

MEETING OF THE BOARD OF CITY HEALTH  
March 12, 2019

The Board of City Health met in regular session on March 12, 2019 at the hour of 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. There were present: Commissioners Marquardt, Guy, Zenker, Oban, and President Bakken.

A Chaplain of the Bismarck Law Enforcement Chaplaincy presented the invocation and the Pledge of Allegiance.

1. Call to order – Mayor Bakken
2. Director's Report – Renae Moch, Public Health Director
  - a. Community Health Improvement Plan
  - b. Quality Improvement Plan

Commissioner Guy moved to approve the Quality Improvement Plan as presented.

Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

- c. Bismarck-Burleigh Public Health's Strategic Plan 2019-2021

Commissioner Guy moved to approve the Bismarck-Burleigh Public Health's Strategic Plan 2019-2021 as presented. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C

- d. Update on Detox Center Status
  - e. Update on Bismarck-Mandan's Plan to Prevent and End Homelessness

3. Adjourn

The Board of City Health adjourned at 5:59 p.m. and reconvened as the Board of City Commission.

MEETING OF THE BOARD OF CITY COMMISSION  
March 12, 2019

The Board of City Commission reconvened in regular session on March 12, 2019 at the hour of 6:00 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. There were present: Commissioners Marquardt, Guy, Zenker, Oban, and President Bakken.

1. Commissioner Oban moved to approve the minutes of the February 26, 2019 Regular Commission meeting. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C
2. Commissioner Guy moved to approve the consent agenda. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C

- A. Voucher numbers: 1085938 - 1086148
- B. Personnel actions.
- C. Bismarck-Burleigh Public Health Department:
  - 1. Authorization to apply for the Midwest Dairy Mini-Grant.
  - 2. Authorization to apply for the AARP Community Challenge Grant.
  - 3. Authorization to apply for the Consensus Council/Bush Foundation Grant.
  - 4. Authorization to apply for the 2019 Vector Summit Scholarship.
- D. City Attorney:
  - 1. Introduction of and Call for a Public Hearing on Ordinance 6372, relating to a snow emergency route change.
- E. Community Development Department:
  - 1. Introduction of and Call for a Public Hearing on Ordinance 6371, a request for a zoning change from the RM30-Residential zoning district to the PUD-Planned Unit Development zoning district on part of Lot 1, Block 3, Northern Pacific Addition, requested by Jake Axtman. The Planning and Zoning Commission recommends approval.
  - 2. Request of Bis-Man Transit to decommission and dispose of five Paratransit vehicles.
  - 3. Approval of the bid for flooring at the Burleigh County Council on Aging Senior Center.
- F. Engineering Department:
  - 1. Resolution Approving Plans and Specifications, Resolution of Necessity, and Resolution Directing Advertisement of Bids and Receiving Bids for Street Improvement District No. 528.
- G. Finance Department:
  - 1. 2018 Summary of Grant and Activities.
- H. Finance Department – Assessing Division:
  - 1. Application for Exemption of Improvements to Residential Property at 700 N 13th Street.
- I. Human Resources Department:
  - 1. 2019 renewal of the BC/BS Administrative Service Agreement and Stop Loss Agreement.
  - 2. Disposal of records dating from 2006-2014.
- J. Public Works Service Operations Department:

1. Agreement with EngTech for professional design services for the mechanical renovation project at the Water Treatment Plant.

### 3. REGULAR AGENDA

4. North Dakota Rural Water Presentation to the Public Works Utility Operations Department.

5. Public comment (restricted to items on the Regular Agenda, excluding public hearing items). Susan Pudwill addressed the commission opposing changes to item 16, Michelle Kaufman addressed the commission in favor of changes to item 16, Shawn Sanford addressed the commission in favor of changes to item 16, Doug Larsen, representing Peterson Hospitality, LLC addressed the commission regarding item 11.

6. Commissioner Oban provided a portfolio report.

7. The Commissioner President called for the Public Hearing on a New Class F-2 Retail Alcohol License for The Craftcade located at 405 North 4<sup>th</sup> Street.

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. The Commission President called for the Public Hearing on Ordinance 6368, relating to alarm systems.

No member of the public appeared for comment.

Commissioner Marquardt moved to approve the second reading and final passage of Ordinance 6368 as presented. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

9. The Commission President called for the Public Hearing on Ordinance 6369, a request for the annexation of Eagle Crest 8th Addition, less that portion previously annexed; Ordinance 6370, a request for a zoning change from the A-Agricultural and R5-Residential zoning districts to the R5-Residential zoning district for Eagle Crest 8th Addition and Approval of the Major Subdivision final plat.

Jason Petryszyn, Swenson Hagen & Company who is representing the developer of the project addressed the commission to provide additional information and to receive any questions the commission may have.

Commissioner Marquardt moved to approve the second reading and final passage of Ordinance 6369, 6370 and the Major Subdivision final plat for Eagle Crest 8<sup>th</sup> Addition, including the granting of waivers to allow the use of cul-de-sacs and to exceed the maximum length for the Crest Road cul-de-sac and to include the following conditions: 1. A landscaped buffer is installed on the east side of the lift station, in accordance with ordinance requirements, and 2. The homeowners' association documents references ownership and responsibility for common areas is recorded in conjunction with the final plat; and take final action on the three related requests. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

10. The Commission President called for the Public Hearing on the request from Mid Dakota Clinic to vacate the segment of right-of-way described as North 10th Street, between East Rosser and East Avenue A.

Craig Schaff, representing Mid Dakota Clinic addressed the commission to provide additional information. Nicolas Cullen representing Houston Engineering addressed the commission to provide additional information.

Commissioner Marquardt moved to approve the request to vacate the segment of right-of-way described as North 10th Street, between East Rosser and East Avenue A with the understanding that the approval is stayed until a site plan for improvements to the parking area adjacent to and including said vacated portion of right-of-way is issued final approval from the City Engineer. It is further understood that staff is directed to record the attached resolution only after this approval is effective, and this approval expires if said site plan is not approved by March 12, 2021. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C

11. The Commission considered the request from the Finance Department – Assessing Division for the application for tax abatement at 1421 Skyline Boulevard.

Commissioner Oban moved to approve the recommendation from the Finance Department – Assessing Division for the application for tax abatement for 2017 and 2018 at 1421 Skyline Boulevard as follows: reduction from the city's 2017 certified value, Land \$921,800 to \$896,100; Improvement \$4,877,200 to \$4,578,400; Total \$5,799,000 to \$5,474,500 and no change to the city's 2018 certified value, Land \$896,100; Improvement \$4,031,600; Total \$4,927,700. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C

12. The Commission considered the request from Bismarck State College to terminate the lease agreement on August 31, 2019 with an option to maintain the current lease on a month to month basis if needed. Dr. Larry Skogen representing Bismarck State College presented additional information to the commission.

Commissioner Oban moved to terminate the lease agreement on August 31, 2019 with an option to maintain the current lease on a month to month basis if needed. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

13. The Commission considered the request from the City Administration to receive an update on the BNSF Missouri River Railroad Bridge Repurposing Feasibility Study. Assistant City Administrator Jason Tomanek provided the update.

Commissioner Guy moved to approve the place the item on the next city commission agenda for continued discussion on three items, 1. Is the City of Bismarck taking a position on this issue? 2. Will the City of Bismarck be expanding funds toward the project? 3. How are any future communications with BNSF, FORB or other agencies to keep or not keep the bridge in place being channeled? Should these conversations go through the Attorney Department, Administration or through the Board of City Commissioners at the Commission table? Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C

14. The Commission considered the request from the Administration Department to receive an update on the Strategic Plan Project. Assistant City Administrator Jason Tomanek provided the update.

Commissioner Guy moved to request staff to propose a process a call for Projects and to place the item on the next city commission meeting. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C

15. The Commission considered the request from the City Attorney to receive an update on the sale of the Bowen Avenue strip mall. City Attorney Jannelle Combs provided the update.

Commissioner Marquardt moved to approve proceeding with the sale of the Bowen Avenue strip mall as presented. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C

16. The Commission considered the request from the City Attorney for a discussion on the liquor license ordinance.

Commissioner Guy moved to request staff to meet with all city alcohol license holders to discuss the proposed changes and to bring options to the commission for consideration. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

17. The Commission considered the request from the Engineering Department to Receive Bids and Award Contract for HC120 to Weisz & Sons as the lowest bidder in the amount of \$556,170.73. Others submitting bids were Mariner Construction

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\$579,700.08, Northern Improvement Co. \$579,714.90, Central Specialties Inc. \$730,485.48, Guthmiller & Sons Dirtworks, Inc. \$668,187.40.

Commissioner Marquardt moved to award the bid to Weisz & Sons, Inc. as the lowest bidder in the amount of \$556,170.73 contingent upon the developer, Investcore, Inc., obtaining acceptable irrevocable letter(s) of credit to secure their cost obligation. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C

18. The Commission considered the request from the Engineering Department to receive an update on the Sewer Improvement District No. 563.

Commissioner Guy moved to proceed with the purchase agreement as outlined for SE 563. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C

Landowner	2019 Appraisal	Area (Acres)	Area (SF)	\$/SF
BREI Estates, LLP	\$ 246,767	5.15	224,334	\$ 1.10
Mapleton Investors, LLP	\$ 184,847	3.69	160,736	\$1.15
William E. Clairmont Revocable Living Trust	\$693,976	16.77	730,501	\$0.95
Five Guys Investment, LLP	\$225,031	4.92	214,315	\$1.05
<b>Total</b>	<b>\$1,350,621</b>	<b>30.53</b>	<b>1,329,887</b>	<b>\$1.02</b>

19. The Commission considered the request for approval from the Public Works Service Operations Department to award the bid for one or more front-end loaders with landfill package for the Solid Waste Division to RDO Equipment Co. as the lowest bidder in the amount of \$231,728. Others submitting bids were Butler Machinery Co. \$254,600, General Equipment and Supplies \$221,550, and Titan Machinery, Inc. \$237,500.

Commissioner Guy moved to award the bid to RDO Equipment Co. as the lowest bidder in the amount of \$231,728. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C

20. The Commission considered the request for approval from the Public Works Service Operations Department to award the bid for one Slope Mower for the Storm Water Division to Swanston Equipment Companies in the amount of \$47,995.

Commissioner Guy moved to award Swanston Equipment Companies the bid in the amount of \$47,995. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

21. The Commission considered the request for approval from the Public Works Service Operations Department to award the bid for the collection and disposal of household hazardous waste to Clean Harbors Environmental Services, Inc. in the amount of \$53,975.70 and adopt the disposal fees.

Commissioner Guy moved to award the bid to Clean Harbors Environmental Services, Inc. in the amount of \$53,975.70 and adopt the proposed fees. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

Having completed the items on the agenda, President Bakken asked if there was any other business. The meeting was declared adjourned at 9:01 p.m.