



October 12, 2021

Board of City Commissioners  
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, October 12, 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](mailto: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 on Government Access Channels 2 & 602HD, Radio Access 102.5 FM Radio, or streaming on multiple platforms including [FreeTV.org](https://www.freeTV.org) and [Facebook LIVE](https://www.facebook.com/bismarcknd). Agenda items can be found online at [www.bismarcknd.gov/agendacenter](http://www.bismarcknd.gov/agendacenter).

#### FUTURE COMMISSION MEETINGS:

- October 26, 2021
- November 9, 2021 & November 23, 2021
- December 14, 2021 & December 28, 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:

[9-30-21 Special Meeting Minutes.pdf](#)  
[MIN09282021.pdf](#)

### B. Consider approval of expenditures.

### C. Consider approval of personnel actions.

Documents:

[HR - Personnel Actions.pdf](#)

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

1. Introduction of and call for a public hearing on a request for a new I-3 Beer Only Restaurant liquor license for Hot Dogkota, located at 2700 State St.
2. Appointment of Sashay Schettler to the Bismarck Human Relations Committee for a term to expire January 31, 2025.

Documents:

[\(C\) ADMIN - New Liquor License - Hot Dogkota.pdf](#)  
[\(C\) ADMIN - HRC New Member.pdf](#)

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

1. Rejection of bid for sale of 1995 Ford FT900 with Epoke Sander.
2. Amendment 1 to August 10, 2021 KLJ Agreement.

Documents:

[\(C\) AIR - Bid for Epoke Sander.pdf](#)  
[\(C\) AIR - KLJ Amend 1 to Meisner Bldg Demo.pdf](#)

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

1. Introduction and call for a public hearing on Ordinance 6487 to amend Bismarck Ordinance Section 7-06-12 regarding approval of payment changes.
2. Introduction and call for a public hearing on Ordinance 6488 to amend Bismarck Ordinance Section 12-09-42.1 regarding rules for operation of OHVs.
3. Introduction and call for a public hearing on Ordinance 6489 to amend Bismarck Ordinance Section 6-03-03 regarding Harassment.

Documents:

- (C) ATTY - Approval of Payment Ordinance 6487.pdf
- (C) ATTY - OHV Ordinance 6488.pdf
- (C) ATTY - Harassment Ordinance 6489.pdf

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

1. Permission to accept donations for Women's Way Program.

Documents:

- (C) BBPH - WWAY Donations.pdf

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

1. Introduction of and call for a public hearing on Ordinance 6486, a request for a City-initiated zoning change from the RT – Residential, RM30 – Residential and PUD – Planned Unit Development zoning districts to the DF – Downtown Fringe zoning district for Lots 1-8, Block 11 and Lots 1-8, Block 12, Northern Pacific Addition.
2. Request of the Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, for approval to submit an application for American Rescue Plan Act of 2021 (ARP) Additional Assistance grant funding.

Documents:

- (C) CD - Northern Pacific Addition.pdf
- (C) CD - ARP Grant Application.pdf

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

1. Resolution approving contracts and bonds for previously awarded special assessed projects.
2. Endorsement of Bismarck Parks and Recreation District application for NDDOT Transportation Alternatives Grant.
3. Approval of development agreement with SilverStream Investments, LLC.
4. Approval of the annual North Dakota Department of Transportation (NDDOT) Maintenance Certification.
5. Approval to a partial release of a storm sewer and drainage easement in Lot 1, Block 1, Northern Plains Commerce Centre Addition.
6. Approval of a contract for sidewalk snow removal services with Yard Butler for the 2021-2022 winter season.

Documents:

- (C) ENG - 2021 Contracts and Bonds.pdf
- (C) ENG -Bis Parks TAP Grants.pdf
- (C) ENG - dev agreement northern stone.pdf
- (C) ENG - NDDOT mtce cert letter.pdf
- (C) ENG - release storm sewer esmt - NPCC.pdf

[\(C\) ENG - sidewalk snow removal contract.pdf](#)

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

1. Application for Abatement for the following where the Assessing Division recommends approval:
  - 2218 E Boulevard Ave - Market Value Reduction
  - 806 Munich Dr - Market Value Reduction
  - 4739 Maltby St - Market Value Reduction
  - 4608 Chamberlain Pl - Market Value Reduction
2. Acceptance of bid award for geographic information system (GIS) in the IT Division.

Documents:

[\(C\) FIN - Abatements.pdf](#)

[\(C\) FIN - ESRI Bid and Contract Award.pdf](#)

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

1. Request to allow exempt Public Health employees to be paid straight time for hours worked beyond the normal workweek due to COVID-19 pandemic response efforts and consider part-time to full-time status change for client services representative.

Documents:

[\(C\) HR - Public Health Staff.pdf](#)

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

1. Approval of Task Order No. 3 to the agreement with Bartlett & West for the 43rd Avenue Tank Rehabilitation Project.

Documents:

[\(C\) PW-UO - 3rd Ave Tank Rehabilitation Project.pdf](#)

3. REGULAR AGENDA

4. Consider the request from the Community Development Department for the following:

1. Public Hearing on Ordinance 6482, a request for a zoning change from the RR – Residential zoning district to the RR – Residential and the R5 – Residential zoning districts for the Potter Pointe Subdivision.
2. Final consideration of minor subdivision final plat of Potter Pointe Subdivision.

Documents:

(R) CD - Potter Pointe Subdivision MPLT and ZC.pdf

5. Public Hearing and Confirmation of 2021 Health & Safety Assessments

Documents:

(R) FIN - 2021 Health and Safety Assessments.pdf

6. Public hearing for the 2021 special assessment districts and confirm the assessments as amended.

Documents:

(R) FIN - Confirmation of Assessment List.pdf

7. Consider the request to receive and accept bids from the Airport for the Lancair Loop construction.

Documents:

(R) AIR - Bids for Lancair Loop.pdf

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

1. Request to approve the \$26 million loan over 20 years for the Public Works Building expansion project from the Bank of North Dakota under the Infrastructure Revolving Loan Fund established under NDCC 6-09-49.

Documents:

(R) FIN - 2021 BND Public Works Expansion Loan - Agenda Item.pdf

9. Consider the request from the City Attorney to go into executive session under NDCC 44-04-19.1(9) for contract negotiation/negotiation strategy.

Documents:

(R) ATTY - Executive session.pdf

Other Business

Adjourn

Phone: 701-355-1300 | 221 North 5th Street | P.O. Box 5503 | Bismarck, ND 58501  
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