



July 27, 2021

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, July 27, 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.

The City of Bismarck is encouraging citizens to provide their comments for public hearing items on the Bismarck City Commission agenda via email to bismarckadmin@bismarcknd.gov. Please include the item number your comment references. The comments 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 regular agenda 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.

As always, live meeting coverage is available Government Access Channels 2 & 602HD, Radio Access 102.5 FM Radio, or streaming on multiple platforms including [FreeTV.org](https://www.free.tv) and [Facebook LIVE](https://www.facebook.com/bismarcknd). Agenda items can be found online at www.bismarcknd.gov/agendacenter.

FUTURE COMMISSION MEETINGS:

- August 10, 2021 & August 24, 2021
- September 14, 2021 & September 28, 2021
- October 12, 2021 & October 26, 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. CONSENT AGENDA

- A. Consider approval of minutes.

Documents:

[MN07132021.pdf](#)

[7-16-21 Special Meeting Minutes.pdf](#)

- B. Consider approval of expenditures.

- C. Consider approval of personnel actions.

Documents:

[HR - Personnel Report.pdf](#)

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

1. Approve renewal of liquor licenses from August 1, 2021 to July 31, 2022.

- Ale Works - 1100 Canada Ave
- Bismarck Distillery - 1100 Canada Ave #2
- Bismarck Larks Baseball - 201 W Front Ave
- Bismarck Larks Catering - 201 W Front Ave
- Bismarck Staybridge Suites - 2801 Gateway Ave
- Courtyard Bismarck - 3319 N 14th St
- Gideon's Brewing Company - 107 N 5th St
- Harvest Catering & Events - 308 West Main St
- La Enchilada - 1101 S 12th St
- Laughing Sun Brewing Co. - 1023 E Front Ave
- Lewis and Clark Riverboat - 1700 River Rd
- MacKenzie River Pizza, Grill & Pub - 4510 Skyline Crossings
- Pancheros Mexican Grill - 1225 W Century Ave
- Red Lobster - 1330 E Century Ave
- Riverwood Golf Course - 725 Riverwood Dr
- Sixteen03 Main Events - 1603 E Main Ave
- Shelter Belt - 307 N 3rd St
- Stonehome Brewing Company - 1601 N 12th St
- Terra Nomad - 514 E Main Ave
- The CraftCade - 405 N 4th St
- The Toasted Frog - 124 N 4th St

- The Walrus Restaurant - 1136 N 3rd St
- Tom O'Leary Golf Course / Bobcat Hockey - 1200 N Washington St
- Touchmark on West Century - 1000 W Century Ave
- Tri-Energy Cenex - 2520 Centennial Rd

2. Approval of request from the University of Mary for support of expanding their water and sewer infrastructure utilizing State of North Dakota American Rescue Plan Act Funding.

Documents:

(C) ADMIN - Liquor License Renewals.pdf
(C) ADMIN - University of Mary Water Infrastructure.pdf

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

1. Receival of the bids for Concrete Panel Replacement and Joint Sealing and award of bid to Northern Improvement Company subject to Cares Act Requirements.
2. Approval of Engineering Services Agreement with KLJ for Lancair Loop Design, Administration, Construction Inspection and Project Closeout

Documents:

(C) AIR - Concrete Panel Replacement and Joint Sealing.pdf
(C) AIR - Lancair Loop Project.pdf

- F. Consider the request for approval from the City Attorney for the following:

1. Introduction and call for a public hearing on Ordinance to enact Ordinance 8-08-12 regarding Urban Rodent Control.

Documents:

(C) ATTY - Ordinance 6479.pdf

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

1. Approval for BBPH to apply for BCBSND Caring Foundation Spark Grant Funding.
2. Approval for BBPH to accept donations for World Breastfeeding week.

Documents:

(C) BBPH - BCBSND Caring Grant.pdf
(C) BBPH World Breastfeeding Week.pdf

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

1. Request of the Bismarck-Mandan Metropolitan Organization, on behalf of Bis-Man Transit, for approval of the City of Bismarck's Disadvantaged

Business Enterprise (DBE) Goal of .25% for 2022-2024.

2. Request of the Bismarck-Mandan Metropolitan Organization, on behalf of Bis-Man Transit, for approval to apply for a FY21 Section 5307 grant.

Documents:

(C) [CD - Bis-Man Transit DBE.pdf](#)
(C) [CD - Bis-Man Transit FY21 Section 5307 grant.pdf](#)

- I. Consider the request for approval from the Engineering Department for the following:
 1. Approval of dedication and acceptance of Utility Easement on Lots D and E of Lot 22, Block 2, Pinehurst 3rd Replat.
 2. Approval of encroachment agreement for Sanford Bismarck Outpatient Surgery Center located at 715 E Broadway Ave.
 3. Approval of Contract Change Order No. 1 for SI 543.
 4. Request for Resolution Approving Plans and Specifications of SI District 545 and Resolution Directing the Advertisement of Bids and Reveal of Bids.
 5. Approval of Contract Change Order No. 13 for WU 130.
 6. Approval of a Memorandum of Understanding with Bismarck Parks and Recreation District regarding City's financial contribution for the purchase of lease portions of Lions Park.

Documents:

(C) [ENG - MDU Easement.pdf](#)
(C) [ENG - Sanford Encroachment Agreement.pdf](#)
(C) [ENG - SI543 - change order 1.pdf](#)
(C) [ENG - SI 545 - silver ranch 3rd - auth to adv.pdf](#)
(C) [ENG - WU130 - change order 13.pdf](#)
(C) [ENG - BPRD MOU.pdf](#)

- J. Consider the request for approval from the Library for the following:
 1. Approval for reappointment of Sue Sorlie to the Library Board for a second three year term.

Documents:

(C) [LIB - Reappointment for Board of Trustees.pdf](#)

- K. Consider the request for approval from the Public Works - Service Operations Department for the following:
 1. Approval to pursue grant funding from the Hazard Mitigation Grant Program for the Fire Station #1 Backup Generator.
 2. Approval to lease sweepers for Roads & Streets operations.

Documents:

- [\(C\) PW-SO - Grant Funding from Hazard Mitigation Grant Program.pdf](#)
- [\(C\) PW-SO Request to purchase sweepers for Roads and Streets.pdf](#)

L. Consider the request for approval from the Public Works - Utility Operations Department for the following:

1. Approval to enter into sanitary sewer connection contract negotiations with the City of Lincoln.

Documents:

- [\(C\) PW-UO - Sanitary sewer connection contract negotiations with the City of Lincoln.pdf](#)

3. REGULAR AGENDA

4. Commissioner Portfolio Report - Commissioner Splonskowski
5. Public Hearing on Ordinance 6472 to amend Section 5, 6 and 12 to conform to state law.

Documents:

- [\(R\) ATTY - Ordinance 6472.pdf](#)

6. Public Hearing on Ordinance 6475, a request for the annexation of Lots 1-3, Block 1, Memory Third Addition and all of the right-of-way for Brookside Place, requested by TPR Partnership LLP and Belfield Access Terminal LLC.

Documents:

- [\(R\) CD - Memory 3rd Annexation 6475.pdf](#)

7. Public Hearing on Ordinance 6476, a request for the annexation of parts of Silver Ranch First Addition and Silver Ranch First Addition First Replat, requested by Investcore, Inc.

Documents:

- [\(R\) CD - SilverRanch Ord 6476.pdf](#)

8. Public Hearing on Ordinance 6477, a staff-initiated zoning ordinance text amendment relating to floodplain regulations.

Documents:

- [\(R\) CD - ZOTA FP Floodplain 6477.pdf](#)

9. Public Hearing on ordinances 6469-6471, to create special assessment districts for annexed properties.

Documents:

- [\(R\) FIN - Ordinances 6469-6471.pdf](#)

10. Consider the request for continuation from the Community Development Department for the following:

1. Continuation of a request for Brian Skager to appeal the November 4, 2020 decision of the Board of Adjustment to deny a variance from Section 14-04-19(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 - Appeal of Variance.pdf](#)

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

1. Request of JMN Roots, LLC and Freedom Financial Group – Bismarck LLC for designation of 212 North 2nd Street as a purchase with improvements Renaissance Zone project for JMN Roots, LLC for a five-year property tax exemption and approval of a designation of 212 North 2nd Street as a lease project for JMN Roots, LLC and Freedom Financial Group – Bismarck LLC for a five-year income tax exemption. The property is owned by SRSSM Partnership and is legally described as Lot 6, Block 60, Original Plat. The Renaissance Zone Authority recommends approval.

Documents:

[\(R\) CD - JMN Roots Renaissance Zone.pdf](#)

12. Consider the request for update from the Community Development Department on changes to the existing lot modification process and associated ordinance changes.

Documents:

[\(R\) CD - Title 14 Lot Modification Process Change.pdf](#)

13. Consider the request for update from the Community Development Department on the BNSF Replacement:

Documents:

[\(R\) CD - BNSF Bridge Replacement.pdf](#)

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

1. Approval of request to apply for the Burleigh County American Rescue Plan funding for public health, water and wastewater infrastructure.

Documents:

[\(R\) ADMIN - BC American Rescue Plan application.pdf](#)

15. Consider the request from the Public Works - Utility Operations Department for the following:

1. Discussion on water rates.

Documents:

(R) PW-UO - Discussion on Water Rates.pdf

16. Consider the request for approval from the Finance Department of the 2022 Preliminary Budget.

Documents:

(R) FIN - 2022 Preliminary Budget Approval - Commission Memo (updated).pdf

Other Business

Adjourn

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