



MEETING OF THE BOARD OF CITY COMMISSIONERS

9/10/2024 - Minutes

CALL TO ORDER

The Board of City Commissioners met on September 10, 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.

FUTURE COMMISSION MEETINGS

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.

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 public comment was received.

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: 1119909 to 1120165.

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

1. Assignment between Venture Building Company, LLC (dba Epic Homes) and Venture Holdings, LLC.
2. Introduction of and call for a public hearing on a request for a new Class I-2: Complementary Alcohol license for White Lace Bridal, Inc. (dba) White Lace Bridal at 202 East Broadway Avenue.
3. Letter of Support for TNT Kennels, LLP.

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

1. Asphalt Surface Technologies Corporation Change Order No. 7 to August 11, 2023, Agreement.
2. Receive Report of Change Order No. 7 to Weisz and Sons Wetland Phase 5 Completion Contract.
3. Receive and consider bids for Runway De-icer Fluid
4. Consider Change Order No. 7 - Final to Strata Corporation April 12, 2023, Agreement for GA Apron Expansion Phase 4 Project.
5. Consider Change Order No. 13 to the April 27, 2022 Weisz & Sons agreement for Wetland Phase 7 project.

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

1. Permission to seek donations to support Bismarck-Burleigh Public Health Wellness Pantry.

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

1. Correction to the zoning map amendment ordinance for Auditor's Lot S-3, Section 25, T139N-R81W/Hay Creek Township, as outlined in Ordinance 6586.

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

1. Encroachment Agreement & Waivers in Clear Sky Addition
2. Resolutions approving plans and specifications and directing the advertisement for bids for Street Improvement District No. SI 583.
3. Apply for North Dakota Department of Transportation (NDDOT) Special Roads Funds (SRF).
4. Amendment 3 with Apex Engineering Group, Inc. for design engineering services related to FEMA South Bismarck Flood Control Project.

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

1. Call for a public hearing for the approval of the concrete sidewalk, curb and gutter, and private driveway assessments as part of SW2023 assessments.
2. Consider the introduction and call for public hearing on Ordinance 6589 for the 2025 City budget.

J. Consider the request for approval from the Human Resources Department for the following:

1. Plan changes to the current 457 plan through MissionSquare and addition of a new 457 Roth plan effective January 1, 2024.

2. City of Bismarck policy manual.
 3. Receive, consider, and accept the reclassifications of the following positions as recommended by Condrey and Associates.
 4. Receive an update regarding the Civil Service Commission appointments.
- K. Consider the request for approval from the Legal Department for the following:
1. Introduction of and call for a public hearing on Ordinance 6588 to create the Resisting Arrest ordinance.
- L. Consider the request for approval from the Public Works - Service Operations Department for the following:
1. Permission to award Fire Station 1 Concrete Driveway Replacement to Buffalo Concrete, LLP.
 2. Permission to enter into an agreement with EAPC for the City County Building Roof Replacement Project.
- M. Consider the request for approval from the Public Works - Utility Operations Department for the following:
1. Change Order No. 3 with PKG Contracting Inc. for the Water Treatment Plant High Lift #5 Project.
 2. Notification of emergency replacement of two Variable Frequency Drives (VFDs) at the Wastewater Treatment Plant.

3. **REGULAR AGENDA**

- A. Public Hearing to release the landscape buffer easement on Lots 1-20, Block 1 and Lot 17, Block 2, Meadow Village Addition First Replat.

Lauren Oster, Community Development Planner, presented information regarding the landscape easement Lots 1-20, Block 1, and Lots 1-17, Block 2, Meadow Village Addition First Replat.

Mayor Scmitz opened the public hearing.

- Will Hutchings, a representative for Pioneer Land Company, presented information relating to the landscape easement.

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

- B. Consider and discuss the draft Request for Proposal (RFP) for the development of supporting amenities at the Bismarck Event Center

Jason Tomanek, City Administrator, presented a draft of the [Request for Proposals](#) (RFP) for vendors to provide amenities on the lot adjacent to the Event Center at 5th Street and Bowen Avenue. The Commission discussed the proposed RFP and did not want to place restrictions on the types of projects presented, welcoming all ideas, with general consensus being for City Administration to modify the post to allow development teams to propose a timeline that would align with proposed projects and post the RFP within 30-days. **Commissioner Connelly remarked that applicants should consider submitting a proposal that does not include a request for incentives.** RFP proposals will be accepted through January 2025 and have a committee review and proposals to be presented before the Commission in February 2025.

- C. Consider the request for approval to enter into an agreement with U.S. Site Work for the purchase of borrow dirt from the Landfill for the price of \$1.00 per Cubic Yard.

Steve Salwei, Public Works Service Operations Director, presented information regarding the offer from U.S. Site Work to acquire up to 5,000 cubic yards of sandy borrow dirt from the landfill for \$1.00 per cubic foot.

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

- D. Consider the request from the Bismarck Airport to receive and award bids, approve grant funds from the Federal Aviation Administration (FAA), and approve the project budget for the Taxiway C North Project.

Greg Haug, Bismarck Airport Director, presented the request to receive and award bids, approve grant funds from the Federal Aviation Administration (FAA), and approve the project budget for the Taxiway C North Project.

Commissioner Zenker motioned to receive bids and award Schedule 1 to Northern Improvement Company for \$10,279,717.20, award Schedule 2 to Edling Electric for \$780,571.70, approve receiving FAA grant funds of \$9,814,070.00, and the total project budget of \$14,483,043.89, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

4. **OTHER BUSINESS**

ADJOURN

There being no further business to discuss, the meeting adjourned at 5:55 PM.