

MEETING OF THE BOARD OF CITY COMMISSION

The Board of City Commission met in regular session on November 12, 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. Consider approval of minutes:
Commissioner Marquardt moved to approve the minutes of the October 22, 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 Regular Agenda, excluding public hearing items).
Tom Herman, the vice president of South Port Maintenance Association spoke about concerns regarding the high water levels on the Missouri River. He commented that there are concerns that South Port was not addressed in the 2015 Missouri River Ice Jam and Open Water Flood Response Plan. Herman requested the opportunity to meet with City staff to discuss plans moving forward.
3. CONSENT AGENDA
Commissioner Oban moved to approve the items on the consent agenda. Commissioner Guy seconded the motion. Upon a roll call vote, all voted aye. M/C
 - A. Consider approval of expenditures.
Vouchers: 1089966-1090305.
 - B. Consider approval of personnel actions.
 - C. Consider the request for approval from the Administration Department for the following:
 1. Introduction and call for public hearing on a Class P Liquor License for the Bismarck Amvets Post No. 9, located on 2424 Railroad Ave.
 2. Application for gaming: NoDak Sportsmen's Club, located at 315 S. 5th St.
 3. Accept proposed 2020 City Commission meeting dates.
 - D. Consider the request for approval from the Airport:
 1. CCH Turbine LLC's request to abate lease payments until weather allows construction in the spring of 2020.
 - E. Consider the request from the Attorney for the following:**
 1. Introduction and call for public hearing on Ordinance 6401, regarding sick leave.
 2. Authorize Settlement Agreement, regarding SU 15-58 project.
 - F. Consider the request for approval from Bismarck-Burleigh Public Health for the following:
 1. Authorize Blue Zone project participation from the North Dakota Department of Health.

2. Authorize acceptance of donation from the North Dakota Community Foundation to support the Nurse Family Partnership Program.
 3. Authorize acceptance of Women's Way donations.
- G. Consider the request for approval from the Community Development Department for the following:
1. Authorize permission to apply Census Complete Count Committee funding.
 2. Introduction and call for Public Hearing on Ordinance 6402, an amendment to City Ordinance Section 4 regarding minimum habitability Standards for Rental Housing (City of Bismarck Building Code.)
 3. Accept bid for accessibility upgrades to transitional housing units at Heartview Foundation, 305 N. 34th St.
- H. Consider the request for approval from the Engineering Department for the following:
1. Accept Water Main, Valve and Hydrant Assumption Agreement and Dedication located in a utility easement adjacent to Harvest Lane.
- I. Consider the request for approval from the Finance Department for the following:
1. Application for Abatement for year 2018, Disabled Veteran Credit at 531 Weatherby Way.
 2. Application for Abatement for year 2017 - 2019, Wheelchair Exemption Property at 2413 Stevens St.
 3. Application for Abatement for 2019, Disabled Veteran Credit at 2601 Village Dr.
- J. Consider the request for approval from the Human Resources Department for the following:
1. Accept the new agreement updating the Oracle Cloud Services Public Sector Agreement from auto renewal to standard renewal associated with the recruitment software.
 2. Accept updated Title VI and Discrimination Plan.
- K. Consider the request for approval from the Police Department for the following:
1. Authorize the acceptance of a donation from Starion Bank, in the amount of \$500, for the animal impound facility.
- L. Consider the request for approval from the Public Works - Service Operations Department:
1. Award bid to CS Doors Inc. for Fire Station 2 Overhead Doors.
 2. Authorize purchase for one mechanical sweeper from Swanston Equipment Companies.
- M. Consider the request for approval from the Public Works - Utility Operations Department for the following:
- Task Order No. 9 to the Agreement with AE2S for 2019 Lime Slaking Expansion Construction Post Construction and Commissioning Services at the Water Treatment Plant.

4. REGULAR AGENDA

5. Commission Portfolio Report - Commissioner Oban.
6. Receive an Update from Brian Ritter on the Bismarck-Mandan Chamber EDC efforts and activities.
7. Receive an Update from the Police Department on Off Highway Vehicle Ordinance Enforcement.
Chief Draovitch reported only two citations were issued since the ordinance change allowing off highway vehicles on public streets.
8. Discussion on the Missouri River Ice Jam and Open Water Flood Response and Action Plan
Jeff Heintz provided a report on the 2015 plan and discussed flood control measures the City would take in the event of an ice jam or open water flood.
9. Consider the request from the Engineering Department to pursue North Dakota Department of Transport Urban Road, Urban Regional and Urban Grant program projects.
Commissioner Oban moved to approve the Engineering Department's request to pursue the North Dakota Department of Transport Urban Road, Urban Regional and Urban Grant program projects. Commissioner Guy seconded the approval, and all upon roll call vote, all voted aye. M/C
10. Consider the request from the Engineering Department to pursue the North Dakota Department of Transportation Alternative Program Funding.
Commissioner Marquardt moved to approve the Engineering Department's request to pursue the North Dakota Department of Transportation Alternative Program Funding as presented. Commissioner Guy seconded the motion, and all upon a roll call vote, all voted aye. M/C
11. Consider the request from the Engineering Department to pursue the North Dakota Department of Transport Highway Safety Improvement Program Funding.
Commissioner Zenker moved to approve the Engineering Department's request as stated to pursue the North Dakota Department of Transport Highway Safety Improvement Program Funding. Commissioner Guy seconded the motion and, all upon a roll call vote, all voted aye. M/C
12. Consider the request from the Engineering Department for the Memory 1st Development Agreement Amendment 2.
Commissioner Marquardt moved to approve the Memory 1st Development Agreement Amendment 2. Commissioner Guy seconded the motion and all upon a roll call vote, all voted aye. M/C
13. Consider the request from the Engineering Department to enter the executive session under North Dakota Century Code Section 44-04-19.2, regarding contract negotiation strategy under NDCC Section 44-04-19.1 (9.)

At 7:02 p.m. Commissioner Marquardt moved to enter into the Executive Session under North Dakota Century Code Section 44-04-19.2 regarding contract negotiation strategy under NDCC Section 44-04-19.1. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

Commissioner Zenker moved to direct the City Engineer to pursue negotiations with the landowner and explore the option of a retaining wall. Commissioner Guy seconded the motion. Upon roll call vote, all voted aye.

Commissioner Marquardt voted to close the session at 7:29 p.m., Oban seconded the motion and upon roll call vote, all voted aye. M/C

Other Business

The next City Commission meeting will be at 5:15 p.m. on 11/26/19.

Adjourn

Having completed the items on the agenda, President Bakken asked if there was any other business. The meeting was declared adjourned at 7:31 p.m.