



Board of City Commissioners

March 8, 2023

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, March 14, 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/bismarcknd). Agenda items can be found online at www.bismarcknd.gov/agendacenter.

Call to Order

FUTURE COMMISSION MEETINGS:

- March 28, 2023
- April 11, 2023 & April 25, 2023
- May 9, 2023 & May 23, 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 - 1

A. Consider approval of minutes

Documents:

[February 28, 2023 - Minutes.pdf](#)

B. Consider approval of personnel actions

Documents:

[HR - Personnel Report.pdf](#)

C. Consider approval of expenditures

D. Consider the request for approval from the Administration Department for the following:

1. Consider applications for gaming.
2. Introduction of and call for a public hearing on a request for a new Class D Full Alcohol license for The Domain, LLC. (dba) The Domain at 307 North 3rd Street.

Documents:

[C\) ADMIN - Gaming Site Authorization - DJGA.pdf](#)
[C\) ADMIN - Gaming Site Authorization - Eagles 2237.pdf](#)
[C\) ADMIN - Gaming Site Authorization - Nodak Sportsmens Club.pdf](#)
[C\) ADMIN - New Liquor License - The Domain.pdf](#)

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

1. Consider the introduction and call for a public hearing on Ordinance 6546 to amend the motorized scooter portion of the traffic code.

Documents:

[C\) ATTY - Ord 6546.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 6545, a zoning map amendment from the P – Public zoning district to the R5 – Residential zoning district for Lots 1-8, Block 1, Hay Creek Park Addition, requested by Bismarck Parks and

Recreation District, where the Planning & Zoning Commission unanimously recommended approval.

Documents:

[C\) CD - Ord 6545.pdf](#)

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

1. Request use of budgeted Commission Special Roads Funds to improve pedestrian crossing at 43rd Avenue NE and Centennial Road.
2. Consider approval of award concurrence of the North Dakota Department of Transportation (NDDOT) Hay Creek Trail Retaining Wall Repairs (IM-1-094(217)159, HC 163).
3. Consider Request to Hear Insufficiency of Protests on Resolution of Necessity for Street Improvement District SI 571.
4. Consider Request for Resolution Approving Plans and Specifications and Resolution Directing the Advertisement of Bids and Receive Bids.

Documents:

[C\) ENG - 43rd-Centennial Pedestrian Crossing.pdf](#)
[C\) ENG - HC 163.pdf](#)
[C\) ENG - SI 571.pdf](#)
[C\) ENG - SI 572.pdf](#)

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

1. 2022 budget adjustments and carryovers into the 2023 budget.
2. Consider the introduction and call for a public hearing on Ordinance 6547 to amend the 2022 budget ordinance due to the implementation of the GASB 87 accounting pronouncement for financial reporting purposes only.

Documents:

[C\) FIN - 2022 Budget Adjustments and Rollovers.pdf](#)
[C\) FIN - Ord 6547.pdf](#)

I. Consider the request from the Fire Department for the following:

1. Accept the information regarding the results of the Community

Rating System 5-Year Renewal application and general information regarding the CRS Program to promote public awareness.

Documents:

[C\) FIRE - CRS Class 7 Rating.pdf](#)

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

1. Permission to award the bid for tree injections for Forestry operations.
2. Permission to award the bid for LED luminaires for Public Works Service Operations Electrical Division.

Documents:

[C\) PW SO - Bid Award for Tree Injections.pdf](#)

[C\) PW SO - LED Luminaires.pdf](#)

3. CONSENT AGENDA - 2

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

1. Applications for abatement.

Documents:

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

4. REGULAR AGENDA

5. Consider the resignation of Commissioner Mark Splonskowski.

Documents:

[R\) ADMIN - Commissioner Splonskowski Resignation.pdf](#)

6. Public hearing on the request from Old 10 Bar & Grill, LLC (dba) Old 10 Bar & Grill, LLC for a Class F1 Restaurant Full Alcohol license at 4100 North Washington Street.

Documents:

[R\) ADMIN - New Alcohol License - Old 10 Bar and Grill.pdf](#)

7. Public hearing on the request from The Jousting Lemur, LLC (dba) The Jousting Lemur for a class F2 Restaurant Beer and Wine license at 514 East Main Avenue.

Documents:

R) ADMIN - New Alcohol License - The Jousting Lemur.pdf

8. Public hearing on Ordinance 6544, Bismarck Building Code and Fire Prevention Code Update.

Documents:

R) CD - Ord 6544.pdf

9. Continuation of consideration of a major subdivision final plat of Norbs Subdivision, requested by GKNG Properties, LLC.

Documents:

R) CD - Norbs Subdivision.pdf

10. Receive an update on the application status for a south Bismarck flood control project.

Documents:

R) ENG - South Bismarck Flood Control Update.pdf

11. Consider the request to receive bids and award contract for Street Light and Traffic Signal Utility Project SV 67.

Documents:

R) ENG - SV 67.pdf

12. Consider request to receive bids and award contract for Street Light and Traffic Signal Utility Project SV 71.

Documents:

R) ENG - SV 71.pdf

13. Continue the discussion on the Utility Rate approach and Survey results.

Documents:

R) PW UO - Utility Rates Study Update.pdf

14. Other Business

Adjourn

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