

On August 21, 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, Jantzer, Olson, Pitner, Podrygula, Ross

Members Absent:

None

PLEDGE OF ALLEGIANCE

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

MAYOR'S REPORT

Mayor Ross attended one on one meetings with the City Manager and City Attorney, MACEDC Board Meeting, Task Force 21 meeting, a few Home for the Holiday meetings, Chamber Infrastructure meeting, 16th St Interchange meeting, Sister City potential meeting, leadership on MAFB meetings, 54th Helicopter Squadron Ground Breaking, Governmental Affairs meeting, Souris Heights Open House, Fire Station 5 Ribbon Cutting and Promotional Ceremony, Public Works Director interviews, spoke with the Minot Public Schools teachers, and Welcome Speech to MSU Freshmen.

Mayor Ross also recognized Dan Jonasson on his retirement as the Public Works Director.

CITY MANAGER'S REPORT

Harold Stewart submitted a written report to the council.

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.

Alderman Pitner moved City Council close the public hearing and 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.

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

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.

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

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.

Alderwoman Evans moved City Council close the public hearing and approve in opposition to the Planning Commission, referring to the originally provided findings of fact generated by staff:

- 1) The applicants have submitted a complete application.
- 2) The present zoning is “R1” Single-Family Residential District.
- 3) The City of Minot 2040 Comprehensive Plan Future Land Use Map designates this area as Rural Residential.
- 4) The proposed zoning map amendment satisfies the evaluative criteria of Section 9.1-7. H. 1. thru 4. of the Land Development Ordinance as outlined in the Staff Analysis section of staff’s written report.
- 5) The Minot Planning Commission has the authority to hear this case and provide a recommendation to City Council whether the zoning map amendment be approved, with or without conditions, or denied. The public notice requirements were met, the hearing was legally noticed and posted, and the hearing was held and conducted under the requirements of North Dakota Century Code and Minot City ordinances

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

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.

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

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

PUBLIC HEARING

PUBLIC HEARING: RENAISSANCE ZONE CONDITIONAL APPROVAL PROJECT M-105, KRISTIN BOEN, BOOMTOWN ENTERPRISES, LLC

Alderman Pitner moved City Council close the public hearing and 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.

Motion seconded by Alderwoman Evans 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 7.1-7.14.

7.1 CITY COUNCIL MINUTES - Approve the minutes of the August 7, 2023, Special City Council meeting and the August 7, 2023, Regular City Council meeting.

7.2 ORDINANCES – Approval of the following ordinances considered for 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

(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))

7.3 ADMINISTRATIVE APPROVALS - Approve the administrative approvals.

1. Minotauros Booster Club to conduct raffles from September 1, 2023 through May 11, 2024 (Home Games) at Maysa Arena (2501 Burdick Exwy W).
2. Norsk Hostfest Association to conduct a raffle on September 30, 2023 at the Norsk Hostfest Office (1020 S Broadway).
3. Bread of Life Lutheran Church to conduct a raffle on August 4, 2023 at Corbett Field (1124 E Burdick Expwy).
4. Minot Y's Men Indoor Rodeo to conduct a raffle on September 22-23, 2023 at Minot Municipal Auditorium (420 3rd Ave SW).
5. Cardinal Athletic Booster to conduct raffles from August 29, 2023 through February 16, 2024 at Nedrose High School (5705 15th Ave SE).
6. African American Heritage Council to conduct a raffle on September 30, 2023 at Hammond Park (200-298 8th Ave NE).
7. Four Special Event Permits for Atypical, LLC dba Atypical Brewery & Barrelworks (510 E Central Ave).
8. Three Special Event Permits for Der Blaue, LLC dba Blue Rider (118 1st Ave SE).
9. Special Event Permit for Pointe of View Winery, LLC dba Pointe of View Winery (8413 19th Ave NW).
10. Two Special Event Permits for Pour Fools, LLC dba The Pour Farm (201 37th Ave SW).
11. Special Event Permit for The "O"riginal, Inc. dba The "O"riginal Bar and Nightclub (720 N Broadway).
12. Special Event Permit for Casey's Cookies, Inc. dba Cookies for You (117 Main St S).

7.4 MAYORAL APPOINTMENTS – 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 - Approve a minor subdivision plat as provided in Attachment A to create Countryside Villas 7th Addition.

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 - 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.

7.7 SPECIAL ASSESSMENT APPROVAL; 2023 NUISANCE ABATEMENT (4671) - Approve the assessment roll for the 2023 Nuisance Abatement Project 4671.

7.8 SPECIAL ASSESSMENT APPROVAL; SIDEWALK REPAIR (4626) - Approve the assessment roll for Sidewalk Repair Project 4626

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

7.10 PAVING & UTILITY DISTRICT 2021-1 (4585) – ENLARGE DISTRICT/AMEND ENGINEERING REPORT RESOLUTIONS - Approve the resolutions to enlarge the district and to amend the engineering report for the improvement district.

7.11 16TH ST INTERCHANGE REHABILITATION CONSULTANT SELECTION - Select SRF Consulting to perform engineering services for the project and authorize the City Engineer to negotiate a scope and fee.

7.12 CONTRACT FOR GRANT ADMINISTRATION SERVICES FOR WILDLIFE HAZARD MITIGATION PROJECT - SHORT ELLIOTT HENDRICKSON, INC. - Approve the Grant Administration Work Order to be conducted by Short Elliott Hendrickson Inc. (SEH); and authorize the Mayor to sign the agreement.

7.13 OFFER SECOND CONTRACT EXTENSION WITH DOUBLE L LOADERWORKS FOR SNOW REMOVAL SERVICES AT THE MINOT INTERNATIONAL AIRPORT (MOT) - 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.

7.14 AUTONOMOUS FLOOR SCRUBBER ACQUISITION ADVERTISEMENT FOR BIDS - Approve the Specifications and authorize a call for bids.

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

ACTION ITEMS

8.1 CPSM PUBLIC SAFETY ASSESSMENT – APPROVED

Alderman Podrygula moved the City Council approve CPSM conducting a Public Safety Assessment of the Minot Police and Fire Departments; authorize the City Manager to sign all necessary agreements, contracts, and/or documents; and approve the budget amendment for funding of CPSM Public Safety Assessment.

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

8.2 MORATORIUM AND ESTABLISHMENT OF AD HOC COMMITTEE ON HUMAN RELATIONS - APPROVED

Alderman Burlingame moved the 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.

The motion was seconded by Alderman Jantzer.

Alderwoman Evans motioned to amend the original motion striking #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.

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

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

PERSONAL APPEARANCES

There were no personal appearances.

MISCELLANEOUS AND DISCUSSION ITEMS

10.1 BROWN & BROWN PRESENTATION - 2024 INSURANCE RENEWAL

Katie Veidel and other members of the Brown & Brown team presented to the City Council the 2024 insurance information.

10.2 STORM SEWER DISTRICT 121 PROJECT UPDATE (4087)

Lance Meyer, City Engineer, gave a project update on Storm Sewer District 121.

BUDGET Q & A

The Budget Q & A was a time for the City Council members to ask staff about the 2024 Proposed Budget.

LIAISON REPORTS

Alderman Pitner has his meetings this week. Alderman Burlingame attended the Childcare in Minot meetings and the Human Relations Committee meeting. Alderwoman Olson attended the Childcare in Minot meeting, the SBPC Loan Review and Executive Board meetings, the Human Relations Committee meeting.

Alderman Jantzer and Alderwoman Olson have the Liaison Committee meeting and MPO Policy Board meeting upcoming. Alderwoman Evans attended the Ward County Planning meeting and the Library Board meeting. Alderman Podrygula attended the Annual Convention of American Psychological Association on his own but discussed the different aspects that related to the city.

ADJOURNMENT

There being no further business, Alderman Pitner moved the City Council meeting be adjourned. Motion seconded by Alderwoman Evans and carried unanimously. Meeting adjourned at 7:57 pm.

For the full August 21, 2023 Regular City Council meeting video, see: [City Council Meeting August 21st, 2023 - YouTube](#).

ATTEST: Mikayla McWilliams
Mikayla McWilliams, City Clerk

APPROVED: Thomas Ross
Thomas Ross, Mayor