

City of Minot

Regular City Council Meeting
Monday, May 15, 2023, at 5:30 PM

City Council Chambers, City Hall (10 3rd 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

- 3.1. PROCLAMATIONS

Documents:

[NATIONAL POLICE WEEK PROCLAMATION.PDF](#)
[PUBLIC WORKS WEEK 2023 PROCLAMATION \(003\).PDF](#)

4. CITY MANAGERS REPORT

Documents:

[05152023 CITY MANAGER REPORT.PDF](#)
[4-APRIL 2023 MONTHLY.PDF](#)

- 4.1. 2023 BIENNIUM LEGISLATIVE UPDATE

Shane Goettle from Odney will provide the City Council with the Legislative Session Report and Recap.

Documents:

[LEGISLATIVE UPDATE POWERPOINT.PDF](#)

5. CONSIDER THE REPORT OF THE PLANNING COMMISSION

Documents:

[5 \(MAY\) RECOMMENDATIONS 2023.PDF](#)

- 5.1. PUBLIC HEARING: 2040 COMPREHENSIVE PLAN ADOPTION

Presented by Scott Harmstead, Consultant:

Public hearing request by Brian Billingsley, Community and Economic Development Director, on behalf of the City of Minot to adopt a new comprehensive plan known as the City of Minot 2040 Comprehensive Plan. The plan may be reviewed ahead of the meeting at the following online location: <https://minot2040.com/plan-materials/> .

It is recommended City Council approve the 2040 Comprehensive Plan in

alignment with the Planning Commission recommendation.

Documents:

[05152023 - 2040 COMPREHENSIVE PLAN.PDF](#)

[05152023 - COMPREHENSIVE PLAN PRESENTATION.PDF](#)

5.2. PUBLIC HEARING: ZONING MAP AMENDMENT AND PRELIMINARY PLAT - FOREST ACRES 2ND ADDITION

Public hearing request by the Ackerman Surveying, representing the City of Minot for a zoning map amendment from “R1” Single-Family Residential District to “P” Public Zone and a preliminary plat to consolidate numerous lots into one. The plat includes the vacation of several portions of rights-of-way. The purpose of the zoning map amendment and preliminary plat is to consolidate properties presently utilized for flood control purposes. The proposed plat is to be named Forest Acres 2nd Addition and the legal description for the property is Outlot 34, Section 23, Township 155 North, Range 83 West, Ward County, North Dakota, Lots 1 Thru 7, Block 1, Lots 1, 2, 4 Thru 7, Block 2, Amended Plat & Rearrangement of Forest Acres Addition Lots 30, 31, 48 thru 54 and Lot 57, Westwood Rearrangement of Vallie Addition, Lots 15, 32, 33, 45 thru 47, 55 And 56 Amended Plat of Lots 1 thru 15, 32 thru 47 and Lots 55, 56 & 62 of Westwood Rearrangement of Vallie Addition to the City Of Minot, North Dakota plus vacated portions of 3rd Avenue SE, 4th Avenue SW, and Forest Road.

The property addresses are as follows: 303 15th St. SW; 613 16th St. SW; 1200, 1206, 1212, 1304, 1308, 1400, 1401, 1404, and 1409 3rd Ave. SW; 1404, 1405, and 1409 4th Ave. SW; 1510 5th Ave. SW; and 501, 503, 507, 511, 515, 519, 601, 605, 606, 609, 610, 614, 615, 616, 619, and 623 Forest Rd.

It is recommended City Council approve the following in alignment with the Planning Commission recommendation:

- 1) An ordinance on first reading for a zoning map amendment**
- 2) A Master Plan depicting the general layout and uses related to flood control and open space**
- 3) A major subdivision preliminary plat for Forest Acres 2nd Addition**

Documents:

[05152023 - ZONING MAP AMENDMENT - FOREST ACRES 2ND ADDITION.PDF](#)

[05152023 - MASTER PLAN.PDF](#)

[05152023 - PRELIMINARY PLAT - FOREST ACRES 2ND ADDITION.PDF](#)

5.3. PUBLIC HEARING: ZONING MAP AMENDMENT AND PRELIMINARY PLAT - NAPA

VALLEY 20TH ADDITION

Public hearing request by the Ackerman Surveying, representing the City of Minot for a zoning map amendment from "R1" Single-Family Residential District to "P" Public Zone and a preliminary plat to consolidate numerous lots into one. The plat includes the vacation of several portions of rights-of-way. The purpose of the zoning map amendment and preliminary plat is to consolidate properties presently utilized for flood control purposes. The proposed plat is to be named Napa Valley 20th Addition and the legal description for the property is Lots 12, 13, 34 thru 44 and a vacated portion of Forest Road, Amended Plat of Lots 1 Thru 15, 65 Thru 47 and Lots 55, 56 & 62 of Westwood Rearrangement of Vallie Addition to the City Of Minot, North Dakota.

The property addresses are as follows: 1601 and 1603 7th Ave. SW; and 708, 709, 711, 712, 715, 716, 800, 801, 802, 803, 804, 805, and 807 Forest Rd.

It is recommended City Council approve the following in alignment with the Planning Commission recommendation:

- 1) An ordinance on first reading for a zoning map amendment**
- 2) A Master Plan depicting the general layout and uses related to flood control, open space, and a parking lot**
- 3) A major subdivision preliminary plat for Napa Valley 20th Addition**

Documents:

[05152023 - ZONING MAP AMENDMENT - NAPA VALLEY 20TH ADDITION.PDF](#)

[05152023 - MASTER PLAN.PDF](#)

[05152023 - PRELIMINARY PLAT - NAPA VALLEY 20TH ADDITION.PDF](#)

5.4. PUBLIC HEARING: ZONING MAP AMENDMENT - MAIN STREET NORTH

Public hearing request by Rolly Ackerman, owner for a zoning map amendment from "M1" Light Industrial District and "M2" Heavy Industrial District to "CBD" Central Business District. The purpose of the request is to bring the existing and potential future use of the property in alignment with others in the area as the neighborhood continues to transition away from industrial and closer to downtown-oriented commercial uses. The legal description for the property is all of Lots 9, 10, 22, 23 and parts of Lots 7, 8, 24 and 25, Block 20, Original Townsite of Minot, Ward County, North Dakota AND Lots 2, 3, 4 Less Railroad Right of Way and Lot 5, Block 20, Original Townsite Of Minot, Ward County, North Dakota.

The property addresses are 15 Main St. N. and 25 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:

[05152023 - ZONING MAP AMENDMENT - MAIN STREET NORTH.PDF](#)

5.5. MAJOR SUBDIVISION PRELIMINARY PLAT - HOME ACRES 5TH ADDITION

Consider approval of a preliminary plat to consolidate multiple lots into two lots.

The proposed plat will be known as Home Acres 5th Addition. The legal description for the property is the West 99 feet of Lot 1, Lot 9 and the West 163 feet of Lot 10, Home Acres Addition and the West 99 Feet of the North 100 feet of Lot 1, Replat of Felber's Rearrangement of Lots 2 thru 5, Block 6, Home Acres Addition to the City of Minot, North Dakota.

The property addresses are 1801 S. Broadway, 1809 S. Broadway, and two unaddressed properties immediately to the east of 101 18th Ave. SW.

It is recommended City Council approve a major subdivision preliminary plat as provided in Attachment A in alignment with the Planning Commission recommendation.

Documents:

[ATTACHMENT A - HOME ACRES 5TH ADDITION.PDF](#)

6. PUBLIC HEARING

6.1. PUBLIC HEARING: RENAISSANCE ZONE CONDITIONAL APPROVAL: PROJECT M-104, KEN AND GAIL MOMERAK, 1945 SKYLINE DRIVE

Presented by Jonathan Rosenthal

RECOMMENDED ACTION

It is recommended City Council grant conditional approval of Renaissance Zone Case M-104 by Ken and Gail Momerak for a five-year property tax exemption including improvements. Advances to State for their conditional approval.

Documents:

[CC MEMO M-104 CONDITIONAL APPROVAL.PDF](#)
[M-104 APPLICATION 1945 SKYLINE DR MOMERAK.PDF](#)
[NOTICE OF M-102-104 PUBLIC HEARINGS 5-15-23.PDF](#)

6.2. PUBLIC HEARING: RENAISSANCE ZONE CONDITIONAL APPROVAL: PROJECT M-102, INTEGRITY HOLDINGS LLC, 108 MAIN ST S, WAYNE AND MELINDA HOWE

Presented by Jonathan Rosenthal

RECOMMENDED ACTION

It is recommended City Council grant conditional approval of Renaissance Zone Case M-102 by Integrity Holdings LLC for a five-year property tax exemption including improvements and for a State income tax exemption. Advances to State for their conditional approval.

Documents:

[CC MEMO M-102 CONDITIONAL APPROVAL.PDF](#)
[M-102 APPLICATION 108 MAIN ST S.PDF](#)
[NOTICE OF M-102-104 PUBLIC HEARINGS 5-15-23.PDF](#)

7. CONSENT ITEMS

7.1. CITY COUNCIL MINUTES

It is recommended City Council approve the minutes of the May 1, 2023 Regular City Council meeting and the amended minutes of the April 11, 2023 Board of Equalization meeting.

Documents:

[05012023 COUNCIL MEETING MINUTES.PDF](#)
[EQUALIZATION MINUTES 2023.PDF](#)

7.2. ORDINANCES

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

1. **Ordinance No 5845 - 2023 BA LED Street Light Luminaire**
2. **Ordinance No 5846 - 7th Street NW and 1st Avenue NW**
3. **Ordinance No 5847 - 1st Street SW and 5th Avenue SW**
4. **Ordinance No 5848 - 36th Avenue NE and 2nd Street NE**
5. **Ordinance No 5849 - Property Maintenance Articulating Loader**
6. **Ordinance No 5850 - Great River AED donation**
7. **Ordinance No 5851 - Firehouse Subs Grant**
8. **Ordinance No 5852 - W Central Ave and 30th St W**

Documents:

[ORDINANCE NO 5845 - 2023 BA LED STREET LIGHT LUMINAIRE.PDF](#)
[ORDINANCE NO 5846 - 7TH STREET NW AND 1ST AVENUE NW.PDF](#)
[ORDINANCE NO 5847 - 1ST STREET SW AND 5TH AVENUE SW.PDF](#)
[ORDINANCE NO 5848 - 36TH AVENUE NE AND 2ND STREET NE.PDF](#)
[ORDINANCE NO 5849 - PROPERTY MAINTENANCE ARTICULATING LOADER.PDF](#)
[ORDINANCE NO 5850 - GREAT RIVER AED DONATION.PDF](#)
[ORDINANCE NO 5851 - FIREHOUSE SUBS GRANT.PDF](#)
[ORDINANCE NO 5852 - W CENTRAL AVE AND 30TH ST W.PDF](#)

7.3. ADMINISTRATIVE APPROVALS

It is recommended City Council approve the administrative approvals.

Documents:

[ADMIN APPROVALS 05152023.PDF](#)

7.4. ALCOHOL LICENSING – EL AREPAZO, LLC

Presented by Mikayla McWilliams and Chief John Klug

RECOMMENDED ACTION

It is recommended City Council approve the request for a Specialty Restaurant Beer and Wine license for El Arepazo, LLC dba El Arepazo (2035 N Broadway).

Documents:

[ALCOHOL LICENSING EL AREPAZO.PDF](#)

7.5. GAMING SITE AUTHORIZATION – RENEWALS

It is recommended City Council approve the following organizations to conduct games of chance during the license year of July 1, 2023 through June 30, 2024 at the following locations:

Magic City Lions Club

- Ebenezer’s Eatery and Irish Pub (300 E Central Ave)
- Nok Back Tavern (100 3rd St NE)

Minot State University Alumni Association

- Grand International Inn (1505 N Broadway)

MSU Beaver Boosters

- Pour Farm (201 37th Ave SW)

Documents:

[MEMO- GAMING SITE AUTHORIZATIONS - RENEWAL.PDF](#)

7.6. 2022 EDISON ELEMENTARY SAFE ROUTES TO SCHOOL FINAL PAYMENT (4505)
Presented by Lance Meyer

RECOMMENDED ACTION

It is recommended City Council approve the final payment to the NDDOT in the amount of \$4,363.69.

Documents:

[2022 EDISON SRTS FINAL PAYMENT MEMO.PDF](#)
[FINAL PAYMENT.PDF](#)

7.7. 31ST AVENUE SE RECONSTRUCTION FINAL PAYMENT (4331)
Presented by Lance Meyer

RECOMMENDED ACTION

It is recommended City Council approve the final payment to the NDDOT in the amount of \$45,110.84.

Documents:

[31ST AVE SE FINAL PAYMENT MEMO.PDF](#)
[FINAL PAYMENT.PDF](#)

- 7.8. 2023 SIDEWALK, CURB & GUTTER - REJECT BID (4713)
Presented by Lance Meyer, PE, City Engineer

RECOMMENDED ACTION

It is recommended City Council reject all bids received for the 2023 Sidewalk, Curb & Gutter Replacement Project.

Documents:

[2023 SIDEWALK C G - REJECT BIDS - 4713.PDF](#)
[PAGES FROM 4713 - 2023 SCG.PDF](#)

- 7.9. APPROVAL OF CONTRACT WITH HOUSTON ENGINEERING FOR CEMETERY PLATTING
Presented by Dan Jonasson

RECOMMENDED ACTION

It is recommended City Council approve a not to exceed contract with Houston Engineering for platting the Rosehill Cemetery, approve the budget amendment and approve the Mayor and Public Works Director so sign the required documents.

Documents:

[MEMO FOR SURVEY TO PLAT CEMETERY.PDF](#)
[35. 2023 BA -CEMETERY SURVEY.PDF](#)

- 7.10. DISPOSAL OF EXCESS SURPLUS EQUIPMENT
Presented by Dan Jonasson

RECOMMENDED ACTION

It is recommended City Council approve the disposal of the below listed excess vehicles/equipment using the GovDeals online auction service or City auction.

Documents:

[2023 MTC FOR DISPOSAL OF EQUIPMENT VIA AUCTION.PDF](#)

7.11. PROPERTY MAINTENANCE FLOOR SCRUBBER

Presented by Jason Sorenson

RECOMMENDED ACTION

It is recommended City Council approve a budget amendment allocating funds for the purchase of a floor scrubber.

Documents:

[4748 - MEMO TO COUNCIL - FLOOR SCRUBBER.PDF](#)
[34. 2023 BA - PROPERTY MAINTENANCE CUSTODIAL FLOOR SCRUBBER-CA RESERVES.PDF](#)

7.12. REQUEST FOR QUALIFICATIONS - AVIATION BUSINESS CONSULTANT SERVICES

Presented by Jennifer Eckman, Airport Director

RECOMMENDED ACTION

- 1. It is recommended City Council terminate the Landrum and Brown contract per the terms and conditions; and**
- 2. Approve the publication of the request for qualifications.**

Documents:

[MEMO RFQ AVIATION BUSINESS CONSULTANT.PDF](#)
[AIR SERVICE DEVELOPMENT MASTER AGREEMENT.PDF](#)
[RFQ - AVIATION BUSINESS CONSULTANT.PDF](#)

7.13. SMALL COMMUNITY AIR SERVICE DEVELOPMENT GRANT

Presented by Jennifer Eckman, Airport Director

RECOMMENDED ACTION

- 1. It is recommended City Council approve the application for the 2023 Small Community Air Service Development Grant; and**
- 2. Authorize the Mayor, City Attorney, and Airport Director to sign necessary documents.**

Documents:

[MEMO SMALL COMMUNITY AIR SERVICE DEVELOPMENT GRANT.PDF](#)

7.14. BUDGET AMENDMENT FOR LIBRARY CONSULTANT

Presented by Zhaina Moya

RECOMMENDED ACTION

It is recommended City Council approve the ordinance on first reading to amend the 2023 annual budget to decrease the Library salaries and revenue by \$9,000 and increase the Library consultant fees revenues and expenditures for a library consultant.

Documents:

[BUDGET AMENDMENT_CONSULTANT FEES.PDF](#)
[MOU FOR JANET ANDERSON.PDF](#)
[APRIL 4 2023_SPECIAL BOARD MEETING MINUTES.PDF](#)
[37. 2023 BA -LIBRARY INCREASE CONSULTANT-SALARIES.PDF](#)

- 7.15. APPROVE CONTRACT WITH ACKERMAN-ESTVOLD REGARDING EDA PUBLIC SPACE INITIATIVE GRANT
APPROVE ENGINEERING AND PLANNING SERVICES AGREEMENT WITH ACKERMAN-ESTVOLD FOR WORK ASSOCIATED WITH EDA PUBLIC SPACE INITIATIVE (PLACEMAKING) GRANT WITH THE STATE OF NORTH DAKOTA DEPARTMENT OF COMMERCE IN THE AMOUNT OF \$55,350

Documents:

[CC MEMO FOR PLACEMAKING GRANT CONTRACT WITH ACKERMAN ESTVOLD 2023.PDF](#)
[AGREEMENT_CITYOFMINOT_AE_PLACEMAKING_SIGNED.PDF](#)
[APP1_SCOPE.PDF](#)
[APP2_RATESCHEDULE.PDF](#)
[APP3_INSCERT.PDF](#)

8. ACTION ITEMS

- 8.1. 2023 WATERMAIN REPLACEMENT - AWARD OF BID (4726)
Presented by Jason Sorenson

RECOMMENDED ACTION

- 1. It is recommended City Council award the bid for the 2023 Watermain Replacement Project to Post Construction, Inc. for the lowest bid of \$3,394,820.00 which includes the base bid (units 1-3) plus bid alternate 1;**
- 2. Pass on 1st reading the attached budget amendment; and**
- 3. Authorize the Mayor to sign contract documents on behalf of the City.**

Documents:

[4726 - 2023 WATERMAIN REPLACEMENT AWARD OF BID MEMO.PDF](#)
[36. 2023 BA - 2023 WATERMAIN REPLACEMENT.PDF](#)

- 8.2. RESOLUTION AMENDING JULY 2023 REGULAR CITY COUNCIL MEETING DATES AND LOCATION
Presented by Mikayla McWilliams and Harold Stewart

RECOMMENDED ACTION

It is recommended City Council adopt a resolution amending the location of the Council Chambers for the remainder of 2023 and amending the July meeting dates to be the 10th and 24th.

Documents:

[MEMO - AMENDING JULY REGULAR CITY COUNCIL DATES.PDF](#)
[RESOLUTION NO 3810.PDF](#)

8.3. RECOMMENDATION OF CURALINC HEALTHCARE FOR EMPLOYEE ASSISTANCE PROGRAM SERVICES

Presented by Lisa Jundt

RECOMMENDED ACTION

It is recommended City Council approve CuraLinc Healthcare for City of Minot Employee Assistance Program Services; and further, authorize the Mayor to sign the contract on behalf of the City.

Documents:

[MEMO RECOMMENDING CURALINC HEALTHCARE FOR EAP SERVICES.PDF](#)
[CITY OF MINOT_ EAP RFP.PDF](#)
[CURALINC HEALTHCARE - EAP PROPOSAL FOR CITY OF MINOT ND V082622.PDF](#)
[EMPATHIA CITY OF MINOT PROPOSAL_1.12.22.PDF](#)
[ENI NEXTGEN CITY OF MINOT_EAP PROPOSAL.PDF](#)
[MINE CITY OF MINOT EAP PROPOSAL.PDF](#)
[CHI ST. ALEXIUS CITY OF MINOT EAP PROPOSAL.PDF](#)

8.4. ORDINANCE NO 5840 - HUMAN RELATIONS COMMITTEE

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

1. Ordinance No 5840 - Human Relations Committee

Documents:

[HRC REVISION APRIL 2023.PDF](#)
[ORDINANCE NO 5840 - HUMAN RELATIONS COMMITTEE.PDF](#)

9. PERSONAL APPEARANCES

10. MISCELLANEOUS AND DISCUSSION ITEMS

10.1. MI-6 AND MI-7 PHASES FLOODWALL AND STORM WATER PUMP STATION AESTHETICS

Presented by Dan Jonasson

Informational - proposed floodwall and pumpstation design aesthetics for MI-6 and MI-7 floodwalls.

Documents:

[MEMO FLOODWALL RENDERINGS.PDF](#)
[2023.02.21 R21096 - MREFPP MI-6 - 8TH ST NE - PRESENTATION SHEETS.PDF](#)
[FLOODWALL REVISED CONCEPTS_20230210.PDF](#)

10.2. EMPLOYEE BENEFITS AND WAGES AD HOC RECOMMENDATION SUMMARY

The purpose of this summary is to present the recommendations of the ad hoc committee appointed by the City Council to examine and propose optimal policies regarding employee wages and benefits. The committee was composed of representatives from various stakeholders, including City Council members, city employees, management teams, civil service, and the public, ensuring a diverse range of perspectives were considered.

Documents:

[FINAL EMPLOYEE BENEFIT AND WAGE REVIEW COMMITTEE.PDF](#)
[APPENDIX A - COMMITTEE REPORT - FINAL.PDF](#)
[APPENDIX B - CITY MANAGER PTO MEMO.PDF](#)
[APPENDIX C - SHORT TERM PRESENTATION.PDF](#)
[APPENDIX D - GALLAGHER COMPENSATION STUDY PRESENTATION.PDF](#)
[APPENDIX E - COMMITTEE ATTENDANCE.PDF](#)
[APPENDIX F - HEALTH CARE PRESENTATION.PDF](#)

11. LIAISON REPORTS

12. ADJOURNMENT