



MEETING OF THE BOARD OF CITY COMMISSIONERS

6/11/2024 - Minutes

CALL TO ORDER

The Board of City Commissioners met on June 11, 2024, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioner Cleary, Commissioner Connelly, Commissioner Marquardt, Commissioner Zenker, and Mayor Schmitz were present.

FUTURE COMMISSION MEETINGS

- June 25, 2024
- July 9, 2024 & July 23, 2024
- August 13, 2024 & August 27, 2024

MISSION STATEMENT

To provide high-quality public services in partnership with our community to enhance our quality of life.

MEETING OF THE BOARD OF CITY COMMISSION

1. PROCLAMATION

Mayor Schmitz read a proclamation declaring June 19, 2024, as Juneteenth in the City of Bismarck.

2. PUBLIC COMMENT

No public comment was received.

3. CONSENT AGENDA

Commissioner Marquardt motioned to approve the Consent Agenda as presented, and Commissioner Connelly seconded. Upon a roll call vote, all voted aye. M/C.

- A. Consider approval of minutes
- B. Consider approval of personnel actions
- C. Consider approval of expenditures

Vouchers: 1118166 to 1118376.

D. Consider the request for approval from the Administration Department for the following:

1. Gaming Site Authorization Renewals.
2. Liquor License Renewals.
3. Introduction of and call for a public hearing on a request for a new Class I-2: Complementary Alcohol license for KTP Boutique, LLC. (dba) Apricot Lane Boutique at 4228 Boulder Ridge Road, Suite 4.
4. Introduction of and call for a public hearing on a request for a new Class I-2: Complementary Alcohol license for Lotus Nail Bar & Spa, LLC. at 1401 Skyline Blvd, Suite C.

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

1. Asphalt Surface Technologies Corporation Change Order #1 to August 11, 2023, Agreement.
2. Funding request for appeal of Transportation Security Administration (TSA) National Amendment 23-02 Aviation Worker Screening.

F. Consider the request for approval from Bismarck Burleigh Public Health for the following:

1. Permission to accept donated mosquito traps from Western Plains Public Health.
2. Permission to accept a donation to the Women's Way Program.

G. Consider the request for approval from the Bismarck Veterans Memorial Library for the following:

1. Appointment of Nancy Guy to the Library Board of Directors.

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 6578, a zoning map amendment, and major subdivision final plat for Central Outpost Subdivision.
2. Introduction of and call for a public hearing on Ordinance 6579, a zoning ordinance text amendment.
3. Introduction of and call for a public hearing on Ordinance 6580, a zoning map amendment, development agreement, and major subdivision final plat for Fettig Subdivision.
4. Introduction of and call for a public hearing on Ordinance 6581, a zoning map amendment and major subdivision final plat for West Region Medical Addition.
5. Introduction of and call for a public hearing on Ordinance 6582, relating to the Renaissance Zone Authority.
6. Permission to apply for renewal of the "Bicycle Friendly Community" designation.
7. Proposed changes to the 2024 Urban Functional Classification System.

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

1. Receive notice of Contract Change Order No. 1 for Highway Construction Project 158.

2. Contract Change Order No. 1 and Revised Budget for Highway Construction Project 167.
3. Sidewalk easements at the intersection of 19th Street and Calgary Avenue.

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

1. Applications for Abatement.

K. Consider the request for approval from the Police Department:

1. Accept donation from Wallace Birkland.
2. Permission to purchase police patrol rifles from Scheels.

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

1. Permission to sell /dispose of Solid Waste Collection Multi-Pack Garbage Truck at public auction.
2. Permission to award the contract for Tire Recycling to Saber Shred Solutions, Inc.

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

1. Work Authorization 2 with PKG Contracting, Inc., for the Wastewater Treatment Plant Flow Equalization (FEQ) Project.

4. REGULAR AGENDA

A. Consider the recommendation from the Vision Fund Committee to support a Flex PACE program interest buy-down for the Heartview Foundation.

Nathan Schneider, Vice President of Economic Development for Bismarck Mandan Chamber EDC, presented the recommendation from the Vision Fund Committee to award the PACE program interest buy-down to the Heartview Foundation.

Kurt Snyder, Executive Director of the Heartview Foundation presented information regarding the request for the Flex PACE interest buy-down.

Commissioner Connelly motioned to approve the request to support a Flex PACE program interest buy-down for Heartview Foundation structured as a loan for an amount of \$100,675.65 as presented, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

B. Public hearing for the conditional release of the 20-foot stormwater and drainage easement on Lots 1 and 2, Block 1, Whispering Ridge Second Subdivision, requested by Knutson Homes and Rodney and Kathryn Froelich.

Lauren Oster, City of Bismarck Planner, presented an overview of the proposal for the conditional release of the 20-foot stormwater and drainage easement on Lots 1 and 2, Block 1, Whispering Ridge Second Subdivision.

Mayor Schmitz opened the public hearing. No public comment was received.

Commissioner Marquardt motioned to approve the item as presented, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

- C. Consider the request from the Bismarck Airport to receive and consider bids for the Airfield Painting Project.

Greg Haug, Bismarck Airport Director, presented bid tabulations for the Airfield Painting Project and recommended awarding the bid to the lowest bidder, Ostrom Painting, for \$114,213.04.

Commissioner Marquardt motioned to award the bid to Ostrom Painting, for \$114,213.04 as presented and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

<https://bismarcknd.gov/DocumentCenter/View/47092/Item-4C---June-11-2024-PDF>

- D. Consider the request from Public Works Service Operations to enter Executive Session under North Dakota Century Code Section 44-04-19.2 regarding contract negotiations/negotiation strategy under NDCC Section 44-04-19.1 (9).

Commissioner Cleary motioned to enter into executive session under NDCC 44-04- 19.2 regarding contract negotiations/negotiation strategy under NDCC Section 44-04-19.1 (9) at 5:33 PM, and Commissioner Zenker seconded. Upon a roll call vote, all voted aye. M/C.

Commissioner Cleary motioned to exit executive session at 6:17 PM and Commissioner Marquardt seconded. Upon a roll call vote, all voted aye. M/C.

The Commission reconvened at 6:20 PM, with all members present.

Commissioner Zenker motioned to move forward with the consensus as discussed during the Executive Session and directed staff to continue negotiations as discussed in the executive session, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

5. Other Business

ADJOURN

There being no further business to discuss, the meeting adjourned at 6:22 PM.

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