

MEETING OF THE BOARD OF CITY COMMISSION

1. Consider the approval of the minutes.

Commissioner Zenker moved to approve the minutes as presented. Commissioner Oban seconded it.

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

2. Canvass returns of the City of Bismarck candidates for the June 9, 2020 Primary Election.

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

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

3. Adjourn

Commissioner Oban moved to adjourn the meeting at 5:36 p.m. Commissioner Zenker seconded the motion.

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

MEETING OF THE BOARD OF CITY COMMISSION

1. Assignment of Commission Portfolios.

The Commissioners were assigned the following portfolios:

Steve Bakken

- Administration
- City Attorney
- Community Development
- Economic Development
- Human Resources
- City and County Planning Commission

Greg Zenker

- Airport
- Event Center
- Engineering
- Forestry
- Renaissance Zone Authority
- Sidewalks
- Strategic Plan Liaison

Nancy Guy

- Facility Maintenance
- Fleet
- Library Liaison
- Public Health
- Roads & Streets
- Solid Waste Utility
- Street Light Utility
- Transit Liaison

Steve Marquardt

- Budget /Budget Committee
- Finance
- Fire
- Intergovernmental Relations
- County Planning Commission
- Pension Review Board
- Storm Water
- Water and Sewer Utility
- Vision Fund

Mark Splonskowski

- Central Dakota Communications Center
- Dakota Media Access Liaison
- Mayor's Committee on Employment of Persons with Disabilities
- Municipal Court
- Parking Lots
- Police
- Weeds

Commissioner Marquardt moved to approve the portfolios assignment as presented and affirmed the following positions had been appointed.

1. A Treasurer;
2. An Auditor;
3. An Attorney;
4. One or more Assessors;
5. A City Health Officer, who shall be a physician;
6. A Street Commissioner;
7. A Chief of the Fire Department;
8. A Chief of Police;
9. One or more Police Officers;
- 10A City Engineer;
- 11A board of Public Works; and
- 12Such other officers or boards as the board of City Commissioners may deem necessary.

Commissioner Guy seconded the motion.

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

2. Appoint Vice-Chair of City Commission.

Commissioner Marquardt was appointed to Vice-Chair of the Commission.

Commissioner Zenker moved to approve the appointment as presented. Commissioner Guy seconded it.

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

3. CONSENT AGENDA

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

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

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

Ian Easton and Tyler Huber, two Bismarck residents and bicycle riders, spoke in opposition to the Commission approving the Temporary License to Use Premises Agreement, with Tanner Schweitzer, for the annual Medieval Rush event. Both Mr. Easton and Mr. Huber voluntarily take care of the bike trails overlooking the Missouri where the event is proposed to take place.

In addition, Mr. Huber also provided the Commission with a short presentation. Please see the link to view it: <https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5219?fileID=12719>

Tanner Schweitzer, the event's organizer, came before the Commission and explained how much he is looking forward to holding his event in Bismarck. He shared his ideas on how to ensure the land, they are requesting to use for the event and how it would be protected and returned to the condition it was before the event.

Andy Beck, Mountains Operations Manager of Huff Hills also spoke during public comment. Mr. Beck shared his experience with Mr. Schweitzer and what it was like holding the event at the Huff Hills ski area.

- B. Consider approval of expenditures.

Vouchers: 1093458 and 1093662.

- C. Consider the approval of personnel actions.

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

1. Approve unlocking City facilities, discontinue temporary authority and approve continuation of COVID-19 leave pay.
2. Consider applications for gaming.

Bismarck Lodge #302 Loyal Order of Moose

- Bismarck Moose 302 - 312 N. 20th St.

CHI St. Alexius Medical Center

- Bismarck Event Center - 315 S. 5th St.

- CHI St. Alexius Health Bismarck - 900 E. Broadway Ave.
- Clem Kelley Athletic Complex - 517 W. Arbor Ave.
- Scheels - 800 Kirkwood Mall

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

1. Lease Agreement with the State Historical Society of North Dakota for a storage building.
2. Sole Source Purchase of three Bowmonk Decelerometers.

F. Consider the request for approval from the Attorney for the following:

1. Ratify the June 13, 2020 State of Emergency Declaration relating to COVID-19 by the President of the City Commission and extend its effect to July 13, 2020.

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

1. Accept COVID-19 CARES Act funding for Public Health and increase budget authority for Public Health Government Grants by \$1,379,542.

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

1. Approve the 2020 5307 CARES Transit Grant Application.
2. Introduction of and call for a public hearing on a petition from the Bismarck Cancer Center to vacate the dedicated alley over the North 20 feet of Tract 500 of Block 27 and 38, Northern Pacific Second Addition, and the deeded alley over the East 8 feet of the North 20 feet of Lot 8, Block 38, and the deeded alley over the South 19.3 feet of the East 8 feet of Lot 9 and the South 19.3 feet of the West 8 feet of Lot 4, Block 38, Northern Pacific Second Addition. Staff recommends approval.

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

1. Approve consultant services contract with KLJ Engineering LLC.
2. Approve contract for pavement condition data collection with Gorrondona & Associates, Inc.
3. Sidewalk Easement - Approve dedication of and acceptance of a sidewalk easement on Lots 1 & 32, Block 2, Suttle's Addition.
4. Street Improvement District No. 535 - Request for resolution receiving bids and ordering preparation of the Engineer's statement for SI 535. Request for resolution awarding contract for SI 535.
5. Street Improvement District No. 536 - Request for resolution receiving bids and ordering preparation of the Engineer's statement for SI 536.
6. Street Improvement District No. 537 - Request for resolution receiving bids and ordering preparation of the Engineer's statement for SI 537. Request for resolution awarding contract for SI 537.
7. Street Improvement District No. 538 - Request for resolution receiving bids and ordering preparation of the Engineer's statement for SI 538. Request for resolution awarding contract for SI 538.
8. Street Improvement District No. 540 - Request for resolution, approving plans and specifications for SI 540. Request for resolution directing the advertisement of bids and receive bids.
9. Utility Easement - Request dedication of a utility easement on Lot 1, Block 1,

Municipal 3rd Addition.

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

1. Application for Abatement for 2019, Disabled Veteran. at 619 W. Interstate Ave.
2. Approve upgrade of existing Mitel VOIP phone system and corresponding equipment.
3. Approve upgrade of existing Tom Baker room system and corresponding equipment.

K. Consider the request for approval from the Fire Department for the following:

1. Permission to apply for Emergency Management Performance Supplemental Grant.

L. Consider the request for approval from the Police Department for the following:

1. Accept donations received during the COVID-19 Pandemic.
2. Approve sole source purchase for PortaCount machine and accessories from TSI, Inc.

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

1. Award contract for the 2020 Furnishing Street Maintenance Materials.
2. Award bid for traffic signal video detection systems.

4. REGULAR AGENDA

5. Consider the request from the Human Resources Department to receive an overview of the 2015 Condrey Study and hear recommendations from the group, Condrey & Associates.

Commissioner Guy moved to have the Condrey and Associates group update their 2015 study on employee compensation. Commissioner Zenker seconded her motion for further discussion.

The Commission addressed the cost of the study, and suggested the possibility of having staff gather similar information the study would provide.

Upon a roll call vote, Commissioner Splonsowski, Marquardt, Zenker and President Bakken voted nay. Commissioner Guy aye.

Motion denied.

Please see the link for the Condrey & Associates' full presentation:

<https://www.bismarcknd.gov/AgendaCenter/ViewFile/Item/5200?fileID=12665>

6. Consider the request from the Administration Department to consider a request from the Vision Fund Committee regarding a Bank of North Dakota PACE program interest rate buy down for Cloverdale Foods Company.

Nathan Schneider, the Vice President of the Bismarck-Mandan Chamber EDC, presented the Vision Fund Committee's decision to approve Cloverdale Foods Company's application

for a PACE program interest rate buy down.

The Vision Fund commitment for this project would be a portion of the PACE Loan interest buydown in the amount of \$133,503.40. The terms and conditions of the Vision Fund loan would be a 5-year buydown, 5-year repayment at zero percent interest. The Lewis & Clark Development Group will waive the 1 percent loan servicing fee in lieu of a one-time payment of \$1500.00 which will be paid by Cloverdale Foods Company.

Commissioner Zenker moved to approve the application. Commissioner Marquardt seconded the motion.

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

The Commission's approval of the application will allow Cloverdale Foods Company to fulfill their expansion plans. The total cost of the proposed expansion is currently being estimated between \$17 million to \$20 million. Construction for the expansion and updates will begin within weeks of this Bismarck City Commission Meeting. The expansion is expected to take about 18 months to complete.

7. 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/5235?fileID=12720>

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

1. 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. 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. Public hearing on a Fringe Area Road Master Plan amendment to eliminate the collector designation for a north-south roadway.
4. Final plat of Elk Ridge Second Addition.

No member of the public appeared for comment.

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

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

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

1. Public hearing on Ordinance 6425, a request for a zoning change from the R5 - Residential zoning district to the R10 - Residential zoning district for Hunting Cottages Second Addition.
2. Minor subdivision final plat of Huntington Cottages Seconds Addition.
3. Development Agreement.
4. Private Drive and Private Utility Agreement.

No member of the public appeared for comment.

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

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

10. 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.

No member of the public appeared for comment.

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

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

11. Consider the request from the Attorney for discussion and approval of the Temporary License to Use Premises Agreement for the August 1, 2020 Medieval Rush event.

City Attorney Combs presented the Temporary License to Use Premises Agreement that she and the City Engineer drafted.

Mr. Schweitzer informed the Commission of details of his event including the route he mapped out for the event. He also stated that he has coordinated with the bicyclists that take care of the trails and showed the Commission where exactly the participants in the event will encounter the trails when racing. Commissioner Guy asked Mr. Schweitzer how he plans to guide runners through the race. He stated he plans to use flags, markers and volunteers to assist in directing runners to stay on course and to avoid the paths.

President Bakken asked Mr. Schweitzer coordinate with the City Engineer to look at alternative routes in that area for the race. In addition, he also requested staff to look at the liability of the public bike trails.

Commissioner Marquardt then moved to table the item until the next City Commission Meeting on July 14, 2020. Commissioner Zenker seconded.

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 on July 14, 2020.

Adjourn

The meeting was adjourned at 8:27 p.m.