



# Board of City Commissioners

## REGULAR MEETING AGENDA August 13, 2024

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<b>Tom Baker Meeting Room</b>	<b>City/County Office Building</b>	<b>5:15 PM</b>
	<b>221 N. 5th St.</b>	
	<b>Bismarck, ND 58501</b>	

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The City of Bismarck encourages citizens to provide their comments for public hearing items on the Bismarck City Commission agenda via email to [bismarckadmin@bismarcknd.gov](mailto:bismarckadmin@bismarcknd.gov). Please include the item number that your comment references. The comments will be sent to the members and placed with the minutes.

To ensure your comments are received before the meeting, please submit them by 3:30 PM on the day of the meeting and reference the item your comments address. Please provide your email address and contact information to the above email at least one business day before the meeting.

Live meeting coverage is available on Government Access Channels 2 & 602HD, RadioAccess 102.5 FM Radio, or streaming on multiple platforms, including [FreeTV.org](https://www.free-tv.com) and [Facebook LIVE](https://www.facebook.com/bismarcknd). Agenda items can be found online at <https://bismarcknd.portal.civicclerk.com/>

The Invocation and the Pledge of Allegiance will be presented by a Chaplain from the Bismarck Police Department.

### **CALL TO ORDER**

### **FUTURE COMMISSION MEETINGS**

- August 27, 2024
- September 10, 2024 & September 24, 2024
- October 8, 2024 & October 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

#### **2. CONSENT AGENDA**

- A. Consider approval of minutes
- B. Consider Approval of Personnel Actions
- C. Consider approval of expenditures
- D. Consider the request for approval from the Administration Department for the following:
  - 1. Request to approve the application for gaming for Bismarck Lodge #302 Loyal Order of Moose at 312 North 20th Street.
  - 2. Letter of Support for PT Real Estate Holdings, LLC.
  - 3. Letter of Support for ND Opportunity Fund applicant Little Scholars Learning Center.
- E. Consider the request for approval from the Bismarck Airport for the following:
  - 1. Consent to Sublease and Consent to Assignment to U'Ren Brothers Development Lease.
  - 2. Change Order No. 6 to the April 12, 2023, Strata Corporation Agreement for GA Apron Expansion Phase 4 Project.
  - 3. Change Order No. 11 to the April 27, 2022, Weisz & Sons agreement for Wetland Phase 7 project.
  - 4. Receive report of Change Order 6 to Weisz & Sons Wetland Phase 5 Completion Contract.
- F. Consider the request for approval from the Bismarck-Burleigh Public Health Department for the following:
  - 1. Purchase vaccines as a member of the group purchasing organization, Physicians Resource Network (PRN).
- G. Consider the request for approval from the Community Development Department for the following:
  - 1. 2019 and 2022 Annual Action Plan for Community Development Block Grant (CDBG) -Substantial Amendments
  - 2. Decommission and dispose of Bis-Man Transit Van #1911.
  - 3. Introduction of and call for 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.

4. Final consideration for approval of a revision to the minor subdivision final plat titled "McKenzie and Coffin's Second Addition" on all of Lots 11-12 and the East 90 Feet of Lots 13-16, Block 69, McKenzie and Coffin's Addition.
- H. Consider the request for approval from the Engineering Department for the following:
1. Geotechnical testing services contract with Terracon Consultants, Inc. relating to 2024 Geotechnical Services
  2. Contract Change Order No. 2, a time extension, for Highway Construction Project HC 161.
3. Dedication and acceptance of Temporary Turnaround Easements in Paradise Valley Addition and Paradise Valley Second Addition.
4. ND Dept of Transportation (NDDOT) Cost Participation and Maintenance Agreements - State St/Boulevard Ave/7th St/9th St Concrete Pavement Repair - NHU-SU-1-083(145)901, PCN 23742; SU-1-981(136), PCN 23747; NHU-1-083(146)900, PCN 23743 - City Project HC 162.
  5. Close Schafer Street between College Drive and Edwards Avenue on 10/15/2024 from 9am to 3pm for BSC Homecoming 2024.
  6. Sanitary Sewer, Stormwater and Drainage, and Temporary Construction Easements in Eagle Crest Addition.
- I. Consider the request for approval from the Finance Department for the following:
1. Resolution Directing Special Assessments to be Levied.
  2. Applications for abatement.
- J. Consider the request for approval from the Human Resources Department for the following:
1. Change Flexible Spending and Cobra vendor from WEX to P&A Group.
  2. Approval of terms for the current Civil Service Board and approval to call for applications to fill the two expired seats.
- K. Consider the request for approval from the Public Works - Service Operations Department for the following:
1. Agreement for Weed Control Mowing with DirtBoss, LLC.
  2. Agreement for Weed Control Mowing with KM Mowers, LLC.
  3. Permission to award the contract for Recyclable Materials Collection to Gerdau Ameristeel US, Inc.

4. Agreement for Weed Control Mowing with Knockout Land Management, LLC.
  5. Houston Engineering, Inc. Task Order 24-03 to complete EPA Method 9 compliance monitoring and prepare a testing report for the operation of the Air Curtain Incinerator (ACI).
  6. Permission to award Landfill Main Shop Concrete Floor Replacement to Glass Concrete Construction, Inc.
  7. Permission to enter into an agreement for the Collection and Disposal of Electronics Recyclable Items with North Dakota E-Waste, LLC and to increase household hazardous waste and electronic recycling fees (yearly) for non-residents and commercial/businesses to capture increased fees and administrative costs.
  8. Permission to award the 2024 Salt and Sand Material for Street Maintenance to the lowest bidder for Part 1 and lowest bidder for Part 2.
  9. Permission to sell assets from Utility Operations at Public Sale or Online Auction.
- L. Consider the request for approval from the Public Works - Utility Operations Department for the following:
1. Agreement with Apex Engineering Group for the Boulder Ridge Stormwater Project Phases 3 and 4.
  2. Task Order No. 1 for Advanced Engineering and Environmental Services, LLC (AE2S) for the Sanitary Sewer/Collections Control System Upgrade Phase III.
  3. Edling Electric Change Order No. 4 for the Water Treatment Plant High Lift Pump project.
  4. HDR Engineering, Inc's Amendment No. 3 for the Water Treatment Plant Expansion Project.

### 3. **REGULAR AGENDA**

- A. Public hearing on a request for a new Class I-2: Complementary Alcohol license for Yellow Stitch Boutique, LLC (dba) Yellow Stitch Boutique at 114 North 4th Street.
- B. Public hearing on the corrected annexation Ordinance 6503, recorded as Document Number 966323 for a correction to the annexation ordinance for Elk Ridge Third Addition.
- C. Public hearing on Ordinance 6585 to amend running at large ordinance.
- D. Consider the request for discussion to pursue a zoning map amendment through the facilitation of a stakeholder group for Misty Waters Subdivision.

- E. Consider the request for resolution to receive bids, ordering preparation of the engineer's statement and awarding the contract for Street Improvement District SI 582.
- F. Consider the request for resolution to receive bids, ordering preparation of the engineer's statement and awarding the contract for Street Improvement District SI 584.
- G. Consider the request to begin preliminary engineering via consultant for reconstruction of Ottawa Street.
- H. Consider the request to receive an update on planned roadway changes to River Road relating to the Burlington Northern Santa Fe (BNSF) rail bridge replacement project.
- I. Consider the draft Request for Proposal (RFP) for the operations and management of the Bismarck Event Center.
- J. Consider the request to review, discuss, and adopt the proposed Leadership Code for Elected Officials.

#### **4. OTHER BUSINESS**

#### **ADJOURN**