



## Board of City Commissioners

September 21, 2022

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, September 27, 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](mailto: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.free-tv.org) and [Facebook LIVE](https://www.facebook.com/bismarckndgov). Agenda items can be found online at [www.bismarcknd.gov/agendacenter](http://www.bismarcknd.gov/agendacenter).

Call to Order

### FUTURE COMMISSION MEETINGS:

- October 11, 2022 & October 25, 2022
- November 8, 2022 & November 22, 2022
- December 13, 2022 & December 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:

[September 13, 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. Bismarck Human Relations Committee resignation & appointment.

Documents:

[C\) ADMIN - HRC Resignation and Appointment.pdf](#)

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

1. Consider approving a Federal Transit Administration grant with terms that are not typically accepted by Legal Department.

Documents:

[C\) ATTY - Federal Transit Administration Grant.pdf](#)

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

1. The final 2022 Annual Action plan for Community Development Block Grant (CDBG) funds.
2. Request from KC Land Holdings, LLC. to remove a condition of approval of the minor subdivision final plat for Jacks First Addition requiring that an off-site easement for storm sewer and drainage easement be secured and recorded in conjunction with the plat.
3. Resolution to reflect the prior approval of the release of an access easement over Lots 9-10, Block 5, Promontory Point VI Addition made during the September 13, 2022, City Commission meeting.

Documents:

- [C\) CD - 2022 Annual Action Plan - CDBG application.pdf](#)
- [C\) CD - Jacks First Addition - Revision to Minor Subdivision Final Plat.pdf](#)
- [C\) CD - Promontory Point VI Addition - Access Easement.pdf](#)

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

1. A request of the Northern Plains Heritage Foundation for an Encroachment Agreement to place signs in the right-of-way or on City-owned poles in the right-of-way.
2. Acceptance of a warranty deed for a lot in Clear Sky Addition for the sanitary sewer lift station and acceptance of warranty deed for a lot in Eagle Crest 8th Addition for the sanitary sewer lift station.
3. Approval of geotechnical testing services contract with American Engineering Testing, Inc. (AET) relating to 2022 Geotechnical Services.
4. A request for Resolution Approving Contracts and Bonds for previously awarded special assessed projects.

Documents:

- [C\) ENG - Encroachment Agreement-Northern Plains Heritage Foundation.pdf](#)
- [C\) ENG - Warranty Deeds - Clear Sky and Eagle Crest 8th Additions.pdf](#)
- [C\) ENG - 2022 Geotechnical Services.pdf](#)
- [C\) ENG - 2022 Special Assessed Contracts and Bonds.pdf](#)

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

1. Applications for Abatement where the Assessing Division recommends approval.

Documents:

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

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

1. Permission to request donations for the Forestry Division's 2023 Partners in Planting and Arbor Day Fund.

2. Permission to purchase a floor scrubber from the State of Minnesota bid contract from Tennant Sales and Service Company for the 2023 budget year.

Documents:

[C\) PW SO - 2022 Permission to Request Donations.pdf](#)  
[C\) PW SO - Permission to Purchase of Floor Scrubber from MN State Bid Contract.pdf](#)

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

1. Permission to enter into Sourcewell contract with Greystone Construction for the construction of one 100' x 144' sand tent.
2. Permission to award the bid for the Bismarck Lift Station supervisory control and data acquisition (SCADA) upgrade.

Documents:

[C\) PW UO - Greystone Construction Contract.pdf](#)  
[C\) PW UO - SCADA Bid Award.pdf](#)

### 3. REGULAR AGENDA

4. Consider the request from Molly McLain, Executive Director of Dakota West Arts Council to provide a report on DWAC's activities and projects.

Documents:

[R\) ADMIN - DWAC Presentation.pdf](#)

5. Consider the request to receive an update from members of the Human Relations Committee regarding upcoming activities in recognition and celebration of the Committee's 20th Anniversary.

Documents:

[R\) ADMIN - HRC Activities Update.pdf](#)

6. Public hearing on an application to transfer the Class D Alcoholic Beverages Liquor License to ND Hospitality, LLC. (dba) Quality Inn at 1030 East Interstate Avenue.

Documents:

[R\) ADMIN - New Liquor License Quality Inn.pdf](#)

7. Public hearing on an application for a Class M Catering Liquor License for The Scapegoat Bar, Inc. (dba) The Scapegoat Bar at 202 East Main Street, Mandan, ND 58554.

Documents:

[R\) ADMIN - New Liquor License The Scapegoat Bar.pdf](#)

8. Public hearing on Ordinance 6522 to amend the penalty procedure in the traffic codes for clarity.

Documents:

[R\) ATTY - Ord 6522.pdf](#)

9. Public hearing for the 2022 special assessment districts and confirm the assessments as amended.

Documents:

[R\) FIN - Confirmation of Special Assessment List.pdf](#)

10. Public Hearing on the concrete sidewalk, curb and gutter, and private driveway assessments as part of SW2021 assessments.

Documents:

[R\) FIN - 2021 Sidewalk Assessments.pdf](#)

11. Consider the request to pursue North Dakota Department of Transportation Highway Safety Improvement Program (HSIP) funding.

Documents:

[R\) ENG - NDDOT Highway Safety Improvement Program Solicitation.pdf](#)

12. Consider the request to pursue funding from the North Dakota Department of Transportation (NDDOT) Rail Safety Improvement Program.

Documents:

[R\) ENG - NDDOT Rail Safety Improvement Program.pdf](#)

13. Consider request to pursue NDDOT Urban Road, Urban Regional and Urban Grant program projects.

Documents:

[R\) ENG - NDDOT Urban Program Solicitation.pdf](#)

14. Continued discussion on Amendment 3 to the Bis-Man Transit Board 2016 brokerage agreement.

Documents:

[R\) ATTY - Bis-Man Transit Board Brokerage Contract Request Continued Discussion.pdf](#)

[R\) ATTY - Bis-Man Transit Board Brokerage Contract Request 9.13.2022.pdf](#)

Amendment 3, Version 2.pdf

15. Receive an update regarding efforts to address traffic issues.

Documents:

R) PD - Traffic Update.pdf

16. Consider the request to discuss the Sesquicentennial Tree Planting Project at New Generations Park on October 1, 2022.

Documents:

R) PW SO - 2022 Sesquicentennial Tree Planting Project.pdf

17. Request to go into executive session under NDCC 44-04-19.1(9) for contract negotiation / negotiation strategy.

Documents:

R) ATTY - Executive Session.pdf

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