



1/12/2021

Board of City Commissioners  
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, January 12, 2021 at 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

Invocation and the Pledge of Allegiance presented by a Chaplain from the Bismarck Police Department.

Due to ongoing public health concerns related to COVID-19, the City of Bismarck is encouraging 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). The item will be sent to the members, as well as placed with the minutes.

To ensure your comments are received prior to the meeting, please submit them by 3:30 p.m. 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 public hearing item, please provide your e-mail address and contact information to the above e-mail at least 1 business day before the meeting.

The physical meeting room will be open to the public, but we certainly understand the public wishing to limit their exposure at this time but still participate in government. Before entering the City/County Building, all individuals should self-screen for COVID-19 and if unable to pass the screening protocol, will be expected to participate remotely in the meeting for the public's safety.

The number of participants to be in person will be physically limited to maximum total number of occupants in the Commission Chambers that can maintain social distancing. If attending in person, masks will be required as social distancing cannot be assured in the City/County public areas.

As always, live meeting coverage on Government Access Channels 2 & 602HD, Listen to Radio Access 102.5 FM Radio, or stream [FreeTV.org](http://FreeTV.org) and [RadioAccess.org](http://RadioAccess.org). Agenda items can be found online at [www.bismarcknd.gov/agendacenter](http://www.bismarcknd.gov/agendacenter).

#### 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. Consider the approval of the minutes.

Documents:

[SM121620.pdf](#)  
[MN122220.pdf](#)

### 3. CONSENT AGENDA

- A. Consider approval of expenditures.
- B. Consider approval of personnel actions.

Documents:

[HR Personnel Report.pdf](#)

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

1. Permission to purchase radios through the North Dakota State Bid #111.

Documents:

[\(C\) AIR - State Bid Radios.pdf](#)

### D. Consider the request for approval from the Attorney for the following:

1. Ratify the January 5, 2021 State of Emergency Declaration, relating to COVID-19 by the President of the City Commission and extend its effect to February 4, 2021.

Documents:

[\(C\) ATTY - Emergency Declaration.pdf](#)

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

1. Permission to apply for the Parents Lead Community Implementation Mini Grant.

Documents:

[\(C\) BBPH - Parents Lead Grant.pdf](#)

### F. Consider the request for approval from the Community Development

Department for the following:

1. Approve the update on the Highland Acres historic Inventory Survey.
2. Introduction of and call for a public hearing on Ordinance 6445, a zoning change from the R10-Residential and CG-Commercial zoning districts to the CG-Commercial zoning district for the N1/2 of the E1/2 of Auditor's Lot 22, less the South 45 feet, Park Hills Auditor's Lots, requested by Michael Schwartz. The Bismarck Planning and Zoning Commission recommends approval.

Documents:

[\(C\) CD - Highland Acres Survey.pdf](#)  
[\(C\) CD - Park Hills Zoning Change.pdf](#)

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

1. Approve the Private Dr. and Private Utility Agreement for Ash Coulee Estates Addition.
2. Approve the street closure for the 48th annual Downtowners Street Fair.
3. Street Improvement District No. 541 - Request for Resolution Creating District SI 541 and Ordering Preparation of the Preliminary Report Request for Resolution Approving the Preliminary Report and Directing Preparation of Plans and Specifications.
4. Street Improvement District No. 544 - Request for Resolution Creating District SI 544 and Ordering Preparation of the Preliminary Report. Request for Resolution Approving Preliminary Report and Directing Preparation of Plans and Specifications.

Documents:

[\(C\) ENG - Private Utility and Private Drive Agreement.pdf](#)  
[\(C\) ENG - Street Fair Closure.pdf](#)  
[\(C\) ENG - SI541.pdf](#)  
[\(C\) ENG - SI544.pdf](#)

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

1. Approve the venue membership agreement with Arena Network, Inc.
2. Approve the assignment agreement amendments with Jam Theatrical, Ltd.

Documents:

[\(C\) EC - Arena Network Contract.pdf](#)  
[\(C\) EC - Broadway.pdf](#)

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

1. Applications for Abatement at 1248 Ward Rd., Justin Data and Tera Rutten, Market Value Reduction.
2. Application for Abatement at 1004 N. 10th St., John & Camille Grothier, Disabled Veteran
3. Application for Abatement at 1211 N. 18th St., Ervin Erickson, Disabled Veteran
4. Application for Abatement at 438 E. Interstate Ave., Edwin & Shirley Boger, Disabled Veteran

Documents:

[\(C\) FIN - Abatements.pdf](#)

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

1. Adopt the updated 2020 City of Bismarck Multi-Hazard Mitigation Plan.

Documents:

[\(C\) FIR - Multi-Hazard Mitigation Plan.pdf](#)

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

1. Permission to auction the forfeited vehicles.
2. Permission to trade-in a vehicle and purchase a new one for the narcotics unit.
3. Permission to solicit funds for the annual K9 seminar.

Documents:

[\(C\) PD - Auction Vehicles.pdf](#)  
[\(C\) PD - Vehicle Purchase.pdf](#)  
[\(C\) PD - K-9 Donation.pdf](#)

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

1. Permission to purchase Beet Heat for winter roadway snow fighting.
2. Permission to purchase snow removal equipment for roads & streets and building maintenance operations.
3. Permission to purchase portable and mobile radios under the State of North Dakota Bid Contract.
4. Permission to purchase oil for city vehicles and equipment under the State of North Dakota Bid Contract.
5. Permission to purchase fuel for city vehicles and equipment under the State of North Dakota Bid Contract.
6. Permission to purchase tires for city vehicles and equipment under the State of North Dakota Bid Contract.

Documents:

- (C) PW-SO - Snow Fighting Activities.pdf
- (C) PW-SO - Snow Removal Equipment.pdf
- (C) PW-SO - State Bid Contract Mobile Radios.pdf
- (C) PW-SO - State Bid Contract Oil.pdf
- (C) PW-SO - State Bid Contract Fuel.pdf
- (C) PW-SO - State Bid Contract Tires.pdf

4. REGULAR AGENDA
5. Receive the Street Utility Fee Project report.

Documents:

- (C) ADMIN - Street Utility Fee.pdf
- AE2S Nexus Presentation.pdf
- Bismarck Street Utility Final Report.pdf

6. Receive the Bis-Man Intersection Analysis Study presented by the Bismarck-Mandan Metropolitan Planning Organization and KLJ.

Documents:

- (R) CD - IAS Final Presentation.pdf

7. Public hearing on a new Class E Liquor License for Simonson Station Stores, Inc., located at 1011 E. Main Ave.

Documents:

- (R) ADMIN - Simonson Station Stores.pdf

8. Public hearing on Ordinance 6444, regarding the discharging of firearms within City limits.

Documents:

- (R) ATTY - USDA Wildlife Change.pdf

9. Public hearing on the Special Assessment Policy.

Documents:

- (R) ENG - Special Assessment Policy.pdf

10. Public hearing on the approval of the waste collection franchise application for Armstrong Sanitation and Roll-Off, Inc.

Documents:

- (R) PW-SO - Armstrong Sanitation.pdf

11. Consider the request from the Community Development Department for a

minor subdivision final plat of Kilber North Addition First Replat, requested by DPH Investments, LLC.

Documents:

(R) CD - Kilber North Addition.pdf

12. Consider the request from the Engineering Department for recommendations on lane configurations for South Washington St. within the proposed SI-541 work area.

Documents:

(R) ENG - SI541 Lane Configurations.pdf

13. Consider the request from the Attorney for direction on open meeting protocols.

Documents:

(R) ATTY - Open Meeting.pdf

14. **Consider the request from the Community Development Department for the Programmatic Agreement associated with the BNSF Rail Bridge.**

**Documents:**

(R) CD - BNSF Programmatic Agreement.pdf

Other Business

Adjourn

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