

**August 15, 2022 Regular City Council Meeting**

**MINOT CITY COUNCIL – SCHEDULED MEETING – August 15, 2022 AT 5:30 P.M.**

**ROLL CALL**

**Members Present:**

Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Streyle

**Members Absent:**

None

**PLEDGE OF ALLEGIANCE**

Mayor Ross presiding and Paul Stroklund, a 30-year Active Duty and Combat Veteran, led the City Council in the Pledge of Allegiance.

**MAYOR'S REPORT**

Mayor Ross had the following meetings:

1. Task Force 21
2. MACEDC Board of Directors
3. Grand Forks Delegation – National Guard Exercise
4. Legislative Strategy meetings
5. Hostfest Planning
6. Economic Team with Xcel Energy meeting

**MAYORAL APPOINTMENT – APPROVED**

Alderwoman Olson motioned the City Council to confirm the following appointment:

1. Rusten Roteliuk, PE to another term as the Engineer on the Building Appeals Board with a term to expire June 2027.

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

**CITY MANAGER REPORT**

Harold Stewart, City Manager, submitted a report to the council. Harold highlighted the Ask Me Anything Budget Session the City of Minot staff are hosting. These sessions allow for the public to ask questions about the FY 2023 Budget.

**PUBLIC HEARING: REZONE OF 1134 18<sup>TH</sup> ST. AND AJOINING UNADDRESSED PROPERTY - APPROVED**

A public hearing was held on an application from Crystal Braach representing L & C Holdings, LLC, owner for a future land use map amendment from Commercial to Industrial and a zoning map amendment from "C2" General Commercial District to "M1" Light Industrial District for the purpose of expanding the trucking operation located on an adjoining property. The legal descriptions for the properties are Outlot 41 of Section 27, Township 155 North, Range 83 West and Block 1, Lafarge Second Addition to the City of Minot, North Dakota. One property is addressed at 1134 18<sup>th</sup> St SW and one property is unaddressed, being located immediately south of 1134 18 St. SW.

Alderman Jantzer motioned to close the public hearing and Approve the following in alignment with the Planning Commission recommendation:

1. Resolution No. 3783 to amend the Future Land Use Map for the subject property from Commercial to Industrial.
2. An ordinance on the first reading for a zoning map amendment from "C2" General Commercial District to "M1" Light Industrial District.

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

**CONSENT ITEMS**

Alderwoman Olson moved the City Council approve consent items 6.1-6.11, 6.14, and 6.16.

6.1 CITY COUNCIL MINUTES - Approve the minutes of the August 1, 2022 Regular City Council meeting.

6.2 ORDINANCES – Approval of the following ordinances considered for second reading:

1. Ordinance No 5759 - Repealing Section 1-12 of Chapter 1 (Authorization to Remove Certain Public Records)
2. Ordinance No 5760 - 2022 BA - FY21 USDOJ Bulletproof Vest (PD0216)
3. Ordinance No 5761 - 2022 BA - CRISI Grant (2021380001)
4. Ordinance No 5762 - 2022 BA - Fire Engine Truck Repair
5. Ordinance No 5763 - Proposed Ordinance Jefferson Dr at 11th Ave SE
6. Ordinance No 5764 - Proposed Ordinance 39th St SE at 11th Ave SE
7. Ordinance No 5765 - Chapter 20-13 EVPS Ordinance

6.3 ADMINISTRATIVE APPROVALS - Approval of the following administrative approvals:

1. Team Minot Top 3 to conduct a raffle on September 15, 2022 at Scheels (2400 10th St SW).
2. Minot High Football Cheerleaders to conduct a 50/50 raffles at all home football games at Duane Carlson Stadium (1100 11th Ave SW).
3. Downtown Business & Professionals Association to conduct a 50/50 raffle on August 4, 2022 at Downtown Main Street (Downtown Main Street).
4. Ice Cold Ryders Motorcycle Club to conduct a raffle on December 15, 2022 at ICRMC Clubhouse (316 20th Ave SE).
5. Cardinals Athletic Boosters to conduct a sports pool and 50/50 at all home games for Varsity Basketball and Football and during the NFL Football Playoff games at Nedrose High School (5705 15th Ave SE).
6. Three Special Event Permits for Pour Fools, LLC dba the Pour Farm (201 37th Ave SW).
7. Three Special Event Permits for Atypical, LLC dba Atypical Brewery & Barrelworks (510 Central Ave E).
8. Special Event Permit for Der Blauc, LLC dba Blue Rider (118 1st Ave SE).
9. Two Special Event Permits for The Starving Rooster, LLC dba The Starving Rooster (30 1st St NE).

6.4 LOW HEAD DAM REMEDIATION – APPROVE PLANS AND SPECS (PROJECT #4618) - Approve plans and specs for low head dam remediation and authorize bid.

6.5 SNOW REMOVAL EQUIPMENT ACQUISITION – REJECT ADS FOR BIDS - Authorize City staff to reject all bids from the SRE snowblower bid opening on April 5, 2022; recommend City staff to shelve the project bid specs for future fiscal year funding; recommend City staff to solicit or bid (if auctioned) used pieces of equipment to replace Unit 326 and/or Unit 313 using the insurance payouts; and approve to have the Mayor, City Attorney and the Airport Director to sign contracts and necessary documents for the acquisition of used SRE alternatives.

6.6 CONTRACT FOR RUNWAY PAVEMENT MARKING – DESIGN, BIDDING, AND CONSTRUCTION ADMINISTRATION - Approve the runway pavement rehab bidding and construction administration to be conducted by Short Elliott Hendrickson Inc. (SEH) contingent upon funding approval; and authorize the Mayor to sign the agreement once approved by City Attorney and Finance.

6.7 REQUEST FOR PROPOSALS FOR FOOD, BEVERAGE, AND RETAIL CONCESSIONAIRE - Authorize the Airport Director to advertise and issue a Request for Proposals for Food, Beverage, and Retail (Concessionaire) once RFP is approved by City Attorney and Finance.

6.8 PROPOSAL ACCEPTANCE FOR REMOVAL OF THE EXISTING STRUCTURE AT 4TH ADDITION LOT 1 - Approve accepted proposal for removal of structure; and authorize Mayor and Finance Director to sign removal contract.

6.9 UPDATED LETTER OF AGREEMENT (LOA) FOR RUNWAY SAFETY AREAS (RSA) - Approve the updated Letter of Agreement (LOA) between the Minot International Airport, Minot FAA Contract Tower (MOT FCT), and Bismarck System Support Center (BIS-SSC)/Technical Operations (Tech Ops) to include language authorizing operational activity within runway safety areas (RSA) under certain conditions; and authorize the Mayor and Airport Director to sign any applicable documentation.

6.10 MDU EASEMENT ON CITY PROPERTY Approve the proposed right of way easement for MDU; and authorize the Mayor to sign the necessary documents.

6.11 XCEL ENERGY ELECTRIC EASEMENT ON CITY PROPERTY - Approve the electric easement with Xcel Energy; and authorize the Mayor to sign the necessary documents.

6.14 GALLAGHER ACTUARIAL CONSULTING AGREEMENT - Approve the contract with Gallagher Benefit Services Inc, for their actuarial services for the calendar year 2022; and authorize the Mayor to sign the contract.

6.16 ST. JOSEPH'S COMMUNITY FOUNDATION GRANT REQUEST - Approve the Police Department's request to apply for the St. Joseph's Community Foundation Grant; and authorize the Mayor to sign the letter of endorsement for the grant application.

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

#### **6.12 INTERSECTION TRAFFIC CONTROL REVIEW FOR DOWNTOWN MINOT – APPROVED**

Alderman Evans moved the City Council pass an ordinance to convert the following intersections from two-way stop control to all-way stop control:

1. Main Street S and 1st Avenue S
2. Main Street S and 3rd Avenue S
3. 1st Street SE and 2nd Avenue SE

Alderman Evans asked Stephen Joersz to discuss the intersections downtown. Stephen stated that 3 should be All Way stops and another 3 intersections are on the fence to be future All Way stops. The three intersections that are not ready to be All Way stops yet are going to get a pedestrian painted bump out, which is a painted curb extension and is cheaper than the concrete bump outs. Stephen mentioned that the Traffic Department is going to continue to study the downtown traffic.

Alderman Evans inquired if the council could get an update on the evaluation of the downtown intersections and the status on the painted bump outs. Stephen said that would work and allow them the time to study the traffic and the changes.

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

#### **6.13 PUBLIC WORKS COOLING TOWER REPAIR BUDGET AMENDMENT – APPROVED**

Alderman Streyle moved to decline the Public Works cooling tower repair budget amendment on first reading. The motion was seconded by Alderman Podrygula.

Alderman Streyle said this was the second time a budget amendment was brought to council with money being available in other line items. Alderman Evans asked for David Lakefield, Finance Director, to elaborate on the logistics to move money. David Lakefield said that you can take money from reserves or other line items but the money has to be appropriated. Alderman Evans then asked if this was from the Public Works budget. David Lakefield responded that it was actually coming out of the Engineering budget so it would be general fund.

Alderman Podrygula said that he would not be supporting this motion but would like to become more knowledgeable on the budget amendment process. Harold Stewart wanted to mention that this repair has not been completed and the A/C has been out since July. The repair will actually not take place until September due to the part for the unit being shipped. He also mentioned that budget amendments are regulated by the City of Minot ordinances.

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

Alderman Olson moved the City Council approve the Public Works cooling tower repair budget amendment on first reading. The motion seconded by Alderman Pitner.

Alderman Pitner asked for clarification about the previous failed motion if the council could have presented to deny with the current funding source but suggest a new one. David Lakefield mentioned that the line item would need appropriation. The funds could be taken from any line item but would still require the budget amendment to increase the appropriation. The new financial system is set up to allow for the ability to move funding in like funding categories but it would need ordinance updates to allow for some flexibility.

Alderman Streyle did state that the point should be that there needs to be some sort of flexibility. He also mentioned that a concern also is with budgeting and budget amendments would it build up the base dollars for future years funding. David Lakefield stated that for budgeting a 4 to 5 years are compiled of data for comparison.

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

#### **6.15 RETAILCOACH CONTRACT EXTENSION - APPROVED**

Alderman Jantzer moved the City Council approve the signing of a contract extension with The RetailCoach in the amount of \$30,000.00 (\$27,500 plus up to \$2,500 for expenses). The motion was seconded by Alderman Pitner.

Alderman Streyle inquired about the effectiveness of this program. Jonathan Rosenthal responded that this is a year-old program and reports have been made to council previously. The City of Minot and RetailCoach are working together to attract a membership-based club and the organization has spent a day in Minot looking at potential sites. The program is also working on restaurants and also a shoe store.

Alderman Streyle asked if RetailCoach is more of a consultant. Jonathan stated that they are promoting Minot and providing data and their contacts. Harold Stewart stated that this company was proposed when he started with the city. Some of the reasons for it is to give the citizens of Minot a better quality of life. RetailCoach analyzes cell phone and credit card data and whether the money is being spent within our region or if people are leaving the region for certain shopping.

RetailCoach contacts companies where the needs of Minot meet certain business plans. The City of Minot provides the public and local business owners with the analytics on the website. These analytics can help local businesses make certain strategic decisions.

Alderwoman Evans expressed concern about the labor market in the City of Minot and how bringing in new businesses will work with the shortage of labor. She also stated that they could do more for the local businesses other than the once a year meeting. Alderman Podrygula likes the data-based way RetailCoach uses to catch the businesses attention. This is a significant and positive change from how things were done in business previously. He enjoys that this helps with local business in ways such as showing sales in Minot and what the best dates and times are for the sales within town.

Alderman Pitner discussed how the labor shortage could be a concern but everywhere is having the same problem. He also mentioned that it is import to invest to get in front of the game and diversify us as a city.

Mayor Ross asked Harold about the timeline that he witness in the other community he worked in. Harold stated that in Warrensburg, MO they were able to get a smaller market sporting store, which then became a Marshall's, the town also got a Culver's. The biggest issue was getting a grocery market in Warrensburg and that took about 5 years.

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

#### **CITY HALL REHABILITATION FURNITURE AWARD OF BID (4466) - APPROVED**

Alderwoman Olson moved to award bid packages 1, 2, 5, and 7 to InterOffice; award bid packages 3, 6, and alternate 1 to Christianson's Business Furniture; award bid package 4 to Clute Office Equipment; and waive the failure to acknowledge addendum 4 by Christianson's Business Furniture and consider it an irregularity.

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

#### **PAVING DISTRICT 499 - FINAL PAYMENT & BA (4591)- APPROVED**

Alderman Pitner moved the City Council approve the final payment to Strata Corporation in the amount of \$292,959.71; and approve the attached budget amendment in the amount of \$33,801.00.

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

#### **APPROVAL OF BIL FUNDING APPLICATION AND AWARD OF BID FOR RUNWAY PAVEMENT MARKING PROJECT- APPROVED**

Alderman Jantzer moved the City Council award the bid for the runway pavement marking project to the lowest bidder, Proline West, contingent upon funding approval; approve Airport staff to apply for BIL funding, accept if awarded, and have the Mayor,

City Attorney and the Airport Director sign the contracts and necessary documents once approved by City Attorney and Finance; and approve the recommended budget amendment on first reading.

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

**APPLY FOR PLACEMAKING GRANT – APPROVED**

Alderwoman Evans moved the City Council approve submission of a Placemaking grant application to the State of North Dakota Department of Commerce in an amount of \$60,000.00.

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

**RECYCLING PROGRAM STRUCTURE – APPROVED**

Alderwoman Olson moved the City Council to adopt the following options for implementation of the curbside recycling program:

- One time opt-out option.
- Bi-weekly recycling collection.
- 95-gallon cart provided to all participants.
- Program will exclude glass.

The motion seconded by Alderman Jantzer.

Alderwoman Evans spoke with Jason Sorenson, Assistant Public Works Director, about the options being as such: a one time opt out before bins are distributed and pick up being once every two weeks. She asked him about if recycling were to pick up would it be a difficult transition to once a week pick up. Jason said it would be an easy and fast way to change to once a week.

Alderwoman Evans also wanted to know how difficult would be it to add glass or any product to recycle after the initial roll out. Jason just stated that the most difficult part would be to retrain the public on what is okay to recycle. She also inquired if there would be a yearly evaluation on the products that we recycle. Jason replied yes, the products would be evaluated so that the City of Minot produces valuable recyclables.

Alderman Podrygula expressed concern with only offering a 95-gallon cart for recycling due to available space on property. He would like to see the citizens have a choice for a smaller container. Jason said it would take an extra step to survey but between the 65-gallon and 95-gallon the square inches is similar, it is the height that is different. It could be an easy change to make to allow another cart option due to the extra 65-gallon garbage bins that could be used for recycling.

Alderwoman Evans wanted to remind the public the citizens can change their garbage bin size for free they just need to call Public Works or go online. She asked Jason if the public could do that with recycling since we have the extra 65-gallon garbage bins that could be used for recycling. Jason responded that yes since we do that for garbage, the city would also do that for recycling.

Alderman Streyle was wondering what the excess inventory was for each size garbage bin and what would differentiate them from garbage to recycling. Jason stated that the 35-gallon bins there are very few, the 65-gallon bins probably around 1,000 and the 95-gallon bins there are some on hand. The 65-gallon cans can be repurposed for recycling it would just have the lid color changed.

Alderwoman Olson also reminded the public there is the ability for individual who is unable to move the can out to the street to have city staff assist on pick up days. Jason said it is a no charge service they just need to provide a doctor's note to the city stating they need assistance.

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

**PERSONAL APPEARANCES**

Margery Taylor needed the assistance of the council for the Edison School no parking area of 6<sup>th</sup> St and 7<sup>th</sup> St. There are 3 no parking signs in that area in the hours of 8 am to 4 pm. The no parking signs are not working during the hours of drop off and pick up. She stated it is chaos due to kids crossing on the street not on the crosswalk. She would like the assistance of the Minot

PD to police the area and enforce by ticketing the people parking in the area. Margery also provided examples of when she spoke with different people who have been parking there in the no parking areas.

Alderman Evans asked if Harold could organize a meeting with the Traffic Engineer and the Police Department. Harold mentioned that he can have the meetings with Lance and the Police Department but it would also be collaborative with the Minot Public School District. Harold stated that this is a valid concern and resource intensive but it will have to be a comprehensive approach since it is happening across the community.

### **MISCELLANEOUS/DISCUSSION ITEMS**

#### **COUNCIL PRESIDENT'S LETTER OF RECOMMENDATION ON 2023 BUDGET**

Alderman Pitner spoke on his Council President's Letter of Recommendation and started by thanking the city staff for the hard work done on the 2023 Budget. One of the changes he would recommend would be the removal of one of the Building and Grounds new positions for the parking structures due to the uncertainty of what will happen with those structures in the future. He also suggested the PD appoint an existing officer to the Drug Task Force position and eliminate 2 vacant positions until they can be filled. The final position recommendation would be to remove the Electric Inspector positions from the budget and use the ND State Electrical Board services.

With the position savings and the savings from the health insurance premiums being over \$1.1 million, he recommends \$500,000 goes towards street maintenance and the remaining excess funds will go to the PD for the remodel of City Hall or possible new structure they might need in the future. Alderman Pitner would also like to see the Wayfinding Signage project phase one start in 2023 using economic development funds from sales tax dollars.

Alderman Podrygula spoke about a conference he had attending in Minnesota where the Minnetonka Police Department spoke about how they would previously have over 400 hundred applications for a police officer position but now it is maybe 20-40 applicants and the quality of applicants is down as well.

Dan Jonasson addressed the removal of a building and grounds position stating the current crew maintains 45 facilities and this position would help with the parking structures, new City Hall, and also Fire Station #5. He stated that if the city had to contract out the work it would cost over \$100,000 per year.

Chief John Klug wanted to address the council on the removal of positions within the Police Department. He spoke about the current recruitment process which includes visiting colleges/universities in ND, SD, MN, MT, and WY. The PD also does job fairs at MSU and outreach with MAFB and citizens. John also mentioned that academy attendance is down currently. If the PD were to be fully staffed with sworn officers there would be 83, but currently there are only 73 sworn officers to fill 253 shifts. There are challenging variables that complicate schedule such as vacations, use of comp time, light duty officers, conferences/training, etc. The City of Minot has spent \$189,646.91 YTD on overtime for the police officers. Other issues to address to having a shortage on staff and heavy overtime would be mental health and physical health. He asked the council to reconsider removing two positions from the budget.

Alderman Streyle stated recruiting is horrible around the US and the MPD is unable to fill the current open positions for officers. Chief Klug stated that he would not be authorized to hire for positions that are not allocated into the budget. Alderman Pitner wanted to state this is not an attack on the PD, this is taking the cost savings of unfilled positions in the PD to save for the future of the department. If the PD was to get fully staff with allocated positions, Alderman Pitner would support a budget amendment to hire new officers.

Alderman Streyle inquired to Chief Klug if there were any current officer help positions that could become civilian with those officers then becoming patrol officers. Chief Klug mentioned that the evidence tech position could become civilian but the community outreach position would still need to be a sworn officer due to duties being shared with Fire Dept. for the PIO position in the budget.

Alderman Olson stated that they are elected to tax appropriately and tax on services citizens want to receive. The burden was put on the staff a few years back and now staff needs our support and they are citizens as well. Alderman Pitner was not denying any wages not being raised, he just wanted to save for future expenditures with the money staying with the PD for their future.

Kent Kossan, President of the local Fraternal Order of Police and Evidence Tech for the Minot PD, spoke to council about the diverse mission the PD has. He spoke about the importance of officer wellness and the stress on the officers. He spoke on the current stigma of any police department and the turnover rate within the department. The less stress on the officers the better they can do for the community but with being short staffed and the added overtime it is harder. By taking away positions in the department, it dims the light at the end of the tunnel for officers that are over worked at this time.

Alderman Streyle asked Kent for any recommendations that will fill the vacant spots. Kent said recruitment could use a sign on bonus. Alderman Streyle then stated that if four positions get cut and a portion of the funds that are saved go to recruitment bonuses that might help. Kent replied that he is not in favor of any positions being cut but is in favor of adding funding for recruitment and sign on bonuses.

Alderman Podrygula wanted feedback from staff on the idea of sign on bonuses. He also stated that replacing officers with other groups of individuals is risky. Alderman Podrygula mentioned that School Resource Officers are very valuable because it gives good interactions for the kids with the Police Department.

Aaron Moss, Vice President of the FOP and the Community Outreach Officer for MPD, that something that would be helpful with recruitment and retention would be fully paid family medical benefits. There is more to being a police officer than dollars and cents on a tally sheet. Aaron also spoke from his experience in the position of community outreach that it could not be a fully civilianized position due to loss of credibility when speaking to citizens about certain subjects.

Alderman Pitner also suggested that maybe the council and staff need to look into reinstating the Recruitment/Retention Work Group that was set up with the prior City Manager. Alderwoman Evans mentioned that the budget is a very hefty process.

Alderwoman Evans would like to see the City Council hold 3 special meetings for budget work sessions. She mentioned that they could have sessions that are divided up into the three: Public Safety, Public Works/Engineering, and General Government. Alderman Streyle seconded that this is a great idea and would get more involvement with Department Heads. Alderman Jantzer wanted the overall agenda on each meeting to be the budget so the special meetings were not limited to just those departments at the meetings. Kelly Hendershot did state that the Clerk and City Manager would need to word it on the agenda to cover the full 2023 budget so discussions are limited to certain departments.

Alderwoman Evans motioned for the City Clerk to set up three special meetings. Motion seconded by Alderman Streyle and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Streyle; nays: none.

#### **CITY OF MINOT ELECTRICAL INSPECTION PROGRAM**

Alderwoman Olson moved the city council retain the Electrical Inspection program for the FY 2023 budget year. The motion was seconded by Alderman Podrygula.

Brian Billingsley, Community Development Director, discussed how the City of Minot has two vacant electrical inspector positions and the State of ND Electrical Board has currently been helping the city for the last 7 weeks. There have been two delayed inspections in the past seven weeks but was rectified by the next day. If the city does not fill the spots, the cost savings would be about \$109,000 per year. Since Brian has been with the City of Minot he has done an annual customer experience survey. From that survey, the inspections department has received a 100% because of their same day or next day response.

Luke Tillema, the Building Official, spoke about how he would like to see his department maintain those positions. It will continue the current process, it meets the council aspirations, and it gives the city more local control to be more efficient. Luke believes that by keeping electrical inspection positions the city can ensure quality, timeliness, and consistence. Luke was also opposed to only staffing one of the positions due to the workload and major projects going on in the City of Minot.

Alderman Streyle spoke about the revenue that is now down for inspections. He mentioned that the state inspectors handle about 900 inspections. He also stated that right now the city does not have any electrical inspectors with no major issues and other major cities are using the state for inspections. Alderman Streyle also spoke about how this can be a budget savings to the taxpayers and how he would like to see the cost savings from 2022 moved to start the Wayfinding Signage.

James Schmidt, Executive Director of the ND State Electrical Board, discussed the 171 inspections that they have done in 7 weeks. The state revenues that Alderman Streyle presented about were correct. The state is willing to help but he did mention that they do have authority over the state. He does need a decision on this one way or the other because he does have an applicant that he would like to hire for the position. Right now, the agreement made with the city is good through August.

Alderman Streyle asked if there was willingness to extend the contract if the council decides to keep the positions. James stated they would not cut Minot out of the picture and the inspections department would need to be involved. Alderman Podrygula inquired about why the 4 largest cities in ND do their own. James thought it was because of local control possibly. Those 4 cities would be Fargo, Grand Forks, Bismarck, and Minot. In James' opinion with only 291 active certificates that would be equivalent to a part-time position.

Alderman Jantzer asked about the state's capability to flex extra staff in a situation with a larger project. James discussed how they would coordinate and send more staff to help the local inspector. He would plan for the one inspector that is currently helping that lives in Minot currently and the new applicant would also live in Minot but would inspect all of Ward County.

Alderman Evan motioned to amend the main motion to not retain the Electrical Inspection program for the FY 2023 budget year. The motion was seconded by Alderman Pitner.

Harold Stewart stated that people are just seeing the passion our employees have to give the best service to the citizens. Government is changing and we need to be mindful of the tax burden we have. It is important to become more regional and find more partnerships. Duplication of services need to come to an end and this is an example to find partnerships. The city can try this for a year and survey the contractors and see what the survey results are.

James expressed concern about the applicant he wants to hire might not see this as a permanent position. Alderman Evans let James know that if the applicant does the job they need to they will be fine. It would be revisited if customer service goes down and your people are not doing the job we expect and our residents expect.

Alderman Evans' motion to amend the original motion was seconded by Alderman Pitner. The motion carried by the following roll call vote: ayes: Evans, Jantzer, Pitner, Podrygula, Ross, Streyle; nays: Olson.

The City Clerk clarified no the motion on the table to vote would be to not retain the Electrical Inspection program for the FY 2023 budget year.

Alderman Pitner sees this as an opportunity to save some money and it will be a permanent position if the standards can be maintained. Alderman Podrygula has reasons to support such as the cost savings, the recommendation of the City Manager, the trial period has worked so far, and it does make sense to partnership. Concerned about making sure we retain satisfaction and quality of service. Alderman Podrygula would like to see staff work with the state for timeliness and responsiveness.

There was a citizen comment, taxpayer and electrician, and the citizen would like to see the control stay with the City of Minot. Alderman Streyle replied that the city would be giving up the fee revenue but the savings discussed was in salary and benefits. Inspectors are paid by revenue and license fees. James Schmidt did want to point out the fee schedule and where to locate it on page 35 of their rule book.

The council voted on the amended motion. The motion carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Streyle; nays: none.

#### **EMPLOYEE HEALTHCARE AND BENEFITS – PULLED**

Alderman Evans and Alderman Streyle pulled this until the budget workshops.

#### **CITY ATTORNEY POSITION**

Alderman Evans moved the City Council to direct HR to post the job on the City's website and other recruitment sites with a closing date of August 31, 2022; the interview process to include a 4 person board made up of a current staff attorney, the City Manager, local member of the bar, and either the Mayor or City Council member with recommendation brought to council; authorize the City Manager and HR Director to retain outside counsel for assistance on legal matters during the interim period (with ratification by the City Council at the following City Council meeting); and authorize the City Manager and HR Director to pursue a part-time arrangement (part-time employee or contract) for City legal services with the Current City Attorney. The motion was seconded by Alderman Jantzer.

Alderman Podrygula expressed concern about the closing date being too soon. Kelly Hendershot thought one month would be more appropriate. A friendly amendment was made to change the closing date to September 15, 2022.

Alderman Jantzer inquired about the committee recommendation with the option for the council to interview. Kelly Hendershot stated when she was hired she was interviewed by a panel and final interview with City Manager. Alderman Streyle pointed out that the change from that time would be the City Attorney now directly reports to City Council. Kelly Hendershot stated that the interview would need to be held in a public meeting to abide by the open meetings law. Alderman Evans suggested the final candidate would come to City Council.

Kelly Hendershot repeated the motion the City Council to direct HR to post the job on the City's website and other recruitment sites with a closing date of September 15, 2022; the interview process to include a 4 person board made up of a current staff attorney, the City Manager, local member of the bar, and either the Mayor or City Council member with recommendation brought to council; authorize the City Manager and HR Director to retain outside counsel for assistance on legal matters during



the interim period (with ratification by the City Council at the following City Council meeting); and authorize the City Manager and HR Director to pursue a part-time arrangement (part-time employee or contract) for City legal services with the Current City Attorney.

Alderwoman Evans recommends the interview panel sends the top candidate to the City Council for final approval. Harold Steward was concerned that with the Attorney Office being a small staff so it might be difficult to have a member of the department on the panel if they are also applicants. Alderwoman Evans asked Kelly about that because it was intended to have an attorney with experience in government law. Kelly Hendershot mentioned that her panel was another member of the bar, a department head and another staff member. A suggestion might be another department head or staff member. Alderwoman Evans thought September 6<sup>th</sup> the panel could be discussed. Alderman Streyle mentioned the HR Director.

The City Clerk repeated the motion the City Council to direct HR to post the job on the City's website and other recruitment sites with a closing date of September 15, 2022; the interview process to include a 4 person board made up of the HR Director, the City Manager, local member of the bar, and either the Mayor or City Council member with recommendation brought to council; authorize the City Manager and HR Director to retain outside counsel for assistance on legal matters during the interim period (with ratification by the City Council at the following City Council meeting); and authorize the City Manager and HR Director to pursue a part-time arrangement (part-time employee or contract) for City legal services with the Current City Attorney.

Alderwoman Evans mentioned to change it to allow 2 council members on the panel. Alderman Podrygula mentioned that the job description should be finely tuned and he proposed to alter it for the position to be more involved in risk management. Alderwoman Evans mentioned that the first paragraph would need to be change now that the position directly reports to the City Council.

Alderwoman Evans' motion was to move the City Council to direct HR to post the job on the City's website and other recruitment sites with a closing date of September 15, 2022; the interview process to include a 5 person board made up of the HR Director, the City Manager, local member of the bar, and 2 members of the City Council/Mayor with recommendation brought to council; authorize the City Manager and HR Director to retain outside counsel for assistance on legal matters during the interim period (with ratification by the City Council at the following City Council meeting); and authorize the City Manager and HR Director to pursue a part-time arrangement (part-time employee or contract) for City legal services with the Current City Attorney. The motion was seconded by Alderman Jantzer and carried by the following roll call vote: ayes: Evans, Jantzer, Olson, Pitner, Podrygula, Ross, Streyle; nays: none.

#### **OTHER MISC./DISCUSSION ITEMS**

Alderman Pitner wanted to reiterate that cutting the officer positions was not to save the taxpayers, it was a mindful allocation to the cost of the future building needs for the PD. It was not about taking away from the effectiveness of the PD but more about an investment in the future of the PD.

#### **LIAISON REPORTS**

Alderman Pitner, Jantzer, and Streyle had no meetings to report on. Alderwoman Evans had no committees to report on but wanted to say congratulations to the Minot Library for the great summer programs. Alderwoman Olson attended a Souris Basin Planning Council Board meeting and has a Dental Task Force meeting coming up.

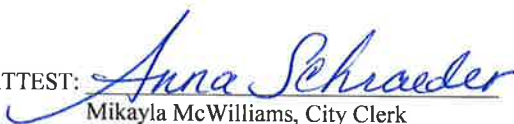
Alderman Podrygula spent time at a convention and workshops in Minneapolis but was able to attend the Minot Commission on Aging meeting and the Emergency Resource Council meeting. He also mentioned that the Comprehensive Plan Committee has set up more input meetings.

Alderwoman Evans also wanted to express her thanks to the City Manager and Department Heads on the 2023 budget.


#### **ADJOURNMENT**

There being no further business, Alderman Pitner moved the City Council meeting be adjourned. Motion seconded by Alderwoman Olson and carried unanimously. Meeting adjourned at 8:35 pm.

ATTEST:

  
Mikayla McWilliams, City Clerk

APPROVED:

  
Thomas Ross, Mayor

