

## MISSION STATEMENT

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

## MEETING OF THE BOARD OF CITY COMMISSION

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

No member of the public appeared for comment.

2. Consider the approval of the minutes.

Commissioner Marquardt moved to approve the minutes as presented. Commissioner Oban seconded the motion.

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

3. CONSENT AGENDA

Commissioner Marquardt moved to approve the consent agenda as presented. Commissioner Oban seconded it.

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

- A. Consider approval of expenditures.

Vouchers: 1093277 - 1093457.

- B. Consider approval of personnel actions.

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

1. Approve bids for roof repair work above leased tenant space at the Parkade.
2. Authorize gaming site renewals for the following:

### Bismarck Cancer Center Foundation

- Bismarck Cancer Center - 500 N. 8th St.
- Bismarck Elks Lodge - 900 S. Washington St.
- Bismarck Larks - Bareknuckle Baseball, LLC - 303 W. Front Ave.
- Bismarck Moose Lodge - 302 - 312 N. 20th St.
- Puklich Chevrolet - 3701 State St.

### Bismarck Hockey Boosters, Inc.

- Lucky's Bar - 2176 E. Thayer Ave.

Bismarck-Mandan Elks Lodge BPOE 1199

- Bismarck-Mandan Elks Lodge - 900 S. Washington St.

Cystic Fibrosis Association of North Dakota

- Cheap Shots - 3938 Miriam Ave.

Horse Race of North Dakota

- Golf Etc. - 511 Airport Rd.
- Jack's Steakhouse - 1201 S. 12th St.
- Los Lunas - 108 N. Mandan St.
- Sickies Garage - 3108 N. 14th St.

Mandan Baseball Club, Inc.

- Lucky's 13 - 915 S. 3rd St.
- Laughing Sun Brewing - 1023 E. Front Ave.

MATPAC Wrestling Club, Inc.

- Blarney Stone - 408 E. Main Ave.
- Main Bar - 804 E. Main Ave.
- The CraftCade - 405 N. 4th St.
- Sidelines - 300 S. 5th St.
- Sports Page - 1120 Tacoma Ave.

ND Chapters of Delta Waterfowl

- Delta Waterfowl Foundation Building - 1412 Basin Ave.
- Bismarck Amvets Club - 2402 Railroad Ave.

Prairie Public Broadcasting

- Bird Dog Brewing, LLC - 931 S. 9th St.
- Dakota Skies Bingo - 825 S. 8th St.

D. Consider the request for approval from the Airport for the following:

1. Award bid to Weisz and Sons Inc., for the Northwest Detention Area.
2. Approve the \$500 sponsorship for the Commemorative Air Force.

E. Consider the request from the Community Development Department for the following:

1. Introduction of and call for a public hearing on Ordinance 6417, a request for the partial annexation of Elk Ridge Second Addition less the right-of-way for Tyler Parkway.
2. Introduction of and call for a public hearing on Ordinance 6418, a request for a zoning change from the A-Agricultural and R5-Residential zoning district to the R5-Residential and R10-Residential zoning districts for Elk Ridge Second Addition.

3. Introduction of and call for a public hearing on a Fringe Area Road Master Plan amendment to eliminate the collector designation for a north-south roadway within Sections 18 and 19, T139N-R80W/Hay Creek Township in the City of Bismarck, Burleigh County, North Dakota.
4. Introduction of and call for a public hearing on Ordinance 6425, a request for a zoning change from the R5-Residential zoning district to the R10-Residential zoning district for Huntington Cottages Second Addition.
5. Introduction of and call for a public hearing on Ordinance 6426, a request for the annexation of Heritage Ridge Second Addition, less the 15th St. NW right-of-way. The Bismarck Planning and Zoning Commission recommends approval.

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

1. Approve contracts and bonds for previously awarded special assessed projects.
2. Approve the Memorandum of Understanding with U.S. Fish and Wildlife Service for projects receiving state and federal funding.
3. Release an existing access, sanitary sewer and water main easement in Southbay Fifth Addition.
4. Change Order 1 for Street Improvement District No. 532.
5. Street Improvement District No. 540 - Request for resolution declaring petitions for improvements has been received. Request for resolution creating district SI 540 and ordering preparation of the preliminary report. Request for resolution approving preliminary report and directing preparation of plans and specifications.
- 6.

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

1. Change Order 2 to the Agreement with Custome Aire, Inc. for the HVAC renovation project at the Library.

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

1. Approve the Stonecrest Development Agreement with Liechty Homes, Inc.

4. REGULAR AGENDA

5. Receive a Budget Committee update from Dmitriy Chernyak, Finance Director.

No motion was made for this item.

Please see the link for Dmitriy Chernyak, the Finance Director's full presentation:

<https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5205?fileID=12667>

6. Consider the request from the Community Development Department, regarding Carols Addition, requested by Paces Lodging Corporation, Larry Benzinger and Vivian Lang.

1. Minor subdivision final plat of Carols Addition.
2. Development Agreement.
3. Private Drive and Private Utility Agreement.

Commissioner Marquardt moved to approve the requests as presented. Commissioner Zenker seconded the motion.

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

7. Consider the request from the Engineering Department for Street Improvement District No. 535 - Request for resolution receiving bids and ordering preparation of the Engineer's Statement for SI 535.

This item was pulled from the agenda, no action was taken.

8. Consider the request from the Engineering Department for Street Utility Project SV 53 - Receive bids and award contract for SV 53.

Commissioner Zenker moved to approve the street utility project as presented. Commissioner Oban seconded the motion.

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

Submitted Bids:

Engineers estimate: \$142,489.80

Bid amounts:

Edling Electric - \$133,850.00

Fetzer Electric - \$128,872.90

Denny's Electric - \$103,913.40

9. Consider the request from the Fire Department for Emergency Management to update the City's outdoor warning siren activation system.

The City's Emergency Manager, Gary Stockert, reported to the Commission that the City's outdoor warning siren activation system has experienced system wide failures in the recent past minutes. He recommended that the Commission consider replacing the radio activation system and implement a two-way system.

President Bakken asked Commissioner Marquardt, a representative of the Budget Committee, if the funds are available for replacing the outdoor warning system. Commissioner Marquardt stated the project first would need to be bid and then the Budget Committee would determine the appropriate funding source.

Commissioner Marquardt made a motion to direct staff to proceed with a request for a proposal, to receive bids for a fully functioning two-way system and another for a system that they would have to use if a two-way system is not possible. In addition, he requested a maintenance agreement to be developed for the vendor. Commissioner Marquardt also asked that the system, that is currently in place, be tested every Friday at noon.

Commissioner Oban seconded the motion and requested to see the comprehensive step-

by-step action plan to see how the public will be notified in the event of an emergency. Moving forward he also requested Emergency Management provide the Commission with updates on the outdoor warning system.

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

Emergency Manager Stockert stated they have several options in place, outside of the outdoor warning system, for alerting the public of an emergency, including the NOAA all hazards radio system and the wireless emergency alert system. Mr. Stockert noted these avenues will be utilized during the 2020 storm season.

It is estimated the new outdoor warning system will be in place when the new CenCom/EOC facility is finished around August, 2020.

10. Consider the request from the Administration Department for discussion regarding the annual alcohol license renewal process.

At this time, no motion was made. The Commission agreed to revisit this item in August, 2020.

11. Consider the request from the Administration Department for discussion regarding firework displays within City limits.

The City Attorney, Jannelle Combs, provided historical information about the fireworks ban in Bismarck, and fireworks ordinances in place in the surrounding jurisdictions.

Commissioner Guy stated she did not feel the decision to overturn the ordinance which prohibits fireworks within the City limits should be made by the City Commission. She suggested the item be placed on the 2020 or 2022 election ballot for the public to vote on.

Commissioner Oban stated he did not see a reason for this item to be on the ballot, due to the lack of need for fireworks in the City.

Commissioner Marquardt called for more discussion on the issue.

Commissioner Zenker asked staff to gather more information from Fire and Police departments, regarding fireworks, and report back to the Board of Commissioners after July 4, 2020.

## Other Business

President Bakken announced the City is developing a plan for reopening the City offices to the general public on Tuesday June 16, 2020.

## Adjourn

The meeting was adjourned at 7:08 p.m.