMUNITY AMBULANCE SERVICE	60.00	278246	GRAVEL PRODUCTS, INC.	1272.76	278102
CORE & MAIN	6854.30	1000858	GRAVEL PRODUCTS, INC.	1350.69	278296
CPS, LTD	11025.00	278054	GRAVEL PRODUCTS, INC.	10137.49	1000888
CRAFT BUILDERS, INC	157194.50	278055	GREENHECK, SUE	174.80	1000889
CUMMINS POWER, LLC	422.22	278056	GUERTON, KRISTIN	60.50	278297
CUMMINS POWER, LLC	1552.12	278248	GULKE, ASHLEY	240.00	278298
DACOTAH PAPER CO.	1480.58	278249	GUMDROP BOOKS	2148.17	1000890
DACOTAH PAPER CO.	137.13	1000859	HACH	684.30	278103
DAKOTA FIRE EXTINGUISHER	791.27	1000860	HACH	315.89	1000891
DAKOTA FLUID POWER, INC	623.68	278250	HAISCH, CATHIE & JUSTIN	709.00	1000892
DAKOTA FLUID POWER, INC	811.55	1000861	HARLEYS	48.14	278105
DAKOTA OUTDOOR ADVERTISING LLC	625.00	1000862	HARVEY, DALE	18.00	278300
DAKOTA OUTERWEAR CO.	49.26	278057	HAWKINS, INC	4351.20	278106
DAKOTA SUPPLY GROUP	276.65	1000863	HAWKINS, INC	7049.60	278301
DAKOTA TRUCK & FARM	287.00	278058	HEIDE TRANSPORT	11.75	278107
DAVIDSON CONSTRUCTION	905.00	278251	HIGH POINT NETWORKS, LLC	43.75	278108
DELL MARKETING L.P.	1060.96	278252	HOBBY LOBBY	9.68	1000893
DELTA AIR LINES	7073.00	1000865	HOFF, DAVID	.00	278110
DELTA DENTAL OF MINNESOTA	16519.32	278059	HOLIDAY INN	169.20	1000894
DIG IT UP BACKHOB SERVICE	226196.53	278060	HOME DEPOT CREDIT SERVICES	697.58	1000895
DIRECTV	262.97	1000866	HOME OF ECONOMY	74.15	1000896
DIVISION OF MOTORIST SERVICES (FL)	.00	278061	HOMEWOOD SUITES - FARGO	660.60	1000897
DL BARKIE CONSTRUCTION INC	7920.00	278062	HORTONS, TIM	20.00	278111
DOLAN CONSULTING GROUP	95.00	1000867	HOUCHEM BINDERY, LTD	95.00	1000898
DOMESTIC VIOLENCE CRISIS CENTE	1245.99	278063	HOUSTON ENGINEERING, INC	68955.07	278112
DRIVER RECORDS, DEPT OF LICENSING	13.00	278253	HOUSTON ENGINEERING, INC	6521.25	278303
EAPC ARCHITECTS	2264.43	278254	HOWARD, DAVID	45.00	278304
ECOLAB	380.29	278064	IAPA	150.00	1000899
ECOLAB	205.71	1000868	INFORMATION TECHNOLOGY DEPARTMENT	2602.44	278306
EIDE BAILLY	900.00	278255	INNOVATIVE OFFICE SOLUTIONS LLC	75.51	1000900
ELDORADO NATIONAL - CALIFORNIA	81.98	278256	INTERNATIONAL CODE COUNCIL, INC	209.00	1000901
EMERGENCY APPARATUS MAINTENANCE	981.45	1000869	INTERSTATE BATTERY SYSTEM	121.95	278113
EMERGENCY AUTOMOTIVE TECHNOLOGIES	566.80	278065	INTERSTATE BATTERY SYSTEM	365.85	278307
EMERGENCY AUTOMOTIVE TECHNOLOGIES	118.32	278258	JACOBSEN MUSIC, INC	3.30	1000902
ENERBASE	35365.08	278084	JENSEN, JESSICA	935.00	278308
ENERBASE	36941.85	278274	JENSEN, TAYLOR	2667.50	278309
ENERBASE	309.60	1000870	JESSEN ROOFING, INC.	385.00	278310
ENTERPRISE RENT-A-CAR (2144)	533.18	1000871	JLG ARCHITECTS	23500.00	278311
ESTATE OF JEAN LASKOWSKI	1415.00	278275	JOB SERVICES OF NORTH DAKOTA	9381.20	278312
FACTORY MOTOR PARTS	699.72	278085	JOHN KLEIN	48.00	278114
FACTORY MOTOR PARTS	382.52	278276	JONASSON, DAN	150.68	278313
FACTORY MOTOR PARTS	520.00	1000872	JUNDT, LISA	99.00	278314
FARSTAD OIL CO	1380.00	278086	K MART	23.96	278315
FARSTAD OIL CO	1440.00	278277	KALIX	7128.62	278115
FASTENAL COMPANY	345.66	1000873	KELLER PAVING AND LANDSCAPING	41546.88	278116
FEDERAL EXPRESS	32.11	1000874	KIWANIS CLUB OF MINOT	150.00	278316
FELTNER, RICHARD	77.25	278278	LACKEY, SHANNON	110.00	278117

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LAKELAND ENGINEERING EQUIPMENT CO	251.92	1000903	NORTHERN POWER PRODUCTS, INC.	176.34	278153
LANDRUM AND BROWN, INC	2872.00	278119	NORTHERN TESTING	169.00	278353
LARSON, CALLIE	223.80	278120	NORTHWEST TIRE AND RETREAD	10888.75	278155
LAVERDURE, SHANE	200.00	278121	NORTHWEST TIRE AND RETREAD	6754.15	278355
LEXIPOL LLC	10020.00	278122	NOVA FIRE PROTECTION CO.	145.00	1000939
LEXISNEXIS MATTHEW BENDER	102.43	1000904	NTOA	150.00	1000940
LHOIST NORTH AMERICA OF MISSOURI	24849.66	278123	O'REILLY AUTO PARTS	9.28	1000941
LHOIST NORTH AMERICA OF MISSOURI	43619.04	278318	OCLC	1309.30	1000942
LOCATORS & SUPPLIES	192.55	1000905	OFFICE DEPOT	1325.83	1000944
LOWES PRINTING, INC.	10027.03	278124	OK AUTOMOTIVE	243.02	278156
LOWES PRINTING, INC.	583.45	278319	OK AUTOMOTIVE	154.68	1000945
M & S SHEET METAL, INC.	475.07	278320	OLSON'S TOWING	2110.00	278158
M&T FIRE AND SAFETY INC	58.00	1000906	PARK CONSTRUCTION	348639.88	278159
MADC	27449.00	278321	PARK CONSTRUCTION	145037.72	278356
MAGIC CITY GARAGE DOOR COMPANY	28.75	1000907	PARSONS ELECTRIC LLC	2225.92	278160
MAILFINANCE	1296.00	278322	PEREZ JR., ISRAEL	150.00	278161
MAIN ELECTRIC CONSTRUCTION	2478.89	278125	PETCO	170.95	1000946
MAIN ELECTRIC CONSTRUCTION	252.12	278323	PLASTICARDS, INC	375.00	278162
MARCO, INC	371.50	278126	POST BOARD	135.00	278412
MARCO, INC	281.73	278324	POSTMEDIA PAYMENT CENTRE	919.00	278163
MARKETPLACE FOODS	229.66	1000908	PRAIRIE SUPPLY	68.80	278164
MARKETPLACE FOODS SOUTH BROADWAY	3.99	1000909	PRAIRIE SUPPLY	46.49	1000947
MARTISEN, DELLA & OLIVIA CHRISTMAS	20.00	278127	PREFERRED CONTROLS CORP	204.00	278357
MATERIAL TESTING	5501.00	278325	PRINGLE & HERIGSTAD, P.C.	1770.05	278165
MCPEAK, BARB	60.50	278327	PRINGLE & HERIGSTAD, P.C.	133.00	278358
MENARDS	4493.55	1000914	PROCOLLECT	1375.56	278359
MICROSOFT CORPORATION	112.00	1000915	PROVIDENT LIFE & ACC INS CO	622.00	278166
MIDSTATES WIRELESS, INC	500.00	278329	PUBLIC AGENCY TRAINING COUNCIL	650.00	1000948
MINOT AUTO	1397.53	278131	PUKLICH CHEVROLET	35888.00	278360
MINOT AUTO	2490.30	278333	QUALITY INN-BISMARCK	318.60	1000949
MINOT AUTO	87.76	1000916	RAMKOTA HOTEL & CONFERENCE CENTER	169.20	278167
MINOT AUTOMOTIVE CENTER	344.66	278132	RDO EQUIPMENT	448.16	278168
MINOT AUTOMOTIVE CENTER	35.62	278334	RDO EQUIPMENT	140.48	278361
MINOT CHAMBER OF COMMERCE	1712.89	278335	RDO EQUIPMENT	1722.14	1000950
MINOT CITY AUDITOR	18.15	278133	REALTIME TRANSLATIONS, INC	20.00	278169
MINOT COMMISSION ON AGING	7083.33	278134	RECORDED BOOKS	330.00	1000951
MINOT CONVENTION&VISITORS BUR.	31311.75	278135	REGENT BOOK COMPANY	32.57	278170
MINOT CONVENTION&VISITORS BUR.	2527.64	278336	REPUBLIC PARKING SYSTEM	25162.51	278362
MINOT CONVENTION&VISITORS BUR.	14637.21	278408	RHI SUPPLY	946.37	1000952
MINOT DAILY NEWS	1436.58	278136	ROBISON, CARI	.00	278171
MINOT DAILY NEWS	912.47	278337	ROBISON, CARI	250.00	278215
MINOT DAILY NEWS	678.60	1000917	RODMAN, DAVID	231.00	278172
MINOT ELECTRIC	345.11	278137	ROTARY CLUB OF MINOT	261.00	278363
MINOT ELECTRIC	270.00	1000918	ROTELIUK, RONDEL	92.22	278364
MINOT EMPLOYEE DONATIONS	1346.24	278409	SANITATION PRODUCTS	967.47	278174
MINOT PARK DISTRICT	36197.00	278138	SANITATION PRODUCTS	3277.90	278366
MINOT PARK DISTRICT	144022.82	278338	SCHOCKS SAFE AND LOCK SERVICE	307.40	1000953
MINOT SASH & DOOR, INC.	468.08	1000919	SCHOLASTIC INC.	23.25	278175
MINOT STATE UNIVERSITY	42.98	1000920	SCHRIOCK, KRIST	500.00	278367
MINOT VETERINARY CLINIC	3064.00	278339	SCREENCLOUD	40.00	1000954
MINOT VETERINARY CLINIC	4174.00	1000921	SECRETARY OF STATE	36.00	278368
MISC P CARD VENDOR	15214.86	1000928	SECURITY FENCE, INC.	469.15	1000955
MISCELLANEOUS A/R	650.00	278098	SECURITY PLUS	55.00	278177
MISCELLANEOUS A/R	1500.00	278200	SECURITY PLUS	58.00	278369
MISCELLANEOUS A/R	330.00	278208	SERTOMA CLUB OF MINOT	300.00	278370
MISCELLANEOUS A/R	236.85	278213	SHELKEY, MELODY	99.00	278371
MISCELLANEOUS A/R	600.00	278328	SHERWIN WILLIAMS	78.68	278372
MN CHILD SUPPORT PAYMENT CENTER	172.12	278214	SHERWIN WILLIAMS	246.14	1000956
MN CHILD SUPPORT PAYMENT CENTER	172.12	278410	SHIFT CALENDARS	540.55	278373
MONLEY, RANDI	19.26	278340	SIMTECH INC	1050.00	278374
MOORE, MELANIE	161.00	278139	SIPMA, SHAUN	20.16	278178
MOORE, MELANIE	23.00	278341	SOURIS BASIN PLANNING COUNCIL	4208.33	278179
MOWBRAY & SONS	3663.20	278140	SOURIS BASIN PLANNING COUNCIL	40.00	1000957
MOWBRAY & SONS	765.19	1000929	SOURIS RIVER JOINT WATER RESOURCE	3251964.34	278378
MSC INDUSTRIAL SUPPLY CO	97.20	278342	SOUTH CAROLINA DMV	6.00	278379
MUUS LUMBER	704.00	278141	SOUTH DAKOTA CHILD SUPPORT	175.87	278216
MUUS LUMBER	115.38	1000930	SOUTH DAKOTA CHILD SUPPORT	175.87	278413
MVTL LABORATORIES	5474.50	1000931	SPENCER, DAVID	858.55	278380
N.P.C.A.	40.00	278221	SRF CONSULTING GROUP	6743.24	278181
NAGEL, THOMAS	1387.50	278411	STATE WATER COMMISSION	579607.05	278381
NAPA AUTO PARTS	1044.36	278144	STEVIK BUSINESS SPECIALTIES & WEAR	1969.49	1000958
NAPA AUTO PARTS	1173.49	278345	STRANDEMO, COLE	249.79	278382
NAPA AUTO PARTS	830.82	1000932	STREICHER'S	52.98	1000959
NATIONAL ASSOCIATION OF SCHOOL	40.00	278346	STRENGTHEN ND	12521.00	278182
NATIONAL PAYMENT CORPORATION	144.11	278347	SUMMERS, DANA	247.50	278183
NBS CALIBRATIONS	181.00	1000933	SWANSON & WARCUP, LTD	3161.62	1000960
ND CHILD SUPPORT	55.00	278145	SWANSTON EQUIPMENT	2720.41	278185
ND DEPT OF ENVIRONMENTAL QUALITY	75.00	278146	SWANSTON EQUIPMENT	3434.20	278383
ND DEPT OF ENVIRONMENTAL QUALITY	700.00	278148	TEAM ELECTRONICS INC	611.00	278186
ND DEPT OF TRANSPORTATION	24095.57	278149	TEAM ELECTRONICS INC	60.75	278384
ND ONE CALL, INC	969.05	278150	TEAM ELECTRONICS INC	57.50	1000961
ND STATE FAIR	102.00	1000934	TEAM LAB CHEMICAL CORP	2091.50	1000962
ND STATE RADIO COMM.	3000.00	278151	TEXAS DEPT OF PUBLIC SAFETY	20.00	278187
ND SU DEPT 3110	19.50	278348	THATCHER COMPANY, INC	10524.84	278385
NET TRANSCRIPTS	70.20	278349	THEIN WELL	1950.00	278386
NEWMAN TRAFFIC SIGNS	760.20	278350	THIRD WATCH COMMUNICATIONS	4745.00	278188
NISS IMPRESSIONS	20.00	1000935	THUNER, GARY F.	500.00	278189
NORTH COUNTRY SPORTSWEAR	245.26	1000936	TIBBITS, HEATHER	2085.79	278387
NORTH PRAIRIE RURAL WATER	219.02	1000937	TITAN MACHINERY	1205.18	278388
NORTHERN BRAKE	77.50	278352	TOTALFUNDS	355.99	278190
NORTHERN BRAKE	6.88	1000938	TRACTOR SUPPLY CREDIT PLAN	108.92	278191
NORTHERN IMPROVEMENT COMPANY	4559.22	278152	TRACTOR SUPPLY CREDIT PLAN	218.85	1000963

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TRILLION AVIATION	1852.50	278192	WASTE NOT RECYCLING LLC	7999.20	278204
TRINITY HEALTH	20.00	278389	WATER ACCOUNT REFUNDS	41.37	278037
TRINITY MEDICAL GROUP	3295.00	1000964	WATER ACCOUNT REFUNDS	10.94	278052
TYLER TECHNOLOGIES, INC	995.00	278193	WATER ACCOUNT REFUNDS	74.02	278093
U.S. POST OFFICE	5000.00	278217	WATER ACCOUNT REFUNDS	48.49	278104
ULTEIG	17179.00	278390	WATER ACCOUNT REFUNDS	6.03	278109
UNIFORM CENTER	259.95	278194	WATER ACCOUNT REFUNDS	11.72	278118
UNIFORM CENTER	1388.91	278391	WATER ACCOUNT REFUNDS	25.95	278173
UNION SECURITY INSURANCE COMPANY	46.50	278184	WATER ACCOUNT REFUNDS	15.06	278176
UNITED ACCOUNTS, INC	319.21	278414	WATER ACCOUNT REFUNDS	5148.21	278180
UNITED MAILING SERVICE	310.77	278195	WATER ACCOUNT REFUNDS	58.94	278209
UNITED MAILING SERVICE	5341.13	278392	WATER ACCOUNT REFUNDS	1.18	278233
UNITED STATES TREASURY	1658.65	278196	WATER ACCOUNT REFUNDS	2.58	278247
UNUM LIFE INSURANCE COMPANY OF AMER	11834.98	278197	WATER ACCOUNT REFUNDS	6.43	278257
UPS STORE #1423	62.24	278198	WATER ACCOUNT REFUNDS	10.42	278299
UPS STORE #1423	73.39	1000965	WATER ACCOUNT REFUNDS	10.00	278302
US DEPARTMENT OF EDUCATION AWG	300.06	278218	WATER ACCOUNT REFUNDS	50.00	278317
US DEPARTMENT OF EDUCATION AWG	306.93	278415	WATER ACCOUNT REFUNDS	130.85	278326
USA BLUE BOOK	682.71	1000966	WATER ACCOUNT REFUNDS	388.20	278351
USPS - FEE PAYMENTS	80.00	1000967	WATER ACCOUNT REFUNDS	13.76	278365
VAN DYKE, CAMILA	243.62	278393	WATER ACCOUNT REFUNDS	5.74	278375
VANAIK	249.54	1000968	WEBER, BRENT	247.50	278205
VANGRINSVEN, KRISTIN	99.00	278394	WEST RIVER STRIPING COMPANY	109366.12	278399
VANTAGEPOINT TRANSFER - 30#####	124.19	278219	WESTERN STEEL AND PLUMBING	58.16	1000971
VANTAGEPOINT TRANSFER - 30#####	124.19	278416	WESTLIE FORD	351.71	278206
VELVA ENVIRONMENTAL LLC	22564.43	278199	WESTLIE FORD	1811.15	278400
VERIZON	20.02	278395	WESTLIE TRUCK CENTER	1965.53	278207
VERIZON	3323.58	1000969	WESTLIE TRUCK CENTER	4305.07	278401
WAL MART	133.00	278201	WILBUR-ELLIS CO LLC	1367.00	1000972
WAL MART	4.72	278220	WINNELSON	519.18	1000973
WAL MART	486.11	1000970	WSI CLAIM	348.50	278402
WALLWORK TRUCK CENTER	409.90	278396	XEROX CORPORATION	1110.83	278403
WALTER, DEVIN	247.50	278202	3D SPECIALTIES INC.	1034.82	278210
WANTZ, MACEY	37.12	278203	3D SPECIALTIES INC.	4167.50	278404
WARD COUNTY AUDITOR	14305.00	278397			
WARD COUNTY LAW ENF RANGE	500.00	278398	TOTAL:	\$6,557,385.98	

CHARGE THESE FUNDS:

Airport	\$ 26,131.42
Cemetery	3,539.58
Parking Authority	376.25
Garbage	
Collection	21,274.42
Landfill	30,171.00
Water/Sewer	
Storm Sewer Maintenance	11,885.75
Water Supply	61,993.66
Water Distribution	37,655.42
Sewer	23,643.58
Utility Billing	6,772.42
Replacement	9,013.75
Public Transportation	5,679.33
Library	6,693.83
Auditorium/Recreation	16,821.34
Total Transferred	\$ 261,651.75

ELECTRONIC PAYMENTS

AFLAC	\$ 14,307.78
BCBS	349,481.72
Federal Tax Withholding	444,842.24
State Income Tax	81,406.44
Sales and Use Tax	12.18
ND State Disbursement	7,394.12

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Deferred Comp	19,451.90
Verendrye Electric	80,881.60
Xcel	135,200.84
MDU	3,570.08
Mass Mutual	133,423.25
Discovery Benefits	8,985.65
Job Service of ND	1,177.54
NDPERS Pension	27,181.68
Total	\$1,307,317.02

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

APPROVAL OF PAYROLL – JUNE 23, 2019 THROUGH JULY 20, 2019 - APPROVED

Alderman Jantzer moved the City Council approve the payroll for the period of June 23, 2019 through July 20, 2019 in the amount of \$2,034,319.54.

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

ORDINANCE NO. 5405- BUDGET AMENDMENT FOR FRONT END LOADER LEASE AND SNOW BLOWER ATTACHMENTS – SECOND READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5405 on second reading to amend the budget to move the front-end loader lease and snow blower attachments out of the equipment purchase capital fund into the general fund street department accounts. Motion seconded by Alderman Olson and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5405 on second reading. Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ORDINANCE NO. 5406 – AMEND THE 2019 ANNUAL BUDGET FAA 2019 AIP GRANT – SECOND READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5406 on second reading to amend the 2019 annual budget to account for increased revenue and expenses relative to the 2019 Airport Improvements Program Grant. Motion seconded by Alderman Olson and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5406 on second reading. Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

ADMINISTRATIVE APPROVALS – APPROVED

Alderman Jantzer moved the City Council ratify the following administratively approved requests.

1. Minot Area Homeless Coalition to conduct a raffle November 30, 2019 at The Grand Hotel (1505 North Broadway)
2. Bishop Ryan Catholic School 60th Reunion to conduct a raffle July 13, 2019 at Bishop Ryan Hogan Field (316 11th Ave NW)
3. Arny's 2.0 for a special event permit August 2-15, 2019 outside 12 3rd Street SE
4. Arny's 2.0 for a special event permit August 16-29, 2019 outside 12 3rd Street SE
5. Arny's 2.0 for a special event permit August 30-September 12, 2019 outside 12 3rd Street SE
6. Sanford Health Foundation to conduct a raffle July 29, 2019 at Corbett Field (1124 Burdick Expy E)
7. Souris Valley united Way to conduct a raffle July 18, 2019 at Minot Country Club (1912 Valley Bluffs Drive)
8. The "O"riginal Bar & Nightclub for a special event permit July 18, 2019 outside 720 N Broadway

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9. Minot High Trap Team to conduct a raffle and calendar raffle from August 1, 2019 through June 30, 2020 at Central Campus School (215 1st Street SE)
10. Souris River Brewing for a special event permit August 13, 2019 on Main Street, downtown Minot
11. Souris River Brewing for a special event permit August 17, 2019 on Main Street downtown Minot
12. Barley Pop Bar for a special event permit August 15, 2019 outside 437 N Broadway
13. Army's 2.0 for a special event permit August 1, 2019 at Mouse River Players (115 1st Street SE)
14. The Pour Farm for a special event permit July 25- August 1, 2019 outside 201 37th Ave SW
15. First Lutheran Church to conduct a raffle September 15, 2019 at First Lutheran Church (120 5th Ave NW)

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

RETAIL BEER & WINE LICENSE – GOURMET CHEF INC, DBA GOURMET CHEF – APPROVED

Alderman Jantzer moved the City Council approve the request from Gourmet Chef, Inc dba Gourmet Chef, for a Retail Beer & Wine License operating at 122 South Main Street.

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

BID ACCEPTANCE AND APPROVAL TO PURCHASE FITNESS TESTING EQUIPMENT – 2017 JAG GRANT (PD0144) – APPROVED

Alderman Jantzer moved the City Council accept the bid from PTM Equipment Inc. for the fitness testing equipment for new police applicants and authorize the order and purchase of equipment from PTM Equipment Inc.

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

ORDINANCE NO. 5411 – AMEND THE 2019 ANNUAL BUDGET- FITNESS TESTING EQUIPMENT (PD0144) – FIRST READING – APPROVED

Alderman Jantzer moved the City Council place ordinance no. 5411 on first reading to amend the 2019 annual budget to increase the police operation supplies revenues, publications, and capital purchases revenues and expenditures for a FY17 Edward Byrne Memorial JAG Physical Test Equipment grant. Motion seconded by Alderman Olson and carried unanimously.

Alderman Jantzer moved the City Council pass ordinance no. 5411 on first reading. Motion seconded by Alderman Olson and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

2019 SIDEWALK, CURB & GUTTER REPLACEMENT – INSTALLATION & ASSESSMENT OF SIDEWALK (4382) – APPROVED

Alderman Jantzer moved the City Council order the construction, rebuilding, or repairing of sidewalks to be performed by the City's contracted Contractor; and assess the construction cost and administration fees for this sidewalk work against the benefiting properties, as listed:

Gerald & Beth Borho	800 14 1/2 Ave SW
William R Brand	1516 8th St SW
Mark & Sebina Oren	1116 7th St SW
Benjamine Burke	508 15 1/2 Ave SW
Elroy & D Balerud	1420 5th St SW
Laurel Luchsinger	625 11th Ave SE
Eric D Eva Stroup	514 16th St SW
Jellent Properties	518 16th St SW
Mel Geiger	1416 5th St SW
Lisa Hoffer	16 23rd St NW
Robert & Rhonda Thompson	2047 4th St NW
Kevin & Annelizabeth Burton	420 14th Ave SW

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Carrie Welnel	116 24th St SW
Candi & Jason Zeigler	109 23rd St NW
Matt & Marie Rogers	1101 5th St SW
Cassandra Black	104 23rd St NW
Leonard & Marjorie Ostdahl	108 23rd St NW
David & Patricia Life Estate	1519 7th St SW
Steve & Paulette Streitz	1450 7th St SW

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

ENGINEERING AMENDMENT WITH EAPC FOR CARNEGIE CENTER REPAIRS – APPROVED

Alderman Jantzer moved the City Council approve the EAPC Consultants amendment for the design and construction engineering on the Carnegie Building and authorize the Mayor to sign the amendment on behalf of the City.

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

AVFLIGHT LEASE AMENDMENT TO ADD ADDITIONAL LAND – APPROVED

Alderman Jantzer moved the City Council grant approval of the lease amendment between the City of Minot and AvFlight Minot Corporation and authorize the Mayor to sign any applicable documentation.

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

CONFIRM SOP FOR OWNER RETENTION OF SINGLE-FAMILY STRUCTURES AS A POLICY AND PROCEDURE – APPROVED

Alderman Jantzer moved the City Council approve Standard Operating Procedures for Owner Retention of Single-Family Structures as a Policy and Procedure.

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

AGREEMENT FOR DESIGN AND CONSTRUCTION ENGINEERING P3135.2E SWIF REPAIR OF BANK STABILIZATION, DREDGING AND CULVERT CLEANING – APPROVED

Alderman Jantzer moved the City Council approve the engineering contract with Houston Engineering for SWIF E and authorize the Mayor to sign the agreement on behalf of the City. Motion seconded by Alderman Pitner.

Alderman Wolsky asked if this project authorizes reconstruction of gate wells into existing dead loops, to which Mr. Jonasson responded that it does not. Mr. Jonasson continued by saying, the project will repair eroded bank areas and clean the pipes into the dead loops.

Alderman Wolsky explained that he noticed gate wells being replaced at Oak Park and was concerned the City was spending money perpetuating a system that could be done better.

Mr. Jonasson said, the work being done at Oak Park is replacing steel pipes with concrete pipes to ensure there are no leaks.

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

AUTHORIZATION OF FINAL APPLICATION TO GOVERNOR’S FUND FOR COMMUNITY DEVELOPMENT – APPROVED

Alderman Wolsky moved the City Council authorize a final application to be made for \$300,000 to the Governor’s Fund for Community Development set-aside in support of the Lutheran Social Services Housing, Inc. projects being funded primarily

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through two sub-recipient agreements from CDBG-NDR grant and authorize the Mayor to sign all documents in support of the application. Motion seconded by Alderman Straight.

Alderman Wolsky stated, the request was for \$760,000 but they have only been authorized for \$300,000. He asked Mr. Zakian how the shortfall would be covered for the project.

Mr. Zakian responded by saying, the excess is not necessary but would give additional options to Lutheran Social Services. He stated, they can fulfill their obligation with \$300,000. They fully understand that they are responsible to carry out the project and \$300,000 is enough to do so.

Alderman Wolsky then asked about the leverage attached to the NDR application and if there is additional leverage required since they will not receive the additional \$460,000 as originally requested.

Mr. Zakian said, this leverage is new and can be used to offset leverage we have not yet received.

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

PUBLIC HEARING: BUILDING RELOCATION REQUEST TO 513 11TH ST NW – APPROVED

The City Council held a public hearing to consider a request by Rose Barkie to relocate a single-family residence, garage and accessory building from 1313 27th St SW, Minot ND, 58701 also known as Lighthall's S/D of Outlot 3, Lots 8, 9, 10 & 11, to 4900 30th Ave SE, Minot, ND 58701, also known as Sublot B of Olt 5 of NESW Sec 33-155-82, subject to the following conditions:

1. A ten-thousand-dollar completion bond must be posted with the City of Minot prior to issuance of any permits for this work.
2. Application and approval of mechanical, electrical, plumbing, building permits for all new proposed construction.
3. Coordinate all relocation activities with public utilities and traffic authorities.
4. An approved foundation design in compliance with City of Minot building codes.
5. If required: plumbing, electrical and HVAC systems must be brought into compliance with current code requirements of the City of Minot.
6. All work at the new location must be in compliance with City of Minot building codes and zoning ordinances.
7. The exterior of the structure must be one consistent color arrangement of colors after relocation.
8. The property must be provided with proper site drainage, and must be landscaped in a manner similar to surrounding properties.

Rose Barkie came forward to explain that there is a mistake in the agenda and the correct address is 513 11th Street NW. She said, the building is only moving a distance of ten feet and is not going to the location mentioned in the description.

Staff indicated there was a mistake and recommended the request be granted to relocate the structure from 513 11th Street NW to 513 11th Street NW as Ms. Barkie stated.

Alderman Straight moved the City Council close the public hearing and approve the request to relocate the detached garage from 513 11th Street NW to 513 11th Street NW subject to the listed conditions. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

PUBLIC HEARING- ADDITIONAL ANIMAL PERMIT – APPROVED

The City Council held a public hearing to consider a request by John D. Hutton Jr. to have two additional dogs in excess of the four dogs allowed by City ordinance.

No one appeared on behalf of the public hearing.

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: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

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RECRUITMENT SERVICES AND TITLE REVISION FOR ECONOMIC DEVELOPMENT ADMINISTRATOR – APPROVED

Alderman Olson moved the City Council approve the title revision of Economic Development Administrator, and authorize use of the services of Baker Tilly Virchow Krause, LLP (Baker Tilly), for the recruitment of the Economic Development Administrator position; and further, authorize the Mayor to sign the contract on the City's behalf.

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

PURCHASE OF 805 2ND AVENUE NE AND SALVAGE OF HOUSE TO KELSEY M. SLAUGHTER – APPROVED

Alderman Pitner moved the City Council approve the purchase of 805 2nd Avenue for a price of \$156,000 minus a salvage value of \$13,859 for a net purchase price of \$142,141 authorizing the Mayor and other City officials to execute all documents necessary to complete the purchase and authorize the seller, Kelsey M. Slaughter to reacquire house and relocate it.

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

EXPIRING LAND LEASE WITH MINOT AVIATION – APPROVED

Alderman Pitner moved the City Council adopt the recommendation of the Airport Director not to renew or extend Minot Aviation's current land lease, which expires on January 31, 2020; and direct the Airport Director to move forward with all actions necessary to wind up the present lease with Minot Aviation. Motion seconded by Alderman Straight.

Bob Martin, representing Minot Aviation, said the owners have been in business since 1982 and 1985, respectively. They lease the land from the City but own the building and have never made a late payment. He said, the inspection took place May 6th and the notice of termination of the lease was received July 11th. The notice cited the reasoning for terminating the lease because the use was "non-aviation." Mr. Martin then showed a video demonstrating that the airplanes on the property are operable, the space is used to manufacture aviation related products, and the hobby shop sells aviation related models and drones. He also stated that the letter referenced a washer/dryer and shower located in the building as non-aviation. He explained, the appliances were used to wash chemicals after aerial spraying. Mr. Martin continued by saying, the lease binds both parties and his client requests formal notice to rectify the issues noted in the inspection before terminating the lease.

Upon questioning by Alderman Podrygula, Mr. Martin explained that two of the seven airplanes do not fly.

Rick Feltner, the Airport Director, presented the results of the Airport-wide audit. He said, they put together a program to inspect all of the Airport-owned space. The leases are unique because the Airport owns the property but, in most cases, the tenant owns the building. They are long term leases but there is not a lot of consistency. He then described the background of the audit, the process they conducted, and the results from the inspections. He concluded his report by explaining the two action items he is requesting from the Council.

Mr. Feltner said, 23 out of 27 inspections resulted in either full compliance with all requirements, or requiring only minor remediation. There were two buildings that were determined to be unsafe and in immediate need of major repair. They also had questionable aeronautical purposes, according to the FAA definition. Per their current lease agreements, curative letters were sent and the Airport is working with the lessee's on next steps.

Mr. Feltner stated, he is not recommending the lease be terminated with Minot Aviation, he is recommending the lease not be renewed when it expires in January. He explained, as determined by the FAA, a hobby shop is not an aeronautical use. He said, the aircraft are not active and do not participate in the aviation community. The Minot Airport is trying to choose tenants who make the highest and best use of the facility. He said, they need to be consistent and fair with the other leases and storage is not an aeronautical purpose.

Alderman Straight asked if the FAA ever viewed the hobby shop as an acceptable use, to which Mr. Feltner stated, he believes the grant assurances have been consistent.

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Alderman Wolsky asked if the City would look for a new tenant if they allow the lease to expire and if Minot Aviation could reapply. Mr. Feltner said, yes, there is a process completed by the Airport and approved by the FAA and by Council. Minot Aviation could apply.

Mayor Sipma asked about the monthly fee of only \$250. Mr. Feltner responded by saying, the low fee helps a tenant amortize over a long period of time but encourages an aviation related use.

Mr. Martin came forward to ask Mr. Feltner if the FAA has reviewed the situation.

Mr. Feltner explained that the FAA has been involved. The hobby shop does not meet their definition of an aeronautical purpose and in order for Minot Aviation to stay there, the FAA would have to grant an exception. They could grant the exception if it can be proven that this tenant is the only way income can be generated for the Airport and there is no higher and best use. If that hurdle is overcome, it would require a new lease that charges the market rate for retail space and distributes a portion of sales to the Airport.

Alderman Pitner asked about the average leaseholder and how often they fly their planes. Mr. Feltner said, a vast majority are active. He stated, the Airport is the only place to fly planes but it is not the only place for retail space.

Eva Lucke, said, she has operated the hobby shop for 37 years and they have offered rentals, spraying, and air shows. They have FAA certificates and a clean record. They help schools and have taught students how to fly remote controlled planes. They also have a drone program which teaches how to fly drones and educate the community on flying drones. She said, other buildings have been used for storage of cars and boats.

Alderman Podrygula asked if the owners would be willing to explore options to renegotiate the terms of the lease if permitted by the FAA. Ms. Lucke said they would need to speak with their attorney but are willing to consider it.

Members from the Minot Aircraft Modelers Club came forward in support of Minot Aviation. They explained that drones are the fastest growing industry in aviation and that model planes are what introduces people to aviation. They all also said, if the lease is not continued, the hobby shop will go out of business and Minot will lose out on the sales tax from their products.

Alderman Straight shared his concerns about the \$250 per month rent. He said, they can all agree that the hobby shop is important but the location is not ideal. Ultimately the City is subsidizing the shop using government funds.

Alderman Wolsky encouraged the community to embrace a new location.

Alderman Podrygula agreed with the concerns over the monthly rental rate. He said, he would like to see the tenant be in compliance with the FAA and asked if the City could give them six months to enter into a new contract.

The City Manager said, the lease states the City must give 120 days' notice if the City does not intend to renew the lease. If Council chooses not to give notice that the lease will not be renewed, then it will automatically renew in January.

Alderman Olson commented that the Council can take action tonight to direct staff to give notice not to renew the lease and can still move forward to negotiate a new lease.

Alderman Podrygula moved the City Council give Minot Aviation six months to work out the issues to the satisfaction of the City.

The City Attorney stated, the lease cannot be amended through a motion by Council. It would require an amendment of the lease agreed upon by both parties. There needs to be action taken by the end of August or another year of the current lease will be granted.

Mayor Sipma clarified, the value of the hobby shop is not the issue. There is a compliance issue and this gives the opportunity to comply with the FAA who authorizes millions of dollars in funding to the Airport. The FAA can authorize a change but the City is obligated to the regulations outlined by the FAA, just like any other grant. The Council can direct staff to work with the tenant to renegotiate the terms of a lease.

Alderman Podrygula requested staff work with Minot Aviation to comply with FAA regulations and renegotiate a lease.

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

MONTH-TO-MONTH LEASE TERMINATION, AVIATION SERVICES – APPROVED

Alderman Olson moved the City Council adopt the recommendation of the Airport Director to terminate the month-to-month land lease with Aviation Services, Inc., and direct the Airport Director to move forward with all actions necessary to terminate the lease and reacquire the subject property. Motion seconded by Alderman Straight.

Alderman Podrygula asked if the Airport Director had been able to contact the lessee.

Mr. Feltner replied by saying, he has been in contact with Mr. Andersen. He showed photos of the subject property and explained that the tenant had once owned a spray business but the space is currently just used for storage.

Alderman Podrygula praised the Airport Director for conducting the audit and correcting the violations that were found.

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

ORDINANCE NO. 5412 - NO PARKING ALONG 1ST STREET NE AT HAMMOND PARK, MIDBLOCK CROSSWALK – FIRST READING – APPROVED

As part of the 2019 Storm Sewer Rehabilitation project, Public Works is improving 1st Street NE and 8th Avenue NE by rebuilding portions the roadway, installing curb and upgrading to ADA compliant crosswalks. Engineering, Public Works and the Park District worked together to develop several alternatives for an appropriate location of an east-west pedestrian crossing near the 1st Street NE and 8th Avenue NE intersection. The alternatives are described in the attached memo.

Alderman Olson moved the City Council place ordinance no. 5412 on first reading to add parking restrictions to the following locations:

West side of 1st Street NE, south 120-feet to 180-feet from the west-center of the 8th Avenue NE intersection.

East side of 1st Street NE, south 110-feet to 170-feet from the east-center of the 8th Avenue NE intersection.

Motion seconded by Alderman Podrygula and carried unanimously.

Upon questioning by Alderman Straight, the City Engineer described the background of the project and the alternatives discussed. He said, this is a drainage improvement project. In 2014, the City and Park District did a rehabilitation project at Hammond Park. Now, the City is working to improve drainage and install curb and gutter. In addition, they have to ensure there is ADA compliance with the project. He displayed a map of the area and described where the ADA accessible spots are located which lines up with the location of the pedestrian ramps they plan to install at midblock. They looked at three options including, option 3 which was obstructed by a catch basin, option 2, at the intersection, which had sight obstructions, and option 1, the midblock crosswalk which lines up to the tennis and basketball courts. The parking restriction prevents vehicles from obstructing the view of pedestrians and allows for safe crossing. There has been cross communication with the various departments to make this project work.

Alderman Straight asked if notification is sent to the residents in the area. Mr. Meyer said, they have sent out letters for similar projects but in this case, the Park District owns the property and were involved in discussions.

Whereupon Alderman Olson moved the City Council pass ordinance no. 5412 on first reading. Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Jantzer, Olson, Pitner, Podrygula, Sipma, Straight, Wolsky; nays: none.

CITY HALL RETAINING WALL – ALTERNATIVE SELECTION (4398) – APPROVED

City Engineer, Lance Meyer, introduced Cassie McNames, of KLJ, who presented information on the City Hall Retaining Wall Project. She explained that the grouted rock slopes were constructed in 1954 and the initial evaluation including soil testing, was done in 2015/2016. She emphasized the concern over the condition of the slope and compared it to the failure of an identical slope at Hillcrest Drive in 2015. She listed factors that contribute to the condition of the grouted rock slope including, lack of drainage behind the slope face, loss of bond between grout and rock, inadequate restraint between the slope face and backfill, and the life expectancy of a grouted rock slope traditionally being 5-10 years. She then described the

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process the Aesthetics Committee conducted and the criteria they used to evaluate their recommendation to Council. Ms. McNames then explained the wall alternatives and compared the pros and cons of each one. She said, the Council could choose to repair the existing grouted rock slope, but it would require continued maintenance which increases costs over time and is a larger investment compared to a retaining wall. She did not recommend a grass slope because the 4 to 1 ratio of the slope would impact 3rd Avenue eliminating fire lanes, parking, transit operations, Municipal Court and Auditorium seating. The retaining wall option consists of alternatives for a large block gravity wall, Mechanically Stabilized Earth (MSE) wall, or a soldier pile wall. She then described the alternatives in greater detail.

Ms. McNames explained the recommendation from the Aesthetics Committee which is to construct Option 5A/4A, a soldier pile wall the entire length of Wall 2 with Wall Finish Option 3.

Alderman Wolsky asked about the assumptions for a vegetative slope to which Ms. McNames responded by saying, a four to one slope is based on the slope needed for maintenance and anything greater would be dangerous.

Alderman Pitner asked why the estimated cost was so different from what was included in the CIP. Mr. Meyer said, the cost estimates done several years ago were on the low end and staff may have had some wishful thinking.

Alderman Olson moved the City Council select wall finish option 3 as recommended by the aesthetics committee, select Option 5A/4A (soldier pile wall entire length of wall 2) as recommended by staff and authorize the City Engineer to negotiate a scope and fee for an engineering contract amendment in order to bid multiple wall alternatives and observe the work. Motion seconded by Alderman Jantzer.

Alderman Straight asked about funding sources for the project and mentioned Hub City funding. Mr. Barry explained, Hub City funding has been used for one-time expenditures, usually for infrastructure associated with oil and gas expansion. Funding sources are identified in the CIP and are revised annually. For this particular project, there are budgetary adjustments that could be made to close the gap. There are monetary reserves from the transfer of the Auditorium/Recreation Department to the Park District of about \$900,000. It could be used toward the Auditorium protection this wall provides. Also, instead of setting aside \$7.5 million for a new City Hall, it was reduced by \$1 million and put toward this project. We also anticipate additional Hub City funding due to the new formula.

Alderman Wolsky said the project was estimated at \$2.8 million but is now estimated at \$4.7 million and given the amount of the increase, he requests a secondary approval related to the financials. He stated, he is not a supporter of the project and believes there are alternatives that have not been explored. He said, he understands it is a risk mitigation project but there is no scenario offered to move forward with the safest sturdiest wall or with no action or a grass slope. He then suggested the consultant check for all other alternatives. He mentioned others such as a steel reinforced steep slopes and high-density polyethylene. He also challenged the assumption that a four to one slope is necessary for native grasses and would have minimal maintenance.

Mayor Sipma commented that he agrees with the structural engineer. This is what happens when projects get delayed and we are trying to get it done on a budget. These options will mitigate risk and have been provided by the professionals the City Council is there to rely on.

At the request of Alderman Podrygula, Ms. McNames commented on the alternatives mentioned by Alderman Wolsky. Ms. McNames said, they kept budget in mind throughout the process as well as finding local resources. One of the systems that he mentioned, the steel slope, does not have local contractors so the costs would go up to bring in outside experts. She then said, the other suggestion for foam blocks is just used to lighten the fill but is not used to retain soil and doesn't solve the issue.

Alderman Pitner said he supports for the sake of public safety and economics but it reinforces the effect of deferred maintenance.

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

PERSONAL APPEARANCES

Sara Bachmeier, representing the Minot Area Recovery Community Organization, came forward to announce that they have hired Andrew Schultz as the Executive Director. The Board, which was developed out of the Mayor's Committee On Addiction, has been meeting every other week and is planning community events. The group is the first organization of its

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kind in North Dakota and is coordinating recovery resources within a 100-mile radius. She said, they are awaiting their non-profit status but are moving forward to plan a luncheon September 6th for industry professionals and highly visible speakers on the issues.

Mayor Sipma congratulated Mr. Schultz and requested an invitation to their next Board meeting for an update on their progress.

Jessica Ackerman, a property owner involved in the acquisition of property for the Gathering Space, came forward to discuss the Gathering Space negotiations. She read aloud an email that she had sent to the Council earlier that day:

“Several of the property owners in the footprint of the downtown gathering place intend to appear in front of council this evening to provide the council with a different perspective related to the project. We thought it would be appropriate to give the full council an appropriate ‘heads up’ prior to our appearance.

We intend to provide the council with information, comments and questions related to the project as you consider the next steps.

Budget and Area Requirements

The first thing we would like to address is the project budget and the associated area requirements. The definition of required area has been unclear from our perspective. The Phase II NDRC application stated the site would be 2 acres, and that became the basis for the grant agreement. However, the Phase II application also listed the cost of the project at \$10.795 million, with \$2 million of that total being provided through local leverage. When the grant was awarded, a total of \$6 million was to be provided by HUD, and no communication has occurred (to our knowledge) with regard to any local funding, leading the public to believe that this is going to be a \$6 million project, all-in.

If you consider a couple of other gathering place projects that have been referenced as comparable by the City, it helps to illustrate the challenge. The gathering place in Rapid City is illustrated on the City of Minot’s CDBG page as an example for our proposed gathering place. This Rapid City project opened in 2011, consists of 1 acre, and cost approximately \$6.5 million to build. To rephrase, Rapid City paid \$6.5 million for a 1 acre gathering place nearly ten years ago. A project of similar finishes and fixtures scaled up to two acres and adjusted for inflation is going to be well above the \$6 million budget identified by the City of Minot.

A recent presentation was given to the Downtown Association that referenced a gathering place in Caldwell, Idaho. From what we understand, this project opened in 2018, consists of 1.3 acres and cost approximately \$7.3 million to build.

Both of these projects are great examples, and people are excited to see something like this downtown. So, the questions that we are asking about budget and area requirements are:

1. Has the City of Minot evaluated whether or not \$6 million will be adequate to construct a 2-acre gathering place that meets the intent listed in the NDRC application, keeping in mind that the City estimated the cost of this project to be closer to \$11 million four years ago?

2. Has the City of Minot requested that HUD clarify the area requirements based on the fact that the budget of \$6 million is less than 60% of what was contemplated originally?

Proportionately, a \$6 million gathering place of similar fixtures and finishes of what was contemplated originally in the application (\$10.795 million) would consist of roughly 1.11 acres. If the proportion of HUD dollars awarded (\$6 million) to HUD dollars requested (\$8.795 million) were used as the basis, the required size would be roughly 1.36 acres.

Operations & Revenues

The next thing that we would like to address is related to the operation and revenues associated with the space. The downtown gathering place has been presented to the community as an asset that will be tax neutral. Our hope is that it is actually better than that. In other communities, a downtown gathering place is used as a venue to generate revenue from community events that help to perpetuate the operations and maintenance of the facility, as well as provide enhanced services in the neighborhood surrounding the space.

In Rapid City, for example, the same crew that maintains, organizes and runs events at the gathering place also plants flowers, cleans building facades and performs beautification efforts in the greater downtown. They do this by generating revenue through rental of the space to private parties, charging for services and charging for certain events.

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We think the City of Minot should request clarification from HUD regarding the requirement that the space remain open to all members of the public 24/7/365 and that charging admission fees for planned events or rental of the space to third parties would not be acceptable.

Buildings and Indoor Space

We also have concerns with the City's description of the proposed project, which is to basically acquire and demolish all the buildings within the gathering place footprint and construct a park. We respectfully request that you do not do this. The buildings are the character and history of downtown that make it unique. The downtown gathering place is an opportunity to meld the character and history of downtown with a project that accomplishes the objectives that the community outlined back in 2015. If we want this to be a successful and active community resource throughout the year, complementary indoor space, whether inside the footprint of the project or immediately adjacent to it, is necessary.

Acquisitions Process

We would also like to offer some perspective on the acquisition process to describe why this has been challenging for the property owners. In letters from January 2018, property owners were notified of the City's intentions to make offers and indicated that the "initial offer will be made for not less than the appraised value." This would seem to imply that the offers would be based on an appraisal, and that the appraised value was to serve as a floor. Property owners were surprised, then, to get an offer from the City that did not have an appraisal used as the basis. To compound the frustration, the City of Minot sent original offer letters in February of this year, and in March of this year, some property owners received a second letter from the City of Minot indicating that the properties were going to be tax assessed at values approximately 25% higher than the February offer.

We realize that the negotiations are being driven by the resilience program and the assessor's office is responsible for sending notices regarding significant valuation increases. While these are two separate city departments, it is still the City, and the timing of offer letters and tax assessor letters was unfortunate and fueled the frustration of the property owners.

The issue of special assessments has been another aspect that has caused frustration among the property owners. As you may recall, the City finalized special assessments for the downtown storm sewer and lighting infrastructure project last fall. Initial offers from the City did not include any mention of special assessments, so the property owners reached out for clarification. We were then surprised to learn that the City's position would be that the current owners would be responsible for paying the balances of all outstanding special assessments for the properties. Through significant back and forth dialogue, the City's position became more reasonable, whereby the special assessments would be prorated to the date of closing. Had this not been brought up by the property owners, the property owners could have arrived at closing, only then to realize that the purchase price would be significantly reduced at the closing table through the deduction of outstanding special assessments.

Another item that is challenging is the issue of timing. The City's position is that earnest money (i.e. a down payment to secure the purchase contract) is not something that is reasonable. While we can certainly understand that a voluntary acquisition means that either party can simply say 'no', the implementation becomes tricky when you are dealing with multiple property owners. Here's why:

If the property owners say "yes" to a voluntary acquisition, we essentially put ourselves in a vulnerable financial position in the event that the project falls through. The City wants the property owners to commit to selling, but the City is not willing to commit to buying.

As property owners, we are losing revenue due to the lack of certainty that our tenants have – they think their apartments, storage lockers or parking spots are going away, so they need to find spots in other locations. Additionally, the City has taken the position that if improvements are made to the property between now and the time of closing (which could be months from now), that the value of those improvements will not be considered by the City. So, we sit in stasis, while losing revenue and, in some cases, paying interest.

The typical solution to mitigating this risk is to establish a payment of earnest money by the buyer. While this is standard real estate practice, we were told this wasn't possible or reasonable. Some have acquiesced in order to keep this idea alive for the community, but we're doing so at our own cost and our own risk.

Additionally, commentary from City officials within the community on the status of negotiations is frustrating to hear, because the narrative has been one-sided. Comments have been made publicly that property owners have been asking for much more than what a property is worth. Statements like that place property owners in a very negative light.

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However, what the public hasn't heard is that property owners have paid thousands of dollars to have their own certified appraisals completed – appraisals which were seemingly going to be the responsibility of the City – and that property owners have presented counter offers to the City based on the values identified in those certified appraisals.

Proposal

The following is a proposal for the City of Minot to consider:

1. Move forward with a baseline project that consists of a smaller area, similar to what is shown on the attached map, using parcels 1-7. This area would total approximately 1.2 acres.
2. If the baseline project is too small, work to secure parcel 8 from the Canadian Pacific Railroad. If secured, the total area would become approximately 1.6 acres. Evaluate if CP Rail would be amenable to a long-term lease in the event a sale isn't an option.
3. If there is a desire to make this project much more of a partnership opportunity, consider vacating 1st Avenue Southeast between 2nd Street and 3rd Street and performing a land swap with the Minot Public School District that would leave the school with an equivalent area but would also connect the downtown gathering place with the nearly 2-acre school green space. If parcels 9 and 10 were added to the footprint, the total area (excluding the area owned by the school district) would be approximately 2.1 acres.
4. If there is a need to include certain buildings in the footprint of the gathering place, consider adding parcels 11 and 12. If not, allow parcels 11 and 12 (Soo Line freight house) to be redeveloped as a public or private venture that would complement and enhance the gathering place potential, perhaps an entrepreneurial incubator. Parcels 1-12 total approximately 2.4 acres.

In the scenarios outlined above, the Evenson and Bloms properties are required. Both of these property owners have paid for certified appraisals of their properties and have made counter offers to the City of Minot using those appraisals as the basis. Additionally, the property owned by RMM Properties is not necessary and could remain. Finally, in the scenarios outlined above, only a part of the property owned by Aksal Group is necessary. Aksal Group would be willing to entertain a donation of this land to the City if accommodations are made to the remaining adjacent structures to ensure they (1) are structurally sound and (2) meld with the aesthetic of the neighborhood and the gathering place.

The potential is illustrated in the attached materials.

We believe our willingness to help the City identify multiple means to salvage this project for the community speaks to our desire to make this work for the residents of Minot, visitors to our community, and our downtown. With regard to the City-imposed deadline for negotiations, counter offers have been presented by the Evenson and Bloms properties, accompanied by certified appraisals.

Property owners have been told that it is an 'all or nothing' arrangement, where if one property owner chooses to not sell, the whole project must move. I think we've illustrated that there are multiple ways this project can come to fruition. We want closure to this just as quickly as the City does.

We hope that hearing directly from the property owners shares a perspective that has been lacking in council updates and in public conversation about this project. We hope you seriously consider the questions and comments that have been raised regarding the long-term success of the project. We want to see the downtown gathering place become a reality.”

After concluding her presentation, Mayor Sipma suggested a meeting be scheduled to discuss options and answer questions.

Mr. Zakian reminded them, they cannot discuss price or configuration. He said, the reason the City received the previous substantial amendment is because there are three viable sites. The committee and Council established an order of the sites for acquisition and if one site is too expensive, they are obligated to move on to the next option. He stated, there would be a serious breach with HUD to do otherwise.

Mayor Sipma decided to meet with Mr. Zakian the following day.

Council members shared their opinions and suggested a Special Council meeting be in order.

PRESENTATION OF THE 2020 BUDGET

The City Manager presented the 2020 Preliminary Budget to the Council and shared some information regarding the process and outcomes. He highlighted some of the budget changes that have taken place over the past couple years regarding revenues and expenses. He also mentioned major factors that have an effect on the 2020 budget including the transfer of the

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Auditorium/Recreation Department and the use of one-time reserves for one-time projects. He explained that this year's preliminary budget is the highest yet, at \$275 million but is due to committed expenses in flood control, sales tax, highway projects, capital purchases and water projects which have Federal and State funding sources.

Mr. Barry said, the 2020 budget results in about a 6% reduction in the mill levy for the City portion but it is a result of the reduction for the mills transferred to the Park District so the effect on the tax bill should be flat according to current assumptions. He reminded the Council of future expenses including NAWS, Flood Control, maintenance backlogs, and capital needs.

He then encouraged the Council to review the budget and meet with staff to address simple questions in preparation for the public Q & A on August 19th. The meeting will take place at the Auditorium, room 201 at 4:15 pm.

ADJOURNMENT

There being no further business, Alderman Jantzer moved the City Council meeting be adjourned. Motion seconded by Alderman Pitner and carried unanimously. Meeting adjourned at 9:26 pm.

ATTEST: _____
Kelly Matalka, City Clerk

APPROVED: _____
Shaun Sipma, Mayor