



Regular City Council Meeting

Tuesday, January 17, 2023 at 5:30 PM

City Council Chambers, City Hall (515 2nd Ave SW)

Any person needing special accommodation for the meeting is requested to notify the City Clerk's office at 857-4752.

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. MAYOR'S REPORT
4. CITY MANAGER REPORT

Documents:

[01172023 CITY MANAGER REPORT.PDF](#)

5. CONSIDER THE REPORT OF THE PLANNING COMMISSION

Documents:

[1 \(JAN\) RECOMMENDATIONS 2023.PDF](#)

- 5.1. PUBLIC HEARING: ZONING MAP AMENDMENT - 28 N MAIN

Public hearing request by Kevin and Kalli Black on behalf of Twenty Eight N Main, LLC, owner for a zoning map amendment from "M2" Heavy Industrial District to "CBD" Central Business District. The purpose of the request is to facilitate a mixed-use development. The legal description for the property is Original Minot Addition Lots 3-10 & 1/2 Vac Alley on Lots 3-7; & Lots 34-36 & that part of 37-39 Block 19 being south of a line drawn 150' from out & parallel with Bn Rr on side of same portion of Lots 37 & 38 & 34 thru 39 except Bn R/W.

The address for the property is 28 Main St. N.

It is recommended City Council approve an ordinance on first reading for a zoning map amendment in alignment with the Planning Commission recommendation.

Documents:

[011723 - ZONING MAP AMENDMENT - 28 N MAIN.PDF](#)

5.2. PUBLIC HEARING: ZONING MAP AMENDMENT - PIZZA RANCH

Public hearing request by Mike Christianson on behalf of A & M Properties, LLC for a zoning map amendment from "C4" Planned Commercial District to "C2" General Commercial District. The purpose for the request is to facilitate a future expansion of the existing building. The legal description for the property is Lots 4 & 5, Replat of Lots 4, 5, & 6 Wal-Mart Addition.

The address for the property is 305 37th Ave. SW.

It is recommended City Council approve an ordinance on first reading for a zoning map amendment in alignment with the Planning Commission recommendation.

Documents:

[011723 - ZONING MAP AMENDMENT - PIZZA RANCH.PDF](#)

5.3. PUBLIC HEARING: ZONING MAP AMENDMENT - PORTION OF SUBDIVISION OF LOT 6

Public hearing request by Austin Gleave on behalf of AW Properties, LLC for a zoning map amendment from "P" Public District to "R1" Single-Family Residential for the purpose of combining with an adjoining residential lot presently zoned "R1" Single Family Residential. The legal description of the property is Subdivision of Lot 6 Sec 24-155-83 West ½ of the West ½ except north 110'.

The property is unaddressed and located just west of 701 10th Ave. SE.

It is recommended City Council approve an ordinance on first reading for a zoning map amendment in alignment with the Planning Commission recommendation.

Documents:

[011723 - ZONING MAP AMENDMENT - PORTION OF SUBDIVISION OF LOT 6.PDF](#)

5.4. PUBLIC HEARING: ZONING TEXT AMENDMENT - FENCING

Public hearing request by City of Minot for a zoning text amendment to accommodate changes to the Land Development Ordinance of the City of Minot. The affected sections are as follows: Section 3.1-9. & 11. related to fence regulations and visibility triangles respectively.

It is recommended City Council approve an ordinance on first reading for a zoning text amendment in alignment with the Planning Commission recommendation.

Documents:

[011722 - TEXT AMENDMENT - FENCE REGULATIONS - FIRST READING.PDF](#)

6. CONSENT ITEMS

6.1. CITY COUNCIL MINUTES

It is recommended City Council approve the minutes from the January 3, 2022 Regular City Council meeting.

Documents:

[01032023 COUNCIL MEETING MINUTES.PDF](#)

6.2. ORDINANCES

It is recommended City Council approve the following ordinances on second reading:

- 1. Ordinance 5802 - 2023 BA - United Pulse Trading (AGT Foods) MAGIC Fund**
- 2. Ordinance 5803 - 2023 BA - Streetlight Improvement Cost Participation- Cash Reserves**
- 3. Ordinance 5804 - 2023 BA - NW Minot Water Replacement**

Documents:

[ORDINANCE 5802 - 2023 BA - UNITED PULSE TRADING \(AGT FOODS\) MAGIC FUND.PDF](#)
[ORDINANCE 5803 - 2023 BA - STREETLIGHT IMPROVEMENT COST PARTICIPATION- CASH RESERVES.PDF](#)
[ORDINANCE 5804 - 2023 BA - NW MINOT WATER REPLACEMENT.PDF](#)

6.3. ADMINISTRATIVE APPROVALS

It is recommended City Council approve the Administrative Approvals.

Documents:

[ADMIN APPROVALS 01172023.PDF](#)

6.4. MAYORAL APPOINTMENTS

It is recommended City Council confirm the following reappointments to the Renaissance Zone Review Board all with 3-year terms to expire December 31, 2025:

- Pete Hugret, Private Sector**
- Pat Bailey, Minot Area Builders**
- Jason Bentley, Financial Sector**
- Betty Fedorchak, Private Sector**

- 6.5. PLEDGED ASSETS, DECEMBER 31, 2022
Presented by David Lakefield, Finance Director

RECOMMENDED ACTION

It is recommended City Council approve the pledged assets as of December 31, 2022.

Documents:

[MEMO PLEDGED ASSETS 123122.PDF](#)
[12-31-22 PLEDGED ASSETS.PDF](#)

- 6.6. 2022 INTEREST DISTRIBUTION
Presented by David Lakefield, Finance Director

RECOMMENDED ACTION

It is recommended City Council approve the 2022 interest income distribution.

Documents:

[2022 INTEREST DISTRIBUTION MEMO.PDF](#)
[2022 INTEREST DISTRIBUTION.PDF](#)

- 6.7. WARD COUNTY HAZARD MITIGATION PLAN ANNUAL PROGRESS REPORT
Presented by Lance Meyer, City Engineer

RECOMMENDED ACTION

It is recommended City Council receive and file the Hazard Mitigation Plan Annual Progress Report.

Documents:

[HMP MEMO TO COUNCIL.PDF](#)
[510 WARD HMP 2023 ANNUAL PROGRESS REPORT.PDF](#)

- 6.8. PAVEMENT MAINTENANCE CONSULTING ENGINEERING SELECTION (4782)
Presented by Lance Meyer

RECOMMENDED ACTION

- 1. It is recommended City Council approve the selection of Ackerman-Estvoid, Apex Engineering Group, AE2S, Houston Engineering, Moore Engineering, and Prairie Engineering to provide consulting services;**
- 2. Authorize the City Engineer to negotiate a contract with each firm; and**

3. Authorize the Mayor to sign a contract with each firm.

Documents:

[PAVEMENT MAINTENANCE CONSULTING ENGINEERING SELECTION MEMO.PDF](#)

6.9. RECYCLING PARTNERSHIP GRANT ACCEPTANCE

Presented by Jason Sorenson

RECOMMENDED ACTION

- 1. It is recommended City Council accept the grant from Recycling Partnership in an amount not to exceed \$206,000.00 to support the purchase of carts for the upcoming recycling program; and**
- 2. Authorize the Mayor to sign the agreement.**

Documents:

[MEMO TO COUNCIL - RECYCLING PARTNERSHIP GRANT ACCEPTANCE.PDF](#)
[RECYCLING PARTNERSHIP_MINOT ND GRANT AGREEMENT.PDF](#)

6.10. 2022 WATERMAIN REPLACEMENT – FINAL PAYMENT (PROJECT NUMBER 4632)

Presented by Jason Sorenson

RECOMMENDED ACTION

It is recommended City Council approve the final payment for the 2022 Watermain Replacement Project to Post Construction, Inc. in the amount of \$521,349.44.

Documents:

[4632 - 2022 WATERMAIN REPLACEMENT - FINAL PAYMENT.PDF](#)
[4632 - PAY ESTIMATE 7_SIGNED.PDF](#)

6.11. 10TH STREET NW STORM SEWER REHAB – FINAL PAYMENT (PROJECT NUMBER 4616)

Presented by Jason Sorenson

RECOMMENDED ACTION

It is recommended City Council approve the final payment for the 10th St. NW Storm Sewer Rehab Project to Post Construction, Inc. in the amount of \$57,445.90.

Documents:

[4616 - 10TH ST. NW STORM SEWER REHAB - FINAL PAYMENT.PDF](#)
[4616 - PAY ESTIMATE 2 SIGNED.PDF](#)

- 6.12. WATER TASK ORDER AGREEMENT (PROJECT #4421.1)
Presented by Jason Sorenson

RECOMMENDED ACTION

It is recommended City Council authorize the Mayor to sign the water modeling task order in the amount of \$30,000.00.

Documents:

[MEMO TO COUNCIL - WATER TASK ORDER AGREEMENT.PDF](#)
[TASK ORDER 1 - UNSIGNED.PDF](#)

- 6.13. MAJOR SUBDIVISION FINAL PLAT: KDDS SUBDIVISION
Presented by John Van Dyke

RECOMMENDED ACTION

It is recommended City Council approve a major subdivision final plat as provided in Attachment A to create KDDS Subdivision.

Documents:

[CC MEMO - KDDS FINAL PLAT.PDF](#)
[ATTACHMENT A - KDDS FINAL PLAT.PDF](#)

- 6.14. MAJOR SUBDIVISION FINAL PLAT: KREMER ADDITION
Presented by John Van Dyke

RECOMMENDED ACTION

It is recommended City Council approve a major subdivision final plat as provided in Attachment A to create Kremer Addition.

Documents:

[CC MEMO - KREMER FINAL PLAT.PDF](#)
[ATTACHMENT A - KREMER FINAL PLAT.PDF](#)

- 6.15. LEARY FOUNDATION EXTRACTOR DONATION
Presented by Kelli Kronschnabel

RECOMMENDED ACTION

It is recommended City Council authorize the Mayor to sign the grant agreement for the Leary Foundation Grant for the purchase of an extractor for Station 5.

Documents:

[LEARY DONATION.PDF](#)
[LEARY FF AWARD.PDF](#)

- 6.16. FI-6 FACADE IMPROVEMENT PROGRAM FOR BRADLEY 5 PROPERTIES, LLC
Presented by Jonathan Rosenthal

RECOMMENDED ACTION

It is recommended City Council approve a grant application for FI-6 Bradley 5 Properties, LLC for a property located at 10 First Street SW in an amount not to exceed \$100,000.00 subject to conditions of the program. Due the property being sold this will replace application FI-5 from Hogan Douglas First, LLC approved by the City Council on October 3, 2022.

Documents:

[CC MEMO - FI-6 APPLICATION.PDF](#)
[FI-6 SIGNED FACADE PROGRAM AGREEMENT.PDF](#)
[FI-6 FACADE IMPROVEMENT APPLICATION.PDF](#)

7. ACTION ITEMS

- 7.1. 2021 ABATEMENT REQUEST FOR RESIDENTIAL PARCEL MI 14.276.000.2170
OWNED BY DENISE PETTIT
Presented by Damon Druse

RECOMMENDED ACTION

The City Assessor's Office recommends the denial of the abatement request.

Documents:

[COUNCIL MEMO-DENISE PETTIT ABATEMENT.PDF](#)
[HOMESTEAD CREDIT GUIDELINE FROM ND STATE TAX COMMISSIONERS OFFICE.PDF](#)
[ABATEMENT APPLICATION AND INFORMATION PROVIDED BY APPLICANT.PDF](#)
[600 13TH ST NW-PROPERTY RECORD CARD.PDF](#)

- 7.2. BID FOR PICKUPS AND SUVS (PROJECT NUMBER 4731)
Presented by Jason Sorenson

RECOMMENDED ACTION

- 1. It is recommended City Council forgo the sealed bid process for an**

item over \$50,000 and award based on quotes;

2. Award the vehicles to Westlie Motor Company as follows:

Engineering Department	(2) midsize 4x4 SUV	\$85,800.00
Property Maintenance	½ ton 4x4 super cab	
\$52,980.00		
Water Department	½ ton 4x4 extended cab	
\$50,085.00		
Water Department	¾ ton 4x4 ex cab with service body	\$68,770.00
Traffic Department	¾ ton extended cab	
\$51,890.00		

3. Approve the budget amendments to cover the funding shortfall on first reading.

Documents:

[4731 - MEMO TO COUNCIL - PICKUPS.PDF](#)
[7. 2023 BA - PW VEHICLES \(4731\).PDF](#)

7.3. GARBAGE COLLECTION RATES

Presented by Jason Sorenson

RECOMMENDED ACTION

- 1. It is recommended City Council review and consider options A and B; and**
- 2. Approve Option B establishing garbage collection rates inclusive of recycling fees.**

Documents:

[GARBAGE COLLECTION RATES_MEMO.PDF](#)

7.4. GARBAGE COLLECTION, LANDFILL, WATER AND STORM SEWER RATE SETTING

Presented by Jason Sorenson

RECOMMENDED ACTION

It is recommended City Council approve the attached ordinance on first reading, which removes garbage collection, landfill, water and storm sewer fees from the code of ordinances and instead sets fees by resolution.

Documents:

[TRASH WATER STORM SEWER RATES_MEMO.PDF](#)
[TRASH WATER STORM SEWER RATES_ORDINANCE.PDF](#)
[TRASH WATER STORM SEWER RATES_RESOLUTION_DRAFT.PDF](#)

7.5. BUILDER'S AND HOMEOWNER'S PROPERTY TAX EXEMPTIONS

Presented by John Van Dyke and Brian Billingsley

RECOMMENDED ACTION

1. **It is recommended City Council approve a Builder's Property Tax Exemption and authorize the Mayor to sign the resolution; and**
2. **Approve a Homeowner's Property Tax Exemption and authorize the Mayor to sign the resolution.**

Documents:

[BUILDERS AND HOMEOWNERS PROPERTY TAX EXEMPTIONS MEMO.PDF](#)
[ARRESTED DEVELOPMENT - PRESENTATION.PDF](#)
[BUILDER NEW CONSTRUCTION RESOLUTION.PDF](#)
[ND PROPERTY TAX EXEMPTION GUIDELINES - BUILDERS.PDF](#)
[HOME OWNER NEW CONSTRUCTION RESOLUTION.PDF](#)
[N.D. PROPERTY TAX EXEMPTION GUIDELINES - HOMEOWNERS.PDF](#)

7.6. HOUSING STUDY RFP BUDGET AMENDMENT

Presented by Brian Billingsley

RECOMMENDED ACTIONS:

1. **It is recommended the City Council authorize staff to post an RFP for a Housing Needs and Market Analysis Study for the City of Minot.**
2. **Approve a budget amendment to fund the proposed Housing Study on first reading.**

Documents:

[CC MEMO - HOUSING STUDY RFP.PDF](#)
[HOUSING STUDY RFP - FINAL DRAFT.PDF](#)
[6. 2023 BA - HOUSING STUDY.PDF](#)

7.7. PURCHASE OF EIGHT (8) 2023 POLICE FORD UTILITY VEHICLES

Presented by Chief John Klug

RECOMMENDED ACTION

1. **It is recommended City Council authorize the purchase of eight (8) 2023 Ford Interceptor Utility Vehicles using the North Dakota State**

Contract for a purchase amount of \$320,993.28; and

- 2. Approve the proposed ordinance to amend the 2023 annual budget to increase the police capital equipment expenditures for the purchase of patrol vehicles, using fund cash reserves on the first reading.**

Documents:

[8.2023 MEMO POLICE INTERCEPTOR UTILITY VEHICLES PURCHASE .PDF](#)
[8. 2023 BA - PATROL VEHICLES.PDF](#)
[MINOT PD SSP7-7 K8A 99B GAS 23MY QUOTE.PDF](#)
[MINOT PD SSP7-7 K8A 99B GAS \(2\) 23 MEDIUM TITANIUM.PDF](#)
[FY2022 REVISED ORDER \(X2\).PDF](#)
[ND STATE CONTRACT 376 POLICE VEHICLES.PDF](#)

- 7.8. WARD COUNTY CONNECTOR RAISE GRANT REQUEST (4657)
Presented by Lance Meyer, City Engineer

RECOMMENDED ACTION

- 1. It is recommended City Council approve the funding request to submit a RAISE grant for the environmental study; and**
- 2. Approve the budget amendment on 1st reading.**

Documents:

[WARD COUNTY CONNECTOR RAISE GRANT REQUEST MEMO.PDF](#)
[FINAL REPORT - WARD COUNTY SE-SW CONNECTOR STUDY.PDF](#)
[9. 2023 BA - RAISE GRANT CONSULTING FEES.PDF](#)
[CORRIDOR CONNECTOR STUDY SUMMARY.PDF](#)

8. PERSONAL APPEARANCES
9. MISCELLANEOUS AND DISCUSSION ITEMS

- 9.1. PFAS LAWSUIT DISCUSSION
Presented by Hank Naughton and Christian Clapp

Documents:

[PFAS PP - GENERAL UPDATE \(NOV 22\).PDF](#)
[LITIGATION UPDATE MEMO TO CLIENTS.PDF](#)
[2658 CMO 2 B MEDIATION ORDER.PDF](#)
[MINOT NORTH DAKOTA DRAFT RETAINER.PDF](#)

- 9.2. MACEDC SEMI-ANNUAL PRESENTATION

Documents:

[JANUARY 2023_REPORT TO THE CITY_FINAL.PDF](#)
[EXHIBIT A_MACEDC 5-YEAR STRATEGIC PLAN.PDF](#)

EXHIBIT B_MINOTAREACHAMBEREDC_MISSION-VISION-VALUES.PDF
EXHIBIT C_MINOT CHAMBER EDC BR AND E JUL-DEC 2022 REPORT.PDF
EXHIBIT D_PROGRAMMING COMMITTEES 2023.PDF
EXHIBIT E_LPND1 COMMITTEE MEMBERS.PDF
EXHIBIT F_TASK FORCE 21 MEMBERS.PDF
EXHIBIT G_2023 MACEDC BOARD.PDF
MACEDC_REPORT TO CITY_PRESENTATION_FINAL (1).PDF

9.3. MINOT'S METROPOLITAN PLANNING ORGANIZATION (MPO) STATUS (4757)

Presented by Lance Meyer

RECOMMENDED ACTION

No action is required, this is an informational memo.

Documents:

[METROPOLITAN PLANNING ORGANIZATION MEMO.PDF](#)

10. LIAISON REPORTS

11. ADJOURNMENT