



Committee of the Whole  
Wednesday, September 26, 2018  
City Council Chambers

**1. SAND AWARD OF BID (PROJECT NUMBER 4229)**

On September 13, 2018 the Public Works Department opened bids for washed sand for the upcoming snow removal season. Three bids were received.

**It is recommended the City Council award the bid to Sundre Sand and Gravel in the amount of \$12.50 per ton for washed sand for the upcoming winter season.**

Documents:

[4229 - memo to council - sand award.pdf](#)

**2. DEICING SALT AWARD OF BID (PROJECT NUMBER 4230)**

On September 13, 2018 the Public Works Department opened bids for road deicing salt for the upcoming snow removal season. Two bids were received.

**It is recommended the City Council award the bid to DR Transport in the amount of \$68.90 per ton for deicing salt for the upcoming winter season.**

Documents:

[4230 - memo to council - salt award.pdf](#)

**3. CUTTING EDGES AWARD OF BID (PROJECT NUMBER 4231)**

On September 13, 2018, the Public Works Department opened bids for cutting edges for the upcoming snow removal season. Five bids were received.

**It is recommended the City Council award the bid to RDO Equipment in the amount of \$36.50 per edge for cutting edges for the upcoming winter season.**

Documents:

[4231 - memo to council - cutting edges award.pdf](#)

**4. WATER PLANT CHEMICALS AWARD OF BID (PROJECT NUMBER 4232)**

On September 20, 2018 the Public Works Department opened bids for chemicals at the Minot Water Treatment Plant for 2019.

**It is recommended the City Council award the bid to the following suppliers for water treatment chemicals as follows:**

- Carbon dioxide awarded to American Welding and Gas for \$245.00/ton
- Chlorine awarded to Hawkins for \$621.60/ton
- Quicklime awarded to Lhoist North America (LNA) for \$138/ton
- Ammonium Sulfate to Thatcher Company for \$0.301/lb

Documents:

**5. FY16 FD SHSG EQUIPMENT - CAPITAL CAMERA (FD0059)**

The state homeland security grant was previously awarded and approved by Council. The fire department did not feel they would spend the amount to make the purchase capital initially for the camera, however at purchase it was needed.

**It is recommended the City Council pass an ordinance to amend the 2018 annual budget to increase the fire capital equipment expenditures and revenue and decrease the fire control expenditures and revenue for purchase of a search camera with the state homeland security grant.**

Documents:

[2018 Memo- FD SHSG FY16 Equipment.pdf](#)  
[2018 BA - FD SHSG FY16 Equipment BA.pdf](#)

**6. SELF-CONTAINED BREATHING APPARATUS – CAPITAL TO NON-CAPITAL (FD0067)**

The Minot Fire Department applied for and was awarded the Assistance to Firefighters grant in the amount of \$272,728 with a City match of \$27,272. The amount awarded per unit was over our capital threshold at \$6,000. The actual cost per unit was only \$4,495.46. The Fire Department was able to purchase additional, related items under the grant with the remaining funds.

**It is recommended the City Council pass an ordinance to amend the 2018 annual budget to increase fire control revenues and expenditures and decrease fire equipment capital revenues and expenditures.**

Documents:

[2018 Memo- Assistance to Firefighters SCBAs FD0067.pdf](#)  
[2018 BA- Assistance to Firefighters Grant SCBAs FD0067.pdf](#)

**7. 2018 K-9, MACI (PD0152)**

The City of Minot received a donation of \$7,000 from Trinity Health to be used towards the purchase of a new K-9. Senior Officer, Matthew Pappenfus, is attending a six-week training course with our newest member of the MPD, Maci. We will be funding the remaining costs with asset forfeiture funds that are available.

**It is recommended the Committee and Council pass an ordinance to amend the 2018 annual budget to increase police capital purchase and general fund police travel, education & travel, and operation supplies revenue and expenditures.**

Documents:

[2018 Memo - 2018 K-9 Dog Maci.pdf](#)  
[32. 2018 BA - 2018 K-9 Maci.pdf](#)

**8. GAMING SITE AUTHORIZATION- MINOT STATE UNIVERSITY ALUMNI ASSOCIATION**

Site approval by the City Council is required as a precondition to obtain a state games of chance license. Each organization submits documentation annually in order to conduct games of chance at locations throughout the City of Minot.

**It is recommended the City Council approve the gaming site authorization for Minot State University Alumni Association to conduct pull tabs and poker at Valhalla Bar & Grill.**

Documents:

**9. RETAIL BEER & WINE LICENSE – THE HOUSE PARTY, LLC DBA THE HOUSE PARTY**

The City received a request from The House Party, LLC dba The House Party for a Retail Beer & Wine License operating at 26 & 28 3rd St NE. All documentation has been submitted and is being reviewed by the appropriate departments.

**It is recommended the Committee and Council approve the request from The House Party, LLC dba The House Party for a Retail Beer & Wine License operating at 26 & 28 3rd St NE, subject to receipt of all documentation and approval by the Police Chief, Building Official and Fire Marshal.**

Documents:

[Memo- The House Party.pdf](#)

**10. LANDFILL CELL 6 – CONTRACT AMENDMENT (PROJECT NUMBER 4241)**

In December of 2016, CPS was selected to design and construct a new MSW cell at the Minot Landfill. The project was designed and subsequently bid in May of 2017. Upon receiving the notice to proceed the contractor didn't mobilize to start the project for 6 weeks, which ultimately led to the project being suspended for the winter and not getting completed until June of 2018. This delay resulted in additional time being spent on the project that was not accounted for in the original contract. To date, there are 71 days of liquidated damages at \$500 per day for a total of \$35,500 to cover extra time spent on the project. Additionally, CPS performed some work that was beyond the scope of cell 6 design and construction.

**It is recommended the City Council approve an engineering amendment for CPS Engineering in the amount of \$50,000.00 and authorize the Mayor to sign the agreement on behalf of the City.**

Documents:

[4241 - Cell 6 - Contract Amendment.pdf](#)

**11. NAWS ADAPTIVE MANAGEMENT PLAN MOU WITH BUREAU OF RECLAMATION**

The City of Minot has been involved with NAWS since the 1990's in support of bringing quality and reliable drinking water to Minot and the North Central area of ND. As part of the Supplemental EIS that was completed by the Bureau of Reclamation, an adaptive Management Plan and team is required to be established to provide input on the design of the intake into the snake creek pump station as well as the biota plant at Max and to assure that these facilities are constructed and operated in accordance with the SEIS. Minot has been providing input and funding assistance since the inception of this project, but now the Bureau is asking that a MOU be formally established and signed designating personnel to participate in this AMP from the City.

**It is recommended the City Council approve the MOU and enter into an agreement to participate in an adaptive management plan with the Bureau of Reclamation.**

Documents:

[memo naws amp plan agreement.pdf](#)  
[US Bureau of Reclamation.PDF](#)

**12. UPDATED SNOW PLAN AND REVISED ORDINANCE REGARDING SIDEWALKS**

The Public Works Department review the snow removal policy on an annual basis to

determine changes or items that we feel can enhance or improve snow removal techniques. In discussions with the Police Chief, City Manager and City attorney. The issue of snow removal on or adjacent to City property came up and a recommended revision was suggested that snow be removed from city sidewalks in accordance with our snow removal policy so that they are matching and in compliance.

**It is recommended the City Council approve the updates to the snow removal plan and pass an ordinance to revise Section 28-42 of the City of Minot Code of Ordinances regarding snow removal.**

Documents:

[2018 snow removal plan and ordinance revision.pdf](#)

[28-42\\_Sidewalk Snow Ordinance 2018 update.pdf](#)

[Snow Removal Plan 2018-draft.pdf](#)

**13. DEPARTMENT PRESENTATION: POLICE DEPARTMENT**

The Police Chief will present an update on current activities taking place and obstacles encountered within the Police Department.





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**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Jason Sorenson

**DATE:** September 17, 2018

**SUBJECT:** SAND AWARD OF BID (PROJECT NUMBER 4229)

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**I. RECOMMENDED ACTION**

1. Recommend award of bid to Sundre Sand and Gravel in the amount of 12.50 per ton for washed sand for the upcoming winter season.

**II. DEPARTMENT CONTACT PERSONS**

Dan Jonasson, Director of Public Works 857-4140  
Jason Sorenson, Assistant Director of Public Works 857-4140

**III. DESCRIPTION**

A. Background

*On September 13, 2018 the Public Works Department opened bids for washed sand for the upcoming snow removal season. Three bids were received and they are as follows:*

<u>Bidder</u>	<u>Unit Price (per Ton)</u>	<u>Extended Cost (600 Tons)</u>
<i>Sundre Sand and Gravel</i>	<i>\$12.50</i>	<i>\$75,000.00</i>
<i>Aggregate Construction</i>	<i>\$16.35</i>	<i>\$98,100.00</i>
<i>Gravel Products</i>	<i>\$13.99</i>	<i>\$83,940.00</i>

B. Proposed Project

N/A

C. Consultant Selection

N/A

**IV. IMPACT:**

A. Strategic Impact:

N/A

B. Service/Delivery Impact:

N/A

C. Fiscal Impact:

Project Costs

Bid Price	\$75,000
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Project Funding

<i>2019 Street Department – Sand and Salt</i>	
<i>001-4000-431.06-91</i>	\$175,000.00

**V. ALTERNATIVES**

*N/A*

**VI. TIME CONSTRAINTS**

*N/A*

**VII. LIST OF ATTACHMENTS**

*N/A*



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**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Jason Sorenson

**DATE:** September 17, 2018

**SUBJECT:** DEICING SALT AWARD OF BID (PROJECT NUMBER 4230)

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**I. RECOMMENDED ACTION**

1. Recommend award of bid to DR Transport in the amount of 68.90 per ton for deicing salt for the upcoming winter season.

**II. DEPARTMENT CONTACT PERSONS**

Dan Jonasson, Director of Public Works 857-4140  
Jason Sorenson, Assistant Director of Public Works 857-4140

**III. DESCRIPTION**

A. Background

*On September 13, 2018 the Public Works Department opened bids for road deicing salt for the upcoming snow removal season. Two bids were received and they are as follows:*

<u>Bidder</u>	<u>Unit Price (per Ton)</u>	<u>Extended Cost (600 Tons)</u>
DR Transport	\$68.90	\$41,340.00
H & H Trucking	\$76.13	\$45,678.00

B. Proposed Project

N/A

C. Consultant Selection

N/A

**IV. IMPACT:**

A. Strategic Impact:

N/A

B. Service/Delivery Impact:

N/A

C. Fiscal Impact:

Project Costs

Bid Price	\$41,340.00
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Project Funding

<i>2019 Street Department – Sand and Salt</i>	
<i>001-4000-431.06-91</i>	\$175,000.00

**V. ALTERNATIVES**

*N/A*

**VI. TIME CONSTRAINTS**

*N/A*

**VII. LIST OF ATTACHMENTS**

*N/A*



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**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Jason Sorenson

**DATE:** September 17, 2018

**SUBJECT:** CUTTING EDGES AWARD OF BID (PROJECT NUMBER 4231)

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**I. RECOMMENDED ACTION**

1. Recommend award of bid to RDO Equipment. in the amount of \$36.50 per edge for cutting edges for the upcoming winter season.

**II. DEPARTMENT CONTACT PERSONS**

Dan Jonasson, Director of Public Works 857-4140  
Jason Sorenson, Assistant Director of Public Works 857-4140

**III. DESCRIPTION**

A. Background

*On September 13, 2018 the Public Works Department opened bids for cutting edges for the upcoming snow removal season. Five bids were received and they are as follows:*

<u>Bidder</u>	<u>Unit Price (per edge)</u>	<u>Extended Cost (800 edges)</u>
Winter Equipment Co.	\$41.28	\$33,024.00
Titan Machinery	\$38.59	\$30,872.00
RDO Equipment	\$36.50	\$29,200.00
Butler Machinery	\$36.80	\$29,440.00
Normont Equipment Co.	\$38.77	\$31,016.00

B. Proposed Project

N/A

C. Consultant Selection

N/A

**IV. IMPACT:**

A. Strategic Impact:

N/A

B. Service/Delivery Impact:

N/A

C. Fiscal Impact:

Project Costs

*Bid Price*

*\$29,200 per truckload of 800 edges*

Project Funding

*2019 Street Department – Cutting Edges and Brooms  
(001-4000-431.06-92)*

*\$80,000.00*

**V. ALTERNATIVES**

N/A

**VI. TIME CONSTRAINTS**

N/A

**VII. LIST OF ATTACHMENTS**

N/A



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**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Jason Sorenson

**DATE:** September 20, 2018

**SUBJECT:** WATER PLANT CHEMICALS AWARD OF BID (PROJECT NUMBER 4232)

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## I. RECOMMENDED ACTION

1. Recommend award of bid to the following suppliers for water treatment chemicals as follows:

- Carbon dioxide awarded to American Welding and Gas for \$245.00/ton
- Chlorine awarded to Hawkins for \$621.60/ton
- Quicklime awarded to Lhoist North America (LNA) for \$138/ton
- Ammonium Sulfate to Thatcher Company for \$0.301/lb

## II. DEPARTMENT CONTACT PERSONS

Dan Jonasson, Director of Public Works 857-4140  
Jason Sorenson, Assistant Director of Public Works 857-4140

## III. DESCRIPTION

### A. Background

*On September 20, 2018 the Public Works Department opened bids for chemicals at the Minot Water Treatment Plant for 2019. Results of the bid opening are tabulated below:*

<i>Bidder</i>	<i>Carbon Dioxide (ton)</i>	<i>Chlorine (ton)</i>	<i>Quicklime (ton)</i>	<i>Ammonium Sulfate (lb)</i>
<b><i>2018 Low Bids</i></b>	<b><i>\$190.00</i></b>	<b><i>\$664.00</i></b>	<b><i>\$128.00</i></b>	<b><i>\$0.302</i></b>
<i>Hawkins</i>		<i>\$621.60</i>		<i>\$0.3258</i>
<i>American Welding and Gas</i>	<i>\$245.00</i>			
<i>Thatcher Company</i>				<i>\$0.301</i>
<i>DPC Industries</i>		<i>\$679.00</i>		
<i>Lhoist North America</i>			<i>\$138.00</i>	
<i>Graymont</i>			<i>\$147.00</i>	
<i>Pete Lien &amp; Sons</i>			<i>\$151.50</i>	
<i>Praxair</i>	<i>\$400.00</i>			

### B. Proposed Project N/A

C. Consultant Selection

N/A

**IV. IMPACT:**

A. Strategic Impact:

*There has been some significant fluctuations in chemical prices over the past couple years. Lime makes up the majority of chemical expenses, costing the City over \$600,000 per year. Bids for lime included an option to extend the contract for up to two additional years with an allowance for small increases if necessary to cover industry changes. This will be looked at next year prior to bidding to ensure both parties are in agreement for the next year.*

B. Service/Delivery Impact:

N/A

C. Fiscal Impact:

Project Costs

N/A

Project Funding

Water Treatment Supplies (140-6000-506.06-10) \$980,000

**V. ALTERNATIVES**

N/A

**VI. TIME CONSTRAINTS**

N/A

**VII. LIST OF ATTACHMENTS**

N/A





**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Kelli Kronschnabel, Fire Chief

**DATE:** 9/12/18

**SUBJECT:** **FY16 FD SHSG EQUIPMENT - CAPITAL CAMERA (FD0059)**

**I. RECOMMENDED ACTION**

1. It is recommended the City Council pass an ordinance to amend the 2018 annual budget to increase the fire capital equipment expenditures and revenue and decrease the fire control expenditures and revenue for purchase of a search camera with the state homeland security grant.

**II. DEPARTMENT CONTACT PERSONS**

Kelli Kronschnabel, Fire Chief	857-4740
Lonnie Sather, Assistant Fire Chief	857-4740

**III. DESCRIPTION**

- A. Background  
The state homeland security grant was previously awarded and approved by Council. The fire department did not feel they would spend the amount to make the purchase capital initially for the camera, however at purchase it was needed. A budget amendment is needed at this time.
- B. Proposed Project  
N/A
- C. Consultant Selection  
N/A

**IV. IMPACT:**

- A. Strategic Impact:  
N/A
- B. Service/Delivery Impact:  
N/A
- C. Fiscal Impact:  
There will be no additional fiscal impact. This is only moving the project from non-capital to capital

Project Costs

	<u>Non-Capital</u>	<u>Capital</u>
Grant	(\$7,995)	\$7,995

Project Funding

422-7400-422.07-93	\$7,995
001-3100-422.06-50	(\$7,995)

**V. ALTERNATIVES**

N/A

**VI. TIME CONSTRAINTS**

The grant has already been awarded and funds requested.

**VII. LIST OF ATTACHMENTS**

A. Budget Amendment

**ORDINANCE NO:**

**AN ORDINANCE AMENDING THE 2018 ANNUAL BUDGET TO INCREASE THE FIRE CAPITAL EQUIPMENT EXPENDITURES AND REVENUE AND DECREASE THE FIRE CONTROL EXPENDITURES AND REVENUE FOR PURCHASE OF A SEARCH CAMERA WITH THE STATE HOMELAND SECURITY GRANT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINOT:**

- §1: Amend the 2018 annual budget to increase the fire capital equipment expenditures and revenue and decrease the fire control expenditures and revenue for purchase of a search camera with the state homeland security grant:

001-0000-331.10-15		(\$7,995)
422.0000-332.10-00		7,995
001-3100-422.06-50		(7,995)
422-7400-422.07-93		7,995

- §2: This ordinance shall be in effect from and after its passage and approval.

PASSED FIRST READING:

PASSED SECOND READING:

APPROVED:

ATTEST:

\_\_\_\_\_  
Shaun Sipma, Mayor

\_\_\_\_\_  
Kelly Matalka, City Clerk



**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Kelli Kronschnabel, Fire Chief

**DATE:** 9/8/2018

**SUBJECT: SELF-CONTAINED BREATHING APPARATUS – CAPITAL TO NON-CAPITAL  
(FD0067)**

**I. RECOMMENDED ACTION**

1. Recommend the City Council pass an ordinance to amend the 2018 annual budget to increase fire control revenues and expenditures and decrease fire equipment capital revenues and expenditures.

**II. DEPARTMENT CONTACT PERSONS**

Kelli Kronschnabel, Fire Chief	857-4740
Lonnie Sather, Assistant Fire Chief	857-4740

**III. DESCRIPTION**

A. Background

The Minot Fire Department applied for and was awarded the Assistance to Firefighters grant in the amount of \$272,728 with a City match of \$27,272. The amount awarded per unit was over our capital threshold at \$6,000. The actual cost per unit was only \$4,495.46. The Fire Department was able to purchase additional, related items under the grant with the remaining funds.

B. Proposed Project

This project allowed us to fund all new self-contained breathing apparatus (SCBA) for the department.

C. Consultant Selection

N/A

**IV. IMPACT:**

A. Strategic Impact:

This grant has allowed the fire department to replace the current SCBA's, which do not meet standard.

B. Service/Delivery Impact:

N/A

C. Fiscal Impact:

There will be no additional fiscal impact. This is only moving the project from capital to non-capital

Project Costs

	<u>Capital</u>	<u>Non-Capital</u>
Grant	(\$272,728)	\$272,728
<u>City Share</u>	<u>(27,634)</u>	<u>27,634</u>
Total	(\$300,362)	\$300,362

Project Funding

422-7400-422.07-93	(\$300,362)
001-3100-422.06-50	\$300,362

**V. ALTERNATIVES**

N/A

**VI. TIME CONSTRAINTS**

The grant has already been awarded and funds requested.

**VII. LIST OF ATTACHMENTS**

A. Budget Amendment

**ORDINANCE NO:**

**AN ORDINANCE AMENDING THE 2018 ANNUAL BUDGET TO INCREASE FIRE CONTROL REVENUES AND EXPENDITURES AND DECREASE FIRE EQUIPMENT CAPITAL REVENUES AND EXPENDITURES AND APPROVE THE TRANSFER OF FUNDS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINOT:**

- §1: Amend the 2018 annual budget to increase fire control revenues and expenditures and decrease fire equipment capital revenues and expenditures

001-3100-422.06-50		\$300,000
001-0000-331.10-15		272,728
422-7400-422.07-93		(300,000)
422-0000-332.10-10		(272,728)

- §2: Approve the transfer of funds:

422-0000-491.30-00	FD0067	27,272.00)
001-0000-391.34.11	FD0067	(27,272.00)
001-0000-491.30-00		361.90
001-0000-391.30-00	FD0067	(361.90)
422-7400-422.07-93	FD0067	(300,361.90)
001-3100-422.06-50	FD0067	300,361.90

- §3: This ordinance shall be in effect from and after its passage and approval.

PASSED FIRST READING:

PASSED SECOND READING:

APPROVED:

ATTEST:

\_\_\_\_\_  
Shaun Sipma, Mayor

\_\_\_\_\_  
Kelly Matalka, City Clerk



**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Jason Olson, Police Chief

**DATE:** September 13, 2018

**SUBJECT:** 2018 K-9, MACI (PD0152)

## **I. RECOMMENDED ACTION**

1. It is recommended the Committee and Council pass an ordinance to amend the 2018 annual budget to increase police capital purchase and general fund police travel, education & travel, and operation supplies revenue and expenditures.

## **II. DEPARTMENT CONTACT PERSONS**

Jason Olson, Chief Police 857-4715

## **III. DESCRIPTION**

### **A. Background**

The City of Minot received a donation of \$7,000 from Trinity Health to be used towards the purchase of a new K-9. Senior Officer, Matthew Pappenfus, is attending a six-week training course with our newest member of the MPD, Maci. We will be funding the remaining costs with asset forfeiture funds that are available.

### **Proposed Project**

N/A

### **Consultant Selection**

N/A

## **IV. IMPACT:**

### **A. Strategic Impact:**

N/A

### **B. Service/Delivery Impact:**

N/A

### **C. Fiscal Impact:**

There will be no additional fiscal impact to the City of Minot.

### **Project Funding**

001-0000-369.03-23	Gen. Asset Forfeiture	\$11,192
429-0000-369.03-23	Capital Asset Forfeiture	1,750
429-0000-369.03-25	Capital Donation	7,000
001-2100-421.05-80	Gen. Travel	4,860
001-2100-421.05-90	Gen. Education & Training	5,250
001-2100-421.06-50	Gen. Operation Supplies	1,082
429-7300-421.07-93	Capital Purchases	8,750

**V. ALTERNATIVES**

N/A

**VI. TIME CONSTRAINTS**

Sr. Officer Pappenfus and Maci are currently in training.

**VII. LIST OF ATTACHMENTS**

A. Budget Amendment



**ORDINANCE NO:**

**AN ORDINANCE AMENDING THE 2018 ANNUAL BUDGET TO INCREASE POLICE CAPITAL PURCHASE AND GENERAL FUND POLICE TRAVEL, EDUCATION & TRAVEL, AND OPERATION SUPPLIES REVENUES AND EXPENDITURES FOR PURCHASE OF K-9 PATROL DOG, MACI.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINOT:**

- §1: Amend the 2018 annual budget to increase police capital purchase and general fund police travel, education & travel, and operation supplies revenue and expenditures:

001-0000-369.03-23		\$11,192
429-0000-369.03-23		1,750
429-0000-369.03-25		7,000
001-2100-421.05-90		5,250
001-2100-421.05-80		4,860
001-2100-421.06-50		1,082
429-7300-421.07-93		8,750

- §2: This ordinance shall be in effect from and after its passage and approval.

PASSED FIRST READING:

PASSED SECOND READING:

APPROVED:

ATTEST:

\_\_\_\_\_  
Shaun Sipma, Mayor

\_\_\_\_\_  
Kelly Matalka, City Clerk



**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Kelly Matalka, City Clerk

**DATE:** September 26, 2018

**SUBJECT: GAMING SITE AUTHORIZATION- MINOT STATE UNIVERSITY ALUMNI  
ASSOCIATION OPERATING AT VALHALLA BAR & GRILL**

**I. RECOMMENDED ACTION**

1. It is recommended the City Council approve the gaming site authorization for Minot State University Alumni Association to conduct pull tabs and poker at Valhalla Bar & Grill.

**II. DEPARTMENT CONTACT PERSONS**

Kelly Matalka, City Clerk 857-4752

**III. DESCRIPTION**

Site approval by the City Council is required as a precondition to obtain a state games of chance license. Each organization submits documentation annually in order to conduct games of chance at locations throughout the City of Minot.

**IV. IMPACT:**

Fiscal Impact:

The City receives \$100 per site authorization, which is deposited into the appropriate general fund revenue account.

**V. ALTERNATIVES**

The Committee of the Whole and City Council could deny an application and the establishment would not be permitted to conduct games of chance.

**VI. TIME CONSTRAINTS**

Site authorizations must be approved in a timely manner in order for organizations to submit their approved gaming form to the Attorney General's Office.

**VII. LIST OF ATTACHMENTS**

- A. None



**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Kelly Matalka, City Clerk

**DATE:** September 26, 2018

**SUBJECT: RETAIL BEER & WINE LICENSE – THE HOUSE PARTY, LLC DBA THE HOUSE PARTY**

**I. RECOMMENDED ACTION**

It is recommended the Committee and Council approve the request from The House Party, LLC dba The House Party for a Retail Beer & Wine License operating at 26 & 28 3<sup>rd</sup> St NE, subject to receipt of all documentation and approval by the Police Chief, Building Official and Fire Marshal.

**II. DEPARTMENT CONTACT PERSONS**

Kelly Matalka, City Clerk

857-4752

**III. DESCRIPTION**

Under the City of Minot Code of Ordinances, Sec. 5-25. - City clerk to submit application to the committee of the whole; approval.

- a. The city clerk shall submit the application to the committee of the whole for its recommendation.
- b. Upon receiving the recommendation of the committee of the whole, the city clerk shall then submit the application to the city council for its consideration.
- c. Every application for a license required by this article shall be approved by the city council before the license shall be issued.

The City received a request from The House Party, LLC dba The House Party for a Retail Beer & Wine License operating at 26 & 28 3<sup>rd</sup> St NE. All documentation has been submitted and is being reviewed by the appropriate departments.

**IV. IMPACT:**

Strategic Impact: N/A

Service/Delivery Impact: N/A

Fiscal Impact:

Alcoholic beverage license applications are processed by the City Clerk. The application fee for a Retail Beer & Wine license is \$950 annually and is deposited into the appropriate general fund revenue account.

**V. ALTERNATIVES**

The Committee of the Whole and City Council could deny this application if there is reasonable cause to do so and the establishment would not be permitted to sell alcohol.

**VI. TIME CONSTRAINTS**

Once the City license is approved, the organization must also apply for a State license. A timely approval is necessary if their business wishes to proceed with the sale of alcohol.

**VII. LIST OF ATTACHMENTS**

N/A



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**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Jason Sorenson, Assistant Director of Public Works

**DATE:** September 14, 2018

**SUBJECT:** LANDFILL CELL 6 – CONTRACT AMENDMENT (PROJECT NUMBER 4241)

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**I. RECOMMENDED ACTION**

1. Recommend approval of an engineering amendment for CPS Engineering in the amount of \$50,000.00
2. Authorize the Mayor to sign the agreement on behalf of the City.

**II. DEPARTMENT CONTACT PERSONS**

Dan Jonasson, Director of Public Works	857-4140
Jason Sorenson, Assistant Director of Public Works	857-4140

**III. DESCRIPTION**

A. Background

*Back in December of 2016, CPS was selected to design and construct a new MSW cell at the Minot Landfill. The project was designed and subsequently bid in May of 2017. Upon receiving the notice to proceed the contractor didn't mobilize to start the project for 6 weeks, which ultimately led to the project being suspended for the winter and not getting completed until June of 2018. This delay resulted in additional time being spent on the project that was not accounted for in the original contract. To date, there are 71 days of liquidated damages at \$500 per day for a total of \$35,500.00 to cover extra time spent on the project.*

*Additionally, CPS performed some work that was beyond the scope of cell 6 design and construction. This work included:*

- 1. Redesigning and raising a portion of internal roadway at our request. The original design looked fine, but once it was laid out in the field it became apparent that the road grade would require excessive maintenance due to drainage issues and snow cover. CPS designed the road grade raise and improved drainage in the area.*
- 2. The compost area needed to be relocated due to the construction and delayed completion of cell 6 into 2018. CPS designed the new compost area and submitted to the State for approval.*

3. The landfill uses GPS in the compactor to monitor compaction levels and fill boundaries. CPS spent considerable time building 3D models for use in the compactor so we had proper elevations for our initial four foot fill along with side slopes and top elevations.

*As stated before, the additional work was outside of the original contract scope and compensation to CPS is warranted.*

B. Proposed Project

N/A

C. Consultant Selection

*CPS was selected through an RFQ process as the most qualified firm to complete the work.*

**IV. IMPACT:**

A. Strategic Impact:

N/A

B. Service/Delivery Impact:

NA

C. Fiscal Impact:

Project Costs

Engineers Estimate	\$1,500,000.00
Total Bid	\$1,137,362.05
Net Change by Change Order	<u>(\$11,260.00)</u>
Total Construction Cost	\$1,126,102.05
Design and Construction Engineering	\$ 318,905.00
Engineering Amendment	<u>\$ 50,000.00</u>
Total Project Cost	\$1,495,007.05

Project Funding

*Funding for this project was budgeted in Landfill capital purchases.*

**V. ALTERNATIVES**

N/A

**VI. TIME CONSTRAINTS**

N/A

**VII. LIST OF ATTACHMENTS**

N/A



**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Dan Jonasson, Director of Public Works

**DATE:** September 20, 2018

**SUBJECT:** **NAWS ADAPTIVE MANAGEMENT PLAN MOU WITH BUREAU OF RECLAMATION**

## **I. RECOMMENDED ACTION**

---

1. Recommend approval of the MOU with Bureau of Reclamation as modified and authorize the Mayor to appoint the Public Works Director and Asst. Public Works Director to the AMP team.

## **II. DEPARTMENT CONTACT PERSONS**

Dan Jonasson, Director of Public Works	857-4140
Jason Sorenson, Asst. Director of Public Works	857-4140

## **III. DESCRIPTION**

### **A. Background**

*The City of Minot has been involved with NAWS since the 1990's in support of bringing quality and reliable drinking water to Minot and the North Central area of ND. Minot has agreements with the State to provide a cost share for the NAWS project as well as agreements for water production for the NAWS system.*

### **B. Proposed Project**

*As part of the Supplemental EIS that was completed by the Bureau of Reclamation, an adaptive Management Plan and team is required to be established to provide input on the design of the intake into the snake creek pump station as well as the biota plant at Max and to assure that these facilitates are constructed and operated in accordance with the SEIS. Minot has been providing input and funding assistance since the inception of this project, but now the Bureau is asking that a MOU be formally established and signed designating personnel to participate in this AMP from the City. A copy of this MOU is attached, however, upon review by the City attorney, the following was recommended "**VII Terms**" which states "**The City of Minot agrees that it will not seek relief against the U.S. government or any entity or officer thereof in the event of a dispute over whether Reclamation is fulfilling the intentions expressed in this MOU.**" Should be reciprocal. We have sent the MOU back to the Bureau and asked that this section be revised to state this.*

### **C. Consultant Selection**

*N/A*

**IV. IMPACT:**

A. Strategic Impact:

*This work will allow the city to continue to move the vital portions of the NAWS project forward.*

B. Service/Delivery Impact:

C. Fiscal Impact:

*The City is funding 35% cost share of the project and has in the past taken care of any local staff costs related to NAWS as described in the agreement..*

**V. ALTERNATIVES**

N/A

**VI. TIME CONSTRAINTS**

N/A

**VII. LIST OF ATTACHMENTS**

A. *Original MOU from Bureau of Reclamation*





# United States Department of the Interior

## BUREAU OF RECLAMATION

Great Plains Region

Dakotas Area Office

P.O. Box 1017

Bismarck, ND 58502-1017

IN REPLY REFER TO:

DK-2000

PRJ-1.10

SEP 5 2018

Honorable Shaun Sipma  
Mayor of Minot  
P.O. Box 5006  
Minot, ND 58702-5006

Subject: Invitation to Participate on the Adaptive Management Team for the Preparation of an Adaptive Management Team for the Operations of the Northwest Area Water Supply Biota Water Treatment Plant

Dear Mr. Sipma:

Reclamation signed a Record of Decision (ROD) for the Northwest Area Water Supply (NAWS) Project in August 2015, which concluded the National Environmental Policy Act (NEPA) process. The selected alternative in the ROD included the delivery of Missouri River water into the Hudson Bay Basin to the existing Minot water treatment plant (WTP), along with other remaining project features. To reduce the project-related risk of transferring aquatic invasive species from the Missouri River Basin to the Hudson Bay Basin, Reclamation will be constructing a Biota WTP within the Missouri River Basin. The Biota WTP includes a conventional water treatment process (coagulation, flocculation, sedimentation, and filtration) that will minimize the formation of disinfection by-products; along with the use of ultraviolet irradiation and chemical disinfection.

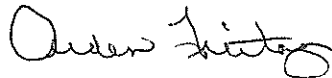
In the ROD, Reclamation committed to consulting with the Project Sponsor and others, as appropriate, in development of an Adaptive Management framework for the operation, maintenance, and replacement (OM&R) of the Conventional Treatment Biota WTP. As a means of fulfilling this commitment, Reclamation is extending an invitation to select federal and state agencies requesting their participation in the development of an Adaptive Management Plan for the OM&R of the Biota WTP.

The City of Minot was an active participant throughout the NEPA process and Reclamation is extending an invitation to participate in the development and implementation of an Adaptive Management Plan. If you accept this invitation, please review of the enclosed Memorandum of Understanding (MOU). The MOU describes the purpose and organization of the Adaptive Management Team, along with the responsibilities of the City and Reclamation. If you have comments or suggestions for the items discussed in the MOU, please provide those to us October 15, 2018.

Also enclosed for your information is a general schedule for preparing the Adaptive Management Plan. The design and construction schedule for NAWS is also included to show how it corresponds to the development of the Adaptive Management Plan. The goal is to have the Adaptive Management Plan in place prior to starting operations of the Biota WTP. As you can see in the schedule, it will take several years to complete construction of the intake, Biota WTP and storage reservoir and the pace of construction depends on the availability of funding.

If you have any questions or require further information regarding this invitation, please contact Alicia Waters of my staff at 701-221-1206.

Sincerely,

A handwritten signature in black ink, appearing to read "Arden Freitag". The signature is fluid and cursive, with the first name "Arden" being more prominent than the last name "Freitag".

Arden Freitag  
Area Manager

Enclosure -2

## NAWS ADAPTIVE MANAGEMENT PLAN – PROPOSED MILESTONES

### Design-Construction-Agreements

**Minot WTP Upgrades** –to allow for additional capacity and upgrades to various treatment components. Work was initiated in the spring of 2018. (complete in 2019)

**Biota WTP Design** – Design of the Biota WTP is being prepared per Reclamation requirements

- Value Planning – completed August 2018
- Value Engineering – anticipated Spring 2019
- ❖ Design Completion – anticipated Fall 2019

**Cooperative Agreement (Construction)** - Reclamation anticipates negotiating a new cooperative agreement with Garrison Diversion Conservancy District for the construction of the Biota WTP. (Spring 2019)

**Biota WTP Construction Contract Advertisement & Award** – pending the availability of funds. (fall of 2019)

**Biota WTP Construction** – estimated duration 3-5 years pending the availability of funds. (2020-2025)

**Facility Use Agreement** – to allow use of Snake Creek Pumping Plant as the location of the project's intake. (Fall 2019)

**Intake Design Process** – Design work to modify Reclamation's Snake Creek Pumping Plant to serve as the NAWS project intake and includes the following steps:

- Initiate Design – Fall 2019
- Value Planning – Spring 2020
- Value Engineering – Fall 2020
- ❖ Design Completion – Spring 2021

**Intake Construction** –pending the availability of federal and/or state funding. Estimated duration is 2 years. (2021-2022)

**South Prairie Reservoir Design** – Design work on this water storage structure (2021)

**South Prairie Reservoir Construction** – Advertisement and award of a construction contract for the South Prairie Reservoir pending the availability of federal and/or state funding. (2022-2023)

### Adaptive Management Plan

- Reclamation will send out letters of invitation to agencies who have expertise and information relative to the NAWS Biota WTP. (August 2018)
- Finalize MOU's with each agency that accepts an invitation to participate on the Adaptive Management Team. (Fall 2018)
- Introductory conference call with the Adaptive Management Team to discuss purpose of the Team and roles of team members. (Early 2019 after MOUs are finalized) Followed by periodic conference calls to discuss progress on design/construction/agreement tasks in an effort to keep everyone informed and aware of changes in the proposed milestones. These periodic calls will be scheduled as needed.
- Reclamation will host a kick-off meeting with the Adaptive Management Team to reiterate the purpose of the AMP and role of team members. Discussion will focus on the plan development process and timeline. (Winter 2020)
- Reclamation provide draft Adaptive Management Plan to the Adaptive Management Team for review and input. Adaptive Management Team meeting to discuss the draft AMP (Spring/Summer 2020)
- Reclamation consider input from Adaptive Management Team and revise the draft plan as appropriate. Reclamation will host a meeting of the Adaptive Management Team to discuss any changes to the AMP (Fall/Winter 2020)
- Reclamation finalize the Adaptive Management Plan and provide to members of the Adaptive Management Team. (Winter 2020)
- Periodic calls and meetings with Adaptive Management Team for updates on construction and prepare for Biota WTP operation. (2020-2025)
- Adaptive Management Team meets as described in the Adaptive Management Plan during operations. (post construction, 2025)



**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
UNITED STATES BUREAU OF RECLAMATION  
AND THE  
CITY OF MINOT, NORTH DAKOTA  
FOR  
PREPARATION AND IMPLEMENTATION  
OF THE  
ADAPTIVE MANAGEMENT PLAN  
FOR THE OPERATION, MAINTENANCE AND REPLACEMENT  
OF THE  
NORTHWEST AREA WATER SUPPLY PROJECT  
BIOTA WATER TREATMENT PLANT**

**I. AUTHORITY**

This Memorandum of Understanding (MOU) is made pursuant to the Act of May 12, 1986 (Public Law 89-108), and the Dakota Water Resources Act of 2000 (Public Law 106-554). This Act authorized the appropriation of \$200 million of grant funds for the planning and construction of water supply facilities throughout North Dakota. This MOU is made solely under the laws of the United States and is not intended to create any contractual or financial obligations for any signatory.

**II. DEFINITIONS**

The following definitions are intended to apply to this MOU:

**AMP** means the Adaptive Management Plan

**DWRA** means the Dakota Water Resource Act (Public Law 106-554)

**Environmental Commitments** means all project design features and other mitigation measures identified (either explicitly or by reference) in the Great Plains Regional Director's ROD dated August 21, 2015.

**MOU** means the Memorandum of Understanding

**MR&I** means municipal, rural and industrial

**OM&R** means the operation, maintenance and replacement activities associated with the Biota water treatment plant

**Project** means the Northwest Area Water Supply Project

**Reclamation** means the U.S. Department of the Interior, Bureau of Reclamation

**ROD** means Record of Decision

**WTP** means the Biota water treatment plant

### **III. BACKGROUND**

The Project is a municipal, rural and industrial (MR&I) bulk water supply system that will serve communities and rural water systems within northwestern North Dakota. The Project will deliver water from the Missouri River Basin to communities and rural water systems within the Hudson Bay Basin. The already completed features of the Project include: 45 miles of main transmission pipeline from Lake Sakakawea to the City of Minot, 8 segments of the bulk distribution pipeline and associated facilities, a high service pump station and storage reservoir in Minot and upgrades to the Minot WTP.

Reclamation released a Final Supplemental Environmental Impact Statement in April 2015. A Record of Decision was issued in August 2015 which selected an alternative using the Missouri River as the source water for the Project. The selected alternative includes a Biota WTP, located within the Missouri River Basin, which will include conventional treatment of water along with UV irradiation and chemical disinfection (chlorine/chloramines) as a means of reducing the Project-related risk of aquatic invasive species transfer. Conventional treatment includes a series of processes, including coagulation, flocculation, sedimentation and filtration, resulting in substantial particulate removal (40 CFR 141.2).

### **IV. PURPOSE**

The purpose of the MOU is to set forth the intent of Reclamation in establishing an Adaptive Management Team and relating to participation by the City of Minot, North Dakota on the Adaptive Management Team. Reclamation's intent is that the AMP Team will assist in the development of an Adaptive Management Plan (AMP) for the operation, maintenance and replacement (OM&R) of the Biota water treatment plant (WTP) which is part of the Project.

This Project is designed to use water from the Missouri River to meet the needs of communities and rural water systems within the Project area; a portion of which are located within the Hudson Bay Basin. Reclamation prepared a Supplemental Environmental Impact Statement for the Project and a Record of Decision was issued on August 21, 2015. The Record of Decision included a commitment by Reclamation to prepare an AMP for the OM&R of the Biota WTP. The AMP will be prepared in accordance with the environmental commitments defined in the Record of Decision. This will be accomplished in cooperation with North Dakota and others, as appropriate. To that end, Reclamation is establishing an AMP team and each entity represented on this team is being asked to enter into an MOU with Reclamation. Reclamation intends for this team to provide technical recommendations to Reclamation in the development and implementation of treatment and monitoring criteria for the water treatment systems within the Biota WTP.

### **V. ORGANIZATION**

Reclamation is the federal agency responsible for the OM&R of the Biota WTP. Through the establishment of an AMP team, Reclamation intends to engage relevant stakeholders in identifying key uncertainties, establishing goals and objectives, developing monitoring strategies, as well as considering their technical recommendations and insights into its decision-making process. Reclamation expects and intends the AMP team to consist of technical representatives from various agencies and organizations such as those listed below.

- North Dakota Department of Health
- North Dakota State Water Commission
- U.S. Environmental Protection Agency
- Garrison Diversion Conservancy District

- Government of the Province of Manitoba, Canada
- City of Minot, North Dakota
- North Dakota Game and Fish Department

The AMP team may include additional representation from these or other agencies to provide technical and environmental input as appropriate.

## **VI. RESPONSIBILITIES**

Reclamation intends that this MOU will be implemented as set forth below:

### **A. The AMP Team should:**

- work collaboratively to provide technical recommendations to Reclamation in the development and implementation of the AMP for the OM&R of the Biota WTP,
- assist in the formulation of performance standards, water treatment goals, and objectives for the Biota WTP which are specific, measureable and achievable,
- assist with the design and implementation of monitoring plan(s) as a means of monitoring the efficacy of the water treatment technologies to function as designed to meet and maintain the water treatment goals and other established goals,
- provide technical recommendations in the development of methods for assessing the monitoring data collected and other pertinent data gathered as a means of identifying changes within the environment and/or changes in treatment technologies,
- assist in the development of a decision making model/matrix/process which provides flexibility in addressing or responding to changes in the monitoring data or uncertainties,
- review and recommend treatment technologies and modifications to meet water treatment goals if warranted by the results of the monitoring data,
- work collaboratively with Reclamation in the development and implementation of an emergency response plan with special emphasis on potential biota transfer issues as described in the ROD,
- assist in ensuring the elements of the AMP and the emergency response plan are appropriately integrated and include specific actions such as timely notification procedures,
- meet as necessary to prepare the AMP. Team members may participate in person or via conference call; however in person participation is preferred to facilitate the sharing of information and interacting with other team members, and
- upon implementation of the AMP, the AMP team will meet as necessary but not less than once a year to accomplish its goals.

B. Reclamation intends that it will:

- serve as the lead federal agency in the development and implementation of the AMP. The Project will be implemented under the applicable laws of the United States and Reclamation retains sole decision-making authority. Reclamation's decision-making process will not require a consensus position from the team, and nor will any team member's objection prevent Reclamation from taking any action.
- review the qualifications of the proposed person(s) recommended by an agency/entity to represent their interests on the AMP team and provide concurrence, as appropriate,
- serve as the team lead and facilitator for the AMP team meetings,
- encourage and consider technical data and recommendations from AMP team members,
- notify team members of meeting logistics via email. This could include but is not limited to an agenda, meeting time/location/duration, supporting data/information relative to meeting discussion topics, etc.,
- share monitoring data and other data with AMP team members as described in the AMP,
- be responsible for the preparation of the AMP draft/final documents,
- carefully consider the technical input provided by AMP team members on all draft products developed by the AMP team and respond/revise the draft product as appropriate.
- prudently consider all recommendations from the AMP team regarding changes/modification to the OM&R of the Biota WTP.

C. City of Minot intends to:

- Provide technical staff person(s) to fully participate as a member of the AMP team. Ideally the technical person(s) the City of Minot assigns to this team can be committed to not only assist with the development of the AMP but also to the ongoing monitoring and evaluation processes to be implemented as a means of maintaining consistency in implementation of the AMP and team member relationships,
- Provide name and technical qualifications of person(s) the City of Minot proposes to represent their interests on the AMP team within a reasonable timeframe of the request,
- Provide technical data as requested for use by Reclamation and the AMP team throughout the development and implementation of the AMP, and
- Provide any and all resources (financial/data) to their team member(s) needed to participate fully on the AMP team.

## VII. TERMS

This MOU will remain in effect for an undefined time period beginning with the implementation of the MOU through the development and implementation of the AMP.

Each signatory to this MOU is responsible for bearing its costs of participation. Any information provided to Reclamation by a signatory to this MOU will be treated as a federal record subject to applicable U.S. federal laws.

Nothing in this MOU should be construed as obligating Reclamation, the Department of the Interior, or any agency of the U.S. Government to expend funds or enter into any contract, financial assistance agreement, other obligations, or to spend funds on any particular project or purpose, even if funds are available.

The Participants intend for this document to be a non-exclusive arrangement. This MOU is not intended to prohibit the Participants from engaging in other arrangements or agreements related to other activities.

This MOU can be modified by mutual agreement of the signatories.

Any AMP team member may terminate their involvement in this MOU through 60-day written notification to the signatories herein.

The City of Minot agrees that it will not seek relief against the U.S. government or any entity or officer thereof in the event of a dispute over whether Reclamation is fulfilling the intentions expressed in this MOU.

## VIII. EFFECTIVE DATE

This MOU is intended to come into effect upon signature of the respective governmental bodies of the undersigned participant.

It is contemplated that this MOU may be executed in counterparts, each of which shall be deemed an original, and all of which together constitute one and the same document. Facsimiles, hard copies and scanned electronic copies of signatures, including scanned electronic copies sent by email shall constitute acceptable, binding signatures for purposes of this MOU.

City of Minot, North Dakota

By: \_\_\_\_\_ DATED: \_\_\_\_\_

<name & title of signatory>

Bureau of Reclamation

By: \_\_\_\_\_ DATED: \_\_\_\_\_

Regional Director, Michael Black





**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Dan Jonasson, Director of Public Works

**DATE:** September 14, 2018

**SUBJECT: UPDATED SNOW PLAN AND REVISED ORDINANCE REGARDING SIDEWALKS**

**I. RECOMMENDED ACTION**

1. Recommend the Council approve the updates to the snow removal plan and also the revised ordinance regarding snow removal 28-42

**II. DEPARTMENT CONTACT PERSONS**

Dan Jonasson, Director of Public Works	857-4140
Jason Olson, Chief of Police	857-4715

**III. DESCRIPTION**

A. Background

The Public Works Department review the snow removal policy on an annual basis to determine changes or items that we feel can enhance or improve snow removal techniques. In discussions with the Police Chief, City Manager and City attorney. The issue of snow removal on or adjacent to City property came up and a recommended revision was suggested that snow be removed from city sidewalks in accordance with our snow removal policy so that they are matching and in compliance.

B. Proposed Project

Addition and revision to snow removal plan for sidewalk section as highlighted in the attached snow removal plan and revised city ordinance 28-42

C. Consultant Selection

N/A

**IV. IMPACT:**

A. Strategic Impact:

NA

B. Service/Delivery Impact:

NA

C. Fiscal Impact:

**V. ALTERNATIVES**

## **VI. TIME CONSTRAINTS**

### **LIST OF ATTACHMENTS**

- A. Revised 2018 snow removal policy
- B. Ordinance revision section 28-42

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING AND REENACTING SECTION 28-42 OF CHAPTER 28 (STREETS, SIDEWALKS AND PUBLIC GROUNDS), ARTICLE III (SIDEWALKS) OF THE CITY OF MINOT CODE OF ORDINANCES**

WHEREAS, the City of Minot previously enacted ordinances relating to sidewalk snow removal in the corporate limits of the City of Minot;

WHEREAS, the City of Minot, by and through the Minot City Council, desires to amend section 28-42 of the City of Minot Code of Ordinances to clarify sidewalk snow removal with regard to city owned properties;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINOT:

- §1. That section 28-42 of Article III (Sidewalks), Chapter 28 (Streets, Sidewalks and Public Grounds) of the City of Minot Code of Ordinances, City of Minot, North Dakota, is hereby amended and reenacted to read as follows:

**Sec. 28-42. - Sidewalks to be cleared of snow and ice, when; piling on public thoroughfares restricted.**

- (a) The occupant of premises abutting a street, or the owner of unoccupied premises abutting a street, shall keep the sidewalk abutting such premises reasonably clear of snow and ice, except during a snow event and for twenty-four (24) hours thereafter. A "snow event" as used herein means a snowfall, or ice storm, or blowing snow, or any or all of these. If the premises in question also abut on an alley, then the abutting sidewalk will be deemed to include the sidewalk crossing the alleyway (if any), up to the centerline of the alley.
- (b) No person shall remove snow or ice or both from private property and deposit the same on any part of the following portions (insofar as applicable under the circumstances) of the public right-of-way:
  - (1) The paved portion thereof;
  - (2) The graveled portion thereof;
  - (3) The portion thereof neither paved nor graveled, but traveled;
  - (4) The curbs; or
  - (5) The sidewalks.
- (c) When the premises abutting a street is owned by the City, any sidewalk abutting such premises shall be reasonably clear of snow and ice, in accordance with the City Council approved snow plan.
- (d) No person shall deposit snow or ice or both in such a manner—
  - (1) As to obstruct access to a fire hydrant; or

- (2) As would constitute a violation of section 28-13 if such snow or ice or both were considered to be a permanent structure or other object, even if such placement is not prohibited by subsections (a) and (b).

§2. This Ordinance shall become effective upon final passage and approval.

PASSED FIRST READING: \_\_\_\_\_

PASSED SECOND READING: \_\_\_\_\_

ATTEST:

APPROVED:

\_\_\_\_\_  
Kelly Matalka, City Clerk

\_\_\_\_\_  
Shaun Sipma, Mayor

**CITY OF MINOT  
SNOW REMOVAL PLAN  
October 2018**

**1.0    GENERAL**

This plan has been written to provide information regarding snow removal procedures and policies. The plan provides guidance, while maintaining flexibility that will allow the streets to be cleaned as quickly and efficiently as possible, while providing the best service possible to citizens and businesses in Minot.

**1.1    OBJECTIVE**

The primary objective of the Public Works Department is to provide for the safe and orderly movement of vehicular traffic throughout the City during all weather conditions including severe winter storms. Although City streets, including major arterials, may be temporarily closed during extremely severe conditions, the Department will use available resources to prevent closing or keep the duration of closures to a minimum. Although the Department strives to keep all lanes of traffic moving, during extreme conditions travel may be limited to one lane of vehicular traffic in each direction.

**2.0    PERSONNEL**

The street department is under the direct supervision of the Street Superintendent. The department consists of two foremen, sixteen heavy equipment operators, and thirteen light equipment operators. During a snowstorm or high winds, snow removal operations continue 24 hours a day. There will normally be enough operators for each motor grader. The remaining operators will use loaders, sanders, truck mounted plows or other equipment that is necessary to remove snow from city streets. In an emergency, personnel will be brought in from other departments to continue snow removal until the emergency is over.

**3.0    EQUIPMENT**

The following equipment is utilized during snow removal operations:

- 1)      Eight motor graders
- 2)      Three truck plows
- 3)      Three front-end loaders
- 4)      Four skid steer loaders
- 5)      Seven truck mounted sanders and two brine tanks
- 6)      Two snow blowers mounted on front end loaders

Each motor grader is equipped with a snow gate. The snow gate is used to **limit** the amount of snow discharge in driveways and around mailboxes. The snow gates are only effective for low to moderate snow accumulations. Heavy snow accumulations will go over the top of the snow gate. Wet snow will put too much pressure on the snow gate and will eventually break it.

Truck plows are used in areas where there are a limited number of driveways. These plows are effective in removing snow quickly but the snow discharge cannot be controlled and are not normally used in most residential areas.

Skid steer loaders are used on City owned or maintained sidewalks. Front-end loaders are used to remove snow from intersections, cul-de-sacs, and areas where heavy drifting has occurred. Truck mounted sanders are used to provide additional skid resistance when road conditions warrant. The snow blower is used for hauling snow and removing snow from blocked areas.

#### **4.0 SNOW REMOVAL OPERATIONS**

Preparing a snow removal plan that encompasses all scenarios is virtually impossible. Therefore, this plan attempts to provide as much flexibility as possible while addressing the needs of the public.

#### **4.1 SNOW ROUTES**

Snow routes were developed to allow the Public Works Director to designate a snow emergency and require all parked cars to be removed from these designated routes. If vehicles are not removed they will be towed and impounded. The snow route system has been in effect since the fall of 1993. Following is a list of the adopted snow routes. (See attached map):

- 1) Broadway
- 2) Burdick Expressway
- 3) 37<sup>th</sup> Ave South from 30<sup>th</sup> St SW to 13<sup>th</sup> St SE
- 4) 16<sup>th</sup> St West from 37<sup>th</sup> Ave South to 36<sup>th</sup> Ave NW
- 5) 21<sup>st</sup> Ave NW from Broadway to 35<sup>th</sup> St NW
- 6) 6<sup>th</sup> St West from 19<sup>th</sup> Ave SW to 5<sup>th</sup> Ave NW
- 7) 8<sup>th</sup> St West from 5<sup>th</sup> Ave NW to 30<sup>th</sup> Ave NW
- 8) 30<sup>th</sup> Ave NW from Broadway to 83 Bypass
- 9) 3<sup>rd</sup> St East from 14<sup>th</sup> Ave SE to Airport Road
- 10) Airport Road from 3<sup>rd</sup> St NE to Broadway
- 11) 2<sup>nd</sup> St East from 14<sup>th</sup> Avenue SE to 20<sup>th</sup> Ave SE
- 12) 11<sup>th</sup> Ave South from 16<sup>th</sup> St SW to Hiawatha
- 13) Hiawatha from Valley St to 20<sup>th</sup> Ave SE
- 14) 16<sup>th</sup> Ave South from 16<sup>th</sup> St SW to 13<sup>th</sup> St SE
- 15) 4<sup>th</sup> Ave North from 83 Bypass to 3<sup>rd</sup> St NE
- 16) Railway Ave from 3<sup>rd</sup> St NE to 27<sup>th</sup> St NE
- 17) University Ave from 16<sup>th</sup> St NW to 3<sup>rd</sup> St NE
- 18) 31<sup>st</sup> Ave South from 16<sup>th</sup> Street SW to 13<sup>th</sup> Street SE (then East to cul-de-sac)
- 19) 27<sup>th</sup> St NW from 4<sup>th</sup> Ave NW to 19<sup>th</sup> Ave NW
- 20) 36<sup>th</sup> Ave North from 16<sup>th</sup> St NW to 13<sup>th</sup> St NE
- 21) 27<sup>th</sup> St East from Valley St to Railway Ave
- 22) 55<sup>th</sup> St NE from CO 12 to 20<sup>th</sup> Ave SE
- 23) 35<sup>th</sup> Ave SE from 13<sup>th</sup> St SE to 21<sup>st</sup> St SE
- 24) 13<sup>th</sup> St SE from Valley St to 37<sup>th</sup> Ave SE
- 25) Valley St from Burdick Expy to 13<sup>th</sup> St SE
- 26) 20<sup>th</sup> Ave South from 16<sup>th</sup> St West to 13<sup>th</sup> St East

- 27) 2<sup>nd</sup> Ave SW from 6<sup>th</sup> St SW to 30<sup>th</sup> St SW
- 28) Central Ave SW from 16<sup>th</sup> St west to 30<sup>th</sup> St West
- 29) 20<sup>th</sup> St NW from 4<sup>th</sup> Ave NW to 21<sup>st</sup> Ave NW
- 30) 19<sup>th</sup> Ave NW from Sunset Blvd to 83 Bypass

## **4.2 OPERATIONS**

Snow routes are made passable prior to moving into other areas. Once the snow routes are open, snow removal operations will continue as follows:

- 1) Motor graders will start on hillside streets and school areas. School areas will be the immediate block around the school and any major route to a school.
- 2) Residential areas/Central Business District
  - a. Residential Areas - two motor graders per quadrant of the City. Work will begin in 3 of the 4 quadrants and the fourth quadrant will be cleared when one of the first three quadrants are complete. One motor grader will roam and be used for emergency calls.
  - b. Central Business District – All operations will take place at night (*per ordinance*) and will happen in conjunction with the residential areas. The residential areas will be worked during the day and the Central Business District will be worked at night as early as possible after the snow routes, hillside streets and school areas are completed. Streets in the Central Business District will be cleared on Mondays, Wednesdays & Fridays. Avenues will be cleared on Tuesdays, Thursdays & Saturdays.
  - c. Central Business District alleys will be cleared and sanded as necessary to facilitate the business operations for the Central Business District.

## **4.3 NORMAL SNOW ACCUMULATIONS (4"- 8")**

Snow removal operations will proceed as outlined in section 4.2. The crews will work 12-hour shifts until finished.

## **4.4 HEAVY SNOW ACCUMULATIONS (High Winds or 8" of Snow or More)**

Heavy snow accumulations will usually require 24-hour snow removal operations. If City personnel cannot keep up with the storm, private contractors will be utilized. Intense storms are contingent upon many factors such as high winds, heavy snow accumulations, and storm duration. When private contractors are used, they will be given specific areas to work in. Snow gates will be ineffective and will not be used during heavy accumulations. The streets will not be cleaned from curb to curb by the contractor. When roads remain impassable due to strong wind and heavy snow, the City will put barricades out to close the road until the wind subsides. The primary emphasis will be to keep the streets

passable, until the emergency is over. Then the operations will continue as outlined in section 4.2.

#### **4.5 CUL-DE-SACS**

Snow from cul-de-sacs will be removed by using front-end loaders and motor graders. Snow will be stockpiled in the center of the cul-de-sac, vacant lots or within the berm of the adjacent property owners. If snow is stockpiled in the middle of the cul-de-sac, it will be removed as conditions and time permit. Parking in cul-de-sacs may be restricted in order to provide access until the snow is removed.

#### **4.7 ALLEYS**

Once all City streets have been cleaned, operations will move into the alleys. A front-end loader will make one pass through the alleys. Any snow accumulations outside the path will be the responsibility of the adjacent property owner. Except for emergency situations the alleys will be cleaned last.

#### **4.8 DRIVEWAYS AND MAILBOXES**

Driveways may become impassable and mailboxes inaccessible due to snow removal operations. When this occurs it is the responsibility of the property owner to remove the snow from the driveway and the mailbox. Once all other snow removal operations are completed snow will be removed around mailboxes to allow for mail delivery.

#### **4.9 SANDING**

The City uses a salt and sand mixture mixed as 10 parts sand to 1 part salt. Sand trucks will be dispatched as conditions warrant. **The City also utilizes a salt brine mixture to pretreat roadways as it is available prior to pending storms.** The objective will be to cover all the major intersections, hillsides and the bus routes. Sand trucks will respond to requests from the public and the Minot Police Department. Two people will be on call during the winter months for sanding and other snow removal operations as needed.

#### **4.10 HAULING OF SNOW**

After the storm has subsided and all streets have been cleaned, night crews will begin hauling snow from the central business district. Snow will be hauled according to the alternate street parking in the downtown area. When conditions warrant, snow will be hauled from bridges, Broadway, Burdick Expressway, 4th Ave NW, 3rd St East, and 16th Street SW.

#### **4.11 SIDEWALKS**



Snow will be removed on City owned or maintained sidewalks with skid steer loaders as soon as city forces have completed the snow removal on City streets.

Private sidewalks are the responsibility of the property owner as stated in the City of Minot Code of Ordinances §28-42: **Sec. 28-42. - Sidewalks to be cleared of snow and ice, when; piling on public thoroughfares restricted.**

- (a) The occupant of premises abutting a street, or the owner of unoccupied premises abutting a street, shall keep the sidewalk abutting such premises reasonably clear of snow and ice, except during a snow event and for twenty-four (24) hours thereafter. A "snow event" as used herein means a snowfall, or ice storm, or blowing snow, or any or all of these. If the premises in question also abut on an alley, then the abutting sidewalk will be deemed to include the sidewalk crossing the alleyway (if any), up to the centerline of the alley.
- (b) No person shall remove snow or ice or both from private property and deposit the same on any part of the following portions (insofar as applicable under the circumstances) of the public right-of-way:
  - (1) The paved portion thereof;
  - (2) The graveled portion thereof;
  - (3) The portion thereof neither paved nor graveled, but traveled;
  - (4) The curbs; or
  - (5) The sidewalks.
- (c) When the premises abutting a street is owned by the City, any sidewalk abutting such premises shall be reasonably clear of snow and ice, in accordance with the City Council approved snow plan.

When a private sidewalk is located immediately adjacent to the street, snow may be plowed onto the sidewalk. City forces will aid in the removal of this snow, after all City owned sidewalks and premises are clear

#### **4.12 SPRING RUN-OFF**

Late winter and early spring the snow removal crews will clear and haul snow from drainage areas and catch basins. This is to facilitate run-off and try to avoid ponding and property damage problems.

#### **4.13 PRIVATE PROPERTY USING STREET FOR SNOW REMOVAL**

The City of Minot Code of Ordinances §28-42 (b) states: **No person shall remove snow or ice or both from private property and deposit the same on any part of the following portions (insofar as applicable under the circumstances) of the public right-of-way:**

- (1) **The paved portion thereof;**

- (2) The graveled portion thereof;
- (3) The portion thereof neither paved nor graveled, but traveled;
- (4) The curbs; or
- (5) The sidewalks.

## **5.0 CONCLUSION**

Different weather conditions will require this plan to be modified as needed by Public Works personnel. The street department will try to be flexible and respond to special conditions as much as possible.