



MEETING OF THE BOARD OF CITY COMMISSIONERS

10/12/2021 - Minutes

FUTURE COMMISSION MEETINGS:

- October 26, 2021
- November 9, 2021 & November 23, 2021
- December 14, 2021 & December 28, 2021

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).

Loran Galpin spoke in support of the zoning change for the Downtown Fringe District.

2. CONSENT AGENDA

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

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

Vouchers 1100750-1101040.

- 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 I-3 Beer Only Restaurant liquor license for Hot Dogkota, located at 2700 State St.
 2. Appointment of Sashay Schettler to the Bismarck Human Relations Committee for a term to expire January 31, 2025.

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

1. Rejection of bid for sale of 1995 Ford FT900 with Epoke
2. Sander.Amendment 1 to August 10, 2021 KLJ Agreement.

F. Consider the request for approval from the City Attorney for the following:

1. Introduction and call for a public hearing on Ordinance 6487 to amend Bismarck Ordinance Section 7-06-12 regarding approval of payment changes.
2. Introduction and call for a public hearing on Ordinance 6488 to amend Bismarck Ordinance Section 12-09-42.1 regarding rules for operation of OHVs.
3. Introduction and call for a public hearing on Ordinance 6489 to amend Bismarck Ordinance Section 6-03-03 regarding Harassment.

G. Consider the request for approval from the Bismarck-Burleigh Public Health Department for the following:

1. Permission to accept donations for Women's Way Program.

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

1. Introduction of and call for a public hearing on Ordinance 6486, a request for a City-initiated zoning change from the RT – Residential, RM30 – Residential and PUD – Planned Unit Development zoning districts to the DF – Downtown Fringe zoning district for Lots 1-8, Block 11 and Lots 1-8, Block 12, Northern Pacific Addition.
2. Request of the Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, for approval to submit an application for American Rescue Plan Act of 2021 (ARP) Additional Assistance grant funding.

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

1. Resolution approving contracts and bonds for previously awarded special assessed projects.
2. Endorsement of Bismarck Parks and Recreation District application for NDDOT Transportation Alternatives Grant.
3. Approval of development agreement with SilverStream Investments, LLC.
4. Approval of the annual North Dakota Department of Transportation (NDDOT) Maintenance Certification.
5. Approval to a partial release of a storm sewer and drainage easement in Lot 1, Block 1, Northern Plains Commerce Centre Addition.
6. Approval of a contract for sidewalk snow removal services with Yard Butler for the 2021-2022 winter season.

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

1. Application for Abatement for the following where the Assessing Division recommends approval:

- o 2218 E Boulevard Ave - Market Value Reduction
- o 806 Munich Dr - Market Value Reduction
- o 4739 Maltby St - Market Value Reduction
- o 4608 Chamberlain PI - Market Value Reduction

2. Acceptance of bid award for geographic information system (GIS) in the IT Division.

K. Consider the request for approval from the Human Resources Department for the

following:

1. Request to allow exempt Public Health employees to be paid straight time for hours worked beyond the normal workweek due to COVID-19 pandemic response efforts and consider part-time to full-time status change for client services representative.

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

1. Approval of Task Order No. 3 to the agreement with Bartlett & West for the 43rd Avenue Tank Rehabilitation Project.

3. REGULAR AGENDA

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

1. Public Hearing on Ordinance 6482, a request for a zoning change from the RR – Residential zoning district to the RR – Residential and the R5 – Residential zoning districts for the Potter Pointe Subdivision.
2. Final consideration of minor subdivision final plat of Potter Pointe Subdivision.

Kim Lee gave an overview of the zoning change. Landon Niemiller, from Swenson, Hagen, & Company, discussed the proposal and the reason behind the request.

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

5. Public Hearing and Confirmation of 2021 Health & Safety Assessments

There was no Public Comment. Commissioner Guy made a motion to approve as presented, Commissioner Splonskowski seconded. Upon roll call all voted aye. M/C

6. Public hearing for the 2021 special assessment districts and confirm the assessments as amended.

There was no Public Comment. Commissioner Splonskowski made a motion to approve as presented, Commissioner Marquardt seconded. Upon roll call all voted aye. M/C

7. Consider the request to receive and accept bids from the Airport for the Lancair Loop construction.

Airport Director Greg Haug presented all bids. For Schedule 1, Division 1, Strata Corporation had the low bid at \$437,083.70. For Schedule 2, Division 1, Edling Electric had the low bid at \$54,435.00.

Commissioner Zenker made a motion to accept the bids as presented. Commissioner Splonskowski seconded. Upon roll call all voted aye. M/C

<https://bismarcknd.gov/DocumentCenter/View/38625/AIR---Bids-101221-BCC-Meeting>

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

City Finance Director Dmitriy Chernyak gave an overview of the request, stating that it would be a \$26 million loan from the Bank of North Dakota at a 2% fixed interest rate.

Commissioner Guy made a motion to approve as presented, Commissioner Zenker seconded. Upon roll call all voted aye. M/C

9. Consider the request from the City Attorney to go into executive session under NDCC 44-04-19.1(9) for contract negotiation/negotiation strategy.

At 5:41 p.m. Commissioner Marquardt moved to enter the executive session. Commissioner Splonskowski seconded. Upon roll call all voted aye. M/C

At 6:01 p.m. the board adjourned from executive session.

At 6:02 p.m. the board reconvened with all members present. Commissioner Zenker made a motion to proceed as discussed during the executive session. Commissioner Splonskowski seconded. Upon a roll call all voted aye. M/C

Other Business

Adjourn

The meeting was adjourned at 6:03 p.m.

Phone: 701-355-1300 | 221 North 5th Street | P.O. Box 5503 | Bismarck, ND 58501
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