



May 18, 2022

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, May 24, 2022, at 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

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

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. 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 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 email address and contact information to the above email at least one business day before the meeting.

Live meeting coverage is always 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/bismarcknd). Agenda items can be found online at www.bismarcknd.gov/agendacenter.

Call to Order

FUTURE COMMISSION MEETINGS:

- June 14, 2022 & June 28, 2022
- July 12, 2022 & July 26, 2022
- August 9, 2022 & August 23, 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. National Public Works Week Proclamation 2022

Documents:

[National Public Works Week Proclamation 2022.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:

[May 10, 2022 - Minutes.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. Approve gaming site application for the following:

- Amvets Post #9
 - Amvets Post #9 – 2402 Railroad Avenue

- Bismarck Hockey Boosters, Inc.
 - Blarney Stone – 408 East Main Avenue
 - Lucky's Bar – 2176 East Thayer Avenue
 - Our Place Tavern – 1305 East Front Avenue
 - Tap-In-Tavern – 601 Memorial Highway
 - The Pier – 1120 Riverwood Drive

- Bismarck Mandan Elks Lodge No. 1199
 - Bismarck Mandan Elks Lodge – 900 South Washington Street

- Dakota Junior Golf Association
 - Elbow Room – 115 South 15th Street
 - Golf Etc. – 511 Airport Road

- Fort Abraham Lincoln Foundation

- Expressway Suites – 180 East Expressway
- Huckleberry House LLC – 1700 River Road
- Sixteen03 Main Events – 1603 East Main Avenue

- Light of Christ Catholic Schools
 - St. Mary's Academy – 1025 North 2nd Street
 - St. Mary's Central High School – 5802 Ridgeland Drive

- Lloyd Spetz American Legion Post 1
 - Jack's Steakhouse – 1201 South 12th Street

- Mandan Baseball Club Inc.
 - 701 Lounge – 1400 Interchange Avenue
 - Jimmy V's – 512 East Main Avenue
 - Laughing Sun Brewing – 1023 East Front Avenue
 - Lucky's 13 Pub – 915 South 3rd Street

- Matpac Wrestling Club Inc.
 - Borrowed Bucks Roadhouse – 118 South 3rd Street
 - Main Bar – 804 East Main Avenue
 - Sidelines – 300 South 5th Street
 - Sports Page – 1120 Tacoma Avenue
 - The Craftcade – 405 4th Street

- New Salem Civic Club, Inc.
 - Big Dog Distillery – 307 South 3rd Street

2. Approval of the following liquor license renewals:

- Beer Cave – 1020 South Washington Street
- Bismarck-Mandan Elks Lodge No. 1199 BPOE – 900 South Washington Street
- Bismarck Hotel and Conference Center – 800

South 3rd Street

- Borrowed Bucks Roadhouse – 118 3rd Street South
- Charras and Tequila – 4503 Skyline Crossings
- Chinatown Buffett – 330 Riverwood Drive
- Expressway Suites – 180 East Bismarck Expressway
- Famous Daves – 401 East Bismarck Expressway
- Holiday Inn Bismarck – 3903 State Street
- Horizon Market – 125 Durango Drive
- JL Beers – 217 North 3rd Street
- Johnny Carino's – 1601 West Century Avenue
- Lucky's 13 Pub – 915 South 3rd Street
- Main Bar and Package Store – 804 East Main Avenue
- Marlin's Family Restaurant – 3938 Miriam Avenue
- Nara Ramen and Izakaya Inc. – 309 North 3rd Street
- Pancheros – 1485 East Lasalle Drive
- Petro Serve USA #077 – 1120 East Divide Avenue
- Polar Package Place/Lucky's Bar – 2150 East Thayer Avenue
- Shogun Japanese Steakhouse – 2700 State Street H1
- Sickies Garage – 3130 North 14th Street
- Space Aliens Grill and Bar – 1304 East Century Avenue
- Stadium Sports Bar & The Lodge – 1247 West Divide Avenue
- Stonehome Brewing Company – 1601 North 12th Street
- The Junction – 2301 University Drive Building 17 Space 223BCD
- Vintner's Cellar Winery – 3250 Rock Island Place

Documents:

[\(C\) ADMIN - Gaming Site Authorization Renewals.pdf](#)

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

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

1. Permission to apply for Hazard Mitigation Grant Program funding from the ND Department of Emergency Services for costs associated with an emergency power generator for the new Bismarck-Burleigh Public Health facility.

Documents:

[\(C\) BBPH - Hazard Mitigation Grant Program.pdf](#)

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

1. Lease of Canon Copier/Printer using North Dakota State Bid.
2. Request to assign the 2022-24 Airport Crop Land Contract to Steve Berger.

Documents:

[\(C\) AIR - Canon Copier Lease.pdf](#)

[\(C\) AIR - Crop Land Reassignment.pdf](#)

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

1. The request of Sandra and Russell Johnson to release the West 1 foot of a 7-foot Capital Electric utility easement for Lot 1, Block 1, Eagle Crest Eighth Addition

Documents:

[\(C\) CD - Eagle Crest Eighth Addition, Easement Release.pdf](#)

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

1. Request for resolution approving the revised engineer's report, resolution approving revised plans and specifications, and resolution directing the advertisement of bids and receive bids for Street Improvement District SI 565 and Sewer Improvement District SE 581.
2. Request for resolution declaring petitions for improvements have been received and resolution creating district and

ordering preparation of preliminary report for Street Improvement District SI 569.

Documents:

(C) ENG - SI565, SE581.pdf
(C) ENG - SI569.pdf

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

1. Request approval to use the Event Center for Capital City Christmas. We are asking for your approval for the Bismarck Event Center staff to collaborate with the Capital City Christmas Committee and others to continue this great event by helping with planning and fundraising.

Documents:

(C) EC - Capital City Christmas 2022.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:
 - 1727 Valley Drive (0936-001-020) - Nick W Lees - Disabled Veteran (2021)
2. **Permission to purchase office equipment through Interiors by Design under ND State Contract.**

Documents:

(C) FIN - Abatement.pdf
(C) FIN - Office Equipment through ND State Contract.pdf

K. Consider the request for approval from the Fire Department for the following:

1. Approval for the Fire and Police Departments to participate in the Costco Wholesale Corporation's charity fundraiser for Children's Miracle Network Hospitals.

Documents:

(C) FD - Childrens Miracle Network Hospitals.pdf

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

1. Permission to decommission 63 police mobile radios and donate to the City of Mandan

Documents:

[\(C\) PD - Radio Donation.pdf](#)

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

1. Permission to purchase 8 cobalt controllers under the MNDOT bid for Electrical operations.
2. Permission to purchase a generator and forklift for Public Works operations.
3. Permission to advertise for public sale, the salt/sand storage fabric building facility located on the Public Works property.

Documents:

[\(C\) PW-SO - Cobalt Controllers Purchase.pdf](#)

[\(C\) PW-SO - Generator and Forklift Purchase.pdf](#)

[\(C\) PW-SO - Salt and Sand Shed.pdf](#)

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

1. Approval of Limited Authorization to Proceed with Kraus-Anderson Construction Company for the Public Works Expansion Project.
2. Approval of a Water Service Contract with Journey Campground Bismarck LLC from April 18, 2022, thru April 17, 2027.
3. Approval of Change Order 1 with PKG Contracting, Inc. for the WTP High Lift Pump No. 5 Replacement & Electrical Improvements.
4. **Approval to accept Task Order No. 16 to the Agreement with AE2S for Engineering Consulting Services for O&M Projects for Utility Operations.**

Documents:

[\(C\) PW-UO - Public Works Expansion Project.pdf](#)

[\(C\) PW-UO - WTP High Lift Pump No. 5 Change Order - Edling Electric.pdf](#)

(C) PW-UO - WTP High Lift Pump No. 5 Change Order - PKG Contracting.pdf
(C) PW-UO - Water Collections SCADA Task Order.pdf

4. REGULAR AGENDA

5. Public hearing on Ordinance 6501 to enact new Bismarck Ordinances for hate crimes.

Documents:

(R) ATTY - Public Hearing - Ord 6501 - Hate Crime Ordinances.pdf

6. Consider the request for approval for the Elk Ridge Third Addition, requested by Tyler Coulee, LLP, Bismarck North Developers, LLC, Ron Knutson, Henry and Jeanette Albers, and Paulette Thurn and Michael Hoffman.

1. Public hearing on Ordinance 6502, a request for a zoning change from the A – Agriculture, R5 – Residential, and R10 – Residential zoning districts to the R5 – Residential, R10 – Residential, and P – Public zoning districts for Elk Ridge Third Addition.
2. Public hearing on Ordinance 6503, a request for the annexation of part of Elk Ridge Third Addition.
3. Major subdivision final plat of Elk Ridge Third Addition.

Documents:

(R) CD - Ord 6502, Ord 6503 - Elk Ridge Third Addition.pdf

7. Consider the request for approval of the Boden Addition, requested by Ron and Ruth Knutson

1. Public hearing on Ordinance 6504, a request for a zoning change from the A – Agricultural and R5 – Residential zoning districts to the R5 – Residential, R10 – Residential and Conditional RT – Residential zoning districts for Boden Addition.
2. Major subdivision final plat of Boden Addition.

Documents:

(R) CD - Ord 6504 - Boden Addition.pdf

8. Public hearing on Ordinance 6505, a staff-initiated zoning ordinance text amendment relating to allowing data centers as a special use.

Documents:

(R) CD - Ord 6505 - Data Centers.pdf

9. Consider the request to receive an update from the Special Assessment Task Force Subcommittee.

Documents:

(R) ADMIN - SATF Subcommittee Update.pdf

10. Consider the request to receive an update regarding the on-street bicycle network.

Documents:

(R) CD - Bismarcks On-Street Bicycle Network.pdf

11. Consider the request for approval of amendments to the Renaissance Zone Development Plan.

Documents:

(R) CD - Amendments to Renaissance Zone Development Plan.pdf

12. Consider the request for resolution receiving bids and ordering preparation of the Engineer's Statement and resolution awarding contract for Street Improvement District SI 561.

Documents:

(R) ENG - SI561.pdf

13. Consider the request to receive bids and award contract for Water Utility Project WU 136.

Documents:

(R) ENG - WU138.pdf

Other Business

Adjourn

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