

On July 24, 2023, a Regular Meeting of the Minot City Council was held in the Council Chambers at City Hall. Mayor Ross called the meeting to order at 5:30 pm.

ROLL CALL

Members Present:

Burlingame, Evans, Olson, Pitner, Podrygula, Ross

Members Absent:

Jantzer

PLEDGE OF ALLEGIANCE

Mayor Ross led the City Council in the Pledge of Allegiance.

MAYOR'S REPORT

Mayor Ross presented a proclamation stating July is Disability Pride Month.

Mayor Ross attended the employee appreciation picnic, a Walk Minot event, a tour at MAFB, Home for the Holiday meetings, a Visit Minot meeting, the NDSF Parade, a Welcome Home for MAFB, a Hostfest meeting, and handled numerous calls about recycling.

Mayor Ross also discussed Home for the Holidays, which is a fundraiser to help send 1st year service members home for the holidays. The raffle tickets are \$50/ticket and for sale wherever Magic City Beverage sells their product. The raffle prize is a Harley Davidson and the drawing will be held on September 15, 2023.

At 5:36 pm, Alderman Jantzer was able to fully connect into the meeting via teams.

CITY MANAGER'S REPORT

Harold Stewart submitted a written report to the council.

CONSIDER THE REPORT OF THE PLANNING COMMISSION

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.

Alderman Evans moved the City Council close the public hearing and approve an ordinance on first reading for a zoning map amendment in alignment with the Planning Commission recommendation.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

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.

Alderman Pitner moved the City Council close the public hearing and 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

Motion seconded by Alderman Burlingame and carried by the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

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.

Alderman Pitner moved the City Council close the public hearing and approve an ordinance on first reading for a zoning map amendment in alignment with the Planning Commission recommendation.

Motion seconded by Alderwoman Olson and carried by the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

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.

Alderman Pitner moved the City Council close the public hearing and 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

Motion seconded by Alderwoman Olson and carried by the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

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.

Alderwoman Olson moved the City Council close the public hearing and 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.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

CONSENT ITEMS

Alderman Pitner moved the City Council approve consent items 6.1-6.18.

6.1 CITY COUNCIL MINUTES - Approve the minutes of the July 10, 2023, Regular City Council meeting.

6.2 ORDINANCES – Approval of the following ordinances considered for 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)

(Ordinances are available for inspection and copying at the City Hall City Clerk's Office during normal office hours (generally Mon-Friday 8:00am – 4:30pm))

6.3 ADMINISTRATIVE APPROVALS - Approve the administrative approvals.

1. Kiwanis Club of Minot to conduct a raffle on October 7, 2023 at Minot Auditorium (420 3rd Ave SW).
2. Zion Lutheran Church Youth to conduct a raffle on July 6 & 23, 2023 at Corbett Field (1124 E Burdick Exwy).
3. Souris River Basin Longbeards to conduct a raffle on August 15, 2023 at Nola's Lounge (919 W Burdick Expwy).
4. Stanley Park District to conduct a raffle on August 3, 2023 at Corbett Field (1124 E Burdick Exwy).
5. Northern Infidels Motorcycle Club to conduct a raffle on July 15, 2023 at Northern Infidels Motorcycle Club Clubhouse (305 4th Ave NW).
6. Youthworks to conduct a raffle on July 18, 2023 at Corbett Field (1124 E Burdick Exwy).
7. Five Special Event Permits for KP2, Inc dba The Spot (6 2nd St NE).
8. Special Event Permit for The "O"riginal, Inc. dba The "O"riginal Bar and Nightclub (720 N Broadway).
9. Special Event Permit for Atypical, LLC dba Atypical Brewery & Barrelworks (510 E Central Ave SW).
10. Special Event Permit for Duckpond Ventures, LLC dba Saul's (105 1st St SE Basement).
11. Special Event Permit for Can U Barrette, LLC dba The Drop Zone (101 S Main St).
12. Special Event Permit for Der Blaue, LLC dba Blue Rider (118 1st Ave SE).
13. Two Special Event Permits for Pour Fools, LLC dba The Pour Farm (201 37th Ave SW).
14. Two Special Event Permits for Pointe of View Winery, LLC dba Pointe of View Winery (8413 19th Ave NW).
15. Special Event Permit for AV Vintreet, Inc dba Off the Vine (15 S Main St).

6.4 MINOR SUBDIVISION PLAT: RHI SUPPLY ADDITION - Approve a minor subdivision plat as provided in Attachment A to create RHI Supply Addition.

6.5 MINOR SUBDIVISION PLAT: SUNSET ADDITION - Approve a minor subdivision plat as provided in Attachment A to create Sunset Addition.

6.6 APPROVE THE INTEREST BUYDOWN AGREEMENT OF THE FLEX PACE PROGRAM – SOURIS HEIGHTS LLLP - Approve the Interest Buydown Agreement for the Flex PACE Buydown agreement for Souris Heights, LLLP and authorize the Mayor to sign the necessary documents.

6.7 MDU EASEMENT ON CITY PROPERTY - Approve the proposed right of way easement for MDU and authorize the Mayor to sign the necessary documents.

6.8 EDISON SAFE ROUTES TO SCHOOL COST PARTICIPATION AND MAINTENANCE AGREEMENT (4667) - Approve the attached cost participation and maintenance agreement with the NDDOT and authorize the Mayor to sign the agreement.

6.9 EDISON SAFE ROUTES TO SCHOOL EASEMENT ACQUISITION TASK ORDER (4667) - Approve the attached Task Order 1 with Ackerman-Estvold and authorize the Mayor to sign the Task Order.

6.10 2ND AVENUE SW SCHOOL SPEED ZONE REMOVAL - Pass an ordinance to remove the school speed limit zone on 2nd Avenue SW between Westfield Avenue and 18th St SW.

6.11 2023 SIDEWALK - SPECIAL ASSESSMENT (4713) - Order the construction, rebuilding, or repairing of sidewalks to be performed by the City's contracted Contractor; and assess the construction cost and administration fees for this sidewalk work against the benefiting properties, as shown in Table 1.

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

6.13 SRT EASEMENT ON AIRPORT PROPERTY - Authorize City staff to approve the easement on airport property and authorize the Mayor to sign any necessary documents.

6.14 GARBAGE COLLECTION, LANDFILL, WATER AND STORM SEWER RATE RESOLUTION - Approve a new resolution for garbage collection, landfill, water and storm sewer rates to include new rates for recycling tipping fees at the landfill.

6.15 CIVIL AIR PATROL STORAGE LEASE - Approve the storage space lease at Minot International Airport and authorize the Mayor and Airport Director to sign contract.

6.16 T HANGAR BOILER PLATE LEASE - Approve the lease boiler plate for future use and authorize Airport Director to sign future T-Hangar leases.

6.17 AVIATION BUSINESS CONSULTANT RFQ ACCEPTANCE - Accept the highest-ranking SOQ for the Aviation RFQ; and authorize the Mayor, City Attorney, and Airport Director to negotiate and sign all applicable documentation including the master contract and corresponding task orders.

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

Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

ACTION ITEMS

7.1 CITY OF MINOT VS TRINITY (EMINENT DOMAIN) SETTLEMENT – APPROVED

Alderman Evans moved the 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.

The motion was seconded by Alderman Pitner and carried the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

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

Alderman Evans moved the 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.

The motion was seconded by Alderman Pitner and carried the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

7.3 S BROADWAY AND 40TH AVENUE SW INTERSECTION REVISIONS – APPROVED

Alderman Burlingame moved the 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.

Motion seconded by Alderman Evans and carried by the following roll call vote: ayes: Burlingame, Evans, Olson, Pitner, Podrygula, Ross; nays: none.

7.4 REVISED COMMUNITY CONTRIBUTION REQUESTS FOR THE 2024 ANNUAL BUDGET – APPROVED

Alderman Evans moved the City Council direct staff to find \$30,000 in the 2024 budget for Project Bee.

Motion seconded by Alderman Podrygula and carried by the following roll call vote: ayes: Evans; nays: Burlingame, Jantzer, Olson, Pitner, Podrygula, and Ross.

Alderman Podrygula moved the City Council direct staff to maintain the 2023 funding for the Community Contributions in the 2024 budget.

Motion seconded by Alderwoman Evans and carried by the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

7.5 CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINIC – APPROVED

Alderman Burlingame moved the 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.

Motion seconded by Alderman Pitner and carried by the following roll call vote: ayes: Burlingame, Evans, Jantzer, Olson, Pitner, Podrygula, Ross; nays: none.

PERSONAL APPEARANCES

Wendy Bagley spoke during personal appearances about the proclamation.

MISCELLANEOUS AND DISCUSSION ITEMS

9.1 MACEDC BIENNIAL PRESENTATION

Brekka Kramer, CEO/President of MACEDC, presented the MACEDC July 2023 Economic Development Contract presentation.

MISCELLANEOUS AND DISCUSSION ITEMS

Alderwoman Evans informed the public about the summer evaluation on homelessness in Minot being conducted on Wednesday, July 26th. Youthworks is coordinating this evaluation and can be contacted if anyone would like to volunteer.

LIAISON REPORTS

Alderman Podrygula attended the Minot Commission on Aging meeting and the Ward County Planning Commission meeting. Alderwoman Evans mentioned the upcoming Library Board meeting. Alderwoman Olson attended the Souris Basin Planning Council Executive meeting, Committee on Childcare meetings, and the MPO Steering Committee/Policy Board meeting. She also mentioned the upcoming Human Relations Committee on August 15th and the upcoming Liaison Committee meeting on August 24th.

Alderman Burlingame attended the Committee on Childcare meetings. Alderman Jantzer attended the MPO Steering Committee/Policy Board meeting. Alderman Pitner mentioned the June Renaissance Zone Board meeting was canceled, he attended two Department Head Budget meetings, and a Visit Minot Board meeting.

ADJOURNMENT

There being no further business, Alderman Pitner moved the City Council meeting be adjourned. Motion seconded by Alderman Burlingame and carried unanimously. Meeting adjourned at 8:13 pm.

For the full July 24, 2023 Regular City Council meeting video, see: [City Council Meeting - July 24, 2023 - YouTube](#).

ATTEST: Mikayla McWilliams
Mikayla McWilliams, City Clerk

APPROVED: Thomas Ross
Thomas Ross, Mayor