

MISSION STATEMENT

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

MEETING OF THE BOARD OF CITY COMMISSION

Commissioner Guy connected through conference call for this meeting.

1. Consider approval of the minutes.

Commissioner Marquardt moved to approve the minutes. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C

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

No member of the public appeared.

3. CONSENT AGENDA

Commissioner Marquardt moved to approve moved to approve the consent agenda. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C.

- A. Consider approval of expenditures.

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- B. Consider approval of personnel actions.

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

1. Introduction of and call for a public hearing on a new Class D retail liquor license for Coborn's Incorporated, for Cash Wise Liquor, located at 1144 E. Bismarck Expressway.
2. Introduction of and call for a public hearing on a request for a new Class 1-2 Restaurant Beer and Wine liquor license for EAT Restaurant LLC, for Eat Thai Cafe, located on 409 Riverwood Dr.
3. Introduction of and call for a public hearing on a request for a new Class F- 1 Restaurant Full Alcohol liquor license for The Craftcade LLC, located at 405 N. 4th St.
4. Gaming Site Authorization for RMEF Mindak Inc., 2402 Railroad Ave.
5. Approve a Communications Services Agreement with agency MABU.

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

1. Permission to apply for ND Junior Master Gardener Grant.
2. Permission to increase the fee for the Quantiferron Gold TB Testing Fee.

- E. Consider the request for approval from the Community Development Department for the following:
1. Introduction of and call for a public hearing on Ordinance 6408, a request for a zoning change from the A-Agriculture zoning district to the RT- Residential zoning district for Cooperative Addition.
 2. Introduction of and call for a public hearing on Ordinance 6409, a request for a zoning change from the A - Agricultural zoning district to the A - Agricultural, R5 - Residential, and R10 - Residential zoning districts for the NE1/4 of Section 19 and part of the SE1/4 of Section 18, T138N-R80W/Hay Creek Township.
 3. Introduction of and call for a public hearing on a Future Land Use Plan amendment to modify the boundary between the Low Density Residential and Conservation designations, in part of section 18 & 19, Hay Creek Township requested by Tyler Coulee, LLP and Ron Knutson.
 4. Introduction of and call for a public hearing on Ordinance 6410, a request for the annexation of Lots 16 and 17, Block 1 and Lot 1, Block 4, Clear Sky Addition, requested by FRF Investments, LLP.
 5. Introduction of and call for a public hearing on Ordinance 6411, a request for the annexation of Lots 2, 15 and 16, Block 2; Lots 14-22, Block 4 and Lots 1-6, Block 4, Boulder Ridge 7th Addition, requested by Five Guys Investment, LLP.
 6. HUD 2020 Citizen Participation Plan.
- F. Consider the request for approval from the Engineering Department for the following:
1. Amendment to Existing Agreement for Professional Services with KLJ for 43rd Ave. Reconstruction - HC 121.
 2. Street Closure for the 8th Annual BisMarket.
 3. Release existing sanitary sewer easement 728207, as part of project HC 120.
 4. Award contract of Sewer Improvement District SE 573 to Weisz & Sons, Inc.
 5. Street Improvement District No. 534 - Request for resolution of necessity.
- G. Consider the request for approval from the Finance Department for the following:
1. Application for Abatement for year 2019, Nonprofit Organization, at 200 E. Kavaney Dr.
 2. Application for Abatement for year 2019, Disabled Veteran Credit, at 843 Mayflower Dr.
 3. Application for Abatement for year 2018 & 2019, Blind Exemption, at 3433 Nebraska Dr.
 4. Approve the budget transfers, authorizations and adjustments in the 2019 budget.
- H. Consider the request for approval from the Police Department for the following:
1. Permission to compete on "America's Top Dog" television show.
 2. Permission to participate in "American Heroes Outdoors" television show.
 3. Accept contract for the 2020, 2021 and 2022, with 4 Winds Auction, for the City of Bismarck's auctions.
- I. Consider the request for approval from the Public Works - Service Operations for the following:
1. Accept the report on contract cancelation with IPL, Inc. for the furnishing of solid waste and yard waste containers.

2. Accept the contract for consulting services for the Fire Station 3 Remodel Project.
3. Permission to request donations for the 2020 Public Works Day Celebration.

J. Consider the request for approval from the Public Works - Utility Operations for the following:

- 1. Approval of USGS Contract for Streamflow and Water Level Monitoring.**
- 2. Approval of Engineering Task Order and Grant Funding Request for Jackman Coulee Dam.**

4. REGULAR AGENDA

5. Continued Public hearing on Ordinance 6403, an amendment to Title 4 of the City Code of Ordinances (Building Regulations) regarding the 2018 Building Code and Fire Code adoption.

Jeff Sattler gave thanks to the Building Inspection Department for the updated Code of Ordinances.

Commissioner Zenker moved to approve the updated City Code of Ordinances. Commissioner Marquardt seconded the motion. Upon a roll call vote, all voted aye. M/C.

6. Consider the request from the Community Development Department for a minor subdivision final plat of Daybreak Medical Addition First Replat, requested by 57 North Investors, LLP and Greenfield Commons, LLC.

Commissioner Marquardt moved to approve the request. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C.

7. Consider the request from the Engineering Department to receive bids and award 43rd Ave. Reconstruction - HC 121.

The low bid was submitted by Northern Improvement Company in the amount of \$11,451,045.91.

Please see the link for a full explanation of the bids received for this item. <https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/4863?fileID=11551>

Commissioner Marquardt moved to approve the request. Commissioner Zenker seconded the motion. Upon a roll call vote, all voted aye. M/C.

8. Consider the request from the Engineering Department for direction to staff regarding the development agreement for the future of the Northern Sky 2nd Addition.

Lon Romsaas, of the engineering firm Swenson, Hagen & Company, spoke in favor of the agreement.

Commissioner Zenker moved to direct staff to work with the developer with the understanding that the property would need to be annexed within 10 years, if not previously annexed in conjunction with a project to develop the property. Commissioner Marquardt seconded the motion. Commissioner Oban stated he wanted to remind the Commission that even though the city is not paying for the development of this project, it would still be in

charge of the upkeep for it.

The City Engineer, Gabe Schell, informed the Commission that a development agreement will be drafted to include details, outlining responsibilities of the developer and the City. This updated draft would then be presented to the commission at a later date.

Upon a roll call vote, all voted aye. M/C.

Other Business

Having completed all the items on the agenda, President Bakken asked if there was any other business.

The next City Commission Meeting will be at 5:15 p.m. on February 25, 2020

Adjourn

The meeting was adjourned at 5:44 p.m.