

ORDINANCE NO. 2025- 5

AN ORDINANCE TO AMEND AND ENACT UPDATES TO CITY OF LINCOLN PURCHASING AND DISPOSITION OF PROPERTY ORDINANCES.

WHEREAS, the City of Lincoln seeks to amend and enact updated and new procurement policies and methods for the City of Lincoln to use when purchasing its supplies, materials, equipment, and contractual services.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINCOLN, BURLEIGH COUNTY, NORTH DAKOTA:

To amend and enact the following ordinances in the Code of Ordinances of Lincoln, North Dakota:

1-07-03. - Procedure for Purchases.

All supplies and contractual services, except as otherwise provided in this chapter, when the estimated cost thereof shall equal or exceed ~~ten~~ fifteen thousand dollars (\$~~10~~15,000.00) shall be purchased from the lowest and best bidder meeting or exceeding specifications pursuant to Section 44-08-01.1, N.D.C.C. and subject to Section 44-08-01, N.D.C.C.

The lowest and best bidder shall be the bidder who in addition to price has the best ability, capacity and skill to perform the contract, promptly or within the specified time without delay or interference. There shall also be considered character, integrity, reputation, judgment, experience and efficiency of the bidder, the quality of performance of previous contracts, sufficiency of financial resources, and previous existing compliance with state law and City ordinances.

Any supplies, materials, equipment, or contractual services previously competitively bid by the State or one of its agencies, for which the State or agency has made provision for participation by political subdivisions, may be purchased through the State or agency's bid letting upon approval by the City Council.

Any supplies, materials, equipment, or contractual services may be purchased through another State's cooperative purchasing venture, a cooperative purchasing organization for public sector procurement, or professional association cooperative purchasing venture, of which the City, or its department, or an employee, is a member of the association, upon approval by the City Council.

Notwithstanding any other provision in this chapter, the procurement of professional services may be exempted from the standard competitive bidding or open market procedures when such services are provided under a continuing services agreement, task order contract, or other pre-approved professional services arrangement. The City Council may determine, by resolution, that such services are to be procured based on qualifications, scope, and project-specific needs, rather than through a uniform bidding process for each individual project.

1-07-04. - Open Market Purchases.

~~Purchases of supplies and contractual services of an estimated value of less than ten thousand dollars (\$10,000.00) or supplies of a non-competitive type or kind, or purchases from governmental~~

~~bodies, or purchases of vehicles/automobiles, or when in the opinion of the City Council an apparent emergency requires immediate purchase of supplies, shall be made or obtained in the open market without competitive bidding.~~

Purchases of supplies and contractual services of an estimated value of less than seven thousand five hundred dollars (\$7,500.00) may be made or obtained in the open market without competitive bidding by the department manager if the price is considered reasonable.

Purchases of supplies and contractual services of an estimated value of less than fifteen thousand dollars (\$15,000.00) but more than or equal to seven thousand five hundred dollars (\$7,500.00) may be made or obtained in the open market without competitive bidding by the department manager when the department manager solicits informal quotes or bids from at least three qualified vendors, and the department manager receives approval from the appropriate City Council Portfolio Holder for the purchase. The approving City Council Portfolio Holder shall disclose any approved purchases under this section at the following City Council meeting.

Purchases of supplies and contractual services, or purchases of vehicles/automobiles, or when, in the opinion of the City Council, an apparent emergency requires immediate purchase of supplies, shall be made or obtained in the open market without competitive bidding.

1-07-06. - Procedure for Dispositions.

~~All sales or dispositions of real or personal property of the City for which the City Council estimates the value thereof at less than three thousand dollars (\$3,000.00), as well as leases of real or personal property of the City, may be made in the open market without competitive bidding upon a resolution adopted by majority vote of the members of the City Council, unless otherwise required by law and subject to compliance with Section 1-07-05. All sales or dispositions of real or personal property for which the City Council estimates the value thereof at or exceeding three thousand dollars (\$3,000.00) shall be in accordance with Section 1-07-08 or by public sale in the manner provided by Section 1-07-07, except as may be otherwise authorized by specific statutory provisions of the N.D.C.C.~~

All sales or dispositions of personal property of the City for which the estimated value thereof is at less than three thousand dollars (\$3,000.00), as well as leases of real or personal property of the City, may be made in the open market without competitive bidding by the department manager if the price is considered reasonable and supporting documentation for who the buyer is received, unless otherwise required by law and subject to compliance with Section 1-07-05.

All sales or dispositions of personal property of the City for which the estimated value thereof is at or exceeding three thousand dollars (\$3,000.00) but less than five thousand dollars (\$5,000.00), as well as leases of real or personal property of the City, may be made in the open market without competitive bidding by the department manager upon the approval from the appropriate City Council Portfolio Holder for the selling or disposing department, if the department manager has solicited bids for a minimum of ten (10) days, and supporting documentation for who the buyer is received, unless otherwise required by law and subject to compliance with Section 1-07-05.

All sales or dispositions of real or personal property for which the City Council estimates the value thereof at or exceeding five thousand dollars (\$5,000.00) shall be in accordance with Section 1-07-08 or by public sale in the manner provided by Section 1-07-07, except as may be otherwise authorized by specific statutory provisions of the N.D.C.C.

COUNCIL FIRST READING: ON THE th 5 day of June, 2025.

COUNCIL SECOND READING AND FINAL PASSAGE: on the 19th day of June, 2025.

ATTEST:

CITY OF LINCOLN, NORTH DAKOTA



City Auditor



Mayor or Council President

MEETING OF THE LINCOLN CITY COUNCIL

JUNE 5, 2025 - MINUTES

CALL TO ORDER

The Lincoln City Council members met on June 5, 2025, at 6:00 PM at Lincoln City Hall, 74 Santee Road, Lincoln, ND. Councilmembers Artavia, Bjornstad, Davis and Shoemaker, and Mayor Berglund were present.

1. AGENDA
 - a. Davis motioned to approve the agenda, seconded by Bjornstad. MCU
2. CONSENT AGENDA
3. Davis motioned to approve the consent agenda, seconded by Shoemaker. MCU
4. PUBLIC COMMENT – None.
5. Scott Faehnrich from Bravera Insurance – ND State Fire & Tornado Fund Renew 7.1.25. Artavia motioned to authorize the auditor to complete the insurance update, seconded by Davis. Roll Call: Artavia – Yes, Bjornstad – Yes, Davis – Yes, Shoemaker – Yes.
6. Procurement and Disposition 1st Reading. Motion to approve by Davis, seconded by Shoemaker. Roll Call: Artavia – Yes, Bjornstad – Yes, Davis – Yes, Shoemaker – Yes.
7. AI Data Storage/Cryptocurrency electronic centers discussion led by Shoemaker.
8. Wastewater discussion – Loretta Marshik with SEH reiterated the first step is completion of the Rate Study. Mayor Berglund shared the email sent to Bismarck that the City of Lincoln is reviewing wastewater alternatives.
9. Feser presented the staff report for each plat prior to the public hearing.
 - a. Davis motioned to open the Ridge Addition Zoning Change/Final Plat – Public Hearing, seconded by Artavia. No public comment. Motion by Davis to close public hearing, seconded by Bjornstad. MCU Motion to approve Final Plat by Davis, seconded by Bjornstad. Roll Call: Artavia – Yes, Bjornstad – Yes, Davis – Yes, Shoemaker – Yes. Motion to approve Zoning Change from A-Agricultural to RR-2 – Rural Residential by Bjornstad, seconded by Davis. Roll Call: Artavia – Yes, Bjornstad – Yes, Davis – Yes, Shoemaker – No.
 - b. Davis motioned to open the Ridge 2nd Addition Zoning Change/Final Plat – Public Hearing, seconded by Bjornstad. No public comment. Motion by Bjornstad to close public hearing, seconded by Davis. MCU Motion to approve Zoning Change from A-Agricultural to Public by Davis, seconded by Bjornstad. Roll Call: Artavia – Yes, Bjornstad – Yes, Davis – Yes, Shoemaker – Yes. Motion to approve Final Plat by Bjornstad, seconded by Shoemaker. Roll Call: Artavia – Yes, Bjornstad – Yes, Davis – Yes, Shoemaker – Yes.
10. Artavia motioned to establish a resolution for the bond for the City Auditor in the amount of \$250,000, seconded by Bjornstad. Roll Call: Artavia – Yes, Bjornstad – Yes, Davis – Yes, Shoemaker – Yes.
11. Mayor Berglund presented an ordinance amendment regarding commercial grade dumpsters to begin the discussion of beautification topics, storage containers, campers and pads, rocks, landscaping, etc. More to be discussed at the July council meeting. Director Schutt discussed the impact on public works.
12. Discussion around a need for a new liquor classification or limiting the number of licenses and will be addressed at a later meeting.
13. Indigo Design provided style and cost estimate for digital sign.
14. ATTORNEY REPORT
15. PORTFOLIO UPDATES
16. AUDITOR REPORT

Adjournment at 8:23 pm.


Mayor Keli Berglund


Auditor Tonya Wilson

MEETING OF THE LINCOLN CITY COUNCIL

JUNE 19, 2025 - MINUTES

CALL TO ORDER

The Lincoln City Council members met on June 19, 2025, at 6:00 PM at Lincoln City Hall, 74 Santee Road, Lincoln, ND. Councilmembers Artavia, Bjornstad, Davis and Shoemaker, present and Mayor Berglund by phone.

1. AGENDA

Bjornstad motioned to approve the agenda, seconded by Shoemaker. MCU

Roll call: Shoemaker -Yes, Artavia -Yes, Bjornstad -Yes, Davis-Yes

2. CONSENT AGENDA

Artavia made a motion to table the April cash balance, April Reconciliation, and June Payables until the next meeting seconded by Bjornstad. MCU

Roll Call: Bjornstad-Yes, Artavia-Yes, Shoemaker-Yes, Davis-Yes

Bjornstad made a motion to approve the Liquor License's seconded by Artavia. MCU

Roll Call: Bjornstad-Yes, Artavia-Yes, Shoemaker-Yes, Davis-Yes

Artavia made a motion to approve the Fireworks applications seconded by Bjornstad. MCU

Roll Call: Shoemaker-Yes, Bjornstad-yes, Artavia-Yes, Davis-Yes

3. PUBLIC COMMENT – None.

4. Old Business: Mitch Flanagan discussed Data Centers, Solar Farms, etc. and the importance of creating Ordinances beforehand and what that could look like. Decommissioning was also discussed.

5. Procurement second reading had an amendment that was read by attorney Rogneby, Bjornstad made a motion to approve the amendment to the ordinance seconded by Shoemaker MCU-Roll Call: Shoemaker-Yes, Artavis-Yes, Davis-Yes, Bjornstad-Yes

Bjornstad made a motion to approve the procurement 2nd reading seconded by Shoemaker. MCU
Artavia – Yes, Bjornstad – Yes, Davis – Yes, Shoemaker – Yes.

6. Wastewater discussion – Loretta Marshik with SEH reiterated the first step is completion of a current Rate Study. Loretta asked for formal approval for this amendment relating to the original wastewater agreement now including the rate study along with user rate projections, Population projection and rate modeling. The amount of approval is \$26,600.00 Attorney Rogneby was ok with the council approving this currently and coming back with an addendum at the next meeting. Artavia made a motion to approve the rate study seconded by Shoemaker. MCU Roll Call: Bjornstad-Yes, Artavia-Yes, Shoemaker-Yes, Davis-Yes.

7. Dumpster ordinance amendment regarding commercial grade dumpsters to begin the discussion of beautification topics, storage containers, campers and pads, rocks, landscaping, etc. More to be discussed at the July council meeting. Attorney Rogneby will create a draft.

8. Tree Board restructuring discussion by Attorney Rogneby, Attorney Rogneby would like to have the input of the Park Board. Rogneby would like to invite the President from the park board to the next council meeting for further discussion along with member from the Tree Board. A Joint Powers Agreement may be an option. Further discussion at the next council meeting.

9. Capital Electric Agreement was discussed by Attorney Rogneby, and he is ok with the current language that the council has in front of them currently. Bjornstad made a motion to approve the current Capital Electric Agreement seconded by Artavia. MCU Roll Call: Shoemaker-Yes, Artavia-Yes, Davis-Yes, Bjornstad-Yes *Staff were directed to work with Capital Electric to establish a web form for members to note where there are issues.

10. SEH master contract for Engineering services is being looked at and updated by attorney Rogneby and will be updated and be brought to the next council meeting.

New Business:

1. Chief Giddings presented to the council his need to hire an additional 7th full-time officer and asked for approval. Further discussion was held. Artavia made a motion to approve the hiring of a 7th officer seconded by Bjornstad. MCU
Roll Call: Bjornstad-Yes, Shoemaker-Yes, Artavia-Yes, Davis-Yes.
2. Chief Giddings also held a discussion about the possibility of getting a K-9 and what that may look like. Giddings discussed the possibility of donations and grants. Giddings is working on gathering further information and is just asking for approval to continue getting this information. Further discussion was held. Costs were also discussed along with finding out the cost to have a K-9 insured. Shoemaker made a motion to approve the continuation of seeking further information and funding options for a police K-9. Seconded by Artavia. MCU Roll Call: Shoemaker-Yes, Artavia-Yes, Davis-Yes, Bjornstad-Yes.
3. Deputy Auditor Erman discussed Social Media Archiving with Civic Plus and how it works and why the city should have this. Further discussion was held. Bjornstad made a motion to approve using Civic Plus for social media archiving seconded by Shoemaker. MCU
Roll Call: Bjornstad-Yes, Shoemaker-Yes, Artavia-Yes, Davis-Yes.

Deputy Auditor Erman held a discussion on the current handbook policies and some changes that have been updated or added and why. She also discussed that once the updates are made it will go to the NDIRF HR Collaborative, and they will review it and make any suggestions. The end of July is a proposed date to have it sent over to them for review and get it back to us with their suggestions and then bring it back to the council.

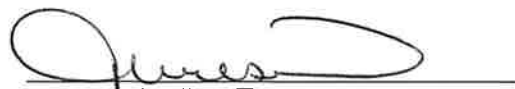
4. Portfolios
Davis-Office updates, beautification letters out and delinquent accounts.
Artavia-Police departments log calls and citations
Bjornstad-Public work updates and discussion on a yearly contract for curb concrete repairs
Landis- Continue with submitting Logos, Lincoln Church is preparing their plywood sign on June 25, 2025 at 11:00 Am. On 52nd St.
Mayor Berglund-NA

Auditor -Budget items and learning the new property tax cap
Working on May Statement
Discussed making a post regarding ordinances for campers and trailers parking on prohibited areas and for tall weeds and grass.

Adjournment at 7:40 pm.

June Payables: Acme Tools \$706.68, Advanced Business Methods \$443.29, Aire-Master \$59.75, Burleigh County Detention Center \$375.00, Cashman Nursery \$7189.13, City of Bismarck MPO \$57.75, Corey Mahoney \$100.00, CW Structural \$450.00, Dakota Supply Group \$504.41, Eide Ford-LPD \$969.49, Electronic Communications Inc \$125.00, Ferguson Waterworks \$655.62, Lincoln Park Board \$13668.75, Linde Gas & Equipment \$1009.20, Mac's Bismarck \$4.40, Mark Thueson \$100.00, Midstates Equipment & Supply \$5197.50, Minnesota Valley Testing and Laboratories \$943.50, Missouri Valley FOP \$42.00, Mountain Plains \$22350.00, ND Association of Soil Conservation \$367.50, ND Dept of Health Chemistry 367.04, ND Dept of Health Microbiology \$135.00, Nelson Auto Center \$56010.74, Nev Psychological Consulting \$1000.00, NewVision Security System \$1620.00, NRG \$1625.00, One Call Concepts \$79.50, Park River Implement \$321.60, Portable Computer Systems Inc \$205.98, Presort Plus \$2129.21, Puklich Chevrolet \$1453.25, RDO Equipment \$1478.82, RDO Truck Centers \$17.94, Runnings Supply Inc \$7.99, Sanitation Products Inc \$12516.86, Sanford Health Occmed \$51.00, SEH \$16403.38, Tri-Energy \$2811.32 Total \$166,561.60


Mayor Berglund or Council
President Davis


Auditor Tonya Wilson