

MEETING OF THE BOARD OF CITY COMMISSIONERS

OCTOBER 25, 2016

The Board of City Commissioners met in regular session on October 25, 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.

1. The Board of City Commissioners considered approval of the minutes of the meeting on October 11, 2016.

Commissioner Askvig made a motion to approve the minutes. 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.

2. CONSENT AGENDA

A. The Board of City Commissioners considered and approved voucher numbers 1068035 to 1068408.

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

C. The Board of City Commissioners considered the following requests from the Administration Department:

- Approval of anti-discrimination resolution as drafted.

RESOLUTION

WHEREAS, the Board of City Commissioners of the City of Bismarck, North Dakota specifically finds as follows:

1. The City of Bismarck ("City") is composed of and welcomes diverse individuals, groups, and communities;

2. The City values this diversity and encourages all residents and visitors to contribute to the commercial life and activities of Bismarck and the cultural and social life of the City;

3. Discrimination and discriminatory practices, including those based upon sexual orientation and gender identity ("Discrimination"), inhibit and restrict the economic growth and opportunities of Bismarck and its citizens and its visitors and the general cultural, social and commercial activities of the City;

4. The elimination of Discrimination will attract new residents and businesses to the City, will encourage visitors and tourists to the City and contributes to the revenue of the City in order that the City may provide more and better services and amenities to ensure the growth and acceptable quality of life of the City;

5. Discrimination threatens the public health, safety and welfare of the City and must be eliminated.

THEREFORE, IT IS HEREBY RESOLVED:

THAT, consistent with the findings of the Board of City Commissioners of the City of Bismarck, North Dakota, it is the intent of the City of Bismarck to support the equal protection of all citizens;

BE IT FURTHER RESOLVED THAT, the City of Bismarck is an equal opportunity employer that also prohibits discriminatory employment practices on the basis of sexual orientation and gender identity or expression;

BE IT FURTHER RESOLVED THAT, the City of Bismarck encourages businesses and landlords within the City to adopt employment, provision of services and public accommodation policies and practices that prohibit all discrimination including discrimination on the basis of sexual orientation and gender identity or expression.

THEREFORE the Board of City Commissioners of the City of Bismarck, North Dakota, has adopted this Resolution on this 25th day of October, 2016.

BE IT FURTHER RESOLVED that this resolution be placed on public record for review by citizens of the City of Bismarck, North Dakota.

Dated this 25th day of October, 2016.

- Approval of request to change Bowen Avenue Center management fee to a minimum fee of \$550.00 per month.

The initial management fees for the Bowen Avenue Center, when fully leased was \$848.00 per month. The number of tenants has recently declined. Rocky Gordon & Company, property manager for the Bowen Avenue Center, has asked that the management fee be changed to a minimum fee of \$550.00 per month.

D. The Board of City Commissioners considered requests from the Assessing Division for approval of tax abatement applications for Disabled Veteran Credit and Deferred Maintenance.

- 203 W Reno Ave (0605-030-001) –2016 – Disabled Veteran Credit: Andrew & Cheryl Moch qualified for the abatement.

- 408 E LaSalle Dr (1514-007-035) – 2016 – Disabled Veteran Credit: Mitchell & Charlotte Erhardt qualified for the abatement.
- 1110 Ward Rd (0205-005-125) – 2016 – Deferred Maintenance: Sharon Spaedy qualified for the abatement.
- 2636 E Divide Ave (0965-002-305) – 2016 – Disabled Veteran Credit: Donald and Francine Kosiak qualified for the abatement.

E. The Board of City Commissioners considered the request from the Bismarck Airport for approval of the American Airlines Lease and Operating Agreement.

On April 25, 2014 the Board approved an Air Service Agreement with American Airlines. The Air Service Agreement specified air service incentives that would be effective October 1, 2014 through September 30, 2016. Among other incentives the agreement waived fees for the effective period of the air service agreement. American Airlines started air service between Bismarck and Chicago and Bismarck and Fort Worth in October of 2014.

In September of 2014 Airport Staff also provided American Airlines with a Lease and Operating Agreement. The standard agreement codified space and facilities negotiated earlier and set rent and charges the same as the Delta, Frontier and United agreements. The agreement term was for three years from October 1, 2014 to September 30, 2017. American Airlines signed the Lease and Operating Agreement on October 3, 2016 following the expiration of the air service agreement. Airport Staff recommends approval of the Lease and Operating Agreement.

F. The Board of City Commissioners considered the request from the Bismarck Parking Authority for approval of their request to sole source purchase structural shoring equipment for \$35,000.

The Bismarck Parking Authority has been leasing structural shoring equipment while it considered making repairs to the Galleria Parking Ramp. A determination has been made that it is more economically feasible to purchase the equipment than to continue leasing it.

The recommended action is to allow for the sole source purchase of the structural shoring equipment for the price of \$35,000.

G. The Board of City Commissioners considered request from Bismarck-Burleigh Public Health for approval to apply for grant funding from the 2016 Every Body Walk Micro Grant Program.

Bismarck-Burleigh Public Health is requesting permission to apply for grant funding up to \$2,000 to increase physical activity, walking and walkability in our community. Walkable communities lead to improved safety and health for community members.

There would be no new FTE's with this grant and there is no match requirement.

H. The Board of City Commissioners considered request from Dakota Pheasants Forever for authorization to conduct raffles at Pirogue Grille on November 28, 2016 and at Amvets Club #9 on February 4, 2017.

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

- Approval of the partial release of an existing sidewalk easement along the east side of South 3rd Street, adjacent to Kirkwood Mall.

A sidewalk easement was granted to the City of Bismarck along the east side of South 3rd Street adjacent to Kirkwood Mall signed in 1999 and recorded in 2000 to facilitate construction of an eight-foot sidewalk as part of the South 3rd Street reconstruction (Document 539694). There is now a proposed site plan in the southwest corner of the Kirkwood Mall parking lot that has requested to place their required landscaping buffer within a portion of the existing sidewalk easement. Staff is comfortable with the utilization of this two-foot strip for landscaping but requested the existing easement be modified to eliminate this landscaping strip from the easement. The City of Bismarck will still retain a minimum six-foot sidewalk adjacent to the proposed development which will correlate to our minimum standards. Staff recommends approval.

- Approval of the Storm Water and Drainage Easement across part of Lots 26 and 27, Block 1, Boulder Ridge First Addition.

This Storm Water and Drainage Easement is needed to construct, maintain, and repair storm water conveyance facilities including underground and surface storm water improvements across part of Lots 26 and 27, Block 1, Boulder Ridge First Addition. Staff recommends approval.

- Approval of Use Agreement with Braun Intertec for their proposed geotechnical evaluation within the Missouri River.

The City of Bismarck has an easement on the North Dakota Department of Transportation (NDDOT) right-of-way under the Grant Marsh Bridge over the Missouri River. Braun Intertec is requesting permission to utilize a portion of that right-of-way as a staging area for their proposed geotechnical evaluation within the Missouri River. Staff recommends approval.

- Approval of Contract Change Order No. 1 with Strata Corporation for Water Utility Project 16-68

Water Utility Project SU 16-68 included asphalt pavement maintenance for a portion of the roadways at the waste water treatment plant in south Bismarck. The approved project budget was \$146,239.09, which included a 10% contingency. During the course of construction, additional quantities were required to provide the level of repair needed to extend the life of the roadway. This additional work was within the project scope;

however, the resulting additional contract amount of \$17,774.60 exceeded the project budget by \$6,257.60 or 5.18% (15.18 over the original contract amount).

Staff requests approval of Contract Change Order No. 1, change in contract amount in the amount of \$17,774.60.

J. The Board of City Commissioners considered request from the Event Center for approval of the Contract Change Order with Scull Construction Services Inc for final payment in amount of \$105,000 for the Exhibit Hall expansion project.

K. The Board of City Commissioners considered request from the Finance Department for approval of the agreements with Dougherty & Co. LLC as financial advisors to the city for the issuance of bonds.

The two agreements (in the agenda packet) with Dougherty & Co. LLC for them to serve as the financial advisor to the City for the 2016 annual special assessment bonds for the sidewalk, curb and gutter and street improvement projects.

L. The Board of City Commissioners considered request from the Public Works Service Operations Department for approval of Change Orders 1 and 2 with Northern Improvement Company for Subtitle "D" Landfill Municipal Solid Waste Pit Expansion.

The east side construction of Municipal Solid Waste Cell #3 is nearing its completion. We would like to add twelve inches of wood chips to the sand base to protect the liner from puncture during the initial phase of adding garbage. Traditionally we have placed the wood chips after the project was completed. I would ask that since Northern Improvement is on site, we add Change Order 1 to the contract. Adequate funds are available to cover this change order amount. Change Order 2 is for extension of time line to accommodate the work in Change Order 1.

Addendum Item:

M. The Board of City Commissioners considered Approval of contracts and bonds for the following:

- All Seasons Exteriors, Inc. (Part B-1 Hazardous Sidewalk Repair of 2015 Construction of Sidewalk, Curb and Gutter and Driveways)
- Basaraba's Excavating & Dirt Works (Water Improvement District 15-327)
- Cofell's Plumbing & Heating, Inc. (Sewer Improvement District 15-561 and Water Improvement District 15-326/Sewer Improvement District 15-564)
- Edling Electric (Street Improvement Districts 15-492 & 15-493)
- Force Enterprise (Sewer Improvement District 15-560)
- George E Haggart, Inc. (Sewer Improvement District 15-562, Phase I)
- Knife River Corporation (Part A-1 New Construction and Part B-2 Miscellaneous Concrete Repairs for the 2015 Construction of Sidewalk, Curb and Gutter and Driveways)

- Mariner Construction Inc. (Street Improvement Districts 15-489, 15-490, 15-491 and 15-502)
- Markwed Excavating, Inc. (Sewer Improvement District 15-562, Phase II, and Water Improvement District 15-328/Sewer Improvement District 15-567)
- Northern Improvement Company (Street Improvement District 15-488, 15-495, 15-496, 15-498, 15-501)

The Board of City Commissioners considered approval of bonds and contracts for the Construction of Sidewalk, Curb and Gutter, and Driveways for 2015 – Part A-1 New Construction (Knife River Corporation), Part B-1 Hazardous Sidewalk Repair (All Seasons Exteriors, Inc.), and Part B-2 Miscellaneous Concrete Repairs (Knife River Corporation).

The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING CONTRACT AND CONTRACTOR’S BOND
2015 SIDEWALK, CURB AND GUTTER AND DRIVEWAY CONSTRUCTION**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, that the bonds and contracts furnished by Knife River Corporation for Part A-1 New Construction and Part B-2 Miscellaneous Concrete Repairs, and by All Seasons Exteriors, Inc. for Part B-1 Hazardous Sidewalk Repair for the construction of Sidewalk, Curb and Gutter and Driveway for 2015 are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING CONTRACT AND CONTRACTOR’S BOND
WATER IMPROVEMENT DISTRICT NUMBER THREE HUNDRED TWENTY-SEVEN
(327)**

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Basaraba’s Excavating & Dirt Works for

the construction of Water Improvement District Number Three Hundred Twenty-Seven (327) are hereby approved.

Commissioner Askvig 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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
SEWER IMPROVEMENT DISTRICT NUMBER FIVE HUNDRED SIXTY-ONE (561)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Cofell's Plumbing & Heating, Inc. for the construction of Sewer Improvement District Number Five Hundred Sixty-One (561) are hereby approved.

Commissioner Askvig 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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
WATER IMPROVEMENT DISTRICT NUMBER THREE HUNDRED TWENTY-SIX
(326)/ SEWER IMPROVEMENT DISTRICT FIVE HUNDRED SIXTY-FOUR (564)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Cofell's Plumbing & Heating, Inc. for the construction of Water Improvement District Number Three Hundred Twenty-Six (326)/ Sewer Improvement District Five Hundred Sixty-Four (564) are hereby approved.

Commissioner Askvig 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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED NINETY-TWO (492)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Edling Electric for the construction of Street Improvement District Number Four Hundred Ninety-Two (492) are hereby approved.

Commissioner Askvig 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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED NINETY-THREE
(493)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Edling Electric for the construction of Street Improvement District Number Four Hundred Ninety-Three (493) are hereby approved.

Commissioner Askvig 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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR’S BOND
SEWER IMPROVEMENT DISTRICT NUMBER FIVE HUNDRED SIXTY (560)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Force Enterprise for the construction of Sewer Improvement District Number Five Hundred Sixty (560) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR’S BOND
SEWER IMPROVEMENT DISTRICT NUMBER FIVE HUNDRED SIXTY SIX (566)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Force Enterprise for the construction of Sewer Improvement District Number Five Hundred Sixty Six (566) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR’S BOND
SEWER IMPROVEMENT DISTRICT NUMBER FIVE HUNDRED SIXTY-TWO,
PHASE I (562)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by George E Haggart, Inc. for the construction of Sewer Improvement District Number Five Hundred Sixty-Two, Phase I (562) are hereby approved.

Commissioner Askvig 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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
SEWER IMPROVEMENT DISTRICT NUMBER FIVE HUNDRED SIXTY-TWO,
PHASE II (562)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Markwed Excavating for the construction of Sewer Improvement District Number Five Hundred Sixty-Two, Phase II (562) are hereby approved.

Commissioner Askvig 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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
WATER IMPROVEMENT DISTRICT NUMBER THREE HUNDRED TWENTY-EIGHT
(328)/ SEWER IMPROVEMENT DISTRICT FIVE HUNDRED SIXTY-SEVEN (567)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Markwed Excavating, Inc. for the construction of Water Improvement District Number Three Hundred Twenty-Eight (328)/ Sewer Improvement District Five Hundred Sixty-Seven (567) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED EIGHTY-NINE (489)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Mariner Construction, Inc. for the construction of Street Improvement District Number Four Hundred Eighty-Nine (489) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED NINETY (490)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Mariner Construction, Inc. for the construction of Street Improvement District Number Four Hundred Ninety (490) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED NINETY-ONE (491)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Mariner Construction, Inc. for the construction of Street Improvement District Number Four Hundred Ninety-One (491) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FIVE HUNDRED TWO (502)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Mariner Construction, Inc. for the construction of Street Improvement District Number Five Hundred Two (502) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED EIGHTY-EIGHT
(488)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Northern Improvement Company for the construction of Street Improvement District Number Four Hundred Eighty-Eight (488) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED NINETY-FIVE (495)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Northern Improvement Company for the construction of Street Improvement District Number Four Hundred Ninety-Five (495) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED NINETY-SIX (496)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Northern Improvement Company for the construction of Street Improvement District Number Four Hundred Ninety-Five (496) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FOUR HUNDRED NINETY-EIGHT
(498)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Northern Improvement Company for the construction of Street Improvement District Number Four Hundred Ninety-Eight (498) are hereby approved.

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.

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The Board of City Commissioners then had before it for consideration the request for approval of the bond and contract on the following improvement district, completing the legal requirements as required by the N.D.C.C.

Commissioner Marquardt introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
STREET IMPROVEMENT DISTRICT NUMBER FIVE HUNDRED ONE (501)

BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota that the bond and contract furnished by Northern Improvement Company for the construction of Street Improvement District Number Five Hundred One (501) are hereby approved.

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.

Commissioner Marquardt made a motion to approve the consent agenda. 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.

REGULAR AGENDA

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

No one appeared before the Board.

4. The Board of City Commissioners considered the request from the Fort Abraham Lincoln Foundation to provide a project update on the Missouri River landing.

Aaron Barth, Executive Director, appeared before the Board to give them an update on the Missouri River landing. A copy of the presentation will be attached at the end of the minutes.

The Board received the presentation but took no formal action.

5. The Board of City Commissioners received an update from the Bismarck-Mandan Development Association (BMDA).

Brian Ritter, BMDA President, appeared before the Board to present an update on the BMDA. A copy of the presentation will be attached at the end of the minutes.

The Board received the presentation but took no formal action.

6. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on the request to transfer a Class F-1 liquor license from CAPSCO Entertainment, Inc. to Galpin Entertainment, LLC at 1120 Riverwood Drive (dba The Pier).

No one appeared before the Board and no written comments were received.

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.

7. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING and Confirmation of Health and Safety Assessments.

PERSONS APPEARING	THEIR REMARKS
Kim and Diane Martin, 301 W Burleigh Ave	They will owe \$56,000 and can't afford this; had they known this, they would've sold their property prior to this; lived there 14 years; workers tore up their yard and didn't fix it; tree was moved in their yard and now its dying; no notice that this was happening; found out about it by seeing it in the public notices in the newspaper; they didn't; they were told at planning commission there would be no adverse impacts to their property; water pools in that area.

There was considerable discussion between the Board and city staff.

Commissioner Askvig made a motion to approve the assessments as spread and to hold property at 301 W Burleigh Avenue in abeyance for one year. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Guy, and Oban. Nays: Commissioner Marquardt and President Seminary, the motion carried.

8. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on Ordinance 6234, a zoning ordinance text amendment relating to the elimination of the CR Zoning District - Sections 14-03-06, 14-03-08, 14-04-01, 14-04-13 and 14-05-05.1, initiated by the City of Bismarck.

ORDINANCE NO. 6234

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 14-03-01, 14-03-06, 14-03-08 AND 14-05-05.1 OF THE BISMARCK CODE OF ORDINANCES (REV.) AND TO REPEAL SECTION 14-04-13 OF THE BISMARCK CODE OF ORDINANCES (REV.), RELATING TO DIVISION OF THE CITY INTO DISTRICTS, INCIDENTAL USES, SPECIAL USES, ACCUMULATION OF CERTAIN ITEMS PROHIBITED, AND THE CR – COMMERCIAL ZONING DISTRICT.

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

Kim Lee, Planning Manager, appeared before the Board and presented background information that can be found in the agenda packet.

Ms. Lee said the Planning and Zoning Commission held a public hearing on this item at their meeting on September 28, 2016. No members of the public spoke at the public hearing. At the conclusion of the hearing and based upon the findings contained in the staff report, the Planning and Zoning Commission unanimously recommended approval of the zoning ordinance text amendment as outlined in Ordinance 6234.

Commissioner Askvig made a motion to adopt Ordinance 6234. 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.

9. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on Ordinance 6235, a zoning ordinance text amendment relating to Incidental Uses/Accessory Uses & RMH - Sections 14-03-06 and 14-04-05, initiated by the City of Bismarck.

ORDINANCE NO. 6235

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 14-03-06 AND 14-04-05 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO INCIDENTAL USES AND THE RMH RESIDENTIAL DISTRICT.

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

Kim Lee, Planning Manager, appeared before the Board and presented background information that can be found in the agenda packet.

Ms. Lee said the Planning and Zoning Commission held a public hearing on this item at their meeting on September 28, 2016. No members of the public spoke at the public hearing. At the conclusion of the hearing and based upon the findings contained in the staff report, the Planning and Zoning Commission unanimously recommended approval of the zoning ordinance text amendment as outlined in Ordinance 6235.

Commissioner Marquardt made a motion to adopt Ordinance 6235. 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.

10. The Board of City Commissioners considered the following requests relating to Memory 1st Addition, requested by Ron and Ruth Knutson and RBK Ventures, LLP.

- PUBLIC HEARING on Ordinance 6236 relating to partial annexation.
- PUBLIC HEARING on the Future Land Use Plan amendment for Section 10, Hay Creek Township.

- PUBLIC HEARING on Ordinance 6237 relating to zoning change from A-Agriculture zoning district to the CG-Commercial and MA-Industrial zoning districts.
- Approval of the final plat.
- Approval of the Developer's Agreement.

ORDINANCE NO. 6236

AN ORDINANCE ANNEXING PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF BISMARCK, NORTH DAKOTA, DECLARING THE TERRITORY ANNEXED; DECLARING THE SAME TO BE A PART OF THE CORPORATE LIMITS OF SAID CITY.

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

* * * * *

ORDINANCE NO. 6237

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE 1986 CODE OF ORDINANCES, OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

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

Kim Lee, Planning Manager, appeared before the Board and presented background information on these items that can be found in the agenda packet.

Ms. Lee said the Planning and Zoning Commission held a public hearing on this item at their meeting on September 28, 2016. No members of the public spoke at the public hearing. However, there was considerable discussion amongst the members of the Planning and Zoning Commission regarding the partial annexation of the proposed plat. At the conclusion of the hearing, and based on the findings contained in the staff report, the Planning & Zoning Commission recommended, on a 7 to 2 vote, approval of the partial annexation as outlined in Ordinance 6236; the Future Land Use Plan amendment to extend the Industrial classification in the southwest portion of the SW ¼ of Section 10, T139N-R80W west to the future extension of North 19th Street from 57th Avenue NE north to where Hay Creek crosses North 19th Street as outlined in the attached resolution; the zoning change from the A-Agricultural zoning district to the CG – Commercial zoning district on Lots 1 & 2, Block 1 and Lots 1 & 2, Block 2 and to the MA-Industrial zoning district on Lots 1-4, Block 3, as outlined in Ordinance 6237; and the final plat for Memory 1st Addition, with the understanding that individual lots will be

annexed and that all municipal services needed to serve that lot, including roadways and utilities, will be in place or under contract prior to development of that lot.

Gabe Schell, City Engineer, appeared before the Board. He's here to ask the Board for approval of the development agreement with RBK Ventures, LLC and Ronald M and Ruth A Knutson for Memory 1st Addition.

Due primarily to the partial annexation of Memory 1st Addition, staff is recommending a development agreement to state the terms, conditions and obligations of both the City of Bismarck and the developer. The developer has stated the primary factor contributing to the partial annexation is their current fireworks operation that would not be allowed by city ordinance within city limits. The developer has committed to annexing the remaining lots and blocks of Memory 1st Addition within three years of the execution of the agreement and will file the petition for annexation contemporaneously with the execution of this Agreement. Other items within the agreement include:

- Signed petitions for water, sewer, street and lighting improvements on the portion Memory 1st Addition that will be annexed immediately.
- Signed petitions for water, sewer and street improvements on the portion of Memory 1st Addition that will be annexed within three years effective at the time of annexation and when the developer elects to proceed with improvements on any lot within Memory 1st Addition.
- Ridgedale Street from Elbowoods Lane to 57th Avenue will be removed at such time as the remaining annexation of Memory 1st Addition occurs and the public improvements have been completed.

At this time, we do not have a signed agreement but the developer has verbally agreed in principal to the majority of terms. The outstanding issue is language regarding how the removal of Ridgedale Street is paid.

Mr. Schell said the proposed changes/additions are as follows in the development agreement:

5. Ridgedale Street from Elbowoods Lane to 57th Avenue will be closed and removed ~~by the Developer~~ at such time as the remaining annexation of Memory 1st Addition as described in Paragraph 1 occurs and the public improvements as described in Paragraph 4 have been completed. Work to remove Ridgedale Street shall be included in the project to construct the roadways as described in Paragraph 4.

If the plat is approved, staff would request permission to hold the recording of the plat until the signed agreement has been approved by the Board and required petitions are provided by the developer.

Commissioner Marquardt made a motion to approve the amendments as outlined above to the development agreement. Commissioner Askvig seconded the motion. Upon roll

call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, and President Seminary. Nays: Commissioner Oban, the motion carried.

RESOLUTION OF ADOPTION
of an Amendment to the Future Land Use Plan
for Section 10, T139N-R80W/Hay Creek Township

WHEREAS, the Bismarck Board of City Commissioners received the Future Land Use Plan (FLUP) of the 2014 Growth Management Plan Study on April 22, 2014; and

WHEREAS, the City of Bismarck amended the Future Land Use Plan on December 15, 2014, to address changes in conditions since the Future Land Use Plan was established, including the adoption of the 2014 Fringe Area Road Master Plan, the acceptance of the 2015 Ash and Ward Coulee Watershed Study, and ongoing land development; and

WHEREAS, the land use identified in the FLUP is used as a policy tool in conjunction with the 2014 Bismarck Growth Management Plan and the Bismarck Comprehensive Policy Plan; and

WHEREAS, the City of Bismarck finds it necessary, from time to time, to amend portions of the FLUP to further the public interest; and

WHEREAS, the proposed amendment does reflect a change in conditions since the FLUP was received.

NOW, THEREFORE BE IT RESOLVED, by the Bismarck Board of City Commissioners that it adopts the attached amendment to the FLUP for Section 10, T139N-R80W/Hay Creek Township, to extend the Industrial classification in the southwest portion of the SW¼ of the section west to the future extension of North 19th Street from 57th Avenue NE north to where Hay Creek crosses North 19th Street, as shown on the attached exhibit.

CERTIFICATE

The undersigned, duly qualified members of the Bismarck Board of City Commissioners certify that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the Board of City Commissioners held on October 25, 2016.

Commissioner Marquardt made a motion to approve all of the items on Memory 1st Addition. Commissioner Askvig seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy, and President Seminary. Nays: Commissioner Oban, the motion carried.

11. The Board of City Commissioners considered the request from Steven and Carol Hall for designation of the purchase of a primary residential condominium in a previously approved Renaissance Zone project at 100 West Broadway Avenue as a Renaissance Zone Project. Steven and Carol Hall/Pine Properties have purchased Unit 310. The Renaissance Zone Authority recommends approval.

Daniel Nairn, Planner, appeared before the Board. The applicants are requesting Renaissance Zone designation for the purchase of a primary resident, Unit 310, in the Broadway Centre building. Their unit has 2,160 square feet and they will use the condominium as their full-time residence. The Board has already approved four other condominiums as primary residences as Renaissance Zone designations at this location to date. The applicants would be eligible for an estimated \$25,000 in property tax exemption and \$5,000 in state income tax exemption over five years.

The Renaissance Zone Authority held a public hearing on October 18, 2016 and no members of the public spoke at the hearing. Based on the findings contained in the staff report, the Renaissance Zone Authority unanimously recommended approval of the designation of the purchase of a primary residential condominium in the building at 100 West Broadway Avenue by Steven and Carol Hall/Pine Properties as a Renaissance Zone project, a 100% property tax exemption on the value of the condominium and an exemption up to \$10,000 from personal state income tax for five years beginning with the date of occupancy.

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, Guy, Oban, and President Seminary. Nays: Commissioner Marquardt, the motion carried.

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

- Approval of contract with AE2S for engineering consulting services for the Silver Ranch Watershed Master Plan.

Gabe Schell, City Engineer, appeared before the Board. Advanced Engineering and Environmental Services (AE2S) was selected through the RFP and interview process. This project will master plan the regional storm water and related infrastructure required to serve the developed and undeveloped properties of the Silver Ranch Watershed. This planning will include coordination with the property owners and other affected stakeholders. Scope and fee information is attached and the full contract is available if requested. Contract is hourly not to exceed \$343,120. Design and construction phases may be added by amendment to this contract at a future date with Board approval.

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.

- Provide update on North Washington Street project.

Gabe Schell, City Engineer, appeared before the Board and gave an update on the North Washington Street project.

The Board received an update but took no action.

13. The Board of City Commissioners considered the request from the Public Works Service Operations Department to discuss an implementation time line for the recommended changes to the Solid Waste Collection.

Jeff Heintz, Public Works Service Operations Director, appeared before the Board and presented the information regarding the timeline for implementation of the changes to the Solid Waste Collection.

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.

14. The Board of City Commissioners considered the request from Public Works Utility Operations Department for approval of the emergency contract with SEH Engineering for emergency repairs at the Wastewater Treatment Plant.

Michelle Klose, Public Works Utility Operations Director, appeared before the Board. On October 7, 2016, the Plant experienced a pipe leak between the grit chamber and preliminary treatment. The Plant was shut down to complete a temporary repair. Emergency work was discussed with City Administrator and approved to proceed with notice to SEH Engineering to assist in the investigation and long-term repair.

As part of the initial investigation, non-destructive testing was performed by Braun Intertec to determine pipe wall thicknesses within the second and third chambers. Wall thicknesses are significantly degraded. This work may likely continue over the next couple of months.

Ms. Klose recommends approval of emergency contract with SEH Engineering.

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 Public Works Utility Operations Department for approval of two change orders for the grit classifier at the Water Treatment Plant.

Michelle Klose, Public Works Utility Operations Director, appeared before the Board. During completion of the softening expansion at the Water Treatment Plant, it was identified that the new process is more effective in removing the grit. Prior to expansion, the plant was moving approximately six containers per week for disposal during the summer. That has now increased to approximately 28 containers per week. The grit is manually transported from the lower levels to the back bay. A grit classifier will allow automated movement of this material more effectively for disposal.

There are two change orders totaling \$146,493.17. The change order with Edling Electric is for the electrical work (\$16,304.17) and the change order with PKG is to supply and install the classifier (\$130,189) .

Commissioner Guy 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.

President Seminary said going forward, items relating to change orders can be on the consent agenda.

16. The Board of City Commissioners considered the request from Public Works Utility Operations Department for review and approval of South Bismarck watershed recommendations.

- Review and approve Contract Amendment #2, Attachment #1 with Apex Engineering Group.

Michelle Klose, Public Works Utility Operations Director, appeared before the Board. Public Works hosted a public informational meeting on August 25, 2016, concerning the South Bismarck Watershed stormwater evaluation . The majority of public discussion focused on the South 12th flooding issues as well as questions concerning the south Bismarck drainage ditch.

The proposed contract amendment attachment #1 will address questions relating to the lining of the south Bismarck drainage ditch and the analysis of the Kiwanis Park alternative. The draft stormwater report will be finalized with inclusion of this information. Funding for this work would come from the Utility Fund.

Ms. Klose requests the Board approve attached Contract Amendment #2, Attachment #1 with Apex Engineering Group.

Commissioner Guy 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.

- Review and approve Contract Amendment #2, Attachment #2 with Apex Engineering Group

Michelle Klose, Public Works Utility Operations Director, appeared before the Board. This contract amendment will complete the design work on the northern most project along South 1th Street. The South Bismarck Watershed Preliminary Engineering Report identified three separate storm sewer improvement projects along the South 1th Street corridor. This project involves preliminary and final design of the north segment project along 6th Avenue from the South Bismarck Ditch to 1th Street and along South 12th Street from 6th Avenue to Bismarck Expressway, coordination with property owners, easement acquisition services, and bidding services. In addition, a storm sewer improvement will be made on South 12th Street from 6th Avenue one-half block south and then east on Park Avenue to New Jersey Street. A storm sewer line at 1th Street and Virginia Avenue will be installed east to the low lying area on the north side of Colonial Estates.

The design work for this project would normally be included with the construction cost and assessed to property owners in the area.

Ms. Klose recommends the Board approve attached Contract Amendment #2, Attachment #2 with Apex Engineering Group.

Commissioner Marquardt 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 Public Works Utility Operations Department for approval of water service line policies including lead service line replacement.

Michelle Klose, Public Works Utility Operations Director, appeared before the Board. She said the city is receiving residential requests for replacement of lead service lines. These service lines are the water lines constructed and maintained by the homeowner that extend from the city water main to the water meter within the home.

The city is in compliance with the Lead and Copper Rule which is part of the Safe Drinking Water Act. Lead testing has been ongoing for many years, however there has been greater interest raised more recently with the national attention in Flint, Michigan. EPA and the North Dakota Department of Health are expecting increased monitoring and a lowering of compliance levels for lead within the service lines of homes. The EPA has a compliance level of 0.015 mg/L and a goal level of 0 mg/L for

human consumption, so this is considered a health and safety issue. Ms. Klose recommends approval of the water service line policies included in the agenda packet.

Commissioner Askvig made a motion to approve the request. Commissioner Oban seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Askvig, Marquardt, Guy and Oban. Nays: President Seminary, the motion carried.

18. The Board of City Commissioners considered the request from Administration Department for discussion and approval of the 2017 Legislative Agenda.

Keith Hunke, City Administrator, appeared before the Board. The Legislative Agenda provides the framework for legislative priorities and topic areas, established and approved by the City Commission, for city staff to use when communicating with state legislators and testifying on legislative bills. Approve the 2017 Legislative Agenda.

Commissioner Askvig recommended under Housing Programs to remove the following wording after multi-family housing: “for essential service workers, main street employees and fixed-income households”.

CITY OF BISMARCK 2017 LEGISLATIVE AGENDA

Transportation Funding

The City supports transportation funding at current and increased levels. If a decrease in federal funding is realized, the City supports requests for replacement of that lost federal funding from the State.

Airport Runway Funding

The City supports the North Dakota Aeronautics Commission (NDAC) designation of the Bismarck Airport Runway Project as “critical infrastructure” to the City of Bismarck and the State of North Dakota. The City of Bismarck supports the NDAC’s request for a one-time general fund allocation of \$9 million for airport infrastructure. This allocation would allow the NDAC to provide additional financial assistance to Bismarck’s primary runway reconstruction project estimated at \$67 million.

Renaissance Zone Program

The City supports the continuation of the current Renaissance Zone program and its opportunity to realize all benefits of the program including a full five year extension of the City program.

Emergency Communications and Public Safety

The City supports funding for one-time capital improvement investments to upgrade state-wide 911 emergency communications, as well as multi-hazard public safety emergency responder training.

The City supports the assignment of Fire Insurance Premium Tax Payments to Fire Departments.

State Aid Distribution Fund

The City supports funding of the State Aid Distribution Fund to Cities and Public Libraries based on the current per capita funding formula, at the current full funding level of the established funding formula.

Tax Exemptions

The City supports efforts to reduce sales tax exemptions and property tax exemptions.

Behavioral Health Services

The City supports all efforts and programs that address the ever increasing demand for behavioral Health services.

Bank of North Dakota Business Development and Infrastructure Loan Programs

The City supports the continuation of the business development and infrastructure revolving loan programs administered by the Bank of North Dakota. The City supports the expansion of allowable infrastructure projects that qualify for the infrastructure revolving loan program.

Tax Relief/Reform

The City supports the current Property Tax Relief and Reform efforts and further supports overall tax relief efforts.

Housing Programs

The City supports the continuation of state investments in the Housing Incentive Fund for affordable multi-family housing for ~~essential service workers, main street employees and fixed income households.~~

Design Build Project Delivery Method

The City supports the use of the design-build project delivery method for state and local infrastructure projects.

Commissioner Askvig made a motion to approve 2017 Legislative Agenda with the change he suggested. 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.

Commissioner Marquardt and Gabe Schell, City Engineering, spoke about the ordinance regarding material in public right-of-way. Commissioner Marquardt then named the members of the Infrastructure Task Force. They are as follows:

- Commissioner Marquardt

- Commissioner Oban
- Keith Hunke
- Sheila Hillman
- Brian Ritter
- Dot Frank
- Nancy Deichert
- Scott Meske
- Don Clement
- Kevin Strege

Motion to go into executive session:

Commissioner Marquardt made a motion to go into executive session. 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.

20. City Commission will hold an executive session under NDCC Section 44-04-19.2 regarding contract negotiation/negotiation strategy under NDCC Section 44-04-19.1(9) for the following item:

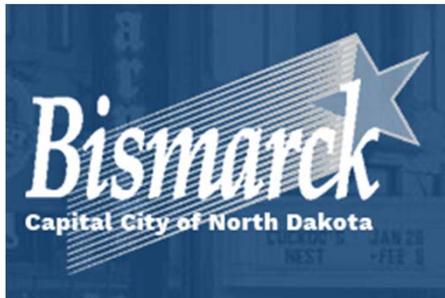
- Consideration of the potential purchase of land at the Northern Plains Commerce Centre (NPCC) by Mariner Construction, Inc.

Motion to come out of Executive session:

Commissioner Askvig made a motion to go out of executive session. 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.

Commissioner made a motion to instruct staff to do as was discussed in executive session. 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.

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 8:14 p.m.



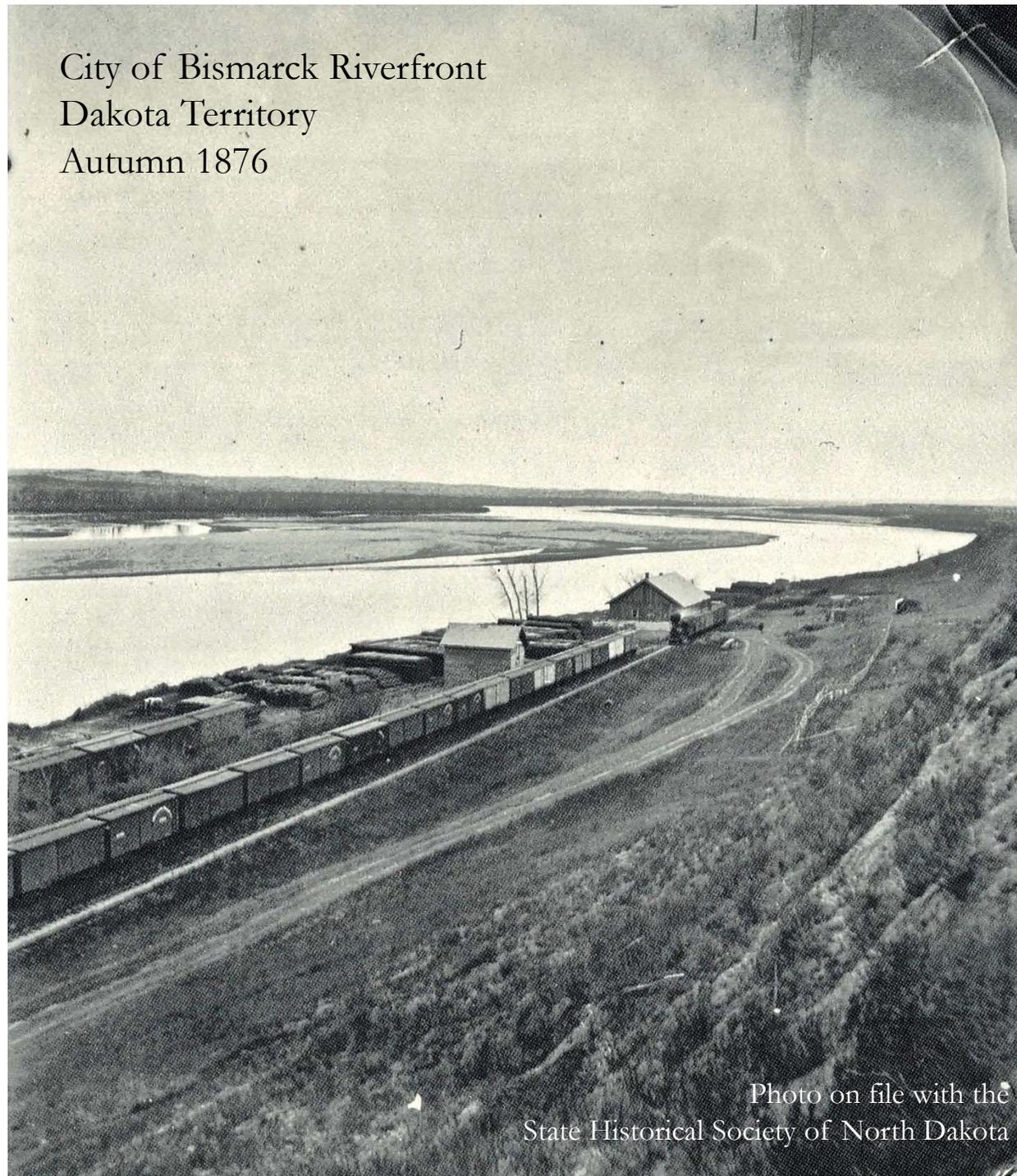
Fort Abraham Lincoln Foundation Update for the Bismarck City Commission

2014 Project Concept

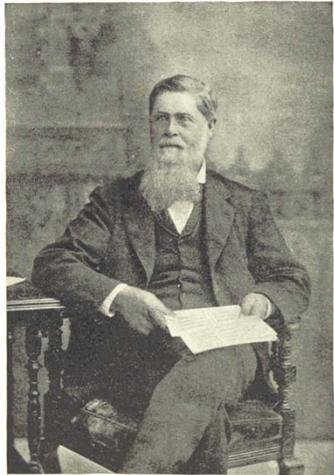
- Siting Challenges
- Unconventional
Construction
- Maintenance Concerns
- Community Fundraising
Fatigue
- Conservative estimates
of \$1.5 to \$2 million



July 2015 Rescaling Project



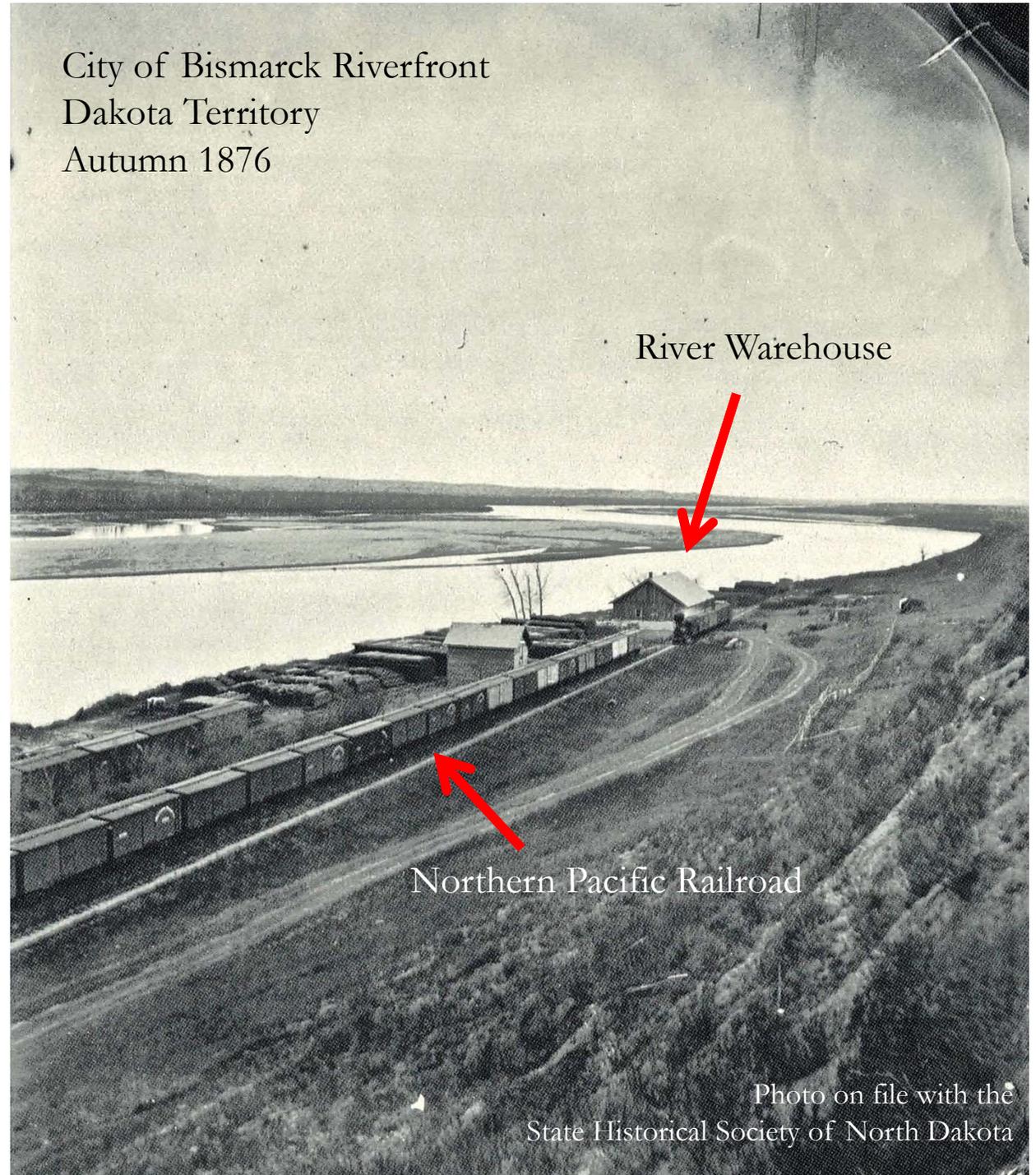
July 2015 Rescaling Project



MR. JAY COOKE.

Jay Cooke
NPRR Financier &
Friend of Lincoln

Photo credit: wikicommons

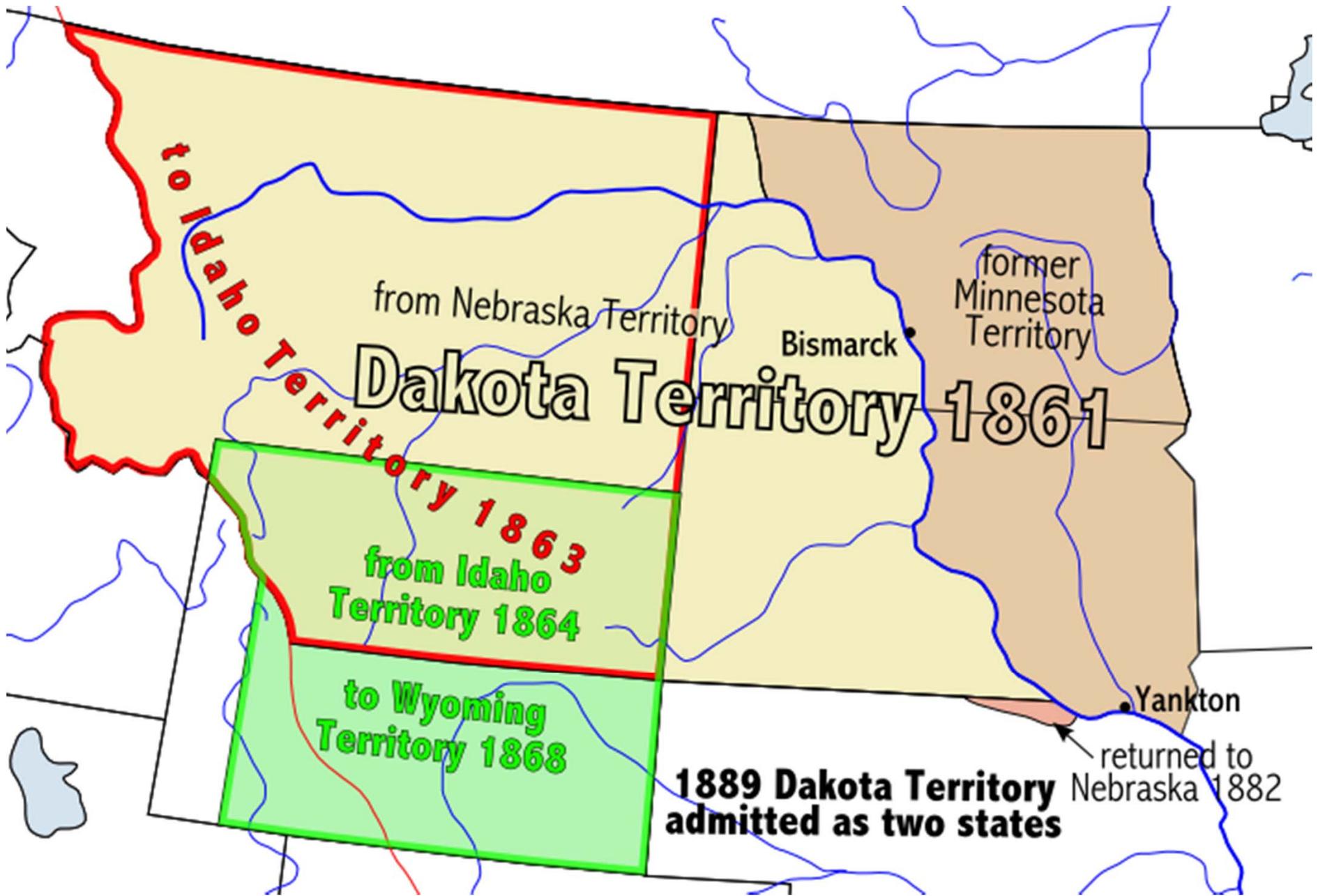


City of Bismarck Riverfront
Dakota Territory
Autumn 1876

River Warehouse

Northern Pacific Railroad

Photo on file with the
State Historical Society of North Dakota



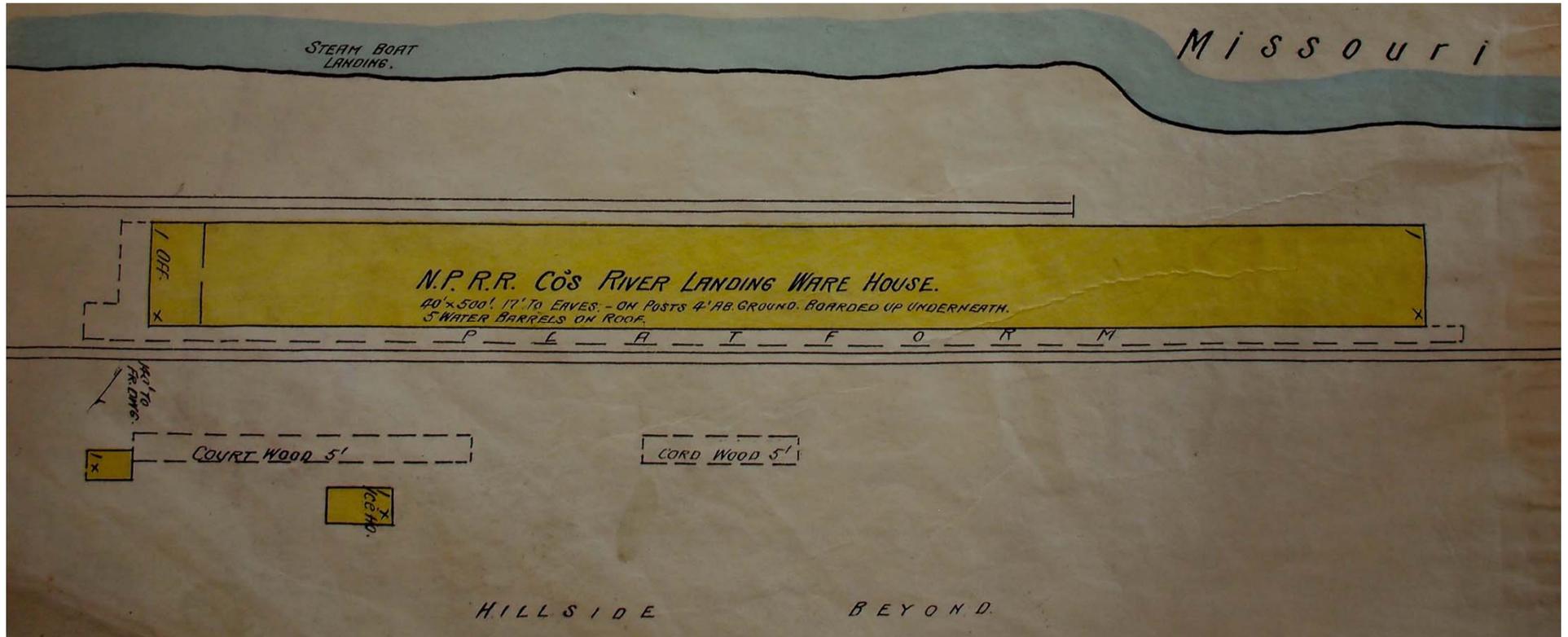
Map on file with wikicommons

River Warehouse



Photo on file with the
State Historical Society of North Dakota

Sanborn Fire Insurance Map 1899



Map on file with the
State Historical Society of North Dakota



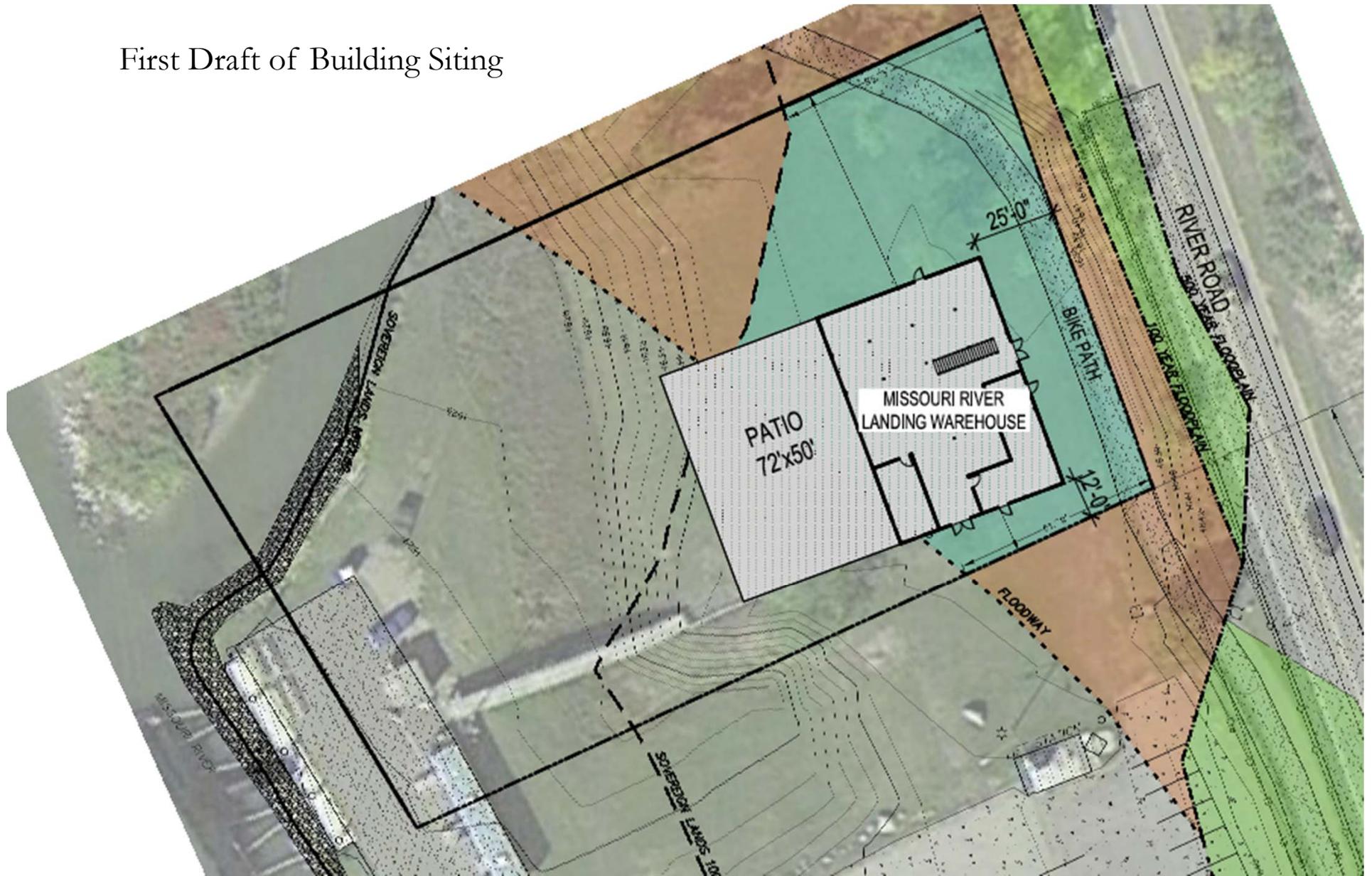
Photo on file with the
State Historical Society of North Dakota



River Road

Lewis & Clark Riverboat Landing

First Draft of Building Siting





River Road

Bismarck Parks &
Recreation District Trail



River Road

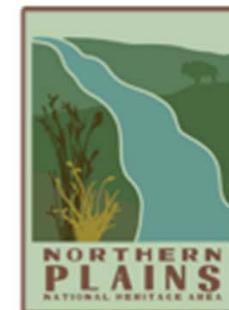
I-94 Grant Marsh
Bridge

Missouri River

As of October 9, 2016: \$607,200 cash pledged



Richard & Paige Rothaus
Loren R. Kopseng
Dale G. Niewoehner



Public Letters of Project Support Include

- U.S. Senator John Hoeven
- U.S. Senator Heidi Heitkamp
- U.S. Congressman Kevin Cramer
- N.D. Tourism Director Sara Coleman
- Bis-Man CVB Director Sheri Grossman
- Bismarck Parks & Recreation Director Randy Bina
- BSC President Larry Skogen
- BSC Humanities Scholar Clay Jenkinson



JOHN WARFORD
C A M P A I G N C H A I R



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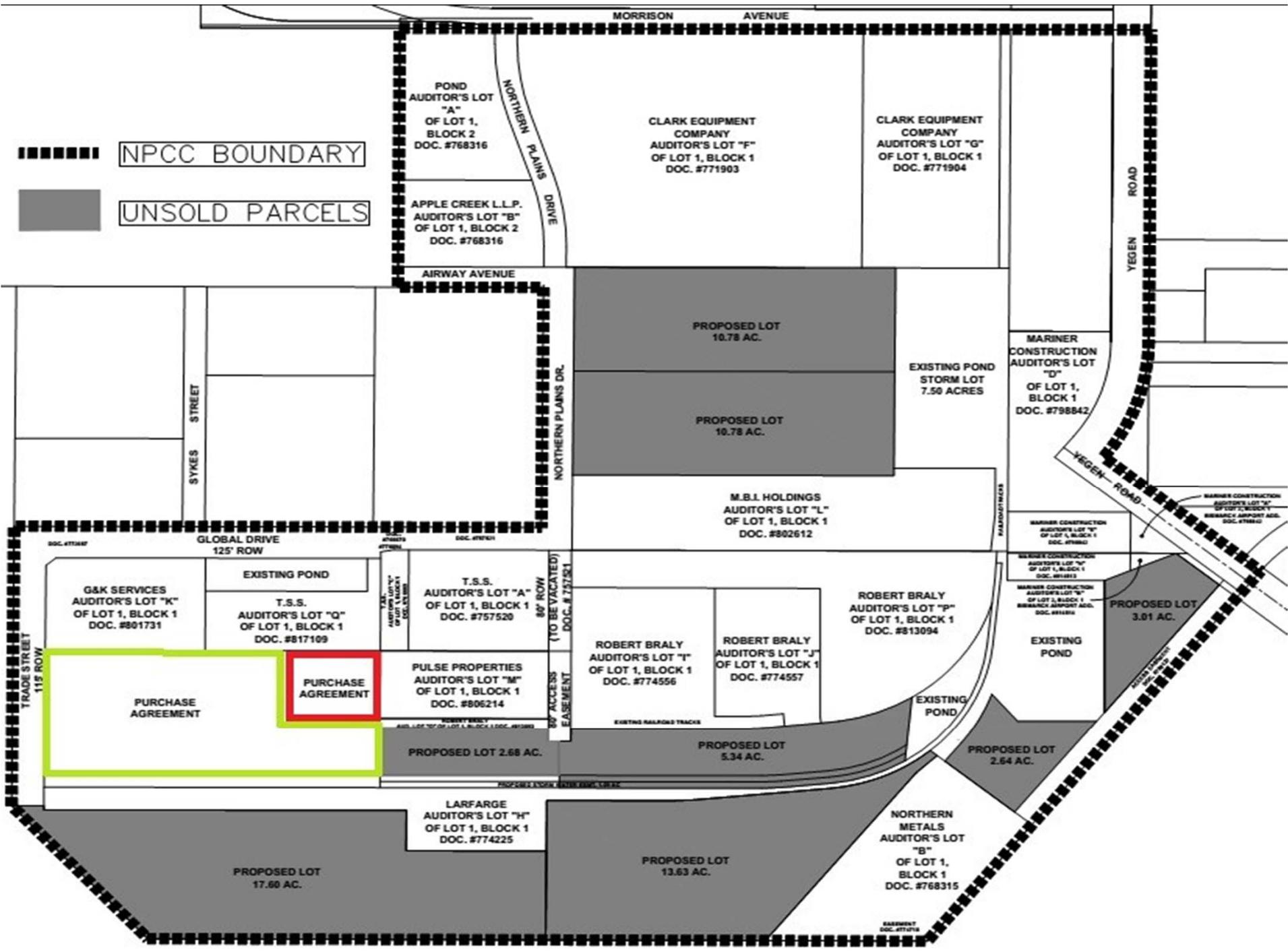
BISMARCK MANDAN
DEVELOPMENT ASSOCIATION





Bobcat®





NPCC BOUNDARY



UNSOLD PARCELS

POND AUDITOR'S LOT "A" OF LOT 1, BLOCK 2 DOC. #768316

APPLE CREEK L.L.P. AUDITOR'S LOT "B" OF LOT 1, BLOCK 2 DOC. #768316

CLARK EQUIPMENT COMPANY AUDITOR'S LOT "F" OF LOT 1, BLOCK 1 DOC. #771903

CLARK EQUIPMENT COMPANY AUDITOR'S LOT "G" OF LOT 1, BLOCK 1 DOC. #771904

PROPOSED LOT 10.78 AC.

PROPOSED LOT 10.78 AC.

EXISTING POND STORM LOT 7.50 ACRES

MARINER CONSTRUCTION AUDITOR'S LOT "D" OF LOT 1, BLOCK 1 DOC. #798842

M.B.I. HOLDINGS AUDITOR'S LOT "L" OF LOT 1, BLOCK 1 DOC. #802612

MARINER CONSTRUCTION AUDITOR'S LOT "M" OF LOT 1, BLOCK 1 DOC. #798843

G&K SERVICES AUDITOR'S LOT "K" OF LOT 1, BLOCK 1 DOC. #801731

EXISTING POND T.S.S. AUDITOR'S LOT "Q" OF LOT 1, BLOCK 1 DOC. #817109

T.S.S. AUDITOR'S LOT "A" OF LOT 1, BLOCK 1 DOC. #757520

ROBERT BRALY AUDITOR'S LOT "I" OF LOT 1, BLOCK 1 DOC. #774556

ROBERT BRALY AUDITOR'S LOT "J" OF LOT 1, BLOCK 1 DOC. #774557

ROBERT BRALY AUDITOR'S LOT "P" OF LOT 1, BLOCK 1 DOC. #813094

MARINER CONSTRUCTION AUDITOR'S LOT "N" OF LOT 1, BLOCK 1 DOC. #818113

PROPOSED LOT 3.01 AC.

PURCHASE AGREEMENT

PURCHASE AGREEMENT

PULSE PROPERTIES AUDITOR'S LOT "M" OF LOT 1, BLOCK 1 DOC. #806214

EXISTING RAILROAD TRACKS

PROPOSED LOT 2.68 AC.

PROPOSED LOT 5.34 AC.

EXISTING POND

PROPOSED LOT 2.64 AC.

LARFARGE AUDITOR'S LOT "H" OF LOT 1, BLOCK 1 DOC. #774225

PROPOSED LOT 17.60 AC.

PROPOSED LOT 13.63 AC.

NORTHERN METALS AUDITOR'S LOT "B" OF LOT 1, BLOCK 1 DOC. #768315

NORTHERN PLAINS DRIVE

AIRWAY AVENUE

SYKES STREET

NORTHERN PLAINS DR.

GLOBAL DRIVE 125' ROW

TRADE STREET 115' ROW

YEGEN ROAD

YEGEN ROAD

80' ACCESS (TO BE VACATED) EASEMENT DOC. # 757521

PARADISE TRAILS

MARINER CONSTRUCTION AUDITOR'S LOT "R" OF LOT 1, BLOCK 1 RESEARCH AIRPORT ADD. DOC. #798844

YEGEN ROAD

BARMENT DOC. #770716

SEPTEMBER 2016



TARGET INDUSTRY STUDY

BISMARCK-MANDAN REGION

BISMARCK  **MANDAN**
MAKE YOUR MARK

- Brian Ritter
 - Edit Profile
- Bismarck-Mandan... 17
- FAVORITES
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Photo/Video | Photo/Video Album

What's on your mind?

Public Post

Bismarck-Mandan Development Association
Published by Judy Sauter [?] · October 11 at 2:15pm ·

Are you an engineer? A surveyor? An engineering or CADD technician? If you haven't checked out the opportunities for you in Bismarck-Mandan, do it NOW!



Engineering | Bismarck-Mandan Development Association

We've build a better job market. And we hope you'll take advantage of it. Bismarck-Mandan, North Dakota, is home to a wide variety of industries and employers, with...
BMDA.ORG

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Jennifer R Wilson
If you'd like more Brian just let me know....

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Kevin Gross
Confirm Chat

BMDA 2014 – 2016 Strategic Plan

- **Strategic Goal 1:** Embrace Cutting-Edge Economic Development Practices for Innovative Business Attraction and Retention Programming
- **Strategic Goal 2:** Lead The Charge In Breaking Down Barriers to Economic Prosperity
- **Strategic Goal 3:** Position the Bismarck-Mandan Region as a Business and Career Destination
- **Strategic Goal 4:** Maximize Results by Focusing on Organizational Excellence