



Board of City Commissioners

November 16, 2022

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, November 22, 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 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:

- December 13, 2022 & December 27, 2022
- January 10, 2023 & January 24, 2023
- February 14, 2023 & February 28, 2023

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. Recognition of Travis Carufel as recipient of the Operator of the Year Award.
2. Small Business Saturday Proclamation 2022

Documents:

[Small Business Saturday Proclamation 2022.pdf](#)

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

4. CONSENT AGENDA

- A. Consider approval of minutes

Documents:

[November 8, 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. Appoint Ashley Coles to the Bismarck-Mandan Mayors' Committee for People with Disabilities.
2. Request for a letter of support from Blue Collar Dreams, LLC.
3. Application of gaming for Furry Friends Rockin Rescue at Broadway Grill & Tavern, 100 West Broadway Avenue, Bismarck, ND, 58501.

Documents:

[C\) ADMIN - Bismarck-Mandan Mayors Committee for People with Disabilities Appointment.pdf](#)

[C\) ADMIN - Blue Collar Dreams Request.pdf](#)

[C\) ADMIN - Gaming Site Authorization - Furry Friends Rockin Rescue.pdf](#)

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

1. Change Order 12 to the September 11, 2020, Agreement with KLE for Wetland Phase 5/6 Project.

Documents:

[C\) AIR - KLE Change Order No. 12.pdf](#)

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

1. Approval of the 45 holiday hours for the Bis-Man Transit Board.

Documents:

[C\) ATTY - Transit Holiday Hours.pdf](#)

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

1. The request of Kevin and Kathleen Siedel and SSS Construction, Inc. for approval of a utility easement release over a part of Lot 4, Block 3, Airport Industrial Park Third Addition.

Documents:

[C\) CD - Airport Industrial Park Third Addition.pdf](#)

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

1. Approval of consultant services contract and Scope of Work with Apex Engineering Group relating to S Washington Street Reconstruction Project HC 158.
2. Approval of the annual North Dakota Department of Transportation (NDDOT) Maintenance Certification.
3. Acceptance of the award of the North Dakota Department of Transportation (NDDOT) Urban Grant Program funding for a 2024 Downtown Street Improvement Project.
4. Approval of dedication and acceptance of a Sanitary Sewer, Water Main, and Utility easement on Lots 17, 18, 19 & 20 Block 4, Silver Ranch First Addition.

Documents:

[C\) ENG - HC 158.pdf](#)
[C\) ENG - NDDOT Maintenance Certification.pdf](#)
[C\) ENG - NDDOT Urban Grant Award.pdf](#)
[C\) ENG - Silver Ranch 1st Addition Easements.pdf](#)

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

1. Applications for Abatement where the Assessing Division

recommends approval.

2. Consider the request for two equipment lease agreements with buy-out options for six front-end loaders (two different models) from John Deere Financial (RDO).

Documents:

[C\) FIN - Abatements.pdf](#)
[C\) FIN - Front-end Loader Leases.pdf](#)

- J. Consider the request for approval from the Fire Department for the following:

1. Request from Bismarck Emergency Management for the approval of the Bismarck Emergency Operations Plan.

Documents:

[C\) FD - EOP Resolution.pdf](#)

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

1. Change Order 6, a time extension with Missouri River Contracting, Inc. for the Fire Station 3 Remodel Project.
2. Change Order E-03, a time extension with Western Edge Electric, Inc. for the Fire Station 3 Remodel Project.

Documents:

[C\) PW SO - Change Order 6 with Missouri River Contracting.pdf](#)
[C\) PW SO - Change Order E-03 with Western Edge Electric.pdf](#)

5. REGULAR AGENDA

6. Mayor's campaign against homelessness.

Documents:

[R\) ATTY - Opioid Settlement Funds.pdf](#)

7. Request of Tim and Jamie Michlitsch to appeal the October 6, 2022, decision of the Board of Adjustment to deny a variance request to reduce the required side yard setback along the eastern side of their property from fifteen (15) feet to twelve (12) feet in order to construct an accessory building.

Documents:

[R\) CD - Board of Adjustment Appeal.pdf](#)

8. Public hearing on the request from Elite Golf 2, LLC. (dba) X-Golf Bismarck for a new Class F-1 Restaurant Full Alcohol liquor license at 1441 East Lasalle Drive.

Documents:

[R\) ADMIN - New Liquor License - Xgolf Bismarck.pdf](#)

9. Public hearing on the transfer of the Class E Beer Only Liquor License for Midway Tavern, LLC (dba) Midway Tavern at 1915 East Sweet Avenue.

Documents:

[R\) ADMIN - Transfer Liquor License - Midway Tavern.pdf](#)

10. Public hearing on Ordinance 6528, a request for a zoning change from the A - Agricultural zoning district to the CG - Commercial zoning and major subdivision final plat of Frank Addition, requested by Calvin and Brenda Mertz and Frank Properties, LLC.

Documents:

[R\) CD - Ord 6528.pdf](#)

11. Public hearing on Ordinance 6529, a request for a zoning change from the A - Agricultural zoning district to the RR5 - Residential zoning district and major subdivision final plat of Aster Ridge Subdivision, requested by Tim and Deb Staloch.

Documents:

[R\) CD - Ord 6529.pdf](#)

12. Public hearing on Ordinance 6530, a request for a zoning change from the A - Agricultural zoning district to the RR5 - Residential zoning district and major subdivision final plat of Brunskill Subdivision, requested by Daniel Brunskill.

Documents:

[R\) CD - Ord 6530.pdf](#)

13. Consider the application of tax abatement requested by NETREIT Bismarck, LLC. for the 2022 assessment year, where the Assessing Division recommends denial of the request.

Documents:

[R\) FIN - Abatement.pdf](#)

14. Request to Receive Bids and Award Contract for Highway Construction Project HC 143.

Documents:

[R\) ENG - HC 143.pdf](#)

15. Consider the request to release a new Class D Full-Alcohol On/Off Sale license through the sealed bid process and request to rewrite the current alcohol license ordinance.

Documents:

[R\) ADMIN - Alcohol License and Ordinance Rewrite.pdf](#)

16. Receive a report regarding snow removal operations.

Documents:

[R\) PW SO - Snow Removal Update.pdf](#)

17. Other Business

Adjourn

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