



MEETING OF THE BOARD OF CITY COMMISSIONERS

1/25/2022 - Minutes

FUTURE COMMISSION MEETINGS:

- February 8, 2022 & February 22, 2022
- March 8, 2022 & March 22, 2022
- April 12, 2022 & April 26, 2022

MISSION STATEMENT

Mayor Bakken read the mission statement.

MEETING OF THE BOARD OF CITY COMMISSION

1. Recognition of the Bismarck Police Department's 30 Years of Accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA).

Police Chief Dave Draovitch and Officer Amanda Gallagher spoke on behalf of the award received from the Commission on Accreditation for Law Enforcement Agencies (CALEA).

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

There was no public present for comment.

3. CONSENT AGENDA

Commissioner Guy made a motion to approve the consent agenda as presented, Commissioner Splonskowski seconded. Upon roll call, all voted aye. M/C

- A. Consider approval of minutes.
- B. Consider approval of expenditures.
- C. Consider approval of personnel actions.
- D. Consider the request for approval from the Airport for the following:
 1. Amendment 3 to the April 27, 2021, Agreement with Kadrmas, Lee & Jackson (KLJ) for the Wetland Phase 7 Project.
 2. Project Payment Claim Resolution & Funds Control-Wetland Phase 5/6.
- E. Consider the request for approval from the City Attorney for the following:

1. Accept and distribute items over \$25.00 from Public Works.

F. Consider the request for approval from the Community Development Department for the following:

1. Introduction of and call for a public hearing on Ordinance 6497, a staff-initiated zoning ordinance text amendment relating to technical amendments to the sign code.

2. Request of the Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, for approval of an Authorizing Resolution to allow Bis-Man Transit to make an application through the North Dakota Department of Transportation for Section 5310 and Section 5339 funding to support capital assistance projects.

G. Consider the request for approval from the Engineering Department for the following:

1. Street closure for 49th Annual Downtowners Street Fair.

2. North Dakota Department of Transportation (NDDOT) Cost Participation, Construction, and Maintenance Agreement for 43rd Avenue NE Reconstruction AC-NHU-1-981(123), PCN 22929, HC 131.

3. Award of Traffic Signal Replacement Project NHU-1-083(138)900, City Project HC 134.

4. Resolution of Necessity for Street Improvement SI 560.

5. Resolution of Necessity for Street Improvement SI 561.

6. Resolution Creating District and Ordering Preparation of Preliminary Report and Resolution Approving the Preliminary Report and Directing the Preparation of Plans and Specifications for Street Improvement District SI 564.

7. Settlement Agreement and Release with Tand Construction, LLC for Sewer Utility Project 84.

8. Receive Bids and Award Contract for Streetlight and Traffic Signal Utility Project SV 61.

H. Consider the request for approval from the Finance Department for the following:

1. Application for Abatement for the following where the Assessing Division recommends approval:

o 3325 Frost Ln - Preston & Kristy Ripplinger - 2021 Disabled Veteran Credit

o 2106 E Indiana Ave - Capsco Properties LLP - 2020 & 2021 Market Value Reduction

o 624 Oberhausen Dr - Glenn Carpenter - 2021 Disabled Veteran Credit

o 4913 Souris St - Donald Felch - 2021 - Disabled Veteran Credit

o 3317 Doubleday Dr - Donna J Creek - 2021 Market Value Reduction

o 2206 Laforest Ave - Suzanne Hatzenbuhler - Market Value Reduction

o 2920 Ontario Ln Unit 30 - Gary & Paula Hofland - 2020 & 2021 Disabled Veteran Credit

o 1403 Sharloh Loop Unit 8 - Gary & Paula Hofland - 2021 Disabled Veteran Credit

o 3755 Montreal St - Deanna Mussatti & Sienna Salo - 2021 Disabled Veteran Credit

o 4916 N Washington St - Missouri Slope North Campus - SNF LLC - 2021 Nontaxable Property

2. Public Depositories for City funds.

I. Consider the request for approval from the Fire Department for the following:

1. Request to continue participation in the Community Rating System (CRS) program and submit annual recertification documentation.
2. Request to apply for Hazardous Materials Emergency Planning Grant funding from the ND Department of Emergency Services.

J. Consider the request for approval from the Police Department for the following:

1. Permission to apply for the "Home Town \$15,000 Holiday Giveaway".
2. Permission for the Narcotics Unit to trade in a 2018 Ford F-150 and purchase a 2022 Ford F-150.
3. Authorization to participate in the solicitation of donations to help fund high-level K9 training opportunities locally.

K. Consider the request for approval from the Public Works - Service Operations Department for the following:

1. Change Order 2 to the contract with HA Thompson & Sons, Inc. for the Fire Station 1 boiler replacement project.
2. Change Order 2 to the contract with Western Edge Electric, Inc. for the Fire Station 3 Remodel Project.
3. Change Order 4 for the Missouri River Contracting, Inc. contract for the Fire Station 3 Remodel Project.
4. Change Order 5 to the contract with Central Mechanical, Inc. for the Fire Station 3 Remodel Project.
5. Notification of an emergency purchase per City Ordinance 07-01-04 #3 of a traffic signal pole due to it being destroyed in a traffic accident at Airport Road and University Drive.
6. Permission to award the bid for the Fire Station 1 Generator Replacement Project to the lowest bidder, Western Edge Electric, Inc., in the amount of \$136,900.00.

L. Consider the request for approval from the Public Works - Utility Operations Department for the following:

1. Task Order No. 2 to the Agreement with Apex Engineering Group for the Boulder Ridge Stormwater Design, Construction Documents, and Permitting.
2. Request to purchase the replacement shaft and upper and lower bearing for a Fairbanks Nijhuis Vertical Turbine Pump from Dakota Pump & Control in the amount of \$14,450.00 plus freight for the Wastewater Treatment Plant as allowed by Ordinance 7-01-04.

4. REGULAR AGENDA

5. Commissioner Portfolio Report - Mayor Bakken

Mayor Bakken provided his portfolio presentation to the commission.

<https://bismarcknd.gov/DocumentCenter/View/39687/MAYOR-BAKKEN-Portfolio-Presentation-PDF>

6. Consider the application of abatement for Aaron Richter at 230 E Wachter Ave for 2021.

Allison Jensen, City of Bismarck Assessor, provided the commission with information regarding the application for abatement at 230 E Wachter Ave for 2021.

The Assessing Division recommends denial of the abatement request and recommends no change to the 2021 certified value: Land \$52,000, Improvement \$189,300, Total \$241,300.

Commissioner Marquardt moved to deny as recommended by staff. Commissioner Splonskowski seconded the motion. Upon a roll call vote, all voted aye. M/C

7. Receive an update from Public Works Service Operations Director relating to the Snow and Ice Control Plan.

The commission received a report from Jeff Heintz, City of Bismarck Public Works Service Operations Director. The report included information regarding the various routes and explained the process for deploying snowplows based on snow accumulations. Mr. Heintz noted that oil and gas prices are higher than in previous years, which impacts operational budgets. Mr. Heintz stated that it takes seven plow units between 24 to 36 hours to remove snow from the entire city, and it is approximately 1,464 lane miles plowed during each snow event.

8. Receive an update on the Public Works building expansion and the Bismarck Burleigh Public Health new construction projects.

The commission received a report from Michelle Klose, City of Bismarck Public Works Utility Operation Director, regarding the Public Works building expansion and the Bismarck Burleigh Public Health new construction projects.

Commissioner Zenker inquired about the budget and the timeline for the project, concerned with the increased waiting times for supplies. Ross Wilmes with Kraus-Anderson Construction Company addressed Commissioner Zenker's concerns and said they are working through supply chain issues and have begun ordering essential products with long lead times.

Ms. Klose indicated the construction timeline for the Public Health building should conclude by January 2023. The Public Works building construction timeline is projected to be slightly longer than the Public Health building.

<https://bismarcknd.gov/DocumentCenter/View/39685/Public-Health-and-Public-Works-Building-Update-PDF>

9. Receive an update from Public Works Utility Operations Director relating to grant funding.

The commission received a report from Michelle Klose, City of Bismarck Public Works Utility Operation Director, and Dmitriy Chernyak, City of Bismarck Finance Director, regarding grant funding for utility projects. Mr. Chernyak reported that over \$523,000 has been saved through the refinancing of existing debt and bonds. He also indicated that the current debt through 2036 is \$58.5 million. Ms. Klose closed by describing some of the upcoming projects and the current projects that have led to the need for bonding for funds to support the projects.

<https://bismarcknd.gov/DocumentCenter/View/39686/Water-and-Sewer-Utility-Grant-and->

10. Request to go into executive session under NDCC 44-04-19.1(9) for contract negotiation / negotiation strategy.

Commissioner Marquardt made a motion to enter executive session under NDCC 44-04-19.1(9), Commissioner Splonskowski seconded. Upon roll call, all voted aye. M/C

Entered session at 6:23 PM.

Executive session ended at 6:51 PM.

Regular session was reconvened at 6:52 PM with roll call. All present.

Motion to approve contract negotiation strategy as discussed during the executive session was made by Commissioner Zenker, seconded by Commissioner Splonskowski. Upon roll call Commissioners Zenker, Guy, Splonskowski, and Marquardt voted aye, Mayor Bakken nay. M/C

Other Business

Adjourn

There being no further business, the meeting adjourned at 6:53 PM.

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