

City of Minot

Regular City Council Meeting
Monday, August 21, 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
4. CITY MANAGER'S REPORT

Documents:

[08212023 CITY MANAGER REPORT.PDF](#)
[MCA BOARD MINUTES 6-16-2023.PDF](#)
[AUGUST BOARD PACKET_CITY CONTRACT.PDF](#)

5. CONSIDER THE REPORT OF THE PLANNING COMMISSION

Documents:

[8 \(AUG\) RECOMMENDATIONS 2023.PDF](#)

- 5.1. PUBLIC HEARING: ZONING MAP AMENDMENT AND PRELIMINARY PLAT - HIGHLANDER ESTATES 6TH SUBDIVISION

Public hearing request by Ackerman Surveying, representing HL Development, LLC, owner for a zoning map amendment from "R2" Two-Family Residential District and "R3" Multiple Residence District to "GMU" General Mixed Use District, "C2" General Commercial District, and "RM" Medium Density Residential District. The application includes a request for a future land use map amendment from all Urban Residential to Mixed Use Center, General Commercial, and Urban Residential. Finally, the application includes a preliminary plat for the creation of Highlander Estates 6th Subdivision. The purpose of the application is to facilitate unspecified commercial and residential development. The legal description for the property is Lots 11 and 12, Highlander Estates Subdivision to the City of Minot, North Dakota.

The properties are unaddressed, being located north of the termination of 23rd St. SW and west of the termination of 35th Ave. SW.

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

1. **An ordinance on the first reading for a zoning map amendment; and**
2. **A major subdivision preliminary plat for Highlander Estates 6th Subdivision.**

Documents:

[08212023 - ZONING MAP AMENDMENT - HIGHLANDER ESTATES 6TH SUBDIVISION.PDF](#)
[08212023 - PRELIMINARY PLAT - HIGHLANDER ESTATES 6TH SUBDIVISION.PDF](#)

- 5.2. PUBLIC HEARING: ZONING MAP AMENDMENT - TOLLBERG SHORES 2ND ADDITION
Public hearing request by Dan Madler on behalf of BSI MHA, LLC representing Northern Lights Property Development, LLC, owner for a zoning map amendment from "R1" Single-Family Residential District to "RM" Medium Density Residential District for the purpose of constructing two (2) thirty-six unit apartment complexes. The legal description for the property is Lot 2, Block 1, Tollberg Shores Second Addition.
The property is unaddressed, being located north of the area pond, lying east of 16th St. NW. and west of 27th Ave. 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:

[08212023 - ZONING MAP AMENDMENT - TOLLBERG SHORES 2ND ADDITION.PDF](#)

- 5.3. PUBLIC HEARING: ZONING MAP AMENDMENT - WEST HILLS ACRES 2ND ADDITION
Public hearing request by Wade Huus, owner for a zoning map amendment from "R1" Single-Family Residential to "RR" Rural Residential District for the purpose of constructing a third outbuilding. The legal description of the property is Lot 1, West Hills Acres 2nd Addition to the City of Minot, North Dakota.

The address for the property is 3500 Highview Ave. NW.

The Planning Commission recommends City Council deny the zoning map amendment, although they did not provide corresponding findings of fact to support their recommendation. Staff provides two alternatives, including findings of fact, for consideration by City Council in the attached memo. Alternative #1 will align with Planning Commission's recommendation for denial. Alternative #2 would result in approval of the item.

Documents:

[CC MEMO - WEST HILLS ACRES 2ND ADDITION.PDF](#)
[08212023 - ZONING MAP AMENDMENT - WEST HILLS 2ND ADDITION.PDF](#)

- 5.4. PUBLIC HEARING: TEXT AMENDMENT - ARTICLE 13.1-4. D.
Public hearing request by the City of Minot for a zoning text amendment to amend that portion of code related to replacement of residential dwellings in non-agricultural and non-residential districts. The changes are proposed for Section 13.1-4. D. of the Land Development Ordinance of the City of Minot.

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

Documents:

[08212023 - TEXT AMENDMENT - ARTICLE 13- FIRST READING.PDF](#)

6. PUBLIC HEARING

- 6.1. PUBLIC HEARING: RENAISSANCE ZONE CONDITIONAL APPROVAL PROJECT M-105, KRISTIN BOEN, BOOMTOWN ENTERPRISES, LLC
Presented by Jonathan Rosenthal

RECOMMENDED ACTION

It is recommended City Council approve the Renaissance Zone Case M-105 by Kristen Boen of Boomtown Enterprises, LLC for a five-year property tax exemption including improvements. Advances to the State for their conditional approval.

Documents:

[CC MEMO M-105 CONDITIONAL APPROVAL.PDF](#)
[M-105 BOEN RENZONE APPLICATION.PDF](#)
[ESTIMATE OF VALUE LETTER FOR 117 CENTRAL AVE W.PDF](#)

7. CONSENT ITEMS

7.1. CITY COUNCIL MINUTES

It is recommended City Council approve the minutes of the August 7, 2023, Special City Council meeting and the August 7, 2023, Regular City Council meeting.

Documents:

[08072023 SPECIAL CITY COUNCIL MEETING MINUTES.PDF](#)
[08072023 COUNCIL MEETING MINUTES.PDF](#)

7.2. ORDINANCES

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

- 1. Ordinance 5877 - 2023 BA - Terminal Roadway Study**
- 2. Ordinance 5878 - 2023 BA - Purchase of PD K-9**
- 3. Ordinance 5879 - Midco Franchise Agreement Ordinance**

Documents:

[ORDINANCE 5877 - 2023 BA - TERMINAL ROADWAY STUDY.PDF](#)
[ORDINANCE 5878 - 2023 BA - PURCHASE OF PD K-9.PDF](#)
[ORDINANCE 5879 - MIDCO FRANCHISE AGREEMENT ORDINANCE.PDF](#)

7.3. ADMINISTRATIVE APPROVALS

It is recommended City Council approve the Administrative Approvals

Documents:

[ADMIN APPROVALS 08212023.PDF](#)

7.4. MAYORAL APPOINTMENTS

It is recommended City Council confirm the following Mayoral Appointments:

Heating and Air Conditioning Board

- **Travis Mowbray with a term to expire June 2025**
- **Caleb Bulow with a term to expire November 2024**
- **Floyd Hanson with a term to expire June 2025**
- **Jesse Schroeder with a term to expire June 2025**

Plumbing Board

- **Trent Livedalen with a term to expire June 2025**
- **Timothy Feist with a term to expire June 2025**
- **Wayne Burbach with a term to expire June 2025**
- **Dalen Kendall with a term to expire June 2025**

Board of Appeals

- **Scott Huber with a term to expire June 2028**

MAGIC Fund

- **Jordan Nelson with a term to expire June 2026**

7.5. MINOR SUBDIVISION PLAT: COUNTRYSIDE VILLAS 7TH ADDITION

Presented by John Van Dyke

RECOMMENDED ACTION

It is recommended City Council approve a minor subdivision plat as provided in Attachment A to create Countryside Villas 7th Addition.

Documents:

[CC MEMO - COUNTRYSIDE VILLAS 7TH ADDITION.PDF](#)
[ATTACHMENT A - COUNTRYSIDE VILLAS 7TH ADDITION.PDF](#)

7.6. CONTRACT AMENDMENT FOR FI-7, JK HURT RENTALS LLC NOT TO EXCEED \$90,356 FOR FAÇADE IMPROVEMENTS AND TO AUTHORIZE MAYOR TO SIGN ALL NECESSARY DOCUMENTS

Presented by Jonathan Rosenthal

RECOMMENDED ACTION

It is recommended City Council approve an Amendment to Case FI-8 for JK Hurt Rentals, LLC for façade renovation work to be performed at 121 Main Street S as amended in an amount not to exceed \$90,356 (total) subject to terms and conditions and authorize the Mayor to execute all necessary documents.

Documents:

[CC MEMO - FI-7 AMENDMENT.PDF](#)
[CHANGE ORDER DATED 7.19.23.PDF](#)
[121 MAIN UPDATED ADDED FRAMES.PDF](#)

- 7.7. SPECIAL ASSESSMENT APPROVAL; 2023 NUISANCE ABATEMENT (4671)
Presented by David Lakefield

RECOMMENDED ACTION

It is recommended City Council approve the assessment roll for the 2023 Nuisance Abatement Project 4671.

Documents:

[MEMO NUISANCE ABATEMENT 2023.PDF](#)
[CC ATTACHMENT.PDF](#)

- 7.8. SPECIAL ASSESSMENT APPROVAL; SIDEWALK REPAIR (4626)
Presented by David Lakefield

RECOMMENDED ACTION

It is recommended City Council approve the assessment roll for Sidewalk Repair Project 4626.

Documents:

[MEMO SIDEWALKS 2023.PDF](#)
[4626 2022 SIDEWALK ASSESSMENT ROLL.PDF](#)

- 7.9. 2023-2024 SIDEWALK SNOW REMOVAL CONTRACT – AWARD OF BID (4795)
Presented by Jason Sorenson

RECOMMENDED ACTION

It is recommended City Council authorize a contract for snow removal on the city sidewalk and bike path areas with Schultz Property Maintenance, LLC and authorize the Mayor to sign the contract.

Documents:

[4795 - 2023-2024 SIDEWALK SNOW REMOVAL CONTRACT - AWARD.PDF](#)

- 7.10. PAVING & UTILITY DISTRICT 2021-1 (4585) – ENLARGE DISTRICT/AMEND ENGINEERING REPORT RESOLUTIONS
Presented by Lance Meyer, City Engineer

RECOMMENDED ACTION

It is recommended City Council approve the resolutions to enlarge the district and to amend the engineering report for the improvement district.

Documents:

[4585_MEMO_RESOLUTIONS ENLARGE DISTRICT.PDF](#)
[3814 ENLARGE 2021-1.PDF](#)
[3815 APPROVE AMENDED ENG 2021-1.PDF](#)

- 7.11. 16TH ST INTERCHANGE REHABILITATION CONSULTANT SELECTION
Presented by Lance Meyer

RECOMMENDED ACTION

It is recommended City Council select SRF Consulting to perform engineering services for the project and authorize the City Engineer to negotiate a scope and fee.

Documents:

[16TH ST INTERCHANGE REHABILITATION ENGINEERING SELECTION MEMO.PDF](#)

- 7.12. CONTRACT FOR GRANT ADMINISTRATION SERVICES FOR WILDLIFE HAZARD MITIGATION PROJECT - SHORT ELLIOTT HENDRICKSON, INC.
Presented by Jennifer Eckman

RECOMMENDED ACTION

- 1. It is recommended City Council approve the Grant Administration Work Order to be conducted by Short Elliott Hendrickson Inc. (SEH); and**
- 2. Authorize the Mayor to sign the agreement.**

Documents:

[20230821-MEMO GRANT ADMIN WILDLIFE MITIGATION - SEH.PDF](#)
[SEH PROPOSAL_WILDLIFE HAZARD MITIGATION PROJECT - GRANT MANAGEMENT.PDF](#)

- 7.13. OFFER SECOND CONTRACT EXTENSION WITH DOUBLE L LOADERWORKS FOR SNOW REMOVAL SERVICES AT THE MINOT INTERNATIONAL AIRPORT (MOT)
Presented by Jennifer K. Eckman, Airport Director

RECOMMENDED ACTION

It is recommended City Council approve a second contract extension of contract terms to Double L Loaderworks for snow removal services and authorize the Mayor to sign any applicable documentation.

Documents:

[2023-08-21-MEMO DOUBLE L SNOW REMOVAL RENEWAL.PDF](#)
[SERVICESAGREEMENT_SNOWREMOVAL_DOUBLELLOADERWORKS_EXECUTED.PDF](#)
[SNOW REMOVAL EXTENSION - DOUBLE L LOADERWORKS_2022-2023.PDF](#)
[SIGNED SECOND EXTENSION - 2023-2024.PDF](#)

- 7.14. AUTONOMOUS FLOOR SCRUBBER ACQUISITION ADVERTISEMENT FOR BIDS
Presented by Jennifer K. Eckman, Airport Director

RECOMMENDED ACTION

It is recommended City Council approve the Specifications and authorize a call for bids.

Documents:

[20230821-MEMO AIRPORT FLOOR SCRUBBER SPECIFICATIONS.PDF](#)
[SPECIFICATIONS - SCRUBBER BID_7.18.23.PDF](#)

8. ACTION ITEMS

8.1. CPSM PUBLIC SAFETY ASSESSMENT

Presented by Harold Stewart

RECOMMENDED ACTION

- 1. It is recommended City Council approve CPSM conducting a Public Safety Assessment of the Minot Police and Fire Departments;**
- 2. Authorize the City Manager to sign all necessary agreements, contracts, and/or documents; and**
- 3. Approve the budget amendment for funding of CPSM Public Safety Assessment.**

Documents:

[COUNCIL MEMO FOR CPSM ASSESSMENT OF PD AND FD 2023.PDF](#)
[CPSM PROPOSAL 2023 POLICE AND FIRE.PDF](#)
[49. 2023 BA - INCREASE CONSULTANT FEES FOR DATA ANALYSIS FOR PUBLIC SAFETY.PDF](#)

8.2. MORATORIUM AND ESTABLISHMENT OF AD HOC COMMITTEE ON HUMAN RELATIONS

Presented by Alderman Burlingame, Stefani Stalheim, and Harold Stewart

RECOMMENDED ACTION

It is recommended City Council:

- 1. Declare a moratorium suspending Division 4 of Chapter 2, Article V of the City of Minot's Code of Ordinances (the Human Relations Committee Ordinance) until December 31, 2023, or until this Council repeals or amends the Human Relations Ordinance, whichever occurs first;**
- 2. Establish an Ad Hoc Committee on Human Relations (Ad Hoc Committee) to review the Human Relations Committee Ordinance and make a recommendation to the City Council regarding whether the ordinance should remain in effect, and if so, make a recommendation on any amendments that could be made to the present ordinance, if any;**
- 3. Confirm the City Council's appointments to the Human Relations Committee, as originally confirmed on July 10, 2023, as appointments to the Ad Hoc Committee; and**
- 4. Confirm Alderwoman Olson and Alderman Burlingame's appointments as Co-Chairs of the Ad Hoc Committee, with voting authority, and that the Ad Hoc Committee shall abide by the Rules of Order applicable to meetings of the City Council as set forth in Minot City Ordinance Sec. 2-31; and**
- 5. Direct the Ad Hoc Committee, in cooperation with city staff, to develop a plan to study the Human Relations Committee Ordinance, hold public hearings as needed, determine the impact of this ordinance on the City;**

- and
6. **Confirm that the Ad Hoc Committee is not to act as the Human Relations Commission (HRC) as described in the Human Relations Committee Ordinance.**

Documents:

[COUNCIL MEMO_HRC.PDF](#)
[RESOLUTION 3816 HRC MORATORIUM.PDF](#)

9. PERSONAL APPEARANCES

10. MISCELLANEOUS AND DISCUSSION ITEMS

10.1. BROWN & BROWN PRESENTATION - 2024 INSURANCE RENEWAL

Presented by Katie Veidel and Tammy Terras

Documents:

[CITY OF MINOT RENEWAL MEETING_CITY COUNCIL FINAL 8-21-23.PDF](#)

10.2. STORM SEWER DISTRICT 121 PROJECT UPDATE (4087)

Presented by Lance Meyer

Documents:

[STORM SEWER DISTRICT 121 PROJECT UPDATE MEMO.PDF](#)
[STORM SEWER DISTRICT 121 UPDATE 8.21.23.PDF](#)

10.3. BUDGET Q & A

11. LIAISON REPORTS

12. ADJOURNMENT