



MEETING OF THE BOARD OF CITY COMMISSIONERS

9/28/2021 - Minutes

FUTURE COMMISSION MEETINGS:

- October 12, 2021 & October 26, 2021
- November 9, 2021 & November 23, 2021
- December 14, 2021 & December 28, 2021

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. First Nations Day and Native American Heritage Month Proclamation**
- 2. US Heartland Global Leadership Day Proclamation**
3. Presentation of Esri Award for Special Achievement in GIS
4. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items).

Kate Herzog with the Downtowners Association spoke in support of Item 17 the NDDOT Urban Roads Grant.

5. CONSENT AGENDA

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

- A. Consider approval of minutes.
- B. Consider approval of expenditures.

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- C. Consider approval of personnel actions.
- D. Consider the request for approval from the Administration Department for the following:
 1. Tourism planning grant funding request.

2. Transfer for the A & B Pizza Class F1 Restaurant Liquor license located at 311 South 7th Street to new owner and to declare the conveyance not to be a transfer under Bismarck Ordinance 5-01-01.
3. Accept the resignation of Brandi Hardy from the Bismarck Human Relations Committee.

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

1. Introduction of and call for a Public Hearing on Ordinance 6482, a request for a zoning change from the RR – Residential zoning district to the RR – Residential and the R5 – Residential zoning districts for Potter Pointe Subdivision, requested by Dan Potter and Wayne and Jennifer Harvison. The Bismarck Planning and Zoning Commission recommends approval.
2. Floodplain Development, Non-Conversion Agreement.

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

1. Request for resolution receiving bids and ordering preparation of the Engineer's statement for PI 005.
2. Approval of Contract Change Order No. 14 for Water Utility Project No. 130.

G. Consider the request for approval from the Event Center for the following:

1. Award the low bid to Side Line Interactive for LED scorer's tables.

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 2118 Marian Dr - Deferred Maintenance
 - o 3623 Overlook Dr - Error in property description
 - o 1333 Golden Eagle Ln - Market Value reduction

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

1. Approval to sell decommissioned vehicle at auction.

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

1. Award contracts to haul snow from snow removal operations for the 2021-22 winter season.
2. Approval of Change Order 1 to Task Order 2 to the Agreement with HDR Engineering for Solid Waste operations.
3. Permission to purchase vehicles at the State of North Dakota bid price and the North Dakota Education Service Contract for the 2021 budget year.

6. REGULAR AGENDA

7. Public Hearing on a request for a new I-2 Beer & Wine Restaurant liquor license for Noodlezip located at 208 E Main Ave.

Commissioner Marquardt made a motion to approve the request, Commissioner Splonskowski seconded. Upon roll call, all voted aye. M/C

8. Public Hearing on Ordinance 6484 to amend Bismarck Ordinance Section 8-11-02 regarding tattooing and body piercing of minors.

Commissioner Guy made a motion to approve the request, Commissioner Zenker seconded. Upon roll call, all voted aye. M/C

9. Public Hearing on Ordinance 6485 to amend Bismarck Ordinance Section 8-10-04 regarding noise ordinance changes.

Commissioner Splonskowski made a motion to approve the request, Commissioner Marquardt seconded. Upon roll call, all voted aye. M/C

10. Fairview Cemetery Addition, requested by Fairview Cemetery, Vertin and the City of Bismarck

1. Public Hearing on Ordinance 6483, a request for a zoning change from the A-Agricultural and MA-Industrial zoning districts to the RT-Residential, MA-Industrial and P-Public zoning districts.
2. Final plat of Fairview Cemetery Addition.

Commissioner Splonskowski made a motion to approve the request, Commissioner Marquardt seconded. Upon roll call, all voted aye. M/C

11. Public Hearing for the 2021 special assessment districts and confirm the assessments as amended.

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

12. Public Hearing for approval of ordinances 6264-6269, 6427-6428, and 6469-6471 to create special assessment districts for annexed properties.

Commissioner Zenker made a motion to approve the request, Commissioner Marquardt seconded. Upon roll call, all voted aye. M/C

13. Public Hearing for Sidewalk 2020 Assessments

Commissioner Splonskowski made a motion to approve the request, Commissioner Zenker seconded. Upon roll call, all voted aye. M/C

14. Consider the request to receive an update on the activities of the Public Information Council and the Citizen Academy project.

Commissioner Zenker made a motion to approve the request, Commissioner Guy seconded. Upon roll call, all voted aye. M/C

15. Consider the request for approval from the Engineering Department to pursue NDDOT Highway Safety Improvement Program (HSIP) funding.

Commissioner Marquardt made a motion to approve the request, Commissioner Zenker seconded. Upon roll call, all voted aye. M/C

16. Consider the request for approval from the Engineering Department to pursue NDDOT Transportation Alternatives (TA) funding for a multi-use trail along US 83/State Street from Calgary Avenue to 43rd Avenue.

Commissioner Zenker made a motion to approve the request, Commissioner Guy seconded. Upon roll call, all voted aye. M/C

17. Consider the request for resolution from the Engineering Department to pursue NDDOT Urban Road, Urban Regional and Urban Grant program projects.

Commissioner Zenker asked about reconfiguring the intersection of East Boulevard Avenue and State Street. Engineer Schell commented that the NDDOT has looked into projects to increase safety and more discussion and evaluation will be done for this intersection before a final determination is made.

Commissioner Zenker made a motion to approve the request, Commissioner Splonskowski seconded. Upon roll call, all voted aye. M/C

NDDOT ROI Grant Support 2021

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

1. Approve the contract with Leo A. Daly for the building design of the Public Works expansion and the new Public Health building bidding documents.

Commissioner Zenker made a motion to approve the request, Commissioner Guy seconded. Upon roll call, all voted aye. M/C

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

At 6:12 p.m. Commissioner Zenker moved to enter the executive session. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C.

At 6:19 p.m. the board adjourned from executive session.

At 6:20 p.m. the board reconvened with all members present. Commissioner Zenker made a motion to proceed as discussed during the executive session. Commissioner Splonskowski seconded the motion. Upon a roll call vote, all voted aye. M/C

Other Business

Adjourn

There being no other business, the meeting was adjourned at 6:21 p.m.



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