

City of Minot

Regular City Council Meeting
Monday, July 24, 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. PROCLAMATION

Documents:

[DISABILITY MONTH PROCLAMATION.PDF](#)

4. CITY MANAGER'S REPORT

Documents:

[07242023 CITY MANAGER REPORT.PDF](#)
[2023 -7 - JULY BOD AGENDA.PDF](#)

5. CONSIDER THE REPORT OF THE PLANNING COMMISSION

Documents:

[7 \(JUL\) RECOMMENDATIONS 2023.PDF](#)

5.1. PUBLIC HEARING: ZONING MAP AMENDMENT - SOUTH MAIN ST

Public hearing request by Jonathan Layne on behalf of Providence House, applicant representative for Trinity Health Foundation, owner, for a zoning map amendment from "C1" Neighborhood Commercial District to "CBD" Central Business District. The purpose of the zoning map amendment is to provide in-patient treatment services and is defined within the Land Development Ordinance of the City of Minot as Hospital. The legal description for the property is Lots 16, through 19, Block 2, Ramstads First Addition.

The address for the property is 415 Main St. S.

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

Documents:

[07242023 - ZONING MAP AMENDMENT - SOUTH MAIN ST.PDF](#)

5.2. PUBLIC HEARING: ZONING MAP AMENDMENT - FIRST DISTRICT HEALTH

Public hearing request by the City of Minot, applicant representative, on behalf of First District Health Unit, owner, for a zoning map amendment from "R1" Single-Family Residential District and "C4" Planned Commercial District to "P" Public District for the purpose of realigning the zoning with the existing office, clinic, and accessory storage uses on property owned by a public entity. No change in existing uses is proposed by this zoning map amendment request. The legal description for the property is Outlots Sec 26 155 83 NW1/4 NE1/4 Outlot 2 Less South 50' & Less North 7' & Less South 182' of East 300' Less West 458' AND Outlots Sec 26 155 83 NW 1/4 NE 1/4 South 182' of East 300' Less South 50' & Less North 50' of South 100' Of East 150' Outlot 2.

The addresses for the properties are as follows: 801 11th Ave. SW and 800 12th Ave. SW.

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) Associated "P" Public District Master Plan**

Documents:

[07242023 - ZONING MAP AMENDMENT - FIRST DISTRICT HEALTH.PDF](#)
[07242023 - MASTER PLAN.PDF](#)

5.3. PUBLIC HEARING: ZONING MAP AMENDMENT - PORTION OF SKYPORT ADDITION

Public hearing request by Roscoe Streyle on behalf of United Community Bank of North Dakota for a zoning map amendment from "R4" Planned Residential District to "R1" Single-Family Residential District for the purpose of replatting the properties to traditionally-sized single-family lots. The legal description for the property is lots 10 through 18, Block 3, Skyport 6th Addition and Lots 2A through 2J, Skyport 9th Addition to the City of Minot, North Dakota.

The addresses for the properties are as follows: 900 28th Ave. NW, 2704, 2800, 2804, 2808, 2812, 2816, 2820, 2824, and 2828 Jeffrey Dr. NW, and 2803, 2807, 2811, 2815, 2819, 2823, 2827, 2831, and 2835 10th St. NW.

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

Documents:

[07242023 - ZONING MAP AMENDMENT - SKYPORT 12TH AND 13TH ADDITION.PDF](#)

5.4. PUBLIC HEARING: ZONING MAP AMENDMENT AND PRELIMINARY PLAT - PRAIRIE VIEW ESTATES 5TH ADDITION

Public hearing request by David and Betty Petry, applicant representative/owner, on behalf of KJK-Corcoran School Holding Company, Inc., owner for a preliminary plat to adjust a shared property boundary between two platted lots. Each of the existing planned lots resides in a different zoning district, prompting the zoning map amendment request. The zoning map amendment is from "GMU" General Mixed Use

District to "R1" Single-Family Residential District for that area of land to be exchanged between the two platted lots. The proposed plat is to be named Prairie View Estates 5th Addition. The legal description for the properties are Lot 6, Prairie View Estates Addition and Lot 2, Prairie View Estates 4th Addition to the City of Minot, North Dakota.

The property addresses are 2025 20th St. NW and 2004 21st St. NW.

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; and**
- 2) A major subdivision preliminary plat for Prairie View Estates 5th Addition**

Documents:

[07242023 - ZONING MAP AMENDMENT - PRAIRIE VIEW ESTATES 5TH ADDITION.PDF](#)

[07242023 - PRELIMINARY PLAT - PRAIRIE VIEW ESTATES 5TH ADDITION.PDF](#)

5.5. PUBLIC HEARING: ZONING MAP AMENDMENT AND PRELIMINARY PLAT - HIGHLANDER ESTATES 5TH SUBDIVISION

Public hearing request by Ackerman Surveying, applicant representative, on behalf of HL Development, LLC, owner for a preliminary plat and zoning map amendment. The purpose of the preliminary plat is to subdivide two platted lots into five lots. Further, a portion of right-of-way known as 29th St. SW is proposed to be vacated. The proposed plat is to be known as Highlander Estates 5th Subdivision. Finally, a zoning map amendment is requested to amend the properties from "C1" Neighborhood Commercial District and "C2" General Commercial District to solely "C2" General Commercial District. The legal description for the properties are Lots 9 & 10, Highlander Estates Subdivision to the City of Minot, North Dakota.

The properties are presently unaddressed and are located to the northeast of the intersection of 37th Ave. SW and 30th St. SW.

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; and**
- 2) A major subdivision preliminary plat for Highlander Estates 5th Subdivision.**

Documents:

[07242023 - ZONING MAP AMENDMENT - HIGHLANDER ESTATES 5TH SUBDIVISION.PDF](#)

[07242023 - PRELIMINARY PLAT - HIGHLANDER ESTATES 5TH SUBDIVISION.PDF](#)

6. CONSENT ITEMS

6.1. CITY COUNCIL MINUTES

It is recommended City Council approve the minutes of the July 10, 2023 Regular City Council meeting.

Documents:

[07102023 COUNCIL MEETING MINUTES.PDF](#)

6.2. ORDINANCES

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

1. **Ordinance No 5866 - 2023 BA - Fire Marathon Grant**
2. **Ordinance No 5867 - 2023 BA - Auto-titrator Purchase**
3. **Ordinance No 5868 - 2023 BA - City Hall Remodel Incidental Expenses (2016380001)**

Documents:

[ORDINANCE NO 5866 - 2023 BA - FIRE MARATHON GRANT.PDF](#)
[ORDINANCE NO 5867 - 2023 BA - AUTO-TITRATOR PURCHASE.PDF](#)
[ORDINANCE NO 5868 - 2023 BA - CITY HALL REMODEL INCIDENTAL EXPENSES \(2016380001\).PDF](#)

6.3. ADMINISTRATIVE APPROVALS

It is recommended City Council approve the Administrative Approvals.

Documents:

[ADMIN APPROVALS 07242023.PDF](#)

6.4. MINOR SUBDIVISION PLAT: RHI SUPPLY ADDITION

RECOMMENDED ACTION

It is recommended City Council approve a minor subdivision plat as provided in Attachment A to create RHI Supply Addition.

Documents:

[CC MEMO - RHI SUPPLY ADDITION.PDF](#)
[ATTACHMENT A - RHI SUPPLY ADDITION.PDF](#)

6.5. MINOR SUBDIVISION PLAT: SUNSET ADDITION

RECOMMENDED ACTION

It is recommended City Council approve a minor subdivision plat as provided in Attachment A to create Sunset Addition.

Documents:

[CC MEMO - SUNSET ADDITION.PDF](#)
[ATTACHMENT A - SUNSET ADDITION.PDF](#)

6.6. APPROVE THE INTEREST BUYDOWN AGREEMENT OF THE FLEX PACE PROGRAM – SOURIS HEIGHTS LLLP

Presented by Chris Plank, NDR Program Manager

RECOMMENDED ACTION

It is recommended City Council approve the Interest Buydown Agreement for the Flex PACE Buydown agreement for Souris Heights, LLLP and authorize the Mayor to sign the necessary documents.

Documents:

[PACE ADDENDUM SOURIS HEIGHTS - 7-10-23.PDF](#)
[SOURIS HEIGHTS PACE PROGRAM ADDENDUM.PDF](#)

6.7. MDU EASEMENT ON CITY PROPERTY

Presented by Lance Meyer, PE, City Engineer

RECOMMENDED ACTION

It is recommended City Council approve the proposed right of way easement for MDU and authorize the Mayor to sign the necessary documents.

Documents:

[MEMO_MDU_EASEMENT2023.PDF](#)
[MDU EASEMENT 2023.PDF](#)
[MDU.PDF](#)

6.8. EDISON SAFE ROUTES TO SCHOOL COST PARTICIPATION AND MAINTENANCE AGREEMENT (4667)

Presented by Lance Meyer, City Engineer

RECOMMENDED ACTION

It is recommended City Council approve the attached cost participation and maintenance agreement with the NDDOT and authorize the Mayor to sign the agreement.

Documents:

[EDISON SAFE ROUTES TO SCHOOL COST PARTICIPATION AND MAINTENANCE AGREEMENT \(4667\).PDF](#)
[EDISON SRTS CPM AGREEMENT.PDF](#)

6.9. EDISON SAFE ROUTES TO SCHOOL EASEMENT ACQUISITION TASK ORDER (4667)

Presented by Lance Meyer, City Engineer

RECOMMENDED ACTION

It is recommended City Council approve the attached Task Order 1 with Ackerman-Estvold and authorize the Mayor to sign the Task Order.

Documents:

[E-505_TASK ORDER 1_EDISON SRTS EASEMENT AQUISION.PDF](#)
[EDISON SAFE ROUTES TO SCHOOL EASEMENT ACQUISITION TASK ORDER \(4667\).PDF](#)

6.10. 2ND AVENUE SW SCHOOL SPEED ZONE REMOVAL

Presented by Stephen Joersz, PE, PTOE

RECOMMENDED ACTION

It is recommended City Council pass an ordinance to remove the school speed limit zone on 2nd Avenue SW between Westfield Avenue and 18th St SW.

Documents:

[MEMO- 2ND AVE SW SCHOOL SPEED ZONE REMOVAL.PDF](#)
[PROPOSED ORDINANCE - 2ND AVE SW SCHOOL SPEED ZONE REMOVAL.PDF](#)

6.11. 2023 SIDEWALK - SPECIAL ASSESSMENT (4713)

Presented by Lance Meyer, PE, City Engineer

RECOMMENDED ACTION

- 1. It is recommended City Council order the construction, rebuilding, or repairing of sidewalks to be performed by the City's contracted Contractor; and**
- 2. Assess the construction cost and administration fees for this sidewalk work against the benefiting properties, as shown in Table 1.**

Documents:

[4713 - 2023 SIDEWALK ASSESSMENT MEMO.PDF](#)
[TABLE 1 - 2023 ASSESSMENT SUMMARY FOR COUNCIL.PDF](#)

6.12. FAA FY 2022 SUPPLEMENTAL, FY 2023 AIP ENTITLEMENT, And FY 2023 AIG GRANTS – WILDLIFE HAZARD REMOVAL PROJECT

Presented by Jennifer K. Eckman, Airport Director

RECOMMENDED ACTION

- 1. It is recommended City Council accept the FY 2022 Airport Improvement Program (AIP) Supplemental, and application and**

acceptance of the remaining FY 2023 Entitlement, and Airport Infrastructure Grant (AIG) funding sources from the Federal Aviation Administration (FAA); and

- 2. Authorize the Mayor, City Attorney, and Airport Director to sign necessary documents for the application and acceptance of all federal funds related to this project.**

Documents:

[20230724-MEMO FAA WETLAND FUNDING.PDF](#)
[WILDLIFE FUNDING PLAN.PDF](#)

- 6.13. SRT EASEMENT ON AIRPORT PROPERTY
Presented by Jennifer K. Eckman, Airport Director

RECOMMENDED ACTION

It is recommended City Council authorize City staff to approve the easement on airport property and authorize the Mayor to sign any necessary documents.

Documents:

[20230724-MEMO SRT FIBER EASEMENT.PDF](#)
[SRT EASEMENT.PDF](#)

- 6.14. GARBAGE COLLECTION, LANDFILL, WATER AND STORM SEWER RATE RESOLUTION
Presented by Jason Sorenson

RECOMMENDED ACTION

It is recommended City Council approve a new resolution for garbage collection, landfill, water and storm sewer rates to include new rates for recycling tipping fees at the landfill.

Documents:

[TRASH WATER STORM SEWER RATES_MEMO_WITH RECYCLING.PDF](#)
[TRASH WATER STORM SEWER RATES_RESOLUTION_WITH RECYCLING.PDF](#)

- 6.15. CIVIL AIR PATROL STORAGE LEASE
Presented by Jennifer K Eckman, Airport Director

RECOMMENDED ACTION

It is recommended City Council approve the storage space lease at Minot International Airport and authorize the Mayor and Airport Director to sign contract.

Documents:

- 6.16. T HANGAR BOILER PLATE LEASE
Presented by Jennifer Eckman, Airport Director

RECOMMENDED ACTION

It is recommended City Council approve the lease boiler plate for future use and authorize Airport Director to sign future T-Hangar leases.

Documents:

MEMO T HANGAR BOILER PLATE LEASE TEMPLATE.PDF
T HANGAR BOILER PLATE LEASE TEMPLATE.PDF
CURRENT T-HANGAR LEASE -.PDF

- 6.17. AVIATION BUSINESS CONSULTANT RFQ ACCEPTANCE
Presented by Jennifer Eckman, Airport Director

RECOMMENDED ACTION

- 1. It is recommended City Council accept the highest-ranking SOQ for the Aviation RFQ; and**
- 2. Authorize the Mayor, City Attorney, and Airport Director to negotiate and sign all applicable documentation including the master contract and corresponding task orders.**

Documents:

MEMO AVIATION BUSINESS CONSULTANT RFQ ACCEPTANCE.PDF
RFQ SUMMARY AND TABULATION.PDF

- 6.18. APPLICATION FI-8 FAÇADE IMPROVEMENT PROGRAM FOR BIG M MINOT, LLC
LOCATED AT 123 1st STREET SW
Presented by Jonathan Rosenthal

RECOMMENDED ACTION

It is recommended City Council approve a grant application FI-8 for BIG M MINOT, LLC for a property located at 123 1st Street SW in an amount not to exceed \$180,000.00 subject to conditions of the program.

Documents:

CC MEMO - FI-8 APPLICATION.PDF
CONDITIONS OF M-BUILDING AUGUST 2022.PDF
FACADE APPLICATION FI-8 M-BUILDING.PDF
FI-8 M BLDG APPLICANT SIGNED FACADE GRANT CONTRACT.PDF

7. ACTION ITEMS

- 7.1. CITY OF MINOT VS TRINITY (EMINENT DOMAIN) SETTLEMENT

Presented by Stefanie Stalheim

RECOMMENDED ACTION

It is recommended City Council authorize the Mayor and City staff to execute the attached Settlement Agreement, Purchase Agreement, and Lease Agreement (settlement documents) and take all steps necessary to complete the terms of the Agreements, including payment of the total sum of \$850,000.00 as full payment for property acquisition, just compensation, damages, attorneys' fees and costs.

Documents:

[TRINITY SETTLEMENT MEMO.PDF](#)
[PURCHASE AGREEMENT.PDF](#)
[SETTLEMENT AGREEMENT.PDF](#)

7.2. CHANGE ORDER – CHILDREN'S LIBRARY REMODEL (2021670002)

Presented by Zhaina Moya

RECOMMENDED ACTION

It is recommended City Council approve the budget amendment appropriating \$21,585 to increase the Library donations revenue and structure repair and maintenance expenditures for the construction contingency on the children's library remodel project order.

Documents:

[MEMO FOR CHILDRENS LIBRARY.PDF](#)
[43. 2023 BA - CHILDRENS LIBRARY REMODEL CONTINGENCY \(2021670002\) \(002\).PDF](#)
[PR01- CHILDRENS LIBRARY REVISED.PDF](#)

7.3. S BROADWAY AND 40TH AVENUE SW INTERSECTION REVISIONS

Presented by Stephen Joersz, PE, PTOE

RECOMMENDED ACTION

It is recommended City Council approve the intersection revision layout at the S Broadway and 40th Avenue SW intersection and approve the budget amendment for the improvements on first reading.

Documents:

[COUNCIL MEMO - S BROADWAY AND 40TH AVE SW.PDF](#)
[40TH AVE SW AT S BROADWAY_PLAN.PDF](#)
[46. 2023 BA - INTERSECTION REVISION AT S BROADWAY AND 40TH AVE SW - GF CASH RESERVES.PDF](#)

7.4. REVISED COMMUNITY CONTRIBUTION REQUESTS FOR THE 2024 ANNUAL BUDGET

Presented by Harold Stewart, City Manager

RECOMMENDED ACTION

It is recommended City Council direct staff on the level of funding for the revised community contribution requests for the 2024 annual budget.

Documents:

[2024 REVISED COMMUNITY CONTRIBUTION APPLICATIONS MEMO.PDF](#)
[PROJECT BEE REVISED 2024 APPLICATION.PDF](#)
[MCA REVISED APPLICATION FOR FUNDING 2024.PDF](#)
[FDHU REVISED APPLICATION.PDF](#)
[2024 REVISED FUNDING REQUEST.PDF](#)
[20230718 SBPC RESPONSE.PDF](#)
[RESPONSE FROM MACEDC.PDF](#)

7.5. CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINIC

Presented by Alderman Burlingame

RECOMMENDED ACTION

It is recommended City Council authorize the Mayor to sign a letter of support for North Central Human Service Center becoming the first Certified Community Behavioral Health Clinic in North Dakota.

Documents:

[NORTH CENTRAL HUMAN SERVICE CENTER MEMO.PDF](#)
[LETTER OF SUPPORT FOR CCBHC.PDF](#)
[MINOT CITY COUNCIL-CCBHC PRESENTATION.PDF](#)

8. PERSONAL APPEARANCES

9. MISCELLANEOUS AND DISCUSSION ITEMS

9.1. MACEDC BIENNIAL PRESENTATION

Presentation by Brekka Kramer CEO/President of MACEDC

Documents:

[MACEDC_REPORT TO CITY_PRESENTATION_FINAL.PDF](#)
[JULY 2023_REPORT TO THE CITY_FINAL.PDF](#)
[ATTACHMENT A_MACEDC STRATEGIC PLAN_FINAL.PDF](#)
[ATTACHMENT B_2023 MACEDC BOD AND TEAM.PDF](#)
[ATTACHMENT C_MACEDC BR AND E JAN-JUN 2023 REPORT.PDF](#)
[ATTACHMENT D_2023 LPND COMMITTEE.PDF](#)
[ATTACHMENT E_2023 TASK FORCE 21.PDF](#)

10. LIAISON REPORTS

11. ADJOURNMENT