City of Minot

Special City Council Meeting
Monday, February 2, 2026, at 4:30 PM
City Council Chambers, City Hall (10 3rd Ave SW)
Any person needing special accommodation for the meeting is requested to notify the City Clerk's office at 857-4752.

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. EXECUTIVE SESSION: POTENTIAL LAND PURCHASE (UNADDRESSED MULBERRY LOOP NE)
   The topic of discussion will be regarding a potential land purchase by the City of Minot. The City Council will discuss a negotiating strategy and/or provide negotiating instructions to its attorney or other negotiators regarding a potential contract for which negotiation is likely to occur in the immediate future. An open meeting on this topic would have an adverse fiscal effect on the bargaining position of the city if discussed at a public meeting. See N.D.C.C. 44-04-19.1(9).

   3.1. EXECUTIVE SESSION: POTENTIAL LAND PURCHASE (UNADDRESSED MULBERRY LOOP NE)

4. POTENTIAL ACTION FOLLOWING EXECUTIVE SESSION

5. ADJOURNMENT

City of Minot

TO: Mayor and Members of the City Council

FROM: Lance Meyer, City Engineer

DATE: February 2, 2026

SUBJECT: **STORM SEWER DISTRICT 124 LAND PURCHASE FOR REGIONAL DETENTION POND**

I. RECOMMENDED ACTION

It is recommended the City Council:

1. Authorize city staff to complete the negotiations with Mike Hayes of Four Seasons Construction and bring the completed purchase documents back to council for approval.

II. DEPARTMENT CONTACT PERSONS

Lance Meyer, City Engineer, 701-857-4100
Emily Huettl, Assistant City Engineer 701-857-4100

III. DESCRIPTION

A. Background

Since June of 2024, staff have been attempting to acquire approximately 4.71 acres of land to expand the Stonebridge Farms Subdivision pond into a regional pond that serves 1,622 acres of land in northwest Minot. The pond is a key piece of infrastructure in the design to control storm water flow rates from almost all the land north of 21st Ave NW. Without the pond, the majority of the project must be redesigned.

There have been some delays in delivering a project. It took seven months to obtain approval from USACE for the required 404 wetlands permit. This also caused a delay in the property acquisition. We could not purchase the land for the pond until USACE cleared the wetland permit.

Just before the land changed ownership in December, staff negotiated the purchase of the land and a temporary easement with Kent Busek, the previous developer. The total price was approximately $109,000 for the land and easements to place excavated pond soil.

B. Proposed Project

Mike Hayes with Four Seasons Construction agreed to the terms previously negotiated with Kent Busek.

There are two parts to the negotiated purchase, the memorandum of agreement (MOA) for the land purchase and an MOA for the ability of placing pond excavation on Four Season's property.

The MOA for the land is an agreed price of $81,709.08 for the 4.71 acres. The land includes area that is currently served by sanitary sewer, which makes the land more valuable. The $17,348/acre price was fact checked by the city assessor who feels that it is a fair price for the land. Staff did not hire an independent appraiser since the land was in a fair range and the added cost of the appraisal would tell us what we already knew.

The MOA for placing excavated soil on the Four Season's property saves the city truck hauling cost versus having to haul the material miles off the site. Hayes thinks parts of the property are low and could use the soil. The $6,000 initial payment is for the land area that the pile will occupy. The $1.00/cubic yard for the estimated 22,000 cubic yards is a royalty payment for the landowner's soil. The total cost of the MOA is $28,000.

In addition, the City is required to plat the parcel of land the pond occupies. Due to the surrounding land being unplatted, the City is required to plat the remainder of the quarter section. Four Seasons also wishes to plat 9 lots that have sewer and water available. They will take on this cost as it is separate from the platting the City is required to complete. In sharing the platting cost and accomplishing all of the platting in one plat, home construction can start months earlier. The goal is to build on these 9 lots in May. The estimated cost for the City is $6,000.

C. Recommendation Detail

Staff have negotiated a fair transaction for the purchase of required property with the previous and current landowner. Four Season's also feels this is a fair transaction and is willing to sell. The pond is needed to control storm water outflows from one of the major storm water outfalls of the City.

IV. IMPACT

A. Aspirations

Resilient and Prepared

B. Service/Delivery Impact:

By constructing the pond, whether the project moves forward now or in the future, the City will have the required land needed to build the infrastructure.

C. Fiscal Impact

The project was budgeted two years ago as a special assessment project. Funding was allocated at $2.69 million. $2.26 million has been placed in water and sewer reserves since there were no further appropriations by council. If council elects to move forward with a purchase, a budget

amendment will be required to take the funding from reserves and use it for the land purchase.

Project Costs
Land Cost: $81,709.08
Soil Disposal Cost: $28,000
Platting Cost:$6,000
Closing Cost: $4,000
Total: $119,709.08

Project Funding
Water & Sewer Reserves

VI. ALTERNATIVES

Alternative 1: Council could choose not to move forward with approving city staff to complete the negotiations.
Alternative 2: Council could request modifications to the documents and direct staff to negotiate further with the landowner.