



Board of City Commissioners

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, August 8, 2023, 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:

- August 22, 2023
- September 12, 2023 & September 26, 2023
- October 10, 2023 & October 24, 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:

July 25, 2023 - 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. Introduction of and call for a public hearing on a request for a new Class B-3 Commercial Passenger Vessels on the Missouri River alcohol license for Missouri Riverboat, Inc. (dba) Mnishoshe at 1700 River Road.
2. Appoint Carol Cristilli to the Bismarck-Mandan Mayors' Committee for People with Disabilities.
3. ~~Flex PACE program interest buy-down for CMK Holdings LLC.~~
4. ~~Flex PACE program interest buy-down for Simson Holding Company LLC.~~
5. ~~Flex PACE program interest buy-down for Venture Building Company LLC.~~

Documents:

C) ADMIN - New Alcohol License.pdf
C) ADMIN - Bismarck-Mandan Mayors Committee for People with Disabilities Appointment.pdf

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

1. Accept the bid and award the Asphalt Pavement Maintenance Project bid to the low bidder Asphalt Surface Technologies Corporation.
2. Engineering Agreement with KLJ for the Taxiway C North Reconstruction / Rehabilitation Project.
3. Disposal of 2002 S220 Bobcat skid steer loader via trade-in.

Documents:

C) AIR - Asphalt Pavement Maintenance.pdf
C) AIR - KLJ Agreement.pdf
C) AIR - Skid Steer Loader Disposal.pdf

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

1. Introduction of and call for a public hearing on Ordinance 6556, a request for a zoning map amendment from the CG – Commercial zoning district to the PUD – Planned Unit Development zoning district for Lot 2, Block 1, Schilling Second Addition where the Planning and Zoning Commission recommends approval.

2. Introduction of and call for a public hearing on Ordinance 6557, a request for a zoning map amendment from the RT – Residential zoning district to the Conditional CG – Commercial zoning district for Lot 1, Block 1, Basin Electric 4th Addition; Tracts 1A, 2A, 3A (of Lot 1), Lot 2, Block 1, Basin Electric 3rd Addition and Lot 3, Block 1, Wisdom Office Park Addition where the Planning and Zoning Commission recommends approval.
3. Introduction of and call for a public hearing on Ordinance 6558, a request by Edgewood Properties LLLP, for a zoning map amendment from the RM30 – Residential zoning district to the PUD – Planned Unit Development zoning district for Lot 52, Block 1, Edgewood Village 7th Addition First Replat where the Planning and Zoning Commission recommends approval.
4. Introduction of and call for a public hearing on Ordinance 6561, a request for annexation of that portion of Lot 2, Block 1, not previously annexed, and all of the Ash Coulee Drive right-of-way not previously annexed and included in the plat of Northern Sky Second Addition First Replat, where the Planning and Zoning Commission recommends approval.
5. Introduction of and call for a public hearing on Ordinance 6562, a request for annexation of two rights-of-way within Northern Sky Second Addition First Replat where the Planning and Zoning Commission recommends approval.

Documents:

- C) CD - Ord 6556.pdf
- C) CD - Ord 6557.pdf
- C) CD - Ord 6558.pdf
- C) CD - Ord 6561.pdf
- C) CD - Ord 6562.pdf

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

1. Resolution Approving Contracts and Bonds for previously awarded special assessed projects.
2. Development Agreement with Blue Water Development, LLC.
3. Development Agreement with Gold Star Properties, LLC.
4. Consultant services contract and scope of work with KLJ Engineering LLC relating to E Century Avenue Reconstruction Project HC 165.
5. Resolution creating district and ordering preparation of preliminary report and resolution approving the preliminary report and directing the preparation of plans and specifications for Street Improvement District SI 576.

Documents:

- C) ENG - 2022 Contracts and Bonds.pdf
- C) ENG - Development Agreement - Blue Water Development.pdf
- C) ENG - Development Agreement - Gold Star Properties.pdf

- C) ENG - HC165.pdf
- C) ENG - SI576.pdf

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

Permission for Bismarck Event Center staff to collaborate with the Capital City Christmas Committee to plan the Capital City Christmas Event.

Documents:

- C) EC - Capital City Christmas.pdf

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

1. Introduction of and call for a public hearing on Ordinance 6559 to Amend the 2023 Budget.
2. Applications for Abatement.
3. Resolution authorizing the issuance and sale of the \$45M wastewater revenue bond with the State of North Dakota State Revolving Fund Program.
4. Resolution authorizing the issuance and sale of \$2M in water treatment revenue bonds with the State of North Dakota State Revolving Fund Program for the purpose of continuing the replacement of lead service lines in the City.
5. City's revised fund balance policy.
6. Resolution to direct special assessments to be levied.
7. City's revised travel policy.

Documents:

- C) FIN - 2023 Budget Amendment.pdf
- C) FIN - Abatements.pdf
- C) FIN - Bond Issuance Resolution - Hay Creek Lift Station and Sewer Interceptor Projects.pdf
- C) FIN - Bond Issuance Resolution - Lead Service Line Replacement Project.pdf
- C) FIN - Fund Balance Policy Revision.pdf
- C) FIN - Special Assessment Resolution.pdf
- C) FIN - Travel Policy Revision.pdf

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

1. Agreement with Stacy Schaffer of 31:8 Project.
2. Memorandum of Understanding (MOU) between Bismarck Animal Control and the Dakota Zoo.

Documents:

- C) PD - 31.8 Project Agreement.pdf
- C) PD - Dakota Zoo MOU.pdf

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

1. Award the Tree Removal contract with Bullinger Tree Service and the Stump Grinding contract with Beaver Creek Tree Service, LLC for Forestry Operations.
2. Award the 2023 Furnishing Street Maintenance Materials - Salt and Sand to the lowest bidders.

Documents:

- C) PW SO - Bid Award Tree and Stump Grinding.pdf
- C) PW SO - Furnishing Street Maintenance Materials - Salt and Sand.pdf

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

1. Amendment #3 to the License & Maintenance Agreement for use of FAMS-XL.

Documents:

- C) PW UO - Stantec Amendment 3.pdf

3. REGULAR AGENDA

4. Receive a report from Josh Askvig, Co-Director and Board President of the Bismarck Marathon, relating to the revised route for the upcoming Bismarck Marathon on September 16, 2023.

Documents:

- R) ADMIN - Bismarck Marathon.pdf

5. **Consider the request from the Vision Fund Committee regarding a Flex PACE program interest buy-down for CMK Holdings LLC.**

Documents:

- C) ADMIN - CMK Holdings LLC.pdf

6. **Consider the request from the Vision Fund Committee regarding a Flex PACE program interest buy-down for Simson Holding Company LLC**

Documents:

- C) ADMIN - Simson Holding Company LLC.pdf

7. **Consider the request from the Vision Fund Committee regarding a Flex PACE program interest buy-down for Venture Building Company LLC.**

Documents:

- C) ADMIN - Venture Building Company LLC.pdf

8. Request of Commissioner Marquardt to discuss the amendment to Title 14 zoning associated with home occupations.

Documents:

- R) CD - Home Occupation Amendment to Title 14 Zoning.pdf

9. Other Business

Adjourn

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