



Board of City Commissioners

December 21, 2022

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

- January 10, 2023 & January 24, 2023
- February 14, 2023 & February 28, 2023
- March 14, 2023 & March 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. 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:

[December 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. Liquor license renewals.
2. Update Laughing Sun Guarantor Agreement.
3. Amendment to the lease for Public Health with the University of Mary.

Documents:

[C\) ADMIN - Liquor License Renewals.pdf](#)
[C\) ADMIN - Laughing Sun Guarantor Agreement.pdf](#)
[C\) ADMIN - Public Health Lease Amendment.pdf](#)

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

1. Consider a \$5,000 sponsorship to the North Dakota Aviation Association (NDAA) for the 2023 Fly-ND Conference and Expo.
2. Consider a lease agreement GS-08P-LND00157 Amendment 2 with the United States of America for Transportation Security Administration (TSA) terminal space.

Documents:

[C\) AIR - NDAA Sponsorship.pdf](#)
[C\) AIR - TSA Amendment 2.pdf](#)

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

Closing date extension for the Riverwalk Purchase Agreement to January 31, 2023.

Documents:

[C\) ATTY - Edwards Property Extension.pdf](#)

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

1. Request for approval of a Memorandum of Understanding Agreement between the North Dakota Department of Health and Human Services Food and Lodging Unit and the City of Bismarck.
2. Corrected Ordinance 6483, the zoning change of Fairview Cemetery Addition, to correct the description of zoning associated with property within the plat that was revised from the originally approved plat.

Documents:

[C\) CD - ND DOH Memo of Understanding.pdf](#)

[C\) CD - Ord 6483.pdf](#)

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

1. Consider approval of the North Dakota Department of Transportation (NDDOT) Cost Participation and Maintenance Agreement for the Rectangular Rapid Flash Beacon project, HEU-1-981(130), PCN 3372, HC 149.
2. Consider approval of the North Dakota Department of Transportation (NDDOT) Cost Participation and Maintenance Agreement for the 7th Street and 9th Street mill and overlay (Main Avenue to Boulevard Avenue), NHU-1-083(141)900, PCN 23347, HC 155 and authorization of an additional \$362,000 in 2023 sales tax funding for the City's cost share.
3. Consider the request for a resolution creating the district and ordering the preparation of preliminary report and a request for a resolution approving the preliminary report and directing the preparation of plans and specifications for Street Improvement District SI 570.
4. Consider the request for a resolution creating the district and ordering the preparation of preliminary report and a request for a resolution approving the preliminary report and directing the preparation of plans and specifications for Street Improvement District SI 574.
5. Consider approval of vendor selection and contract with Virtual

Project Manager for construction project management software.

6. Consider approval of curb ramp agreements with the North Dakota Department of Transportation as part of an upcoming pavement rehabilitation project on 7th Street.
7. Consider the request to call for a public hearing on January 10, 2023, regarding the revisions to the Special Assessment Policy.

Documents:

- C) ENG - HC 149.pdf
- C) ENG - HC 155.pdf
- C) ENG - SI570.pdf
- C) ENG - SI574.pdf
- C) ENG - Construction Project Management Software.pdf
- C) ENG - NDDOT Curb Ramp Agreements.pdf
- C) ENG - Special Assessment Policy.pdf

- I. 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

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

1. Task Order 22-03 with Houston Engineering, Inc. for Design and Construction Management Services for Landfill Final Cover Closure of Phases I-III.
2. Permission to sell Public Works retired equipment, 2004 John Deer Motorgrader, to the City of Mandan in the amount of \$70,000.
3. Approval of the 2023-2029 lease of the baler building at the landfill with Waste Management of North Dakota, Inc.

Documents:

- C) PW SO - Houston Engineering Task Order 22-03.pdf
- C) PW SO - Sell Retired Equipment.pdf
- C) PW SO - Waste Management Lease.pdf

3. REGULAR AGENDA

4. Public hearing on a request for a new Class F-1 Restaurant Full Alcohol Liquor License for Charras B, Inc. (dba) Sazón at 4510 Skyline Crossings.

Documents:

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

5. Public hearing on Ordinance 6526, a zoning change from the RT – Residential and CG – Commercial zoning districts to the CG – Commercial zoning district for Lot 1 and part of Lot 2, Block 1, Meadow Lark Hill Second Addition Replat requested by HISB Properties, LLC.

Documents:

[R\) CD - Ord 6526.pdf](#)

6. Public hearing on Ordinance 6531, zoning change from the P – Public zoning district to the MA – Industrial zoning district for Lot 5 and the E½ of the vacated Georgia Street adjacent, Block 2, Shamrock Industrial Park requested by Park Avenue Properties, LLP.

Documents:

[R\) CD - Ord 6531.pdf](#)

7. Public hearing on Ordinance 6532, a zoning ordinance text amendment to include provisions to allow limited commercial recreation uses in the CA – Commercial zoning district.

Documents:

[R\) CD - Ord 6532.pdf](#)

8. Public hearing on Together 2045: Bismarck's Comprehensive Plan.

Documents:

[R\) CD - Together 2045.pdf](#)

9. Consider a report from staff relating to the communications plan supporting the water utility rate project currently on-going with Public Works Utility Operations.

Documents:

[R\) ADMIN - Water Rate Project Communications Plan.pdf](#)

10. Other Business

Adjourn

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