



December 8, 2020

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, Dec. 8, 2020, at 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

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

Due to ongoing public health concerns related to COVID-19, the City of Bismarck is encouraging citizens to provide their comments for public hearing items on the Bismarck City Commission agenda via email to admin@bismarcknd.gov. The item will be sent to the members, as well as placed with the minutes.

To ensure your comments are received prior to the meeting, please submit them by 3:30 p.m. on the day of the meeting and reference the item your comments address. If you would like to appear via video or audio link for a 3-5 minute comment on a public hearing item, please provide your e-mail address and contact information to the above e-mail at least 1 business day before the meeting.

The physical meeting room will be open to the public, but we certainly understand the public wishing to limit their exposure at this time but still participate in government. Before entering the City/County Building, all individuals should self-screen for COVID-19 and if unable to pass the screening protocol, will be expected to participate remotely in the meeting for the public's safety.

The number of participants to be in person will be physically limited to maximum total number of occupants in the Commission Chambers that can maintain social distancing. If attending in person, masks will be required as social distancing cannot be assured in the City/County public areas.

As always, live meeting coverage on Government Access Channels 2 & 602HD, Listen to Radio Access 102.5 FM Radio, or stream FreeTV.org and RadioAccess.org. Agenda items can be found online

at www.bismarcknd.gov/agendacenter.

Future Commission Meetings:

December 22, 2021
January 12 & 26, 2021
February 9 & 23, 2021

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. Consider the approval of the minutes.

Documents:

[MN112420.pdf](#)

3. CONSENT AGENDA

- A. Consider approval of expenditures.
- B. Consider approval of personnel actions.

Documents:

[HR Personnel Report.pdf](#)

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

1. Approve the following liquor licenses renewals:

- A&B Pizza North – 1017 E. Interstate Ave.
- A&B Pizza South – 311 S. 7th St.
- A&B Pizza South – 656 Kirkwood Mall
- AppleBee's North – 434 S. 3rd St.
- AppleBee's South – 3200 N. 14th St.
- Bismarck-Mandan Elks Lodge – 900 S. Washington St.
- Oahu Hawaiian BBQ & Sushi Bar – 2626 State St.
- Panchero's Mexican Grill – 1225 W. Century Ave.
- Pirogue Grill – 121 N. 4th St.
- Plaza Beer Depot – 204 E. Boulevard Ave.
- Radisson Hotel – 605 E. Broadway Ave.
- Ramkota Hotel – 800 S. 3rd St.
- Red Lobster – 1130 E. Century Ave.
- Sidelines Sports Bar – 300 S. 5th St.
- Williquors, Inc. – 3025 Yorktown Dr.
- Staybridge Suites – 2801 Gateway Ave.

Documents:

[\(C\) ADMIN - Liquor License Renewals.pdf](#)

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

1. Allow deferral of airport rent and fees.
2. Approve change order #1 to the September 11, 2020 agreement with KLE for the Wetland Phase 5 project.
3. Approve change order #8 to the April 29, 2020, 2018 agreement with Strata Corporation for the short-term, economy and long-term parking expansion.
4. Approve the assignment of the lease for the Runway Express Mart.

Documents:

[\(C\) AIR - Airport Rent and Fees.pdf](#)
[\(C\) AIR - Wetland Phase 5 Change Order.pdf](#)
[\(C\) AIR - Change Order 8.pdf](#)
[\(C\) AIR - Runway Express Mart.pdf](#)

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

1. Ratify the Emergency Declaration Oct. 26, 2020 State of Emergency Declaration, related to COVID-19, by the President of the City Commission and extend its effect to Dec. 25, 2020.

Documents:

[\(C\) ATTY - Emergency Declaration.pdf](#)

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

1. Approve the request from Dr. Bradley King to release the west 40-feet of the continuous non-access line adjacent to the West 256 feet of Lot 1, Block 1, Southbay Fourth Addition. Staff recommends approval.
2. Introduction of and call for a public hearing on a request from Edward and Joi Wos to vacate an approximately 350-square-foot portion of the Golden Wave Drive right-of-way adjacent to Lot 3A, Block 4, Western Hills. Staff recommends approval.
3. Introduction of and call for a public hearing on staff-initiated amendments to the Growth Phasing Plan in the 2014 Growth Management Plan. The Bismarck Planning and Zoning Commission recommends approval.

Documents:

[\(C\) CD - Southbay.pdf](#)
[\(C\) CD - Growth Phasing Plan Update.pdf](#)
[\(C\) CD - Golden Wave Drive Release.pdf](#)

G. Consider the request for approval from the Human Resources Department

for the following:

1. Approve City Offices to close December 24, 2020 from 12 p.m. to 5 p.m.

Documents:

[\(C\) HR - December 24th Office Closure.pdf](#)

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

1. Approve the organizational chart update.

Documents:

[\(C\) PD - Organizational Chart Update.pdf](#)

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

1. Approve Change Order 2 with Advanced Mechanical, Inc. for the Public Works Building's HVAC improvement project.
2. Approve Change Order 3 with Advanced Mechanical, Inc. for the Water Treatment Plant's HVAC improvement project.
3. Approve Change Order 5 to the contract with Custom Aire, Inc. for the Library's HVAC renovation project.
4. Approve the contract for consulting services for the Library siding, window and door replacement project.

Documents:

[\(C\) PW-SO - Change Order 2 with Advanced Mechanical.pdf](#)

[\(C\) PW-SO - Change Order 3 with Advanced Mechanical.pdf](#)

[\(C\) PW-SO - Change Order with Custom Aire.pdf](#)

[\(C\) PW-SO - Window and Door Replacement Project.pdf](#)

4. REGULAR AGENDA

5. Consider the request from the Community Development Department for Bryan Skager to appeal the November 4, 2020 decision of the Board of Adjustment to deny a variance from Section 14-01-19(6)(b)(4)(c) of the City Code of Ordinances (FP-Floodplain District) to allow a recently constructed residential accessory building, located within the Special Flood Hazard Area (SFHA) or 100-year floodplain, below the elevation requirement, located on Lot 6, Block 11, Falconer Estates (6300 Apple Creek Drive).

Documents:

[\(R\) CD - Falconer Estates Variance Appeal.pdf](#)

6. Consider the request from the Community Development Department for the approval of a fixed route redesign project.

Documents:

[\(R\) CD - Bis-Man Transit Redesign.pdf](#)

7. Consider the request for approval from the Community Development Department for the Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, to submit an application for the FY2022 Section 5310 grant.

Documents:

[\(R\) CD - 5310 Grant Application.pdf](#)

8. Consider the request from the Community Development Department for the Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, to submit an application for FY2022 Section 5339 grant.

Documents:

[\(R\) CD - 5339 Grant Application.pdf](#)

9. Consider the request from the Attorney for discussion on the requested correction on Special Assessment 2014-477.

Documents:

[\(R\) ATTY - M Family.pdf](#)

10. Receive a Financial and CARES Act Update from Finance Director, Dmitriy Chernyak.

Documents:

[\(R\) FIN - September 2020 Financial Update.pdf](#)

11. Consider the request from the Engineering Department for discussion on the Special Assessment Policy.

Documents:

[\(R\) ENG - Special Assessment Policy.pdf](#)

12. Consider the request from the Public Works - Service Operations Department to provide the updated 2020-2021 Snow and Ice Control Plan.

Documents:

[\(R\) PW-SO - Snow and Ice Control Plan.pdf](#)

13. Consider the request from the Administration Department for discussion regarding the responses to the liquor license survey.

Documents:

(R) ADMIN - Liquor License Survey.pdf

14. Consider the request from the Administration Department for discussion on an offer to purchase City-owned property.

Documents:

(R) ADMIN - City Land for Sale.pdf

Other Business

Adjourn

Phone: 701-355-1300 | 221 North 5th Street | P.O. Box 5503 | Bismarck, ND 58501
www.bismarcknd.gov | TDD 711 | An Equal Opportunity-Affirmative Action Employer

