



Board of City Commissioners

July 7, 2022

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, July 12, 2022, at 5:15 PM 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 PM 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.freetv.org) and [Facebook LIVE](https://www.facebook.com/bismarckndgov). Agenda items can be found online at www.bismarcknd.gov/agendacenter.

Call to Order

FUTURE COMMISSION MEETINGS:

- July 26, 2022
- August 9, 2022 & August 23, 2022
- September 13, 2022 & September 27, 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. 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:

[June 28, 2022 - Minutes.pdf](#)

B. Consider approval of personnel actions

Documents:

[HR - Personnel Actions.pdf](#)

C. Consider approval of expenditures

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

1. Liquor License Renewals

Documents:

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

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

1. Lease Amendments with Aircraft Management Services.
2. Utility Easement for Central Power Electric Cooperative.

Documents:

[C\) AIR - Aircraft Management Services Lease Amendments.pdf](#)
[C\) AIR - Central Power Electric Coop Utility Easement.pdf](#)

F. Consider the request for approval from the Community Development Department for the following which the Planning & Zoning Commission recommends approval:

1. Introduction of and call for a public hearing on Ordinance 6510, a zoning change from the CG-Commercial zoning district to the RMH-Residential zoning district for Block 49 and part of Block 56, Governor Pierce Addition, requested by Bismarck Rental Properties, LLC.
2. Introduction of and call for a public hearing on Ordinance 6511, a zoning change from the CG-Commercial zoning district to the RMH-Residential zoning district for Block 45, Governor Pierce Addition, requested by Bismarck Rental Properties, LLC.
3. Introduction of and call for a public hearing on Ordinance 6512, a zoning change from the RT-Residential zoning district to the DF-Downtown Fringe zoning district for Lot 7, Block 41, Northern Pacific 2nd Addition, requested by Venture Property Management.
4. Introduction of and call for a public hearing on Ordinance 6513, a staff-

initiated zoning ordinance text amendment relating to agency foster homes for adults.

5. Introduction of and call for a public hearing on Ordinance 6514, a staff-initiated zoning ordinance text amendment relating to front yard setbacks in CG and MA zoning districts.
6. Introduction of and call for a public hearing on Ordinance 6515, a request for the annexation of Paradise Valley Addition.
7. Introduction of and call for a public hearing on Ordinance 6516, a request for a zoning change from the RR – Rural Residential zoning district to the R5 – Residential, R10 – Residential, RM15 – Residential, Conditional CG – Commercial, and P – Public zoning districts for Paradise Valley Addition.
8. Introduction of and call for a public hearing on a Future Land Use Plan amendment to increase the size of the area designated as Commercial/Mixed Use from approximately 12 acres to approximately 19 acres in Section 21, Lincoln Township.
9. Minor subdivision final plat of Hamburg Industrial Park 1st Addition 1st Replat, requested by BRB Woodworking and Design, LLC.
10. Minor subdivision final plat of Airport Industrial Park Third Addition First Replat, requested by Airway Storage, LLP.

Documents:

- C) CD - Ord 6510.pdf
- C) CD - Ord 6511.pdf
- C) CD - Ord 6512.pdf
- C) CD - Ord 6513.pdf
- C) CD - Ord 6514.pdf
- C) CD - Ord 6515 and 6516.pdf
- C) CD - Hamburg Industrial Park 1st Addition 1st Replat - Minor Plat.pdf
- C) CD - Airport Industrial Park Third Addition First Replat.pdf

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

1. Development Agreement with Don Ressler.
2. Development Agreement – Paul Szarkowski, ETAL.
3. Contract Change Order No. 3, contract increase and revised project budget for Street Improvement District No. 551 and Sewer Improvement District No. 579.
4. Contract Change Order No. 2 for Street Improvement District No. 547.
5. Dedication of and acceptance of a sidewalk easement on Lot 2, Block 5 Trillium Fourth Addition.
6. Request to accept North Dakota Department of Transportation (NDDOT)

funding to construct a shared-use path within State Street right of way from Calgary Avenue to 43rd Avenue.

Documents:

- C) [ENG - Development Agreement with Don Ressler.pdf](#)
- C) [ENG - Development Agreement with Paul Szarkowski, ETAL.pdf](#)
- C) [ENG - SI 547.pdf](#)
- C) [ENG - SI 551, SE 579.pdf](#)
- C) [ENG - Sidewalk Easement - Ridgeline Contracting.pdf](#)
- C) [ENG - US 83 Shared Use Path HC 157.pdf](#)

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

1. Applications for Abatement where the Assessing Division recommends approval.
2. Introduction of and call for a public hearing for ordinances 6507-6509 to create special assessment districts for annexed properties.

Documents:

- C) [FIN - Applications for Abatement.pdf](#)
- C) [FIN - Ord 6507, 6509.pdf](#)

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

1. License agreement with Chick-fil-A
2. License agreement with Exceptionally Nuts
3. Award bid to Jesse Braun Electric, LLC for Exhibit Hall meeting rooms lighting and control upgrades.

Documents:

- C) [EC - Chick-fil-A License.pdf](#)
- C) [EC - Exceptionally Nuts License.pdf](#)
- C) [EC - Meeting Rooms Lighting and Controls Upgrade.pdf](#)

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

1. Receive and approve the bid for Employee Health Insurance Benefits Broker & Consulting.

Documents:

- C) [HR - Employee Health Insurance Benefits Broker and Consulting.pdf](#)

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

1. Permission to award bid for electronic recyclable items.
2. Permission to dispose of/sell Public Works inventory at a public marketplace commonly used for the sale of motor vehicles.
3. Permission to award the 2022 furnishing street maintenance materials for salt and sand.

Documents:

- [C\) PW-SO - Electronic Recycling Items.pdf](#)
- [C\) PW-SO - Sale of Fleet Equipment.pdf](#)
- [C\) PW-SO - Street Maintenance Materials Bid Award.pdf](#)

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

1. Permission to proceed with the Utility Billing Fulfillment Services Contract for an additional one-year term.

Documents:

- [C\) PW-UO - Utility Billing Fulfillment Services Contract.pdf](#)

3. REGULAR AGENDA

4. Public hearing on the request to transfer the Class E Beer-Only On/Off-Sale License to Tri-Energy Cenex (dba) Runway Express Mart at 1740 Airport Road.

Documents:

- [R\) ADMIN - New Liquor License Runway Express Mart.pdf](#)

5. Consider the request for an appeal of the June 22, 2022 decision of the Planning and Zoning Commission to deny a zoning change from the RT – Residential zoning district to the CA – Commercial zoning district on Lot 1 and Lot 2, Block 1, Kilber North Addition First Replat requested by DPH Investments LLC.

Documents:

- [R\) CD - Kilber North Addition First Replat - Appeal.pdf](#)

6. Consider the request from the Community Development Department to provide information on the FEMA Risk Map update for the area and obtain direction on regulating development in the Floodway/Floodplain based on the best available data.

Documents:

- [R\) CD - FEMA Risk Map Update.pdf](#)

7. Consider the request from the Finance Department to receive the 2021 audit results and the 2021 Annual Comprehensive Financial Report.

Documents:

R) FIN - 2021 ACFR and Audit Presentation.pdf

8. Consider the request from the Finance Department for guidance for the City's 2023 preliminary budget, budget requests, and Budget Committee recommendations.

Documents:

R) FIN - 2023 Preliminary Budget.pdf

Other Business

Adjourn

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