



December 21, 2021

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, December 28, 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 on Government Access Channels 2 & 602HD, Radio Access 102.5 FM Radio, or streaming on multiple platforms including [FreeTV.org](https://www.free-tv.org) and [Facebook LIVE](https://www.facebook.com/bismarckndgov). Agenda items can be found online at www.bismarcknd.gov/agendacenter.

FUTURE COMMISSION MEETINGS:

- January 11, 2022 & January 25, 2022
- February 8, 2022 & February 22, 2022
- March 8, 2022 & March 22, 2022

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. Proclamation of 30th Anniversary of Independence for Kazakhstan

Documents:

[Kazakhstan 30th Anniversary of Independence 2021.pdf](#)

2. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items).

3. CONSENT AGENDA

- A. Consider approval of minutes.

Documents:

[MIN 12-14-21.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. Amended dates of expiration for various boards and committee members to support a unified process for administering Oaths of Office.
 2. Revisions to the City's social media policies for terms of use for the general public and City employees.
 3. Recommendation from the Bismarck Human Relations Committee (HRC) to provide a \$1,500 donation to the Martin Luther King, Jr. Holiday Commission to help support activities on January 17, 2022 recognizing Dr. King.

Documents:

[\(C\) ADMIN - Oaths of Office.pdf](#)
[\(C\) ADMIN - Social Media Policies.pdf](#)
[\(C\) ADMIN - Human Relations Committee.pdf](#)

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

1. Amendment 1 to the June 21, 2021 KLJ Hangar 5 Historical Documentation Agreement.
 2. Purchase of four pick-up trucks using North Dakota State Bid.

Documents:

[\(C\) AIR - KLJ HABS-HAER Amendment 1.pdf](#)
[\(C\) AIR - Purchase Pick-up Trucks.pdf](#)

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

1. Offer to purchase the vacant city owned land on Edwards Avenue.
2. Participate in the multi-district litigation settlements for the opioid civil lawsuits regarding Janssen and distributors.

Documents:

[\(C\) ATTY - Edwards purchase.pdf](#)
[\(C\) ATTY - Opioid Settlement.pdf](#)

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

1. Introduction of and call for a public hearing on Ordinance 6494, a request for the annexation of Lots 18-27 and 29-32, Block 1; Lots 2-8, Block 4; and Lots 8-10, Block 8, Clear Sky Addition and a portion of Holmes Drive adjacent to Lot 8, Block 4 and Lots 8-10, Block 8, Clear Sky Addition, requested by FRF Investments, LLP. The Bismarck Planning and Zoning Commission recommends approval.
2. Introduction of and call for a public hearing on Ordinance 6495, a request for the annexation of Lot 1, Block 1, Burleigh Avenue Addition, requested by Investcore, Inc. The Bismarck Planning and Zoning Commission recommends approval.
3. Introduction of and call for a public hearing on Ordinance 6496, a request for a zoning change from the R10-Residential and RR-Residential zoning districts to the R10-Residential zoning district requested by Investcore, Inc. (Information attached). The Bismarck Planning and Zoning Commission recommends approval.
4. Request authorization of Community Development Director to sign environmental review documents as the certifying officer.
5. Request for approval for the City of Bismarck's Transit Disadvantaged Business Enterprise (DBE) Program Plan.

Documents:

[\(C\) CD - Clear Sky Addition.pdf](#)
[\(C\) CD - South Meadows Third Addition.pdf](#)
[\(C\) CD - Environmental Review Signatory Authorization.pdf](#)
[\(C\) CD - DBE Program Plan.pdf](#)

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

1. North Dakota Department of Transportation (NDDOT) Preliminary Engineering Reimbursement Agreement for 7th Street Reconstruction Project NHU-1-083(139)900, PCN 23201; City Project HC 151.
2. North Dakota Department of Transportation (NDDOT) Preliminary Engineering Reimbursement Agreement for

Bismarck Expressway Concrete Pavement Repair Project
NHU-1-094(226)225, PCN 23346; City Project HC 154.

3. North Dakota Department of Transportation (NDDOT)
Preliminary Engineering Reimbursement Agreement for 7th
Street and 9th Street Pavement Rehabilitation Project NHU-1-
083(141)900, PCN 23347; City Project HC 155.
4. Requests for the following: Declaring Petitions for
Improvements have been received.
 - Resolution Creating Districts SI 556 and SE 580
and Ordering Preparation of the Preliminary
Reports.
 - Resolution Approving Preliminary Reports and
Directing Preparation of Plans and Specifications.
5. Requests for the following: Declaring Petitions for
Improvements have been received.
 - Resolution Creating District and Ordering
Preparation of Preliminary Report.
 - Resolution Approving the Preliminary Report and
Directing the Preparation of Plans and
Specifications.
6. Resolution Creating District SI 559 and Ordering Preparation
of the Preliminary Report and Resolution Approving
Preliminary Report and Directing Preparation of Plans and
Specifications.

Documents:

(C) [ENG - NDDOT PE agreement - HC151.pdf](#)
(C) [ENG - NDDOT PE agreement - HC154.pdf](#)
(C) [ENG - NDDOT PE agreement - HC155.pdf](#)
(C) [ENG - SI556 SE580 create district.pdf](#)
(C) [ENG - SI557 create district.pdf](#)
(C) [ENG - SI559 create district.pdf](#)

I. Consider the request for approval from the Event Center for the following:

1. Request to allow the Event Center to negotiate and go to
contract for architectural/engineering services on the locker
room improvements with Ubl Design Group.
2. Request to approve the bid from Apex Engineering Group for
full design, bidding assistance and construction observation
service for the Exhibit Hall lighting controls.
3. Request to approve the bid from Interiors By Design on the
1200 yards of carpet in the arena for the theater set.
4. Request to approve the bid from IWEISS on the stage curtains
in the arena theater set.

Documents:

- (C) EC - Architectural services on locker rooms.pdf
- (C) EC - Meeting room controls and lighting.pdf
- (C) EC - theater carpet.pdf
- (C) EC - Theater curtains.pdf

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

Application for Abatement for the following where the Assessing Division recommends a reduction of the 2020 certified value and recommends denial of and no change to the 2021 certified value the following:

- 3903 State St - BHI Hospitality LLC - reduction of value

Application for Abatement for the following where the Assessing Division recommends approval:

- 4014 Overland Rd - Thomas & Shellae Backman - Disabled Veteran

Application for Abatement for the following where the Assessing Division recommends approval:

- 1727 N Grandview Ln Unit 321 - Ronald & Brenda Huff - Disabled Veteran
- 2947 Vancouver Ln - Eamon & Margaret Kuklok - Disabled Veteran

Application for Abatement for the following where the Assessing Division recommends denial:

- 1421 Skyline Blvd - Peterson Hospitality LLC

Documents:

- (C) FIN - Abatement 3903 State St.pdf
- (C) FIN - Abatement 4014 Overland Rd.pdf
- (C) FIN - Abatements 1.pdf
- (C) FIN - Abatements 2.pdf

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

1. 2022 Blue Cross/Blue Shield Administrative Service and Stop Loss Agreement contracts and 2022 Summary Plan Description for an additional year.
2. Appoint Jason Sutheimer to a one-year term, Nicole Ralph to a two-year term and Roger Krueger to a three-year term to the Civil Service Commission.

Documents:

[\(C\) HR - BC-BS Contract Renewal.pdf](#)
[\(C\) HR - Civil Service Appointments.pdf](#)

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

1. Permission to award the bid for self-propelled brooms for Roads & Streets operations.
2. Notification of an emergency purchase per City Ordinance 07-01-04 #3 of a traffic signal controller cabinet, and rental of a temporary cabinet, removal of the damaged signal pole and installation of temporary span wire signal heads due to it being destroyed in a traffic accident at Airport Road and University Drive.
3. Contract for consulting services for the Bismarck Police Department Masonry Wall Replacement Project.

Documents:

[\(C\) PW-SO - Bid Award for Self-Propelled Brooms.pdf](#)
[\(C\) PW-SO - Emergency Purchase of Traffic Signal Controller Cabinet.pdf](#)
[\(C\) PW-SO - Eng Tech Agreement for Police Masonry Wall Replacement Project.pdf](#)

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

1. Award bid for 43rd Avenue Water Tank Rehabilitation.
2. Change Order G-03 with Swanberg Construction, Inc. for the Waste Water Treatment Plant Phase 4 Dewatering System Improvements

Documents:

[\(C\) PW-UO - Bid Award for 43rd Avenue Tank Rehabilitation.pdf](#)
[\(C\) PW-UO - Change Order 3 with Swanberg Construction for WWTP Phase 4 Dewatering Project.pdf](#)

4. REGULAR AGENDA

5. Snow Removal Equipment Building Concept Study at the Bismarck Airport.

Documents:

[\(R\) AIR - SRE Building Concept Study.pdf](#)

6. Public Hearing on Ordinance 6492, a staff-initiated zoning ordinance text amendment relating to amendments to the lot modification process. The Bismarck Planning and Zoning Commission recommends approval.

Documents:

[\(R\) CD - Ord 6492 - Lot Modification Process.pdf](#)

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

1. Public Hearing on Ordinance 6493, a request for a zoning change from the PUD – Planned Unit Development and CG – Commercial zoning districts to the PUD – Planned Unit Development and CG – Commercial zoning districts.
2. Minor subdivision final plat of Schilling Second Addition requested by Capital Electric Cooperative.

Documents:

[\(R\) CD - Shilling Second Addition.pdf](#)

8. Major subdivision final plat of Municipal Fifth Addition, requested by City of Bismarck. The Bismarck Planning and Zoning Commission recommends approval.

Documents:

[\(R\) CD - Municipal Fifth Addition.pdf](#)

9. Minor subdivision final plat of Horizon Condos Addition, requested by First Class Properties, LLC. The Bismarck Planning and Zoning Commission recommends approval.

Documents:

[\(R\) CD - Packet Horizon Heights.pdf](#)

10. Major subdivision final plat of Basin Electric Fourth Addition, requested by Sanford Bismarck and City of Bismarck. The Bismarck Planning and Zoning Commission recommends approval.

Documents:

[\(R\) CD -Basin Electric Fourth Addition.pdf](#)

11. Grant award request from the Police Department for the Bureau of Justice Assistance through the Department of Justice

Documents:

[\(R\) PD - COSSAP Grant Award Request.pdf](#)

Other Business

Adjourn

