



MEETING OF THE BOARD OF CITY COMMISSIONERS

8/27/2024 - Minutes

MEETING OF THE BOARD OF HEALTH

CALL TO ORDER

The Board of Health met on August 27, 2024, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioner Connelly, Commissioner Cleary, Commissioner Risch, Commissioner Zenker, and Mayor Schmitz were present.

BOARD OF HEALTH AGENDA

- A. Public Health Director Update
- B. Community Health Needs Assessment
 - 1. Priorities Identified
- C. Housing & Homelessness Forum
 - 1. Priorities Identified
- D. Homelessness Update
 - 1. Point in Time Count/Statistics
 - 2. Impacts on Bismarck Police Department
 - 3. Presentation of Potential Solutions

Renae Moch, Bismarck-Burleigh Public Health Director, presented information to the Board regarding the results of the Community Health Needs Assessment, the Housing and Homelessness Forum, and a homelessness update. Deputy Chief Jason Stugelmeyer provided information on the impact of homelessness on the Bismarck Police Department.

- [Presentation](#)

Commissioner Risch motioned for Director Moch to move forward with developing a stakeholder group to identify a sustainable solution to address identified community gaps by way of a potential Community Triage Center concept, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

ADJOURN

MEETING OF THE BOARD OF CITY COMMISSION

CALL TO ORDER

The Board of City Commissioners met on August 27, 2024, at 6:00 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioner Connelly, Commissioner Cleary, Commissioner Risch, Commissioner Zenker, and Mayor Schmitz were present.

FUTURE COMMISSION MEETINGS

September 10, 2024 & September 24, 2024
October 8, 2024 & October 22, 2024
November 12, 2024 & November 22, 2024

MISSION STATEMENT

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

1. PUBLIC COMMENT

Restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items

1. Dan Nagel, a representative for Bismarck Manufactured Housing Park, LLC, spoke in favor of Regular Agenda Item 3.B.

2. CONSENT AGENDA

Commissioner Zenker motioned to approve the Consent Agenda as presented and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

- A. Consider approval of minutes

B. Consider approval of personnel actions

C. Consider approval of expenditures

Vouchers: 1119615 to 1119908.

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

1. Approval of liquor license renewal application.
2. Appoint Kalen Ost, City Communication Strategist, as an ex officio, non-voting advisor to the Dakota Media Access (DMA) Board of Directors.

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

1. Revised plat for West Region Medical Second Addition.
2. Request by Sattler Homes, Inc. to release a portion of the non-access line adjacent to the east line of Lot 6, Block 1, Apple Meadows Third Subdivision.
3. 2023 Consolidated Annual Performance Evaluation Report (CAPER), which serves as a detailed report of the prior year's performance of the Community Development Block Grant (CDBG) program.

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

1. Acceptance of the North Dakota Department of Transportation (NDDOT) Flexible Transportation Fund Grant for E Century Avenue Reconstruction and Extension HC 165.
2. Acceptance of warranty deed for a lot in South Meadows Addition for the storm water lift station.

3. Revised Preliminary Engineer's Report and a Revised Resolution of Necessity for Street Improvement District No. SI 583.
4. Contract for pavement condition data collection with Quality Engineering Services, Inc.
5. Permission to close Avenue A between 24th Street and 25th Street on Friday, September 6, 2024, from 1:00 PM - 9:00 PM for Grace Lutheran Brethren Church block party.

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

1. Resolution directing special assessments to be levied.

[Assessments to be Levied](#)

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

1. Memorandum of Understanding (MOU) between Light of Christ Catholic Schools and the Bismarck Police Department for School Resource Officers.
2. Permission to accept the donation of a small kitchen appliance from Terri Tober.

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

1. An emergency purchase per City ordinance 07-01-04.2 that created an exception to the normal competitive bidding requirements for the emergency and permanent repairs of the Electrical BUS Bar in the City County Building.
2. An emergency purchase per City ordinance 07-01-04.2 that created an exception to the normal competitive bidding requirements for the emergency water cleanup, drying of the carpet, sheetrock, insulation, repair damaged pipe, and make repairs necessary to allow employees to return to their workspace at Fire Station #1 (1020 E Central Ave, Bismarck).

3. Permission to enter into agreement for Uniform Rental Services with Vestis for the rental and laundering of uniforms, janitorial products, and floor mats/rugs for City employees and buildings managed by the Building Maintenance Division of Public Works Service Operations.

3. **REGULAR AGENDA**

- A. Public hearing on Ordinance 6588, a zoning map amendment from the A – Agriculture and RR – Residential zoning district to the A – Agriculture zoning district, on Auditor's Lot S-3, Section 25, 138N-R81W/Hay Creek Township.

Ben Ehreth, Community Development Director, provided information regarding Ordinance 6588, a zoning map amendment from the A – Agriculture and RR – Residential zoning district to the A – Agriculture zoning district, on Auditor's Lot S-3, Section 25, 138N-R81W/Hay Creek Township requested by Lonnie and De Ann Barth.

Mayor Schmitz opened the public hearing. No public comment was received.

Commissioner Zenker motioned to approve Ordinance 6588 as presented, and Commissioner Connelly seconded. Upon a roll call vote, all voted aye. M/C.

- B. Consider Bismarck Manufactured Housing Park (MPH) LLC's request for approval for the resale of water from Bismarck MHP, LLC Water Service Contract.

Michelle Klose, Public Works Utility Operations Director, presented information on Bismarck Manufactured Housing Park (MHP) LLC's request for approval to resell utility services through a water service contract.

Commissioner Connelly motioned to deny the request, and Commissioner Zenker seconded.

- Commissioner Connelly expressed concerns with the private owner of the MHP raising already high lot rent after implementing the service contract, and how it may make sense with higher users, but not in general.
- Commissioner Risch commented that without approval of the request, the MHP might raise rates for the tenants.
- Commissioner Zenker stated that the Commission needed to consider other requests from multi-dwelling unit owners that would come before the Commission if they approve the request. Commissioner Zenker also discussed reviewing the reports and the difficulty in auditing the results.
- Mayor Schmitz agreed with Commissioner Zenker, that other requests could be a result of the Commission's decision, as well as from a CPA point of view regarding how the audit portion of the proposed agreement would function.

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

- C. Consider the request for resolution to receive bids, ordering preparation of the engineer's statement and awarding the contract for Street Improvement District SI 581.

Gabe Schell, City Engineer, presented the bid results for Street Improvement District SI 581, and recommended going with the lowest bid from Strata Corporation for \$1,648,175.46.

- [Bid Summary - SI 581](#)

Commissioner Zenker motioned to approve the item as presented, and Commissioner Risch seconded. Upon a roll call vote, all voted aye. M/C.

- D. Consider acceptance of Flood Mitigation Assistance grant from Federal Emergency Management Agency (FEMA) through ND Department of Emergency Services (NDDDES)

Gabe Schell, City Engineer, presented the request to accept the Flood Mitigation Assistance grant from the Federal Emergency Management Agency (FEMA) through the North Dakota Department of Emergency Services (NDDDES) for the South Bismarck Flood Control project.

- [Presentation](#)

Commissioner Zenker motioned to approve the item as presented, and Commissioner Connelly seconded. Upon a roll call vote, all voted aye. M/C.

- E. Consider the request to review, discuss, and adopt the proposed Leadership Code for Elected Officials.

Mayor Schmitz presented a final draft of the Leadership Code to the Commissioners.

Commissioner Cleary motioned to adopt the Leadership Code with the changes that Commissioner Connelly proposed, and Commissioner Risch seconded. Upon a roll call vote, all voted aye. M/C.

- F. **Consider the request for approval of Work Authorization 4 with PKG Contracting for potholing related to the Water Treatment Plant Expansion Project.**

Michelle Klose, Public Works Utility Operations Director, presented a work authorization with PKG Contracting for potholing work to continue for the Water Treatment Plant Expansion project at a price not to exceed \$104,960.00.

Commissioner Zenker motioned to approve the item as presented and Commissioner Risch seconded. Upon a roll call vote, all voted aye. M/C.

4. **OTHER BUSINESS**

1. Commissioner Cleary wanted to remind citizens that the Garbage Collection Survey will be open through September 16, 2024.
2. Commissioner Zenker thanked City staff including emergency services for their efforts during the flash flooding on August 13, 2024.

ADJOURN

There being no further business to discuss, the meeting adjourned at 7:25 PM.