



## MEETING OF THE BOARD OF CITY COMMISSIONERS

6/25/2024 - Minutes

### CALL TO ORDER

The Board of City Commissioners met on June 25, 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, and Commissioner Zenker were present. Mayor Schmitz attended the meeting through Teams.

### FUTURE COMMISSION MEETINGS

- July 9, 2024 & July 23, 2024
- August 13, 2024 & August 27, 2024
- September 10, 2024 & September 24, 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

Commissioner Marquardt read a proclamation declaring July 1, 2024, as Big Boy Day in the City of Bismarck. Chad Wachter presented a history of Big Boy and provided Big Boy beverages to the Commissioners.

#### 2. PUBLIC COMMENT

No public comment was received.

#### 3. CONSENT AGENDA

Commissioner Marquardt motioned to approve the Consent Agenda as presented, and Commissioner Cleary 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: 1118377 to 1118640.

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

- 1. Gaming Site Authorization Renewals.
- 2. Liquor License Renewals.
- 3. Appoint Robin Thorstenson, Rick Collin, and Rebecca Thiem to the Dakota Media Access (DMA) Board of Directors.
- 4. Letter of support for All Season, LLC.
- 5. Letter of Support for P & B Transportation, Inc.

- E. Consider the request for approval from the Bismarck Event Center for the following:

- 1. Permission to extend the current ticketing contract with Intelli-Mark Technologies, Inc. formerly known as Etix, Inc.

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

- 1. Award the bid for library security services.

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

- 1. Permission to accept a Historic Preservation Fund grant award.
- 2. Permission to apply for PRICE grant funds.

- H. Consider the request for approval from the Engineering Department for the following:

- 1. Permission to close 4th Street between Rosser Avenue and East A Avenue on Saturday, September 28, 2024, from 3:30 PM - 8:30 PM.
- 2. Permission to close Central Avenue between 8th Street and 9th Street on Tuesday, July 30, 2024, from 6:00 PM to 8:00 PM.
- 3. Resolution approving contracts and bonds for previously awarded special assessment projects.
- 4. Dedication and acceptance of sidewalk easement at 2912 Peach Tree Drive.
- 5. Release of historical artifacts collected on HC 128 to the State Historical Society.
- 6. ~~Resolutions creating the district and ordering the preparation of the preliminary report for Water Improvement District WA 334 and Sewer~~

~~Improvement District SE 585-~~

7. Resolutions declaring petitions have been received, creating the district and ordering the preparation of the preliminary report for Street Improvement District No. SI 582.

8. Resolutions declaring petitions have been received, creating the district and ordering the preparation of the preliminary report for Street Improvement District No. SI 584.

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

1. Applications for Abatement.

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

1. Permission to start the "You got a Cool Sighting" ice cream ticket program.

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

1. Permission to award the contract for Ash Tree Removal to TreeMax, LLC.

2. Permission to sell/dispose of equipment through an Online Public Auction.

4. REGULAR AGENDA

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.

Mayor Schmitz opened the public hearing. No members of the public appeared for comment.

Commissioner Zenker motioned to approve as presented and Commissioner Connolly seconded. Upon a roll call vote, all voted aye. M/C.

B. 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.

Mayor Schmitz opened the public hearing. No members of the public appeared for comment.

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

C. Public hearing on Ordinance 6578, a zoning map amendment, and major subdivision final plat for Central Outpost Subdivision.

Ben Ehreth, Community Development Director, presented information on Ordinance 6578.

Mayor Schmitz opened the public hearing. No members of the public appeared for

comment.

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

D. Public hearing on Ordinance 6579, a zoning ordinance text amendment.

Jenny Wollmuth, Community Development Senior Planner, presented information on Ordinance 6579.

Mayor Schmitz opened the public hearing. No members of the public appeared for comment.

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

E. Public hearing on Ordinance 6580, a zoning map amendment, development agreement, and major subdivision final plat for Fettig Subdivision.

Ben Ehreth, Community Development Director, presented information on Ordinance 6580.

Mayor Schmitz opened the public hearing. Landon Niemiller, with Swenson Hagen & Company, addressed the Commission to answer any questions they may have regarding the project.

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

F. Public hearing on Ordinance 6581, a zoning map amendment and major subdivision final plat for West Region Medical Addition.

Ben Ehreth, Community Development Director, presented information on Ordinance 6581.

Mayor Schmitz opened the public hearing. Landon Niemiller, with Swenson Hagen & Company, addressed the Commission to answer any questions they may have regarding the project.

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

G. Consider the request by the Community Development Department for a Rehabilitation Renaissance Zone project designation and take final action.

Commissioner Zenker recused himself from this item due to a possible conflict of interest.

Isak Johnson, Community Development Planner, presented information relating to a Rehabilitation Renaissance Zone project designation at 515 East Main Avenue.

Commissioner Cleary motioned to approve the item as presented and Commissioner Marquardt seconded. Upon a roll call vote, Commissioner Marquardt, Commissioner

Cleary, and Mayor Schmitz voted aye. Commissioner Connelly voted nay. M/C.

H. Consider request by the Engineering Department to modify sidewalk gap process.

Gabe Schell, City Engineer, presented a request to modify the current sidewalk gap process.

General consensus of the Commission was to move forward with the changes as presented.

I. Consider the request for discussion of an appropriate compensation for the newly elected Municipal Judge.

Jason Tomanek, City Administrator, presented a request to determine an appropriate compensation for the newly elected Municipal Judge, Amanda Harris. Ms. Harris provided information on her intentions for the position and the time she will dedicate to Municipal Court.

The Commission discussed the compensation of Municipal Judges from communities throughout North Dakota. The general consensus of the group was a compensation range of \$95,000 to \$115,000 per year.

Commissioner Cleary motioned to set the compensation for the newly elected Municipal Judge at \$105,000 per year, and Commissioner Zenker seconded. Upon a roll call vote, all voted aye. M/C.

5. Recognition of Commissioner Marquardt for his 10 years of service on the Commission.

Jason Tomanek, City Administrator provided an overview of Commissioner Marquardt's accomplishments as a Commissioner and thanked him for his 10 years of service on the Commission.

6. Other Business

ADJOURN

There being no further business, the meeting adjourned at 6:45 PM.

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