



MEETING OF THE BOARD OF CITY COMMISSIONERS

4/26/2022 - Minutes

MEETING OF THE BOARD OF HEALTH

1. Call to Order

The Board of Health met in regular session on April 26, 2022, at the hour of 5:15 PM in the Tom Baker Meeting Room, City/County Building, 221 N. 5th Street, Bismarck, North Dakota. Commissioners present included: Commissioner Guy, Commissioner Marquardt, Commissioner Splonskowski, Commissioner Zenker, and Mayor Bakken.

2. Director's Report

- Presentation of the 2021 Annual Report
 - Renae Moch, Public Health Director, presented the 2021 Bismarck Burleigh Public Health Annual Report to the Commission.
 - <https://bismarcknd.gov/DocumentCenter/View/40297/BBPH-2021-Annual-Report-PDF>
- Presentation of the 2022-2024 Bismarck Burleigh Public Health Strategic Plan
 - Renae Moch, Public Health Director, presented the progress of the 2022-2024 Bismarck Burleigh Public Health Annual Strategic Plan to the Commission.
 - <https://bismarcknd.gov/DocumentCenter/View/40323/BBPH-2022-2024-Strategic-Plan-PDF>

Commissioner Guy made a motion to accept the 2021 Bismarck Burleigh Public Health Annual Report and the 2022-2024 Bismarck Burleigh Public Health Strategic Plan as presented, Commissioner Zenker seconded. Upon roll call, all voted aye. M/C.

<https://bismarcknd.gov/DocumentCenter/View/40324/BOH-Presentation-PDF>

3. Adjourn

There being no further business, the Board of Health adjourned at 5:28 PM.

MEETING OF THE BOARD OF CITY COMMISSION

Call to Order

The Board of City Commissioners met in regular session on April 26, 2022, at the hour of 5:29 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioners present included: Commissioner Guy, Commissioner Marquardt, Commissioner Splonskowski, Commissioner Zenker, and Mayor Bakken.

FUTURE COMMISSION MEETINGS:

- May 10, 2022 & May 24, 2022
- June 14, 2022 & June 28, 2022
- July 12, 2022 & July 26, 2022

MISSION STATEMENT

Mayor Bakken read the mission statement.

1. Arbor Day 2022 Proclamation

Mayor Bakken read a proclamation declaring May 6, 2022, as Arbor Day in the City of Bismarck.

<https://bismarcknd.gov/Archive.aspx?ADID=2943>

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

There was no public present for comment.

3. CONSENT AGENDA

Commissioner Zenker motioned to approve as presented, Commissioner Marquardt seconded. Upon roll call, all voted aye. M/C.

- A. Consider approval of minutes
- B. Consider approval of personnel actions
- C. Consider approval of expenditures

Vouchers: 1103974-1104176.

D. Consider the request for approval from the Administration Department for the following:

- 1. Approve gaming site application for the following
 - ABATE of North Dakota
 - Ramada Inn – 1400 Interchange Avenue
 - Bismarck Gymnastics Academy Inc.
 - Buffalo Wild Wings South – 218 South 3rd Street
 - LÜFT Rooftop Bar – 510 East Main Avenue
 - Bismarck Moose Lodge #302 of North Dakota
 - Bismarck Moose Lodge #302 – 312 North 20th Street
 - Gorilla Wrestling Club Inc.
 - Buffalo Wild Wings North – 3420 North 14th Street

- Hit The Spot – 706 Kirkwood Mall
 - Nodak Sportsmen's Club
 - Corral Bar – 2111 East Main Avenue
 - Midway Tavern – 1915 East Sweet Avenue
 - Space Aliens – 1304 East Century Avenue
- E. Consider the request for approval from the Airport for the following:
1. Accept the bid tab for the crop land project and award the crop land tract to the high bidder, Mark Berger.
 2. Receive bids and award Schedule 1 Base bids and Alternates to Wiesz & Sons for \$10,656,306.15, additional FAA grant funds for Wetland Phase 7, and approve the project budget.
 3. Accept the bid tab for the hay land project and award tract #1 to the high bidder, Mark Berger, and award tract #2 to the high bidder, Joe Wetch.
- F. Consider the request for approval from the Community Development Department for the following:
1. Request of the City of Bismarck Community Development Department and Central Dakota Communications Center (CENCOM) to change the name of Dortmund Drive to Peach Tree Lane within Southland Second Addition. Staff recommends approval.
 2. Request from Cumberland Townhomes, LLC to release the west 105 feet of the 150-foot non-access line along the south line of Lot 1, Block 2, Trenton Addition adjacent to Trenton Drive; the north 36 feet of the 150-foot non-access line along the east line of Lot 1, Block 2, Trenton Addition adjacent to Cumberland Loop; and the north 36 feet of the 150-foot non-access line along the west line of Lot 1, Block 3, Trenton Addition adjacent to Cumberland Loop.
- G. Consider the request for approval from the Engineering Department for the following:
1. Amendment to the existing agreement for professional services with KLJ for Ash Coulee Dr. Reconstruction – HC 143.
 2. Selection of Braun Intertec and GeoServ, Inc. to provide material testing services for the City of Bismarck for the 2022 construction season and the ability to retain their services for two subsequent years.
 3. Dedication of a utility easement across City-owned parcels.
- H. Consider the request for approval from the Fire Department for the following:
1. Permission to continue utilizing Federal Signal sirens and activation components as the outdoor warning system grows with Bismarck.
- I. Consider the request for approval from the Public Works - Service Operations Department for the following:
1. Award contracts for the 2022 furnishing paving materials and purchase asphalt sealants at a public marketplace.

2. Award the bid for lawn care services that were not approved for option year 1 status.
3. Permission to sell Public Works inventory at the annual City Auction.
4. Approval to dispose of/sell Public Works inventory at a public marketplace commonly used for the sale of motor vehicles.
5. Permission to purchase loader plows for Roads & Streets operations

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

1. Approval of Amendment 1 to the Agreement for Cost-Share Reimbursement for the Bismarck 43rd Ave Water System Expansion Phase 2 Project.
2. Approval of the updated Limited Authorization to Proceed with Kraus-Anderson Construction Company for the new Public Health Building and Public Works Expansion Projects.
3. Approval to use Prairie Dog grant funds on capital improvement projects under PWU 22-10 and PWU 22-11.

4. REGULAR AGENDA

5. Receive update from Doug Jensen; Ed.D., President of Bismarck State College regarding new Polytechnic Facility.

Doug Jensen; Ed. D., President of Bismarck State College, addressed the Commission regarding a new Polytechnic Facility at Bismarck State College. The space is unique in creating non-traditional academic collaborative learning spaces with flexible labs that are adaptive and configurable to workforce needs. There will be space for collaboration with industry partners to work on projects and partner on applied research. The facility will support project-based learning and multidisciplinary activities. The Commission received the report.

6. Receive an update from Public Works Service Operations Director relating to the April 2022 Blizzard Response.

Jeff Heintz, Public Works Service Operations Director, provided an update regarding the decisions made during April 2022 Blizzard.

7. Receive presentation on proposed State Street Safety and Preventative Maintenance Project and provide comments to North Dakota Department of Transportation (NDDOT) on preferred alternatives.

Deon Wawrzyniak with Houston Engineering addressed the Commission regarding the proposed State Street Safety and Preventative Maintenance Project. The NDDOT is programming a safety and preventative maintenance project on State Street between Divide Avenue and Calgary Avenue. The project aims to improve traffic operations and safety within the corridor and preserve and correct deficiencies in the pavement structure. The project is scheduled for a 2022 bid letting and 2023 construction. The Commission received five project alternatives.

Commissioner Guy motioned to recommend Alternative B to include options D and E as presented by staff to the NDDOT, Commissioner Zenker seconded. Upon roll call, all voted aye. M/C.

<https://bismarcknd.gov/DocumentCenter/View/40311/State-Street-Safety-Improvements>

8. Public hearing on a new Class C Hotel/Motel Liquor License for Kirkwood Hotel, LLC (dba) Bismarck Hotel & Conference Center at 800 South 3rd Street.

No member of the public appeared for comment.

Commissioner Marquardt motioned to leave the public hearing open until the May 10, 2022, to allow City staff time to contact the applicant about issues brought forward. Commissioner Splonskowski seconded the motion.

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

9. Consider the request to use the Event Center for the 150 Birthday Celebration.

Charlie Jeske, Event Center Director, addressed the commission requesting that Event Center rent be waived to those participating in the 150th Anniversary Celebration and grant up to \$30,000 for additional expenses. The 150th Anniversary celebration will have entertainment, showcase historical pieces, and offer food and fun.

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

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

10. Hear insufficiency of protests on resolution of necessity, resolution approving plans and specifications, and resolution directing the advertisement of bids and receive bids for Street Improvement District SI 561.

Linda Oster with the Engineering Department presented information regarding the insufficiency of protests on the resolution of necessity for Street Improvement District SI 561.

Commissioner Zenker motioned to accept the Insufficiency of Protests on the Resolution of Necessity for all units within this district, approve the Resolution Approving Plans and Specifications, approve the Resolution Directing the Advertisement of Bids and Receiving Bids. Commissioner Marquardt seconded the motion.

Upon roll call, all voted aye. M/C

11. Consider the request to receive bids and award contract for Highway Construction Project HC 147.

Linda Oster with the Engineering Department presented information regarding the request to receive bids and award the contract for Highway Construction Project HC 147.

Commissioner Marquardt motioned to Receive Bids and Award the project to Northern Improvement Company in the amount of \$984,777.30, Commissioner Guy seconded the motion.

Upon roll call, all voted aye. M/C

12. Consider the request to receive bids and award contract for Highway Construction Project HC148.

Linda Oster with the Engineering Department presented information regarding the request to receive bids and award the contract for Highway Construction Project HC148.

Commissioner Zenker motioned to Receive Bids and Award the project to Northern Improvement Company in the amount of \$620,786.32. Commissioner Splonskowski seconded the motion.

Upon roll call, all voted aye. M/C

13. Consider the request to receive bids and award contract for Sewer Utility Project SU 86.

Linda Oster with the Engineering Department regarding the request to receive bids and award the contract for Sewer Utility Project SU 86.

Commissioner Splonskowski motioned to Receive Bids and Award the project to Innovative High Performance Coatings in the amount of \$29,567.22. Commissioner Zenker seconded the motion.

Upon roll call, all voted aye. M/C

14. Consider the request to receive bids and award contract for Sewer Utility Project SU 87.

Linda Oster with the Engineering Department regarding the request to receive bids and award contract for Sewer Utility Project SU 87.

Commissioner Splonskowski motioned to Receive Bids and Award Units 1 & 2 of the project to Municipal Pipe Tool Company in the amount of \$527,114.05. Commissioner Guy seconded the motion.

Upon roll call, all voted aye. M/C

- ~~15. Consider the request from Cumberland Townhomes, LLC to release the west 105 feet of the 150-foot non-access line along the south line of Lot 1, Block 2, Trenton Addition adjacent to Trenton Drive; the north 36 feet of the 150-foot non-access line along the east line of Lot 1, Block 2, Trenton Addition adjacent to Cumberland Loop; and the north 36 feet of the 150-foot non-access line along the west line of Lot 1, Block 3, Trenton Addition adjacent to Cumberland Loop.~~

Other Business

Adjourn

There being no further business, the meeting adjourned at 7:13 PM.

