



Board of City Commissioners

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, October 24, 2023, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

A Chaplain from the Bismarck Police Department will present the Invocation and the Pledge of Allegiance.

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.free-tv.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:

- November 14, 2023 & November 28, 2023
- December 12, 2023 & December 26, 2023
- January 9, 2024 & January 23, 2024

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 10, 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. Request to modify the Amvets Post 9 alcohol license from a Class A Fraternal Order or Club license to a Class F-1 Restaurant license.
2. Application for a new Class I-2 Complimentary Alcohol license for Nail Boss at 4228 Boulder Ridge Road.
3. Application to transfer the Class D Full Retail Alcohol license from BBS, Inc. (dba) Borrowed Bucks Roadhouse at 118 South 3rd Street to Parkland USA Corporation (dba) Superpumper #80127 at 101 Santa Fe Avenue.
4. Accept the high bid from Tri-Energy Cooperative for \$51,000.00 for the Class E Beer Only On/Off Sale license.

Documents:

C) ADMIN - Amvets License.pdf
C) ADMIN - New Alcohol License.pdf
C) ADMIN - Alcohol License Transfer.pdf
C) ADMIN - Accept Class E License Bids.pdf

E. Consider the request for approval from Bismarck-Burleigh Public Health for the following:

1. Permission to apply for Change Network Grant Funding.

Documents:

C) BBPH - Change Network Grant.pdf

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

1. Engineering Consulting Agreement with KLJ for Airport Surveillance Radar (ASR-8) Radar Antenna Extension Project.

Documents:

C) AIR - KLJ ASR-8 Antenna Agreement.pdf

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

1. Correction to Ordinance 6557, the zoning map amendment ordinance within Basin Electric Fourth Addition, Basin Electric Third Addition, and Wisdom Office Park Addition.
2. Correction to Ordinance 6562, the annexation ordinance of two rights-of-way within Northern Sky Second Addition First Replat.

Documents:

- C) CD - ORD 6557.pdf
- C) CD - ORD 6562.pdf

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

1. Award concurrence of North Dakota Department of Transportation (NDDOT) 7th Street mill and overlay project (Bismarck Expy to Front Ave), NHU-1-083(139)900, PCN 23201, City Project HC 151 & 7th Street and 9th Street mill and overlay project (Main Ave to Boulevard Ave), NHU-CRP-1-083(141)900, PCN 23347, City Project HC 155.
2. Award concurrence of North Dakota Department of Transportation (NDDOT) State Street Trail project (Calgary Avenue to 43rd Avenue), CRP-1-083(144)089, PCN 23671, City project HC 157.
3. Contract Change Order No. 1 for SI 574 for a time extension.
4. Encroachment and waiver agreement with Sanford Bismarck to install and maintain Emergency Room Signage for way-finding purposes.

Documents:

- C) ENG - HC 151 and HC 155.pdf
- C) ENG - HC 157.pdf
- C) ENG - SI 574.pdf
- C) ENG - Sanford Encroachment.pdf

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

1. Applications for abatement.

Documents:

- C) FIN - Abatements.pdf

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

1. Approval to opt out of multidistrict litigation (MDL) cases for PFAS regarding Dupont and 3M.

Documents:

- C) PW UO - Opt out of MDL Cases.pdf

3. REGULAR AGENDA

4. Receive a presentation from Houston Engineering, Inc. regarding engineering design, specification, project management, and bidding services to expand the landfill into future Cell 2.

Documents:

R) PW SO - Landfill Expansion.pdf

5. Consider the request of Cody and Jessica Clark for an appeal of the October 5, 2023, decision of the Board of Adjustment to deny a variance request to reduce the required front yard setback from forty feet to approximately twenty-three feet for the purpose of constructing an accessory building.

Documents:

R) CD - BOA Appeal.pdf

6. Public hearing on Ordinance 6564 to amend the taxicab ordinance.

Documents:

R) LEGAL - Ord 6564.pdf

7. Consider the proposed meeting schedule for the 2024 Bismarck Citizen Academy program.

Documents:

R) ADMIN - 2024 Citizen Academy Schedule.pdf

8. Consider the proposed meeting schedule for the 2024 Board of City Commissioners meetings.

Documents:

R) ADMIN - 2024 City Commission Schedule.pdf

9. Other Business

Adjourn

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