



## MEETING OF THE BOARD OF CITY COMMISSIONERS

6/8/2021 - Minutes

### FUTURE COMMISSION MEETINGS:

### MISSION STATEMENT

### MEETING OF THE BOARD OF CITY COMMISSION

1. Presentation by AARP on acceptance of the City of Bismarck into the Network of Age Friendly Communities

Presentation from State AARP Director Josh Askvig. Mr Askvig congratulated the City of Bismarck on becoming the first community in ND to join the Network of Age Friendly Communities. The program recognizes communities who are committed to making their places more livable and able to support persons of all ages. As part of the plan development a random sample of homes within the community and the extraterritorial area will be receiving a postcard to participate in a survey about the future of Bismarck.

2. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items).  
No public comment was received.

3. CONSENT AGENDA

Commissioner Marquardt made a motion to approve the minutes as presented and the consent agenda without item F2 (Ordinance 6467). Commissioner Zenker seconded the motion.

Upon roll call vote, all voted aye. M/C

Commissioner Marquardt expressed concerns relating to farm animals in city limits, including enforcement, financial impacts to the animal control section of the Police Department, animal waste disposal and contamination. Commissioner Splonskowski stated other communities have had minimal problems with chickens, and encouraged other commissioners to call for a public hearing. Commissioner Guy noted she has concerns that there are existing repairs needed at the animal impound facility. She also stated she was supportive of public hearing as Planning and Zoning Commission recommended approval. Mayor Bakken noted concerns relating to the potential conflict between hunting dogs and urban chickens.

Commissioner Marquardt made a motion to deny the request for a public hearing and a zoning ordinance text amendment as recommended by the Planning and Zoning Commission. Commissioner Zenker seconded the motion.

Upon roll call vote, Commissioners Guy, Marquardt, Zenker, and Mayor Bakken voted aye, Commissioner Splonskowski voted nay. 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 Administration Department for the following:
- E. Consider the request for approval from the Airport for the following:
- F. Consider the request for approval from the Community Development Department for the following:
- G. Consider the request for approval from Bismarck-Burleigh Public Health for the following:
- H. Consider the request for approval from the Engineering Department for the following:
  - I. Consider the request for approval from the Fire Department for the following:
  - J. Consider the request for approval from the Police Department for the following:
  - K. Consider the request for approval from the Public Works - Service Operations Department for the following:

4. REGULAR AGENDA

- 5. Receive an update from Kate Herzog of the Downtowners regarding Downtown Bismarck Development, policy, and future development.

Kate Herzog of the Bismarck Downtowners Association provided an update to the Commission on new developments occurring in downtown, particularly the focus on new housing development. See link for full presentation.

<https://bismarcknd.gov/DocumentCenter/View/37906/Road-Show-2021-City>

- 6. Public hearing on a new Class I-2 Restaurant Beer and Wine alcohol license for Cracker Barrel Old Country Store #447.

Commissioner Zenker made a motion to approve, Commissioner Splonskowski seconded the motion.

Upon roll call vote, all voted aye. M/C

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

Nathan Schneider with the Bismarck-Mandan Chamber EDC provided an overview of the application for a Flex PACE program interest buydown for CK Properties, LLC. The Vision Fund Committee supported the full application and recommended structuring the funding of the Flex PACE interest buydown as a loan. The Lewis & Clark Development Group can provide the loan servicing administration required for this request. A loan servicing fee of 1% will be paid to Lewis & Clark Development Group by CK Properties, LLC. A loan interest charge of 1% will be paid back to the Vision Fund by CK Properties, LLC. The Vision Fund Committee approved moving the request to the city Commission for consideration and final

approval. The amount requested from the Vision Fund is \$105,698.24.

Commissioner Zenker made a motion to approve the request as presented. Commissioner Guy seconded the motion.

Upon roll call vote, all voted aye. M/C

8. Receive presentation on proposed Interstate 94 Exit 161 reconstruction and provide recommendations to NDDOT on preferred alternative(s).  
Gabe Schell presented a series of options provided by the NDDOT for design alternatives to the Exit 161 interchange. The general consensus amongst the Commissioners was that full access for Miriam Ave and the maintaining access for all businesses along the roadway. No action was taken but the Commission stated that no alternative is acceptable provided that full access at Miriam Ave is not maintained. Mr. Schell stated that he will take their remarks to the NDDOT.
9. Consider the request for resolution from the Engineering Department for the following:

City Engineer Schell presented bids for SI 546. The low bid was submitted by Strata Corp. at \$358,103.99.

Commissioner Zenker made a motion to accept bid and award contract for SI 546, Commissioner Splonskowski seconded.

Upon roll call vote, all voted aye. M/C

<https://bismarcknd.gov/DocumentCenter/View/37908/9-bid-summary-and-project-budget---210608---SI546>

10. Consider the request for resolution from the Engineering Department for the following:

City Engineer Schell presented bids for SI 547. The low bid was submitted by Northern Improvement at \$1,912,702.95.

Commissioner Marquardt made a motion to accept bid and award contract for SI 547, Commissioner Zenker seconded.

Upon roll call vote, all voted aye. M/C

<https://bismarcknd.gov/DocumentCenter/View/37909/10-bid-summary-and-project-budget---210602---SI547>

11. Consider the request for resolution from the Engineering Department for the following:

City Engineer Schell presented bids for SI 548. The low bid was submitted by Strata Corp. at \$414,743.31.

Commissioner Zenker made a motion to accept bid and award contract for SI 548, Commissioner Splonskowski seconded.

Upon roll call vote, all voted aye. M/C

</DocumentCenter/View/37910/11-bid-summary-and-project-budget---210608---SI548>

12. Consider the request for resolution from the Engineering Department for the following:

City Engineer Schell presented bids for SI 549. The low bid was submitted by Strata Corp. at \$867,385.12.

Commissioner Zenker made a motion to accept bid and award contract for SI 549, Commissioner Guy seconded.

Upon roll call vote, all voted aye. M/C

[/DocumentCenter/View/37911/12-bid-summary-and-project-budget---210608---SI549](#)

13. Consider the request from the Engineering Department to receive bids and award contract for Streetlight and Traffic Signal Utility Project SV 59.

City Engineer Schell presented bids for Streetlight and Traffic Signal Utility Project SV 59. The low bid was submitted by Edling Electric at \$95,800.00.

Commissioner Marquardt made a motion to accept bid and award contract for Streetlight and Traffic Signal Utility Project SV 59, Commissioner Splonskowski seconded.

Upon roll call vote, all voted aye. M/C

14. **Discussion for financing options of Public Health building/site and other space needs.**

Finance Director Dmitriy Chernyak provided an update on options for Public Health facility. The options were provided in the original space needs report from Leo A. Daly. No action was taken by the Commission.

[/DocumentCenter/View/37912/FIN---Public-Health](#)

15. Consider the request from the Engineering Department to enter into an Executive Session under North Dakota Century Code (NDCC) Section 44-04-19.1(9).

At 7:50 p.m. Commissioner Marquardt moved to enter the executive session. Commissioner Guy seconded the motion.

Upon a roll call vote, all voted aye. M/C.

At 8:05 p.m. the board adjourned from executive session

16. Consider the request from the Administration Department to enter into an Executive Session under NDCC Section 44-04-19.1(9).

At 8:10 p.m. Commissioner Marquardt moved to enter the executive session. Commissioner Zenker seconded the motion.

Upon a roll call vote, all voted aye. M/C.

At 8:25 p.m. the board adjourned from executive session

17. Consider the request from the Attorney to enter into an Executive Session under NDCC Section 44-04-19.1(9).

At 8:30 p.m. Commissioner Guy moved to enter the executive session. Commissioner Splonskowski seconded the motion.

Upon a roll call vote, all voted aye. M/C.

At 9:10 p.m. the board adjourned from executive session

#### Other Business

Mayor Bakken requested information on the annual maintenance on the existing bike lanes in the community. City staff indicated that this will be provided in the future.

Adjourn

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