



## MEETING OF THE BOARD OF CITY COMMISSIONERS

8/24/2021 - Minutes

### FUTURE COMMISSION MEETINGS:

### MISSION STATEMENT

### MEETING OF THE BOARD OF CITY COMMISSION

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

Mike Connelly spoke about budget increases.

### 2. CONSENT AGENDA

Commissioner Marquardt made a motion to approve the minutes and consent agenda as presented, Commissioner Guy seconded the motion. 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. Introduction of and call for a public hearing on a request for a new Class M Catering liquor license for Thomas & Moriarty's LLC (dba) Thomas & Moriarty's.
2. Approval of the application from New Salem Civic Club, Inc. for gaming at Big Dog Distillery, 303 South 3rd Street.

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

1. Approval of Amendment 4 to the Executive Air Taxi Corporation Ground Lease Agreement.

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

1. Request of Divide Apartments, LLC to release the 14-foot utility easement on

the line common to Lots 7 and 8, the 14-foot utility easement on the line common to Lots 8 and 9, and the 14-foot utility easement on the line common to Lots 7 and 9, less the 10 feet on the south line of Lots 7 and 9, all in Block 5, Shamrock Industrial Park. Staff recommends approval.

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

1. Approval of the NDDOT Cost Participation and Maintenance Agreement for 7th Street and 9th Street Traffic Signal Replacement Project NHU-1-083(138)900, City Project HC-134.
2. Approval of Contract Change Order No. 6 for WA333, SE577 & SI539, contract increase and revised project budget.
3. Approval of a revised project budget for SI 551/SE 579 and revised contract amount to Strata Corporation.
4. Request for Resolution Approving Plans and Specifications and Directing the Advertisement of Bids and Receive Bids for SI 555.
5. Approval of the dedication and acceptance of the storm sewer easement associated with Heritage Park 2nd Addition.

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

1. Approval of the Resolution Directing Special Assessments to be Levied.
2. Introduction and call for a public hearing of the 2022 budget ordinance.

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

1. Approval to sell a court forfeited vehicle at auction.
2. Approval to produce Bismarck Police Department K-9 calendars to sell for fundraising to supplement the K-9 program.
3. Approval to accept donation from Marathon Petroleum.

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

1. Approval to dispose of/sell Public Works inventory at a public marketplace commonly used for the sale of motor vehicles as described in City Ordinance 7-01-05.

### 3. REGULAR AGENDA

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

Leif Eikevik, Senior Project Manager at Leo A Daly gave a presentation on the plan for a new Public Health facility on a greenfield site adjacent to the current Public Works site.

<https://bismarcknd.gov/DocumentCenter/View/38403/Leo-A-Daly-Presentation-PublicHealth-LAD>

Kristina Johnston from Leo A Daly reviewed the program summary with varying square

footage options. Leif Eikevik stated that the approximate schedule is 15 months, with expected completion around end of 2022. Commissioner Guy asked if the Public Health project could be completed in conjunction with the Public Works project to save on costs, Mr. Eikevik stated that it could, but would possibly drive the completion date to May 2023. City Administrator Keith Hunke gave an overview of the request to seek a Construction Manager at risk, and the benefits of doing so.

Commissioner Guy made a motion to proceed in contract negotiations with Leo A Daly for building design services for the Public Works expansion and the new Public Health building, develop bidding documentation for both projects and proceed with the selection of a construction manager at risk. Commissioner Marquardt seconded the motion. Commissioner Splonskowski asked for additional details on the Public Works project. Mr. Hunke gave a brief overview of that project, stating that it is in the 2022 budget.

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

~~5. Public Hearing of a new franchise agreement with Clarity Telecom, LLC DBA Vast Broadband.~~

Removed at the request of the applicant.

6. Public Hearing on Ordinance 6480 to amend portions of Title 3 – Animal Control and Protection.

City Attorney Jannelle Combs gave a brief overview of the ordinance. There was no public comment.

Commissioner Marquardt made a motion to approve as presented, Commissioner Splonskowski seconded.

Upon roll call, all voted aye. M/C

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

City Engineer Gabe Schell presented bids for SI 545. The low bid was submitted by Northern Improvement at \$2,987,803.90.

Commissioner Zenker made a motion to accept bid and ward contract for SI 545, Commissioner Splonskowski seconded.

Upon roll call all voted aye. M/C

<https://bismarcknd.gov/DocumentCenter/View/38404/bid-opening-form-and-project-budget--210823---SI545>

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

City Engineer Gabe Schell presented bids for SI 550. The low bid was submitted by Northern Improvement at \$1,121,758.40.

Commissioner Marquardt made a motion to accept bid and ward contract for SI 550, Commissioner Splonskowski seconded.

Upon roll call all voted aye. M/C

<https://bismarcknd.gov/DocumentCenter/View/38405/bid-opening-form-and-project-budget--210823---SI550>

Other Business

Adjourn

Meeting was adjourned at 5:51 p.m.

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