



MEETING OF THE BOARD OF CITY COMMISSIONERS

1/26/2021 - Minutes

Future Commission Meetings:

February 9 & 23

March 9 & 23

April 13 & 27

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 Marquardt moved to approve the minutes as presented. Commissioner Guy seconded the motion.

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

3. CONSENT AGENDA

Commissioner Guy moved to approve the consent agenda as presented. Commissioner Zenker seconded the motion.

Upon a roll call vote, Commissioners Marquardt, Zenker, Guy and Mayor Bakken aye. Commissioner Splonskowski nay. M/C.

- A. Consider approval of expenditures.

Vouchers: 1096764 - 1097001.

- B. Consider approval of personnel actions.

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

1. Accept the resignation of Shae Helling and appoint Jason Grueneich to the Bismarck Human Relations Committee.

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

1. Approve a \$5,000 sponsorship to the North Dakota Aviation Association (NDAA).

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

1. Approve the City of Bismarck internal Employee Operations Guidelines.
2. Ratify the January 6, 2021 State of Emergency Declaration, relating to COVID-19 by the President of the City Commission and extend its effect to February 19, 2021.
3. Introduction of and call for a public hearing on Ordinance 6447, regarding Payment Provisions.

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

1. Approve an amendment to the Park Development Agreement for Elk Ridge Addition.
2. Grant permission to apply for a Historic Preservation Fund Grant.

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

1. Approve an encroachment agreement for 800 N. 7th St.
2. Approve a North Dakota Department of Transportation agreement for permitting wireless telecommunication facilities.
3. Approve a North Dakota Department of Transportation cost, participation, construction and maintenance agreement for HEU-1-981 (121), HC126.
4. Street Improvement District No. 541 - Request for resolution of necessity.
5. Street Improvement District No. 542 - Request for resolution creating district SI 542 and ordering preparation of the preliminary report. Request for resolution approving the preliminary report and directing preparation of plans and specifications.
6. Street Improvement District No. 544 - Request for resolution of necessity.

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

1. Application for Abatement at 1308 Golden Eagle Ln., Osten & Katie Richter, Disabled Veteran.
2. Application for Abatement at 3212 Kamrose Pl., Gary & Sally Brovold, Disabled Veteran.
3. Application for Abatement at 1703 Calgary Loop, Anthony & Diane Rothacker, Disabled Veteran.
4. Application for Abatement at 2346 Pointe Pl., Howard & Sue Sage, Market Value Reduction.

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

1. Approve Emergency Management to submit the annual re-certification documentation for the CRS Program.

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

1. Allow the K-9 Unit to apply for the Hometown Heroes Holiday Giveaway.

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

1. Award bid for electronic recyclable items to North Dakota E-Waste, LLC.
2. Permission to request donations for the 2021 Public Works Day Celebration.
3. Permission to request donations for the Forestry Division's 2021 Partners in Planting Program and the Arbor Day Fund.

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

1. Approve Task Order No. 3 to the agreement with Apex Engineering Group, Inc. for Hay Creek Interceptor Improvements.

4. REGULAR AGENDA

5. Commissioner Portfolio Report - Commissioner Zenker

Please see the link to view Commissioner Zenker's full presentation:

<https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5778?fileID=13689>

Commissioner Guy will be the next presenter at the April 27, 2021 meeting.

6. Receive the Human Relations Committee's annual report from Sister Hannah Vanorny.

Sister Hannah Vanorny, a member of the Human Relations Committee, presented the report.

Please see the link to view the full report:

<https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5734?fileID=13665>

7. Public hearing on a request from Edward and Jodi Wos to vacate an approximately 350-square-foot portion of the Golden Wave Drive right-of-way adjacent to Lot 3A, Block 4, Western Hills.

No member of the public appeared for comment.

Commissioner Marquardt moved to approve the request as presented. Commissioner Guy seconded the motion.

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

8. Public hearing on Ordinance 6445, a zoning change from the R10-Residential and CG-Commercial zoning districts to the CG-Commercial zoning district for the N1/2 of the E1/2 of Auditor's Lot 22, less the South 45 feet, Park Hills Auditor's Lots, requested by Michael Schwartz.

No member of the public appeared for comment.

Commissioner Zenker moved to approve the zoning change as presented. Commissioner Marquardt seconded the motion.

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

9. Consider the request from the Community Development Department for recommendations related to the 2020 CDBG-CV activities and the amendment of the 2019-2020 Annual Action Plan.

Commissioner Guy moved to approve the plan as presented. Commissioner Zenker seconded the motion.

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

10. Review and discuss the 2021 Legislative Report #1.

City Administrator Keith Hunke provided the report to the Commission. This is the fourth week of the Legislative session. A detailed explanation of bills the Commission took position on can be found at this link: <https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5774?fileID=13688>

- HB 1056 - Commissioner Marquardt moved to support the bill. Commissioner Guy seconded it. Upon a roll call vote, all voted aye. M/C.
- HB 1152 - The Commission agreed to move forward with the recommendation to oppose.
- HB 1165 - Commissioner Marquardt moved to take a position of opposition on the bill. Commissioner Guy seconded the motion. Upon a roll call vote, Commissioners Marquardt, Zenker, Guy and Mayor Bakken aye. Commissioner Splonskowski nay. M/C.
- HB 1182 - Commissioner Splonskowski moved to take a position of opposition on the bill. Commissioner Marquardt seconded. Upon a roll call vote, all voted aye. M/C.
- HB 1183 - The Commission agreed to take the recommendation of monitoring the bill.
- HB 1192 - The Commission moved forward with the recommendation of opposition.

- HB 1212 - The Commission moved forward with the recommendation of opposition.
- HB 1214 – The Commission moved forward with the recommendation of support.
- HB 1252 - The Commission moved forward with the recommendation of opposition.
- HB 1259 – Commissioner Guy moved to take a position of opposition on the bill. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C.
- HB 1260 – The Commission moved forward with the recommendation of opposition.
- HB 1291 – The Commission moved forward with the recommendation of opposition.
- HB 1324 – The Commission moved forward with the recommendation of opposition.
- HB 1348 – The Commission moved forward to oppose the bill.
- HB 1419 – The Commission moved forward with the recommendation of support.
- HB 1431 – The Commission moved forward with the recommendation of support.

Other Business

Commissioner Marquardt noted the Firefighter Combat Challenge will be held at the Bismarck Event Center on July 9-10, 2021. The event is free and open to the public.

Adjourn

The meeting was adjourned at 6:47 p.m.

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