

MEETING OF THE BOARD OF CITY COMMISSIONERS

SEPTEMBER 13, 2016

The Board of City Commissioners met in regular session on September 13, 2016 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 Askvig, Marquardt, Guy, Oban, and President Seminary.

A Chaplain of the Bismarck Police Department presented the invocation.

1. The Board of City Commissioners considered approval of the minutes of the special meeting on August 15, 2016 and the regular meeting on August 23, 2016.

Commissioner Askvig made a motion to approve the minutes. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioner Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

2. CONSENT AGENDA

A. The Board of City Commissioners considered and approved voucher numbers 1066945 to 1067379.

B. The Board of City Commissioners reviewed the personnel actions.

C. The Board of City Commissioners considered approval of the tax abatement application for Disabled Veteran Credit for 2016 at 2017 St. Joseph Drive. Jeffrey & DeeAnne Herdebu qualified for the abatement.

D. The Board of City Commissioners considered the request from Bismarck-Burleigh Public Health for permission to accept donations for the Women's Way program.

The Bismarck-Burleigh Women's Way Program is requesting permission to accept donations from the following organizations:

- BSC Volleyball annual Pink Event to be held October 2, 2016
- Runnings Ladies Night to be held October 19, 2016

The organizations listed above have contacted Women's Way and offered to donate proceeds from their event(s). Proceeds from these events will assist with client medical expenses related to breast and cervical cancer screenings, such as breast follow-up, biopsies, and cancer treatments to benefit many local Women's Way clients. Funds will not be used for program operation expenses.

E. The Board of City Commissioners considered the request from the Community Development Department for the appointment of Joe Fink to the Renaissance Zone Authority.

It is recommended that Mr. Fink be appointed to serve on the Renaissance Zone Authority to complete an unfulfilled term that expires in December 2016, with an option to reappoint him to a full three-year term beginning January 2017.

F. The Board of City Commissioners considered the following requests from the Engineering Department:

- Approve the Agreement and Waiver at 722 Calypso Drive for the encroachment of the curb opening storm water inlet within the public right-of-way.
- Approve the Dakota Carrier Network Encroachment and Waiver Agreement at 2223 E Rosser Ave for the encroachment of the privately owned fiber optic cable within the public right-of-way.

G. The Board of City Commissioners considered the following requests from the Event Center:

- Award the quote received from WebstaurantStore for \$6,952.38 for the purchase of three units of ice cream dipping cabinets.

Staff received quotes from three companies to purchase ice cream dipping cabinets:

COMPANY	QUOTE
WebstaurantStore	\$6,952.38 for three units
Food Services of America	\$13,129.38 for three units
Culinex	\$9,682.98 for three units

Staff recommends awarding the quote to WebstaurantStore for \$6,952.38 for three units.

- Acceptance of the user agreement with Dakota Pro Football, LLC.

The user agreement (in the agenda packet) is between the Bismarck Event Center and Dakota Pro Football, LLC, and is for five years with an option for extension of two one-year terms, if mutually accepted. Staff recommends approval.

- Award bid for the third party alcoholic beverage service.

Staff received bids from two companies to third party alcoholic beverage service:

COMPANY	BID
Capsco Entertainment Inc, in partnership with Bricks n Ivy	48%
Ramada Bismarck Hotel	46.5%

The above bids received offer the Bismarck Event Center the following percentage of gross sales, less sales taxes on alcoholic beverages. Thus meaning the higher percentage received, the higher return the Bismarck Event Center will receive. Staff recommends awarding the bid to Capsco Entertainment Inc, in partnership with Bricks n Ivy.

H. The Board of City Commissioners considered the request from the Finance Department for the introduction of and call for public hearing on the 2017 Budget Ordinance (Ordinance 6233).

ORDINANCE NO. 6233

AN ORDINANCE MAKING THE ANNUAL APPROPRIATIONS FOR EXPENDITURES OF THE CITY OF BISMARCK, NORTH DAKOTA FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017 AND MAKING THE ANNUAL TAX LEVY FOR THE YEAR 2016.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. There are hereby appropriated the following sums of money for so much thereof that may be necessary for the purpose of paying expenses of the City of Bismarck, North Dakota for the fiscal year commencing January 1, 2017 and ending December 31, 2017.

	Personal Services	Maintenance & Operations	Capital Outlays	Transfers	Total
Budgeted Funds:					
<u>General Fund</u>					
Administration	594,814	231,167	-	-	825,981
Salary & Benefits Adjustment	732,289	38,134	-	-	770,423
Building Maintenance	280,682	450,291	-	-	730,973
Building Construction	-	-	-	467,000	467,000
Dakota Media Access	-	380,934	-	-	380,934
Contingencies	-	-	-	825,000	825,000
Attorney	507,285	19,655	-	-	526,940
Combined Communications	1,951,728	742,382	-	-	2,694,110
City Emergency Management	89,531	13,778	-	-	103,309
Engineering	2,320,472	123,220	-	-	2,443,692
Finance	2,917,144	629,663	-	-	3,546,807

Fire Department	7,281,108	485,473 526,473	-	-	7,766,584 7,807,581
Human Resources	463,427	19,333	-	-	482,760
Employee Training	18,140	39,620	-	-	57,760
Municipal Court	414,303	102,568	-	-	516,871
Community Development	1,487,974	148,971	-	-	1,636,945
Metropolitan Planning Org	223,907	597,672	-	-	821,579
Police	11,316,477	1,209,738	32,209	-	12,558,424
Public Health	1,991,899	300,738	-	-	2,292,637
One-time Operations	395,653	1,332,864	1,117,176	147,000	2,992,693
Equipment Reserve		104,900	23,000	9,855	137,755
Nondepartmental	1,058,228	257,276	-	1,710,114	3,025,618
General Fund Total	34,045,061	7,269,377	1,172,385	3,158,969	45,645,792
Special Revenue Funds					
E&H Transit System	-	3,346,433	-	-	3,346,433
Bismarck Public Library	1,820,536	893,445	34,100	62,581	2,810,662
Police Drug Enforcement	9,375	61,767	24,999	-	96,141
Roads & Streets	3,453,739	2,984,641	74,500	139,339	6,652,219
Street Lights & Traffic Signal	704,406	1,402,195	210,000	388,160	2,704,761
Hotel & Motel Tax	-	850,100	-	149,900	1,000,000
Lodging Liquor & Food Tax	-	24,100	-	2,208,378	2,232,478
Sales Tax	-	400	-	19,403,363	19,403,763
Vision Fund	114,914	2,412,843	-	-	2,527,757
Special Deficiency & Assumption	-	259,000	150,000	1,006,794	1,415,794
Gov't Grants & Activities	1,024,254	4,080,402	307,900	35,600	5,448,156
Special Revenue Funds Total	7,127,224	16,315,326	801,499	23,394,115	47,638,164
Debt Service Funds					
Sewermain Bonds	-	7,025,060	-	500,000	7,525,060
Watermain Bonds	-	739,748	-	250,000	989,748
Sidewalk Bonds	-	1,637,450	-	50,000	1,687,450
Street Improvement Bonds	-	21,968,827	-	1,000,000	22,968,827
Debt Service Funds Total	-	31,371,085	-	1,800,000	33,171,085
Total Budgeted Funds	41,172,285	54,955,788	1,973,884	28,353,084	126,455,041

Section 2. There are hereby levied the following sums of money on all taxable property in the City of Bismarck for the year 2016 for the purpose of paying expenses of the City of Bismarck.

EXPENSE	AMOUNT
General Fund	14,747,732
Building Construction	1,518,718
Special Deficiency	703,110

E/H Transit System	1,054,665
Library	1,986,286
TOTAL	20,010,511

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Taking Effect. This ordinance shall be in full force and effect from and after its final passage and adoption

I. The Board of City Commissioners considered the introduction of and called for a public hearing on the request to transfer a Class D liquor license from SHU, Inc. to Tonka Group, Inc. at 115 South 5th Street (dba The Elbow Room).

J. The Board of City Commissioners considered the request for approval of the Resolution in Support of Bismarck's Military and Veteran Caregivers.

RESOLUTION

Resolution in Support of Bismarck's Military and Veteran Caregivers

WHEREAS, the series of wars in which our nation has been engaged over time, since World War II, has resulted in 5.5 million military and veteran caregivers who are parents, spouses, siblings and friends, caring for those wounded, ill or injured who have served our nation, as documented by the 2014 Rand study commissioned by the Elizabeth Dole Foundation; and

WHEREAS, the daily tasks of these military and veterans caregivers can include bathing, feeding, dressing, and caring for the grievous injuries of wounded warriors, administering medications, providing emotional support, caring for the family and the home, and working outside the home to earn essential income; and

WHEREAS, the nation provides multi-faceted support to our wounded, ill and injured veterans and service members through public, private and philanthropic resources, but their caregivers receive little support or acknowledgement; and

WHEREAS, most military and veteran caregivers consider the challenging work they do as simply carrying out their civic and patriotic duty, without realizing they are, in fact, caregivers, and do not identify themselves as such; and

WHEREAS, an alarming number of military and veteran caregivers, according to research, are suffering numerous debilitating mental, physical and emotional effects as a result of their caregiving duties; and

WHEREAS, the City of Bismarck desires to recognize and support those who are serving in these vital roles in our own community; now, therefore,

BE IT RESOLVED, by the City of Bismarck as follows:

- I. That the City of Bismarck is a military and veteran caregiver supportive city.
- II. That the City of Bismarck supports engaging government, organizations, employers and non-profits in awareness of the unique challenges of military and veteran caregivers and are encouraged to create supportive environments and opportunities for assistance.
- III. That the City of Bismarck encourages all who care for and support veterans and service members to extend that support to their caregivers.

IN WITNESS WHEREOF, I, Mike Seminary, Mayor of the City of Bismarck and this Board of City Commissioners have hereunto set my hand and seal of this City of Bismarck this 13th day of September, 2016.

Commissioner Askvig made a motion to approve the consent agenda. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

REGULAR AGENDA

3. Public comment (restricted to items on the Regular Agenda, excluding public hearing items).

There were no oral protests.

4. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on the request from DCN, LLC (dba Dakota Carrier Network), to apply for a broadband franchise.

There were no oral or written protests.

Commissioner Marquardt made a motion to approve the franchise. Commissioner Askvig seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

5. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on a request from A & B Pizza South, Inc. to locate a new class I-2 liquor license at 600 South Fifth Street, Space 212, Kirkwood Mall (dba A & B Pizza).

There were no oral or written protests.

Commissioner Askvig made a motion to approve the new liquor license request. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

6. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on a request from BWR-Bismarck, Inc. to locate a new class F-1 liquor license at 4424 North 15th Street (dba Buffalo Wings & Rings).

There were no oral or written protests.

Commissioner Askvig made a motion to approve the new liquor license request. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

7. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING to transfer a Class F-1 liquor license at 1800 North 12th Street from WR Bismarck Ventures Limited Partnership (dba Minerva's) to Kelly Midwest Ventures Limited Partnership (dba Capital Street Grill & Bar).

There were no oral or written protests.

Commissioner Askvig made a motion to approve the liquor license transfer. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

8. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on Ordinance 6232 relating to placement of poles in right-of-way restricted.

ORDINANCE NO. 6232

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 10-05-08 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO PLACEMENT OF POLES RESTRICTED.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

There were no oral or written protests.

Commissioner Askvig asked if this is just to clean up language in the ordinance. Charlie Whitman, City Attorney, said it was to modernize the wording. Also as it relates Dakota Carrier Network (DCN) franchise agreement earlier on the agenda, they wanted to

clarify that the city wants to be involved in pole placement regardless of franchise agreement or not.

Commissioner Guy made a motion to adopt Ordinance 6232. Commissioner Oban seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

9. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING and Confirmation of Special Assessment Districts. The Special Assessment Commission (SAC) approved Street Improvement District No 489 but the public hearing will only be for Units 1 and 3. Corrections in Unit 2 have been identified since the SAC approval so a public hearing will be scheduled on a later date. Units 1 and 3 have been added to the assessment list for the public hearing.

IMPROVEMENT DISTRICT	TOTAL ASSESSED & FINANCED
Storm Sewer Improvement District 560	\$164,514.18
Sanitary Sewer Improvement District 564	\$420,727.80
Street Improvement District 488	\$2,251,296.32
Street Improvement District 489	\$881,032.41
Street Improvement District 493	\$969,783.16
Street Improvement District 495	\$904,625.09
Street Improvement District 501	\$360,555.90
Street Improvement District 502	\$100,686.98
Water Improvement District 326	\$229,455.00
Water Improvement District 327	\$55,741.80
Continuous Districts:	
Storm Sewer Improvement District No. 100	\$235,216.01
Street Improvement District No. 100	\$153,597.56
Water Improvement District No. 148	\$528,150.00
Sanitary Sewer Improvement District No. 158	\$513,050.00

President Seminary opened the public hearing:

PERSONS APPEARING	THEIR REMARKS
Vivian Lang	She lives on Buckskin and Washington; her assessments on Buckskin are \$112,000; since they were forced into annexation into the city, they should be taxed on rural acreage for the property that they have to sell and city assessments for the lots that their house sits on; her property also sits up onto Washington Street; when her assessments started out, it was \$53,000 but now they're up to

	<p>\$83,000, which doesn't include curb and gutter or lights on any of these streets; feel we are being overtaxed on this; don't know what to do about it; there's only five homeowners and the church; where is this going to end; we have larger acreage so we're paying for a whole street and Washington.</p>
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President Seminary asked for someone from the Finance Department to come up. He said this annexation process started back in 2006. It went through a series of protocol including notification by mail, public hearings, etc. They were being surrounded by the city due to development in their area and they faced road challenges, traffic, etc. with the new school being built. It was an annexation requested by the city but all of the proper protocol was followed. People have known for a longer period of time that this assessment was coming.

Becky Collins, Comptroller, appeared and said they are being assessed for the continuous district assessment, as well as sanitary sewer and water. When she did an analysis of some regional project costs, it came back with a cost of \$18,600. In Ms. Lang's property, one has seven parcels and the other is five parcels. They're very large parcels. Her cost per parcel is about \$9,000 to \$13,000, which is a fraction of what other developers are paying when they bring their properties into the city and what other people are paying. Ms. Collins said it's very comparable.

Commissioner Askvig appreciates the comments. He said this was foreseen a long time ago so this doesn't come as a surprise to anyone. We have gone above and beyond what we were required to do by the NDCC and city requirements. This has been a long, lengthy process. President Seminary said he remembers this process when it started and it's been an interesting process and this has been in the works for a long time.

Commissioner Askvig made a motion to confirm the assessments as spread. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

10. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on the approval of Corrective Ordinance 6139 regarding the annexation of Heritage Park Addition. The Community Development Department staff recommends approval.

Kim Lee, Planning Manager, appeared before the Board. She said when this property was annexed, city staff inadvertently included areas that were obtained by the county for a roadway easement for 57th Avenue. This corrective action takes that piece out and added some small pieces added along North Washington Street.

There were no oral or written protests.

Commissioner Askvig made a motion to adopt Corrective Ordinance 6139. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

11. The Board of City Commissioners considered the following requests regarding Water Improvement District 16-330/Sewer Utility Project 16-65:

- Receive bids
- Award contract

Linda Oster, Design and Construction Engineer, appeared before the Board to present the bids received:

BIDDER	BID AMOUNT*
Cofell's Plumbing & Excavating	\$298,906.75
Markwed Excavating	\$368,752.80
Basaraba Excavating	\$252,090.45** \$253,390.45
Mike Coleman Construction	\$382,573.18
*Engineer's Estimate = \$380,694.00	
**Corrected upon verification of bids	

Ms. Oster asked the Board to award to the low bidder, Basaraba Excavating, for \$252,090.45.

Commissioner Askvig made a motion to award to Basaraba Excavating for \$252,090.45. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

12. The Board of City Commissioners considered the following requests regarding Sewer Utility Project 16-69:

- Receive bids
- Award contract

Michelle Klose, Public Works Utility Operations Director, appeared before the Board to present the bids received:

BIDDER	BID AMOUNT*
Industrial Builders, Inc.	\$306,950.00
Weisz & Sons, Inc.	\$188,450.00
Veit & Company	\$113,674.00
Basaraba Excavating	\$108,000.00
*Engineer's Estimate = \$134,000.00	

Ms. Klose asked the Board to award to the low bidder, Basaraba Excavating, for \$108,000.00.

Commissioner Askvig made a motion to award the bid to Basaraba Excavating for \$108,000.00. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

13. The Board of City Commissioners considered the request from the Engineering Department to order the repair of hazardous sidewalks deemed unsafe for pedestrian traffic.

Gabe Schell, City Engineer, appeared before the Board and made the request to order the repair of the unsafe sidewalks listed in the memo (in the agenda packet), in accordance with applicable code of ordinances for the city of Bismarck. He said since the agenda was posted, there were some property owners who have come forward and make arrangements for repairs to be made so those addresses can be removed from the list of sidewalks to order repairs in for:

- 1203 Billings Drive
- 1330 Billings Drive
- 227 E Denver Avenue
- 1429 Pocatello Drive
- 1502 Pocatello Drive
- 122 W Reno Avenue
- 155 Boise Avenue
- 1026 S Third Street

Commissioner Askvig made a motion to approve the request. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

14. The Board of City Commissioners considered the request from the Community Development Department for approval of the final plat of High Meadows Twelfth Addition, requested by Greg and Gail Mayer and Donald and Lorraine Fitzgerald. The Bismarck Planning and Zoning Commission recommends approval.

Kim Lee, Planning Manager, appeared before the Board. She gave the background information for this item.

The Planning & Zoning Commission held a public hearing on this request at their meeting on August 24, 2016. No members of the public spoke at the public hearing. At the conclusion of the hearing and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the final plat for High Meadows Twelfth Addition.

Commissioner Askvig made a motion to approve the request. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

15. The Board of City Commissioners considered the request from the Community Development Department for approval of the final plat of MDU Bismarck Northwest Addition, requested by MDU Resources Group, Inc. and the city of Bismarck. The Bismarck Planning and Zoning Commission recommends approval.

Kim Lee, Planning Manager, appeared before the Board and gave background information on this agenda item.

The Planning & Zoning Commission held a public hearing on this request at their meeting on August 24, 2016. One area resident questioned the proposed use of the property and was satisfied with the response that it was for the expansion of the substation. No other members of the public spoke at the public hearing. At the conclusion of the hearing and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the final plat for MDU Bismarck Northwest Addition, including the granting of a waiver of the requirement to provide a fifteen (15) foot buffer on the south and east portions of the plat in Section 14-03-07 of the City Code of Ordinances due to the non-residential character of the adjoining parcels.

Commissioner Marquardt made a motion to approve the request. Commissioner Askvig seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

16. The Board of City Commissioners considered the request from the Community Development Department for approval of the final plat of Woodland Third Subdivision, requested by Duane and Carla Vetter. The Bismarck Planning and Zoning Commission recommends approval.

Kim Lee, Planning Manager, appeared before the Board and gave background information on this agenda item.

The Planning & Zoning Commission held a public hearing on this request at their meeting on August 24, 2016. No members of the public spoke at the public hearing. At the conclusion of the hearing and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the final plat for Woodland Third Subdivision.

Commissioner Oban made a motion to approve the request. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

17. The Board of City Commissioners considered the request from the city of Bismarck for approval of a street name change for that portion of Valley Drive, east of the intersection with Tyler Parkway to East Valley Drive.

Kim Lee, Planning Manager, appeared before the Board. This request has been before the Board previously however city staff went back and worked on it again in hopes of affecting the least amount of property owners. This area is located in northwest Bismarck between Tyler Parkway and Ash Coulee Drive. The proposed action would add "East" to the name Valley Drive in this area to eliminate confusion of duplicate address ranges on Valley Drive to meet emergency responses needs. There are duplicate ranges of addresses on either side of the map (contained in the agenda packet) and with the mile difference from one side to the other, it's difficult for emergency services.

Ms. Lee said the oldest portion of Valley Drive has the fewest number of residents, 35, so that area has been chosen. The residences have been allowed to keep the numeric portion of their addresses and add "East" to the street name. An informational meeting was held on May 9, 2016 and all affected property owners were invited to that meeting, however only four attended. Impacted owners were also notified of this meeting today. Two letters were received in response and the Board members received copies of the letters for their review. If staff had changed the other side of Valley Drive, they would've impacted over 100 property owners. Staff recommends approving the resolution to change the name of Valley Drive, east of the intersection with Tyler Parkway, to East Valley Drive.

Commissioner Askvig asked what's different from the last time staff brought this before the Board. Ms. Lee said originally they were looking to split this at where Daytona Drive and Roundtop are already split. The portion to the north would've been Upper Valley Drive and below would've remained Valley Drive. In working with Mike Dannenfelzer, CenCom Director, they felt splitting it at Tyler Parkway would make more sense because that's the road they would normally be taking to get to Valley Drive or East Valley Drive. Commissioner Askvig asked about how we go to where we are at. Ms. Lee said part of it is that the areas were developed at different times and there was possibly miscommunication at staff level. This is kind an anomaly because all of these

are on the east side of the road. Commissioner Askvig asked who decides how the streets are configured. Ms. Lee said city staff responds to what's proposed by the developer. Obviously with hindsight being 20/20, this should've been addressed a long time ago. Commissioner Askvig said we need to be more aware and thoughtful, because this isn't the only area of town where this kind of situation has happened. Ms. Lee said they now use a grid system and also have an addressing committee to review addresses. President Seminary said we need to really be aware and be thinking about this in the future. Ms. Lee said they are aware of the long term problems that this creates.

RESOLUTION
STREET NAME CHANGE IN
COUNTRY WEST PARK, COUNTRY WEST XXVIII ADDITION, COUNTRY WEST
XXVI ADDITION, COUNTRY WEST XXII ADDITION

WHEREAS, the Board of City Commissioners of the City of Bismarck, North Dakota deems it necessary to change a street name to East Valley Drive on the following property:

The portion of the existing Valley Drive roadway between the intersection of Valley Drive and Tyler Parkway to the terminus of Valley Drive at Ash Coulee Drive, adjacent to Lot 1, Block 1, Lot 1, Block 2, Lot 1, Block 3, Lot 1, Block 4, and Lots 1 and 2, Block 5, Country West Park; Lot 6, Block 1, Lots 7 and 8, Block 2, Lots 1 and 2, Block 4, Lots 1-6, Block 5, Lots 1-5, Block 6, and Lots 1-3, Block 7, Country West XXVIII Addition; Lots 1-3, Block 2, and Lots 11, 12, 14, and 15, Block 2, Country West XXVI Addition; Lots 1-6 and 18, Block 1, Lots 1-6, Block 2, and Lot 1, Block 3, Country West XXII Addition.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, that this Board unanimously goes on record this 13th day of September, 2016 giving its support for the name change of the previously described roadway between Tyler Parkway and Ash Coulee Drive.

BE IT FURTHER RESOLVED that this resolution be recorded in the office of the County Recorder, Burleigh County, North Dakota.

Dated this 13th day of September, 2016.

Commissioner Askvig made a motion to approve the request. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Naves: None, the motion carried.

18. The Board of City Commissioners considered the request from the Public Works Utility Operations Department to discuss lead service line replacements.

Michelle Klose, Public Works Utility Operations Director, appeared before the Board and wanted to touch on lead service lines in the city. She presented background information to the Board. Ms. Klose also showed pictures to the Board of what these pipes look like. There was discussion between Ms. Klose and the Board, including the frozen line policy and the horizontal collector well. Ms. Klose said the frozen line was separate from the curb stop policy and she's still drafting that on the frozen line policy, even though the Board adopted it during the time that Keith Demke was still the director for Public Works Utility Operations.

Commissioner Askvig made a motion to have staff put a policy together and bring it back to the Board for review at a future meeting. Commissioner Marquardt seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, Oban, and President Seminary. Nays: None, the motion carried.

19. The Board of City Commissioners considered other business.

Having completed the items on the agenda, President Seminary asked if there was any further business for this meeting. There being none, the meeting was declared adjourned at 6:22 p.m.