

MEETING OF THE BOARD OF CITY COMMISSIONS  
January 9, 2018

The Board of City Commission met in regular session on January 9, 2018 at the hour of 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. There were present: Commissioners Marquardt, Guy, Askvig, Oban, and President Seminary.

A Chaplain of the Bismarck Police Department presented the invocation.

1. Commissioner Askvig moved to approve the minutes of the December 26, 2017 regular city commission meeting. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C
2. Commissioner Guy moved to remove items G1 and L1 and approve the remaining items on the consent agenda. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C
  - A. Voucher numbers: 1077915-1078047
  - B. Personnel actions.
  - C. Administration Department:
    1. Gaming Site Authorization for St. Alexius Medical Center d/b/a CHI St. Alexius Health.
    2. Gaming Site Authorization for Dakota Pheasants Forever.
  - D. Airport:
    1. United Certification Program agreement.
    2. Sponsorship to the North Dakota Aviation Council for the 2018 Upper Midwest Aviation Symposium.
  - E. Finance Department – Assessing Division:
    1. Application for property tax abatement for 2016 and 2017 as owned by a government entity at 3105 Valley Drive.
    2. Application for property tax abatement for 2017 due to fire damage for the property at 4837 Hitchcock Dr.
    3. Application for property tax abatement for 2017 Disabled Veteran Credit for the property at 4161 Boulder Ridge Rd.

4. Application for property tax abatement for 2017 due to fire damage for the property at 301 Enterprise St.

F. Community Development – Planning Division for the following:

1. Introduction of and call for a Public Hearing on ordinance 6302, a request for the annexation of part of Promontory Point VI Addition. The Planning and Zoning Commission recommends approval.

#### ORDINANCE NO. 6302

AN ORDINANCE ANNEXING PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF BISMARCK, NORTH DAKOTA, DECLARING THE TERRITORY ANNEXED; DECLARING THE SAME TO BE A PART OF THE CORPORATE LIMITS OF SAID CITY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA.

Section 1. Territory Annexed. The territory and land hereinafter described is hereby declared and found to be a part of the corporate limits of the City of Bismarck, North Dakota, as follows:

Lots 3-16, Block 5, Lots 1-3, Block 6, Lots 1-24, Block 7, Lots 1-22, Block 8, Lots 1-8, Block 9, Lots 1-3, Block 10 and Lots 1-3, Block 11, Promontory Point VI Addition.

The above described tract of land contains 31.31 acres, more or less.

Section 2. Provisions Applicable. From and after the final passage and adoption of this Ordinance and upon recording of this ordinance with the Burleigh County Recorder, the territory herein described shall be a part of the corporate limits of the City of Bismarck, North Dakota.

2. Introduction of and call for a PUBLIC HEARING on ordinance 6303, a request for the annexation of part of Silver Ranch First Addition, requested by WW Investments, LLP. The Planning and Zoning Commission recommends approval.

#### ORDINANCE NO. 6303

AN ORDINANCE ANNEXING PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF BISMARCK, NORTH DAKOTA, DECLARING THE TERRITORY ANNEXED;

MN01092018

DECLARING THE SAME TO BE A PART OF THE CORPORATE LIMITS OF SAID CITY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA.

Section 1. Territory Annexed. The territory and land hereinafter described is hereby declared and found to be a part of the corporate limits of the City of Bismarck, North Dakota, as follows:

Lot 1, Block 1, Lots 22-39, Block 2, Lots 1-16, Block 3, Lots 1-35, Block 4, Lots 1 and 17-18, Block 5, Lots 1-2 and 21, Block 7, Lots 2-7, Block 8, Lots 13-14, Block 9, Lots 13-26, Block 10, Lots 1-26, Block 11, Lots 1-26, Block 12, Lots 1-10, Block 13, Silver Ranch First Addition and the 43rd Avenue NE right of way between the centerline of Roosevelt Drive and the eastern boundary of Lot 1, Block 1, Silver Ranch First Addition, more precisely described as the South 33 feet of the SE  $\frac{1}{4}$  of Section 13, T139N-R80W/Hay Creek Township, the North 33 feet of the NE  $\frac{1}{4}$  of Section 24, T139N-R80W/Hay Creek Township lying East of the eastern boundary of Sattler Sunrise Seventh Addition, the West 1,723.09 feet of the South 75 feet of the SW  $\frac{1}{4}$  of Section 18, T139N-R79W/Gibbs Township included in Document #845385, the North 60 feet of the NW  $\frac{1}{4}$  of Section 19, T139N-R79W/Gibbs Township West of the western boundary of Huber Subdivision included in Document #539335 and the North 60 feet of Huber Subdivision shown as right-of-way in the NW  $\frac{1}{4}$  of Section 19, T139N-R79W/Gibbs Township, and the North 75 feet of Huber Second Subdivision dedicated as 43<sup>rd</sup> Avenue NE in the NW  $\frac{1}{4}$  of Section 19, T139N-R79W/Gibbs Township.

The above described tract of land contains 73.04 acres, more or less.

Section 2. Provisions Applicable. From and after the final passage and adoption of this Ordinance and upon recording of this ordinance with the Burleigh County Recorder, the territory herein described shall be a part of the corporate limits of the City of Bismarck, North Dakota.

3. Introduction of and call for a PUBLIC HEARING on ordinance 6304, a request for a zoning change from the RM30-Residential zoning district to the CA-Commercial zoning district for Lot 15, Block 2, Southwood Terrace, requested by Benjamas Gillund. The Planning and Zoning Commission recommends approval.

ORDINANCE NO. 6304

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the RM30-Residential zoning district and included in the CA-Commercial zoning district:

Lot 15, Block 2, Southwood Terrace.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

4. Introduction of and call for a PUBLIC HEARING on ordinance 6305, a request for a zoning change from the MA-Industrial and MB-Industrial zoning districts to the MB-Industrial zoning district for Lots 4 and 5, Block 1, Duemeland's Third Subdivision, requested by John Shaffer. The Planning and Zoning Commission recommends approval.

ORDINANCE NO. 6305

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

MN01092018

The following described property shall be excluded from the MA-Industrial and MB-Industrial zoning districts and included in the MB-Industrial zoning district:

Lots 4 and 5, Block 1, Duemeland's Third Subdivision.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

5. Introduction of and call for a PUBLIC HEARING on ordinance 6306, a request for a zoning change from the A-Agricultural zoning district to the R5-Residential, RM15-Residential, RT-Residential and Conditional CA-Commercial zoning districts for part of the NW 1/4 of Section 16, Hay Creek Township, requested by Five Guys Investments, LLP. The Planning and Zoning Commission recommends approval.

ORDINANCE NO. 6306

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agricultural zoning district and included in the Conditional CA – Commercial zoning district:

(Parcel 1)

ALL THAT PART OF THE NW 1/4 OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST, BISMARCK, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW 1/4; THENCE SOUTH 89 DEGREES 54 MINUTES 06 SECONDS EAST, ALONG THE NORTH LINE OF SAID NW 1/4, A DISTANCE OF 60.00 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 25 SECONDS WEST, PARALLEL WITH THE WEST LINE OF SAID NW 1/4, A DISTANCE OF 75.00 FEET TO THE POINT OF

BEGINNING; THENCE SOUTH 89 DEGREES 54 MINUTES 06 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF SAID NW 1/4, A DISTANCE OF 504.57 FEET TO THE WEST LINE OF STORM SEWER, SANITARY SEWER, & WATERMAIN EASEMENT DOC. #785979; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 65.18 FEET; THENCE SOUTHEASTERLY AND TO THE LEFT, ON A 1033.00 FOOT RADIUS CURVE, CONTINUING ALONG SAID WEST LINE, AN ARC LENGTH OF 34.28 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 48 SECONDS WEST, A DISTANCE OF 114.42 FEET; THENCE SOUTH 46 DEGREES 24 MINUTES 15 SECONDS WEST, A DISTANCE OF 144.80 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 36 SECONDS WEST, A DISTANCE OF 150.31 FEET; THENCE SOUTH 56 DEGREES 29 MINUTES 28 SECONDS WEST, A DISTANCE OF 165.86 FEET TO THE EAST LINE OF TOWNSHIP ROAD EASEMENT DOC. #468826; THENCE NORTH 00 DEGREES 32 MINUTES 25 SECONDS EAST, ALONG SAID EAST LINE AND PARALLEL WITH THE WEST LINE OF SAID NW 1/4, A DISTANCE OF 292.60 FEET TO THE POINT OF BEGINNING.

This Conditional CA-Commercial zoning district is subject to the following development standards:

1. *Uses Permitted.* The following uses are permitted:
  - a. ~~A single or two-family dwelling when used in conjunction with a commercial use.~~
  - b. Multifamily dwelling.
  - c. Group dwelling.
  - d. Row houses/townhouses (subject to RM residential zone regulations).
  - e. Retail group A.
  - f. Service group A.
  - g. Office-bank group.
  - h. Health-medical group.
  - i. Public recreation group.
  - j. Education group.
  - k. Religious institution.

The following uses are allowed as special uses pursuant to Section 14-03-08 hereof:

- a. Temporary Christmas tree sales.
- b. Temporary farm and garden produce sales.
- c. Filling station.
- d. Seasonal nursery and bedding stock sales.

- e. Child care center.
- f. Drive-in bank.
- g. Retail liquor sales.

2. *Development standards.*

- a. No principal building shall exceed three (3) stories in height.
- b. No principal one-story building shall have a footprint greater than fifty thousand (50,000) square feet; no principal two-story building shall have a footprint greater than thirty thousand (30,000) square feet and no principal building with three or more stories shall have a footprint greater than twenty thousand (20,000) square feet.
- c. All exterior lighting shall be designed and installed in a manner intended to limit the amount of off-site impacts to the adjacent residential uses to the west.
- d. Any illuminated signs shall be designed and installed in a manner intended to limit the amount of off-site impacts to the adjacent residential uses.
- e. All other development standards shall be as outlined in Section 14-04-10, CA – Commercial District, of the City Code of Ordinances.

Section 2. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agricultural district and included within the RT – Residential district:

(Parcel 2)

ALL THAT PART OF THE NW 1/4 OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST, BISMARCK, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 BLOCK 10 BOULDER RIDGE 5TH ADDITION; THENCE NORTH 07 DEGREES 00 MINUTES 05 SECONDS WEST, ALONG THE EAST LINE OF STORM SEWER, SANITARY SEWER & WATERMAIN EASEMENT DOC #785979, A DISTANCE OF 248.97 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 68 DEGREES 40 MINUTES 52 SECONDS EAST, A DISTANCE OF 218.11 FEET; THENCE NORTH 71 DEGREES 19 MINUTES 35 SECONDS EAST, A DISTANCE OF 192.86 FEET; THENCE SOUTH 57 DEGREES 58 MINUTES 32 SECONDS EAST, A DISTANCE OF 111.93 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 13 SECONDS EAST, A DISTANCE OF 319.11 FEET TO THE SOUTH LINE OF 75' HIGHWAY RIGHT OF WAY EASEMENT DOC. #776044; THENCE NORTH 89 DEGREES 54 MINUTES 06 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 495.77 FEET TO THE EAST LINE OF STORM SEWER, SANITARY SEWER & WATERMAIN EASEMENT

DOC. #785979; THENCE SOUTH 00 DEGREES 00 MINUTES 12 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 65.06 FEET; THENCE SOUTHEASTERLY AND TO THE LEFT, CONTINUING ALONG SAID EAST LINE, ON A 967.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 118.14 FEET; THENCE SOUTH 07 DEGREES 00 MINUTES 04 SECONDS EAST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 60.60 FEET TO THE POINT OF BEGINNING.

Section 3. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agricultural district and included within the RM15 – Residential district:

(Parcel 3)

ALL THAT PART OF THE NW 1/4 OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST, BISMARCK, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NW 1/4; THENCE SOUTH 00 DEGREES 24 MINUTES 58 SECONDS WEST, ALONG THE EAST LINE OF SAID NW 1/4, A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 24 MINUTES 58 SECONDS WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 418.25 FEET; THENCE NORTH 89 DEGREES 23 MINUTES 54 SECONDS WEST, A DISTANCE OF 138.90 FEET; THENCE NORTH 53 DEGREES 51 MINUTES 58 SECONDS WEST, A DISTANCE OF 140.71 FEET; THENCE NORTH 75 DEGREES 57 MINUTES 06 SECONDS WEST, A DISTANCE OF 140.95 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 225.86 FEET; THENCE SOUTH 79 DEGREES 16 MINUTES 26 SECONDS WEST, A DISTANCE OF 273.85 FEET; THENCE NORTH 69 DEGREES 27 MINUTES 15 SECONDS WEST, A DISTANCE OF 315.65 FEET; THENCE SOUTH 76 DEGREES 33 MINUTES 53 SECONDS WEST, A DISTANCE OF 330.42 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 13 SECONDS EAST, A DISTANCE OF 319.11 FEET TO THE SOUTH LINE OF 75' HIGHWAY RIGHT OF WAY EASEMENT DOC. #776044; THENCE SOUTH 89 DEGREES 54 MINUTES 06 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1502.43 FEET TO THE POINT OF BEGINNING.

Section 4. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agricultural district and included within the R5 – Residential district:

(Parcel 4)

ALL THAT PART OF THE NW 1/4 OF SECTION 16, TOWNSHIP 139 NORTH, RANGE 80 WEST, BISMARCK, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 BLOCK 10 BOULDER RIDGE FIFTH ADDITION; THENCE NORTH 82 DEGREES 59 MINUTES 40 SECONDS EAST, ALONG THE BOUNDARY OF BOULDER RIDGE FIFTH ADDITION, A DISTANCE OF 145.42 FEET; THENCE SOUTH 44 DEGREES 59 MINUTES 59 SECONDS EAST, ALONG SAID BOUNDARY, AND THE BOUNDARY OF BOULDER RIDGE SIXTH ADDITION, A DISTANCE OF 973.32 FEET; THENCE SOUTH 65 DEGREES 28 MINUTES 11 SECONDS EAST, ALONG THE BOUNDARY OF BOULDER RIDGE SIXTH ADDITION, A DISTANCE OF 137.93 FEET; THENCE NORTH 84 DEGREES 19 MINUTES 05 SECONDS EAST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 139.90 FEET; THENCE NORTH 30 DEGREES 00 MINUTES 04 SECONDS EAST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 158.23 FEET; THENCE NORTH 39 DEGREES 54 MINUTES 45 SECONDS EAST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 65.89 FEET; THENCE NORTH 65 DEGREES 00 MINUTES 19 SECONDS EAST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 111.43 FEET; THENCE SOUTH 85 DEGREES 17 MINUTES 24 SECONDS EAST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 123.19 FEET; THENCE SOUTH 30 DEGREES 00 MINUTES 02 SECONDS EAST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 394.28 FEET; THENCE SOUTH 50 DEGREES 00 MINUTES 00 SECONDS EAST, CONTINUING ALONG SAID BOUNDARY, A DISTANCE OF 395.14 FEET TO THE EAST LINE OF SAID NW 1/4; THENCE NORTH 00 DEGREES 24 MINUTES 07 SECONDS, ALONG SAID EAST LINE, A DISTANCE OF 1153.40 FEET; THENCE NORTH 89 DEGREES 23 MINUTES 54 SECONDS WEST, A DISTANCE OF 138.90 FEET; THENCE NORTH 53 DEGREES 51 MINUTES 58 SECONDS WEST, A DISTANCE OF 140.71 FEET; THENCE NORTH 75 DEGREES 57 MINUTES 06 SECONDS WEST, A DISTANCE OF 140.95 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 225.86 FEET; THENCE SOUTH 79 DEGREES 16 MINUTES 26 SECONDS WEST, A DISTANCE OF 273.85 FEET; THENCE NORTH 69 DEGREES 27 MINUTES 15 SECONDS WEST, A DISTANCE OF 315.65 FEET; THENCE SOUTH 76 DEGREES 33 MINUTES 53 SECONDS WEST, A DISTANCE OF 330.42 FEET; THENCE NORTH 57 DEGREES 58 MINUTES 32 SECONDS WEST, A DISTANCE OF 111.93 FEET; THENCE SOUTH 71 DEGREES 19 MINUTES 35 SECONDS WEST, A DISTANCE OF 192.86 FEET; THENCE NORTH 68 DEGREES 40 MINUTES 52 SECONDS WEST, A DISTANCE OF 218.11 FEET TO THE EAST LINE OF STORM SEWER, SANITARY SEWER & WATERMAIN EASEMENT DOC. #785979; THENCE

SOUTH 07 DEGREES 00 MINUTES 05 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 248.97 FEET TO THE POINT OF BEGINNING.

Section 5. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

6. Introduction of and call for a PUBLIC HEARING on an amendment to the Urban Service Area Boundary and Phasing Plan within the 2014 Growth Management Plan, requested by the City of Bismarck. The Planning and Zoning Commission recommends approval.

G. Community Development Department – Building Inspection Division for the following:

1. Introduction of and call for a Public Hearing on ordinance 6307, an amendment to repeal City Ordinance 4-02-09 and allow a self-wire permit. Staff recommends approval.

Ordinance No. 6307

AN ORDINANCE TO REPEAL SECTION 4-02-09 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO REGULATIONS GOVERNING ELECTRICIANS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 4-02-09 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Regulations Governing Electricians is hereby repealed as follows:

~~4-02-09. Regulations Governing Electricians. All electrical work to be performed within the city must be done only by persons holding a master electrician's license issued pursuant to state law. All other workmen employed in any electrical work shall possess the license or qualifications required by state law.  
(Ord. 5316, 05-25-04)~~

Section 2. Effective Date. This repeal of this ordinance shall take effect following final passage.

- H. Finance Department for the following:
  - 1. Introduction of and call for a Public Hearing regarding the revisions to the Special Assessment Policy.
  
- J. Bismarck Event Center for the following:
  - 1. Donate ¼-inch poly from the old dasher boards to the Bismarck Parks and Recreation District.
  - 2. Receive and award bid for electrical upgrades.
  
- K. Fire Department for the following:
  - 1. Change order E002 for the authorized transfer of funds from HC 110 to the Miriam Fire Station for traffic signal upgrades.
  
- L. Public Works – Service Operations for the following:
  - 1. Purchase deicer agricultural-based liquid (beet juice) under the NDDOT bid.
  - 2. Purchase Motorola portable and mobile radios under the State of North Dakota bid.
  - 3. Purchase oil for city vehicles and equipment un the State of North Dakota bid contract.
  - 4. Purchase tires for city vehicles and equipment under the State of North Dakota bid contract.
  - 5. Reject bids for one new current model year front-end loader.
  - 6. Purchase a vehicle for the Engineering Department at the State of North Dakota bid price.
  
- M. Public Works – Utility Operations for the following:
  - 1. Sole source contract with PKG for emergency repairs at the wastewater treatment plant.

Item G1: Commissioner Marquardt discussed the request from the Community Development Department – Building Inspection Division for the introduction and call for a public hearing on the self-wire permit as he received some telephone calls regarding this item from residents. The Commissioners discussed that the hearing will be held on January 23, 2018 for any public comment.

Item L1: Commissioner Marquardt discussed the request from the Public Works – Service Operations to purchase beet juice for street deicing purposes. Commissioner

MN01092018

Marquardt asked Jeff Heintz, Director of Service Operations to explain the process of using this deicer as well as other methods used as he has received telephone calls from residents.

Commissioner Marquardt moved to approve the item G1 and L1. Commissioner Askvig seconded the motion. Upon a roll call vote, all vote aye. M/C

## REGULAR AGENDA

Commissioner Askvig presented information to the commission regarding the CALEA Accreditation Certificate the Bismarck Police Department received. The commissioners commended the Bismarck Police Department for their dedication to receive this certificate.

3. Public comment (restricted to items on the Regular Agenda, excluding public hearing items).

Don Clement; Chad Moldenhauer; Kevin Turnbow; Brian Eiseman; Chad Wachter and Rocky Gordon gave public comment in opposition of item 6 on the regular agenda relating to utility fee increases.

4. The Commission discussed the previously approved utility fee increases. Michelle Klose, Director of Utility Operations addressed the commission.

5. The Commission considered the request from the Bismarck Event Center to accept a donation of public art from Dr. Bradley King. Dr. Bradley King addressed the commissioner with information about the donation.

Commissioner Askvig moved to accept the donation contingent upon the Renaissance Zone Authority giving the Downtown Design Review approval. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C

6. The Commissioners received an update from Jena Gullo, Executive Director, Missouri Slope Areawide United Way regarding emergency winter sheltering.

Commissioner Askvig moved to approve \$10,000 grant funding from the 2018 Commission Special Project Fund to be used for supporting emergency homeless sheltering. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C

7. The Commission President called for the PUBLIC HEARING on the second reading and final passage of Ordinance 6301, a request for a zoning change from the A-Agricultural and RR-Residential zoning districts to the RR-Residential zoning district for

HR Subdivision and the final plat for HR Subdivision. The Planning and Zoning Commission recommends approval.

No members of the public appeared for comment.

Commissioner Askvig moved to approve the requests as presented. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C

Having completed the items on the agenda, President Seminary asked if there was any further business for this meeting. President Seminary asked the commission to approve Finance Director Sheila Hillman as the signatory for banking documents due to the resignation of the City of Bismarck Comptroller.

Commissioner Marquardt moved to approve Finance Director Sheila Hillman to be the signatory for banking documents. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C

The meeting was declared adjourned at 7:13 p.m. The following vouchers were approved for payment: