

## MISSION STATEMENT

To provide high-quality public services in partnership with our community to enhance our quality of life.

## MEETING OF THE BOARD OF CITY COMMISSION

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

No member of the public appeared for comment.

2. Consider the approval of the minutes.

Commissioner Oban moved to approve the minutes from the April 14, 2020 Regular City Commission Meeting and the April 17, 2020 Special Meeting. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C.

3. CONSENT AGENDA

Mayor Bakken pulled the item from the City Attorney, E1, for further discussion.

Commissioner Zenker moved to approve the consent agenda, with the exception of the City Attorney's item. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C.

After approving the consent agenda, Commissioner Zenker asked for further clarification for why President Bakken pulled item E1. The City Attorney informed the Commission that the numbers provided by the Patterson Place Limited Partnership for the Subordination Agreements, with Cedar Rapids Bank and Trust Company and for North Dakota Housing Finance Agency, had not been finalized at this time. Attorney Combs stated it was the Commission's decision if they wanted to make a motion on the item without these numbers.

No motion was made for this item at this time.

- A. Consider approval of expenditures.

Vouchers: 1092667 - 1092845

- B. Consider approval of personnel actions.

- C. Consider the request for the approval from the Administration Department for the following:

1. Authorize gaming site renewals for the following:

- Elbow Room - 115 S. 5th St.
- O'Brians - 1039 E. Interstate Ave.
- Quality Inn - 1030 E. Interstate Ave.

- Ramkota - 800 S. 3rd St.
- Stadium - 1247 W. Divide Ave.

D. Consider the request for the approval from the Airport for the following:

1. Accept the Airport's insurance consultant selection committee's recommendation of Arthur J. Gallagher & Co.
2. Award bids for parking lot expansion to Strata Corporation and Denny's Electric.
3. Authorize staff to complete the necessary actions to process and accept the CARES ACT Grant.

E. Consider the request for the approval from the Attorney for the following:

1. Approve subordination Agreements for the Patterson Place.

F. Consider the request for the approval from CenCom for the following:

1. Permission to accept a \$100 gift card from the Bismarck Rural Fire Department.

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

1. Re-appoint Michael Marback to a three-year term on the Board of Adjustment.
2. Approve the 2020 Citizen Participation Plan Amendment.
3. Approve the contract agreement for 2020 Historic Preservation Funds.
4. Approve Bis-Man Transit to decommission and dispose of one fixed-route bus.

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

1. Approve North Dakota Department of Transportation Preliminary Engineering Reimbursement Agreement for Interstate 94-Exit 161 Reconstruction.
2. Award contract for Bismarck Sunrise Trail to Northern Improvement Company, contingent upon approval of the Bismarck Parks & Recreation District's Park Board.

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

1. Permission to accept donations received during the COVID-19 Pandemic.

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

1. Approve natural gas bid tab and award contract to Rainbow Gas Company.
2. Approve Task Order 20-02 to the agreement with Houston Engineering for solid waste operations engineering services

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

1. Approve Contract Change Order 1 with John's Refrigeration & Electric, Inc. for the 2019 Water SCADA project.

4. REGULAR AGENDA

5. Receive Public Health COVID-19 update from Renae Moch, Bismarck Burleigh Public Health Director.

Bismarck Burleigh Public Health Director, Renae Moch, presented on their department's efforts in regards to COVID-19.

Click the link to view her full presentation: <https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5109?fileID=12390>

No motion was made for this item.

6. Receive Emergency Operations Center COVID-19 update from Jason Tomanek, Assistant City Administrator.

Jason Tomanek, Assistant City Administrator, provided an update on the EOC's efforts in regards to COVID-19.

No motion was made for this item.

7. Receive Budget Committee COVID-19 update from Dmitriy Chernyak, Finance Director.

Dmitriy Chernyak, Finance Director, presented on the City's finances in regards to COVID-19.

Click the link to view his full presentation: <https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5111?fileID=12389>

Commissioner Marquardt, a representative of the budget committee along with Director Chernyak recommended the Commission place a hiring freeze on filling vacant, full-time positions and to pause 25 capital improvement projects and 11 one-time priority initiatives, including the replacement of public safety radios and the Event Center equipment and software replacement, until further notice and or by case-by-case situation.

In addition to the requests, Director Chernyak stated the budget committee planned to meet regularly and update the Commission on an on-going basis when more financial data was collected.

Commissioner Marquardt moved to approve the budget committee's recommendation. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C.

8. Public hearing on a new Class I-2 Restaurant Beer and Wine only liquor license, for JET Enterprises, Inc., dba, Amici Pizza Company, located at 3001 Yorktown Dr.

No member of the public appeared for comment.

Commissioner Marquardt moved to approve the new liquor license. Commissioner Zenker seconded it. Upon a roll call vote, all voted aye. M/C.

9. Consider the request from the Administration Department for discussion regarding the annual alcohol license renewal process.

Commissioner Marquardt made a motion to extend the date of liquor licenses renewals to September 1, 2020, to give businesses a chance to recover from closures related to the pandemic. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C.

The motion does not change City liquor license ordinances or the North Dakota Century Code.

10. Consider the request from the Engineering Department for Street Improvement District No. 534 - Request for resolution receiving bids and ordering preparation of the Engineer's Statement for SI 534. Request for resolution awarding contract for SI 534.

Commissioner Zenker moved to approve the street improvement project as presented. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C.

Please see link for bid information: <https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5115?fileID=12387>

11. Consider the request from the Engineering Department for Street Utility Project SV 54 - Request to receive bids and award contract.

Commissioner Guy moved to approve the street utility project as presented. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C.

Please see link for bid information: <https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5117?fileID=12388>

12. Consider the request from the Engineering Department for Sewer Utility Project SU 76 - Request to receive bids and award contract.

Commissioner Zenker moved to approve the sewer utility project as presented. Commissioner Oban seconded it. Upon a roll call vote, all voted aye. M/C.

Please see link for bid information: <https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5116?fileID=12386>

13. Consider the request from the Engineering Department to receive an update on 2020 construction projects.

City Engineer, Gabe Schell, provided the Commission with an update on this year's construction projects.

No motion was made for this item.

14. Consider the request from the Attorney to receive an update on the public participation in City meetings and provide direction to staff on how to proceed.

Attorney Combs informed the Commission on adjustments the City has made to continue providing an opportunity for the public to participate in government meetings while practicing the CDC's guidelines during the pandemic. She then requested the Commission's guidance in moving forward.

No motion was made for this item. However, the Commission advised the Attorney to continue with the procedures the City was currently following. Commissioner Oban also

encouraged the public to contact the City if they had suggestions on improving the public meeting processes in response to the pandemic.

#### Other Business

Having completed all the items on the agenda, President Bakken asked if there was any other business.

The next Commission Meeting will be on May 12, 2020.

#### Adjourn

The meeting was adjourned at 7:38 p.m.