

MEETING OF THE BOARD OF CITY COMMISSION
September 10, 2019

The Board of City Commission met in regular session on September 10, 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.

1. Commissioner Marquardt moved to approve the minutes of the August 27, 2019 Regular Commission meeting. Commissioner Zenker seconded the motion. Upon Roll call vote, all voted aye. M/C
2. Public comment (restricted to items on the Consent Agenda and the Regular Agenda, excluding public hearing items). Kim Hagel, Duane Hagel, and Jeremy Martin appeared in opposition to item 10.
3. Consent Agenda:
 - A. Voucher numbers:1088979 – 1089196
 - B. Personnel actions
 - C. Administration Department:
 1. Introduction of and Call for a Public Hearing on a New Class O Microbrewery liquor license for Gideon's Brewing Company to be located at 107 North 5th Street.
 2. Letter of support for the Sungate Gardens Senior Housing Project.
 3. Accept the resignation of Amy Ingersoll-Johnson from the Human Relations Committee.
 - D. City Attorney:
 1. Designate the same agent of record for the North Dakota Insurance Reserve Fund policies to include the State Fire and Tornado as well as the boiler insurance policies.
 2. Introduction of and Call for a Public Hearing for Ordinance 6400 regarding Snow Emergency Route Change.
 - E. Community Development Department:
 1. Introduction of and Call for a Public Hearing on a Future Land Use Plan amendment from the High Density Residential and Conservation designations to the Commercial Mixed Use and Conservation designations requested by Sattler Family, LLLP. The Planning and Zoning Commission recommends approval.
 2. Introduction of and Call for a Public Hearing on Ordinance 6397, a request for a zoning change from the A - Agricultural zoning district to the A - Agricultural and CA - Commercial zoning districts for that portion of the West half of

Sections 19 and 30, Gibbs Township, requested by Sattler Family, LLLP. The Planning and Zoning Commission recommends approval.

3. Introduction of and Call for a Public Hearing on Ordinance 6398, a request for a zoning change from the RM30 - Residential zoning district to the Conditional CA - Commercial zoning district for Auditor's Lots A and B lying in the Southeast quarter of the Northeast quarter of Section 33 / City Lands and Lots 1 and 2, Block 1, Replat of Calkins Addition, requested by Choice Financial Group and Lutheran Social Services Housing. The Planning and Zoning Commission recommends approval.
4. Corrected Ordinance 6331 regarding a zoning change for Cottonwood Parkview Addition. Staff recommends approval.
5. Letter of support for the creation of a Highland Acres Historic District.

F. Engineering Department:

1. Resolution Approving Plans and Specifications and Resolution Directing Advertisement of Bids and Receiving Bids for Sewer Improvement District 573
2. Encroachment agreement for First Street Lofts located at 215 South 1st Street.

G. Finance Department:

1. Introduction of and Call for a Public Hearing on Ordinance 6399, relating to the 2020 Budget.
2. Introduction of and Call for a Public Hearing for the Sidewalk 2018 assessments.
3. Engagement letter with Dougherty & Company, LLC as the City's bond underwriter for special assessment bond issuances.

H. Fire Department:

1. Approve the contract change order to extend the contract completion date with J. Reed Constructors.

I. Police Department:

1. Authorization to produce the 2019 Bismarck Police Department calendars to sell for fundraising to supplement the K-9 program.
2. Authorize the sale of decommissioned vehicles as described in City Ordinance 7-05-01.

J. Public Works Service Operations Department:

1. Award contract for LED Luminaires to WESCO Distribution.

K. Public Works Utility Operations Department:

1. Award bid for the Water Treatment Plant Lime Slaker project.

Commissioner Zenker moved to pull F2 for discussion purposes and approve the remaining items on the consent agenda. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C

Commissioner Zenker moved to approve to amend consent agenda item F2 from a 30-year term to 50-year term. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C

4. Regular Agenda:

5. Commission Portfolio Report - Commissioner Zenker

6. Public Hearing on Ordinance 6395, a request for the annexation of Lot 2, Block 2, Memory 1st Addition, requested by Three Affiliated Tribes of Fort Berthold.

No members 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

7. The Commission combined items 7 and item 8 as one Public Hearing on Ordinance 6396, a staff-initiated zoning ordinance text amendment relating to right-of-way and roadway design standards and Public Hearing on Ordinance 6394, regarding changes to Public Places and Property Franchises.

No members of the public appeared for comment.

Commissioner Marquardt moved to approve the second reading and final passage of Ordinance 6396 and Ordinance 6394. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

8. (Combined with item 7) Public Hearing on Ordinance 6394, regarding changes to Public Places and Property Franchise.

9. Consider the request for approval from the Community Development Department major subdivision final plat of Morton Subdivision, requested by Terrance and Kathryn Morton.

Commissioner Zenker moved to approve the request as presented. Commissioner Oban seconded the motion. Upon a roll call vote, all voted aye. M/C

10. Consider the request from the Community Development Department for a discussion and to provide direction regarding the potential zoning ordinance text amendments relating to Chapter 4-04 and Title 14.

Commissioner Oban moved to direct staff to use the suggestions given by the Commissioners and to bring back to the next city commission meeting after the Planning and Zoning Commission holds the public hearing. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C

Other Business

The next regular commission meeting is September 24, 2019.
Meeting adjourned at 6:24 p.m.