



January 14, 2020

Board of City Commissioners  
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, January 14, 2020 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.

Watch 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).

Future City Commission meetings are scheduled as follows:

- January 28th
- February 11th & 25th
- March 10th & 24th

#### 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. Consider approval of minutes.

Documents:

[SM120912.pdf](#)  
[SM122619.pdf](#)  
[MN121719.pdf](#)

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

3. CONSENT AGENDA

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

Documents:

[\(C\) HR - Personnel Report.pdf](#)

- C. Consider the request for approval from the Administration Department for the following:**

1. Reappoint Shae Helling to the Bismarck Human Relations Committee.
2. Application for gaming: Dakota Pheasants Forever, 2402 Railroad Ave.
3. Introduction of and call for a public hearing for a new Class C2 Hotel/ Motel Liquor License,

- for the Expressway Suites, 180 E. Bismarck Expressway.
4. **Accept the recommendation from the Human Relations Committee to present the Humanitarian Award to Dr. Robert Roswick.**
  5. **Approve request from Nathan Schneider, VP Bismarck Mandan Chamber EDC, to make changes to the existing Laughing Sun Flex PACE Loan.**

**Documents:**

- (C) ADMIN - Human Relations Committee Appointment.pdf
- (C) ADMIN - New Gaming Site Authorization.pdf
- (C) ADMIN - New Class C2 Liquor License.pdf
- (C) ADMIN - Humanitarian Award Recommendation.pdf
- (C) ADMIN - Laughing Sun Change.pdf

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

1. A \$1,500 sponsorship to the North Dakota Aviation Council for the 2020 Upper Midwest Aviation Symposium.
2. Approve contract with Volaire Aviation Consulting for air service development services.

**Documents:**

- (C) AIR - Sponsorship for NDAC for 2020.pdf
- (C) AIR - Volaire Aviation Consulting Contract.pdf

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

1. Authorize the distribution of items over \$25.00 from Public Works to Edwinton Place.
2. Introduction of and call for a public hearing on Ordinance 6406, regarding the age of purchase for Tobacco or Electronic Smoking Devices.
3. Introduction of and call for a public hearing on Ordinance 6407, to amend Ordinance 2-11-01, regarding Purpose of the Human Relations Committee.

**Documents:**

- (C) ATTY - Public Works Gifts.pdf
- (C) ATTY - Tobacco Change.pdf
- (C) ATTY - Human Relations Changes.pdf

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

1. Approve the measurable outcomes for the United Way Emergency Homeless Shelter.

**Documents:**

- (C) BBPH - United Way Outcomes.pdf

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

1. Introduction of and call for public hearing on staff-initiated amendments to the Growth Phasing Plan in the 2014 Growth Management Plan.
2. Request to change the date of the continued public hearing on Ordinance 6403, an amendment to Title 4 of the City Code of Ordinances (Building Regulations) regarding the 2018 Building Code and Fire Code adoption, to February 11, 2020.
3. Re-appointment of Joe Fink and Todd Van Orman to the City of Bismarck Renaissance Zone Authority.
4. Authorize the use of Neighborhood Stabilization Program funds for the Boulevard Apartment project.
5. Authorize resolution for Bis-Man Transit Grant filing.

**Documents:**

- (C) CD - Growth Phasing Plan.pdf

- (C) CD - Building and Fire Code.pdf
- (C) CD - RZA Reappointments.pdf
- (C) CD - NSP Authorization.pdf
- (C) CD - Bis-Man Transit.pdf

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

1. Street closure for the 47th Annual Downtowners Street Fair.
2. Dedication of and acceptance of a watermain easement in the north right of way of 43rd Ave. NE.
3. Street Improvement District No. 531 - Resolution Approving Plans and Specifications, Resolution of Necessity, Resolution Directing the Advertisement of Bids and Receive Bids.
4. Street Improvement District No. 532 - Ordering Preparation of the Preliminary Report, Approving Preliminary Report and Directing Preparation of Plans and Specifications.
5. Street Improvement District No. 533 - Resolution Approving Plans and Specifications, Resolution of Necessity and Resolution Directing Advertisement of Bids and Receiving Bids.
6. The North Dakota Department of Transportation Cost Participation, Construction and Maintenance Agreement for 43rd Ave. NE Reconstruction.
7. Approve the Development Agreement with Wilment Development LLC regarding storm water improvements associated with reconstruction of 43rd Ave.

Documents:

- (C) ENG - Street Fair Closure.pdf
- (C) ENG - Watermain Easement Range 80.pdf
- (C) ENG - Street Improvement District 531.pdf
- (C) ENG - Street Improvement District 532.pdf
- (C) ENG - Street Improvement District 533.pdf
- (C) ENG - 43rd Reconstruction.pdf
- (C) ENG - Wilment Development Agreement.pdf

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

1. Application for Abatement for year 2019, Disabled Veteran Credit, at 524 N. 19th St.
2. Application for Abatement for year 2018 & 2019, Disabled Veteran Credit, at 914 Calvert Dr.
3. Application for Abatement for year 2019, Disabled Veteran Credit, at 1321 Columbia Dr.
4. Application for Abatement for year 2018 & 2019, Disabled Veteran Credit, at 4511 Chamberlain Dr.
5. Application for Abatement for year 2019, Disabled Veteran Credit, at 1630 Columbia Dr.
6. Application for Abatement for year 2019, Disabled Veteran Credit, at 315 N. Griffin St.
7. Application for Abatement for year 2019, Disabled Veteran Credit, at 4025 Knudsen Lp.
8. Application for Abatement for year 2019, Disabled Veteran Credit, at 5306 Mellowsun Dr.
9. Application for Abatement for year 2019, Disabled Veteran Credit, at 3127 Nevada St.
10. Application for Abatement for year 2019, Disabled Veteran Credit, at 1500 Portland Dr.
11. Approve the public depositories for City funds.

Documents:

- (C) FIN - Abatement 19th.pdf
- (C) FIN - Abatement Calvert.pdf
- (C) FIN - Abatement Chamberlain.pdf
- (C) FIN - Abatement Columbia.pdf
- (C) FIN - Abatement Griffin.pdf
- (C) FIN - Abatement Knudsen.pdf
- (C) FIN - Abatement Mellowsun.pdf
- (C) FIN - Abatement Nevada.pdf
- (C) FIN - Abatement Portland.pdf
- (C) FIN - Public Depositories.pdf

J. Consider the request for approval from the Human Resource Department for the following:

1. Approve the 2020 BC/BS Administrative Service and Stop Loss Agreement contracts and 2020 Summary Plan Description.

Documents:

(C) HR - Contract Renewals .pdf

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

1. Permission to participate in solicitation of Donation for Regional K9 Training.
2. Authorize trade/purchase of replacement narcotics vehicle.

Documents:

(C) PD - K9 Solicitaion for NPCA Donations.pdf  
(C) PD - 2020 Narcotics Vehicle Purchase.pdf

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

1. Purchase Motorola portable and mobile radios at the State of North Dakota bid contract for the 2020 budget year.
2. Purchase oil for City vehicles and equipment under the state of North Dakota bid contract.
3. Purchase tires for City vehicles and equipment under the state of North Dakota bid contract.
4. Purchase vehicles under the state of North Dakota bid prices and the North Dakota Service contract.
5. Sole Source the purchase of Beet Heat for Winter Roadway Snow Fighting.
6. Award bid for bulbs and ballasts recyclable items to North Dakota E-Waste, LLC.

Documents:

(C) PW-SO - Purchase of Motorola Portables and Radios.pdf  
(C) PW-SO - Puchase Oil for Vehicles.pdf  
(C) PW-SO - Purchase Tires for Vehicles.pdf  
(C) PW-SO - Purchase Vehicles.pdf  
(C) PW-SO - Sole Source Purchase of Beet Heat.pdf  
(C) PW-SO - Awarding Bid for Bulb and Ballasts Recyclable Items.pdf

#### 4. REGULAR AGENDA

5. Consider the request from the Community Development Department for Jason and Nita Sherwin to appeal the December 5, 2019 decision of the Board of Adjustment to deny a variance from Section 14-03-06(1)(b)(4) of the City Code of Ordinances (Incidental Uses) (Accessory Uses and Buildings) to increase the maximum allowable square footage of accessory buildings on the property from 1,200 square feet to 1,600 square feet and to increase the maximum side wall height of the proposed accessory building from 12 feet to 15 feet on Lot 2, Block 5, Imperial Valley Subdivision (3651 W. Princeton Ave.)

Documents:

(R) CD - Imperial Valley Variance Appeal.pdf

6. Public Hearing on Ordinance 6404, a request for a zoning change from the RM10-Residential zoning district to the Conditional RT-Residential zoning district for Lot A-1 of Lot A of part of Lot 1, North Hills 6th Addition.

Documents:

(C) CD - North Hills Zoning Change.pdf

7. Public Hearing on Ordinance 6405, to amend Ordinance 7-01-03, regarding Competitive Bidding Required.

Documents:

(C) ATTY - Ordinance 6405.pdf

8. Public Hearing on the proposed revisions to the Special Assessment Policy.

Documents:

(C) FIN - Special Assessment Policy Revisions.pdf

9. Consider the request from the Administration Department for a request for Proposals for Architectural and Engineering Services for the space needs for Public Health, Police and Public Works facilities.

Documents:

(C) ADMIN - Archietecture Engineering Services.pdf

10. ~~Receive an update on status of watermain easements on 43rd Ave. NE and request direction from the Board for any further actions.~~

~~Documents:~~

~~(R) ENG - 43rd Ave Watermain.pdf~~

11. Consider the request from the Engineering Department to receive and accept the proposed US 83/ND1804 Watershed Stormwater Master Plan Update.

Documents:

(R) ENG - US 83 ND 1804 Watershed.pdf

12. Consider the request from the Engineering Department for the recommendations for lane configurations on E. Divide Ave. and S. Washington St. within the proposed SI-531 work area.

Documents:

(R) ENG - SI-531 Lane Configurations.pdf

Other Business

Adjourn

