



MEETING OF THE BOARD OF CITY COMMISSIONERS

8/10/2021 - Minutes

FUTURE COMMISSION MEETINGS:

MISSION STATEMENT

MEETING OF THE BOARD OF CITY COMMISSION

1. Presentation of Esri Award for Special Achievement in GIS
2. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items).

There was no Public Comment

3. CONSENT AGENDA

Commissioner Guy made a motion to approve the minutes and consent agenda as presented, Commissioner Splonskowski seconded the motion.

Upon roll call all voted aye. M/C

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

Vouchers 1099726-1099961.

- C. Consider approval of personnel actions.
- D. Consider the request for approval from the Airport for the following:
 1. Receive and consider bids for runway De-Icer.
 2. Approval of Insurance Release Agreement from American Family Insurance.
 3. Approval of the Engineering Services Agreement with KLJ for Meisner Building Demolition.
- E. Consider the request for approval from the City Attorney for the following:
 1. Introduction and call for a public hearing on Ordinance 6480 to amend portions of Title 3 – Animal Control and Protection
 2. Approval of the First Amendment to Lease Agreement for the Bismarck Burleigh Public Health space to extend the term to December 31, 2022.

- F. Consider the request for approval from the Community Development Department for the following:
1. Request of JE Homes, LLC to release the 14-foot utility easement, less the north ten feet, lying between Lots 9 and 10, Block 3, Silver Ranch First Addition First Replat. Staff recommends approval.
 2. Request for a letter of support and permission for the City of Bismarck to apply for the NEA Our Town Grant.
 3. Request of the Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, for approval to apply for SFY22, Section 5310, Enhanced Mobility of Seniors and Individual with Disabilities Program grant funding.
 4. Consider approval of the Five Year Consolidated Plan (2020-2024) and 2020 Annual Action Plan.
 5. Consider approval of 2021 Annual Action Plan.
- G. Consider the request for resolution from the Engineering Department for the following:
1. Approval of the dedication and acceptance of a sanitary sewer easement on Lots 27 and 32, Block 1, Promontory Point VII Addition.
 2. Approval of encroachment agreement with Marvin Development at 3310 State Street.
 3. Approval of purchase agreement with Riley & Betty Neuhardt for future N 19th Street right of way.
 4. Approval of the dedication and acceptance of right of way, utility, and sidewalk easements associated with Promontory Point VI.
 5. Approval of the dedication and acceptance of right of way and utility easements associated with Sattler's Sunrise 10th Addition.
 6. Request for Resolution receiving bids and ordering preparation of the Engineer's Statement for SE 578 and awarding Contract for SE 578.
 7. Request for Resolution receiving bids and ordering preparation of the Engineer's Statement for SI 553 and awarding Contract for SI 553.
- H. Consider the request for approval from the Finance Department for the following:
1. Application for Abatement for 2021 for the following:
 - o 1322 N 16th St - Fire Damage
 - o 2000 University Dr. - Lease Expired
 - o 3004 Ontario Ln - Market Value Reduction
 2. Approval of the Resolution Directing Special Assessments to be Levied.
- I. Consider the request for approval from the Police Department for the following:
1. Approval to accept bid for bomb squad explosives disposal trailer from Criminalistics.
- J. Consider the request for approval from the Public Works - Service Operations Department for the following:
1. Award the furnishing street maintenance materials – brine salt to Harry Hughes.

2. Award the Wastewater Treatment Plant Administration Building 13 Re-Roof Project to Pierce Lee Roofing, LLC.
3. Approval of Task Order No.1 to the Agreement with HDR Engineering for professional engineering services for solid waste operations.

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

1. Approval of the Agreement for Cost-Share Reimbursement with the North Dakota State Water Commission for Water Utility Project WU 134.

4. REGULAR AGENDA

5. Public Hearing on Ordinance 6479 to enact Ordinance 8-08-12 regarding Urban Rodent Control.

City Attorney Jannelle Combs gave a presentation on the Ordinance change. She stated that it will allow the United States Department of Agriculture Wildlife Services to provide technical assistance to anyone inside City limits. Del Kost spoke of his issues with Richardson Ground Squirrels, in particular when neighboring properties do not use mitigation efforts. Ms. Combs stated that the City currently can not do anything about ground squirrels on private property. Commissioner Splonskowski asked if it could be handled like weeds, Ms. Combs stated it would need to be a new Ordinance and would be more similar to junk Ordinance. She said there would still be issues with private property rights and staffing needs to enforce it. She also noted that it would be difficult to determine where the boroughs begin or end.

Commissioner Splonskowski moved to approve the request. Commissioner Guy seconded the motion.

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

<https://bismarcknd.gov/DocumentCenter/View/38351/urban-rodent>

6. Consider the request from the Community Development Department for the following:

1. Minor subdivision final plat of Tree Top Addition, requested by Grey Wolf Properties II, LLC. The Bismarck Planning and Zoning Commission recommends approval.

Commissioner Zenker moved to approve the request. Commissioner Guy seconded the motion.

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

7. Consider the request from the Community Development Department for the following:

1. Request approval to apply for the American Rescue Plan Act of 2021 (ARP) grant on behalf of Bis-Man Transit.

Commissioner Guy moved to approve the request. Commissioner Splonskowski seconded the motion.

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

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

1. Resolution Receiving Bids and Ordering Preparation of the Engineer's Statement for SI 552.
2. Resolution Awarding Contract for SI 552.

City Engineer Schell presented bids for SI 552. The low bid was submitted by Strata Corporation at \$1,207,828.49.

Commissioner Zenker made a motion to accept bid and award contract for SI 552, Commissioner Splonskowski seconded.

Upon roll call all voted aye. M/C

<https://bismarcknd.gov/DocumentCenter/View/38352/Item-8-bid-summary-and-project-budget---210809---SI552>

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

1. Resolution Receiving Bids and Ordering Preparation of the Engineer's Statement for SI 551/SE 579.
2. Resolution Awarding Contract for SI 551/SE 579.

City Engineer Schell presented bids for SI 551/SE 579. The low bid was submitted by Strata Corporation at \$933,901.45.

Commissioner Splonskowski made a motion to accept bid and award contract for SI 551/SE 579, Commissioner Guy seconded.

Upon roll call all voted aye. M/C

<https://bismarcknd.gov/DocumentCenter/View/38350/Item-9-bid-summary-and-project-budget---210810---SI-551-SE-579>

Other Business

Commissioner Marquardt recognized the pinning ceremony of new firefighters.

Adjourn

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