



## Board of City Commissioners

October 20, 2022

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, October 25, 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 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](http://www.bismarcknd.gov/agendacenter).

Call to Order

### FUTURE COMMISSION MEETINGS:

- November 8, 2022 & November 22, 2022
- December 13, 2022 & December 27, 2022
- January 10, 2023 & January 24, 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:

[October 11, 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. Application of gaming for Dickinson Charities at the Ramada by Wyndham, 1400 East Interchange Avenue, Bismarck, ND, 58501.

Documents:

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

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

1. Change Order 3 to the April 27, 2022, Weisz & Sons agreement for Wetland Phase 7 project.
2. Change Order 4 to the April 27, 2022, Weisz & Sons agreement for Wetland Phase 7 project.

Documents:

[C\) AIR - Weisz Change Order 3, Wetland 7.pdf](#)

[C\) AIR - Weisz Change Order 4, Wetland 7.pdf](#)

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

1. Approval of newly developed standard operating procedure to provide for backup capability to ensure temporary/short-term sheltering is provided for displaced individuals in situations where other resources may not be available.

Documents:

[C\) BBPH - Contingency Funding for Micro Emergency Events.pdf](#)

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

1. Permission to delay the public hearing on Ordinance 6525, a zoning change from the R10 - Residential zoning district to the RT - Residential zoning district for Lots 49 and 50, Block 2, Sonnet Heights Subdivision First Replat, located in north Bismarck, west of US Highway 83 / State Street, along the north side of East Lasalle Drive, requested by Land One, Inc.
2. A request from MBR Properties, LLC for approval of a revised major subdivision final plat for Paradise Valley Addition, located south of Bismarck, along the south side of East Burleigh Avenue and the east side of South Washington Street (part of the N½ of Section 21, T138NR80W / Lincoln Township).
3. Consider approval of the updated resolution for granting signature authority for the Federal Transit Administration's (FTA) electronic transit grant-making process for the City of Bismarck and the Updated designation of signature authority for the Transit Asset Management System (TrAMS).

Documents:

[C\) CD - 6525.pdf](#)

[C\) CD - Paradise Valley Addition Final Plat.pdf](#)

[C\) CD - TrAMS Signature Authority.pdf](#)

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

1. Approval of the Development Agreement with the North Dakota Stockmen's Association.
2. Approval of the encroachment agreement with the Dakota West Arts Council.
3. Approval of Amendment #1 to the existing agreement for professional services with Metcalf Archaeological Consultants for cultural resource monitoring and discovery on HC 128 downtown Bismarck concrete pavement repair project.
4. Approval of the North Dakota Department of Transportation (NDDOT) Cost Participation and Maintenance Agreements for State Street Safety Improvements and Preventative Maintenance Project SHE-1-083(118)901 PCN 20097, SHE-1-

083(119)088 PCN 20098, NHU-IM-1-083(133)901 PCN 22769,  
NHU-IM-1-083(134)088 PCN 22770; City project HC 133.

Documents:

- C) ENG - Development Agreement - ND Stockmens Assoc..pdf
- C) ENG - Encroachment Agreement - DWAC.pdf
- C) ENG - HC 128.pdf
- C) ENG - HC 133.pdf

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

1. Approval of the attached pour rights agreement with Coca-Cola Bottling Company High Country.

Documents:

- C) EC - Soft Drink Pour Rights.pdf

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

1. Applications for Abatement where the Assessing Division recommends approval.
2. Permission to designate Morgan Stanley as a depository for City funds.

Documents:

- C) FIN - Abatements.pdf
- C) FIN - Designated Depository.pdf

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

1. Authorization to apply for a grant for up to \$50,000 with Marathon Petroleum Oil for battery-operated auto extrication tools.

Documents:

- C) FIRE - Grant Application with Marathon Petroleum Oil.pdf

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

1. Approval of the interpretation of salary administration for employees with performance issues and clarification of 2023

annual increase guidelines.

2. Approval of the reclassifications of positions as recommended by Condrey and Associates.

Documents:

[C\) HR - 2023 Employee Salary Planning.pdf](#)  
[C\) HR - Reclassification Requests.pdf](#)

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

1. Permission to award contracts to haul snow from snow removal operations for the 2022-2023 winter season.

Documents:

[C\) PW SO - Bid Award for Snow Haulers.pdf](#)

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

1. Permission to advertise for a Construction Manager at Risk (CMAR) for the next Wastewater Treatment Plant project and Water Treatment Plant expansion.
2. Change Order with Leo A Daly for Public Works and Public Health Projects.
3. Sole source purchase of new water meters, replacement Unitized Measuring Elements (UME), and replacement meter registers.

Documents:

[C\) PW UO - CMAR for WWTP and WTP Projects.pdf](#)  
[C\) PW UO - Leo A Daly Change Order.pdf](#)  
[C\) PW UO - UME Sole Source Purchase.pdf](#)

### 3. REGULAR AGENDA

4. Public hearing on the corrected Ordinance 6519, a zoning change from the RM30 - Residential and CG - Commercial zoning districts to the RMH - Residential zoning district for Holiday Estates of Bismarck on part of Blocks 10 and 18 and all of Block 19, Coffin Addition, requested by Holiday Estates of Bismarck, LLC.

Documents:

[R\) CD - Ord 6519.pdf](#)

5. Public hearing on Ordinance 6523, a zoning change from the A - Agricultural zoning district to the RT - Residential and CG - Commercial zoning districts, annexation of that portion of the plat not previously annexed, and a major subdivision final plat for Daybreak Second Addition, located in north Bismarck, between 57th Avenue NE and ND Highway 1804, along the west side of US Highway 83 (part of Section 9, T139N-R80W/Hay Creek Township), requested by TPR LLP, Belfield Access Terminal LLC, and Ronald and Ruth Knutson.

Documents:

[R\) CD - Ord 6523.pdf](#)

6. Public hearing on Ordinance 6527, a zoning change from the P - Public zoning district to the P - Public and PUD - Planned Unit Development zoning districts and a minor subdivision final plat for Municipal Fourth Addition First Replat, located in west Bismarck, west of Schaffer Street along the south side of Edwards Avenue (a replat of Municipal Fourth Addition), requested by the City of Bismarck and Denizen Properties, LLC.

Documents:

[R\) CD - Ord 6527.pdf](#)

7. Public hearing on the approval of a stormwater and drainage easement release and a utility easement release over Lots 2 - 5 and 9, Block 1, Burleigh County Housing Addition First Replat, requested by the Housing Authority of Burleigh County.

Documents:

[R\) CD - Burleigh County Housing Addition.pdf](#)

8. Consider approval of a closing date extension for the Riverwalk Purchase Agreement to January 6, 2023.

Documents:

[R\) ATTY - Riverwalk Purchase Agreement Extension.pdf](#)

9. Consider approval of the request to finalize the purchase of property for a future fire station.

Documents:

[R\) ATTY - Purchase Agreement.pdf](#)

10. Consider approval of the contract with Burleigh County for public health service.

Documents:

[R\) BBPH - Public Health Contract.pdf](#)

11. Receive an update on the Bismarck Citizen Academy program.

Documents:

[R\) ADMIN - 2023 Bismarck Citizen Academy.pdf](#)

12. Consider discussion and approval of the proposed 2023 Legislative Agenda.

Documents:

[R\) ADMIN - 2023 Legislative Agenda.pdf](#)

Other Business

Adjourn

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