



May 22, 2019

Board of City Commissioners  
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, May 28, 2019 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 [www.freetv.org](http://www.freetv.org) and [www.radioaccess.org](http://www.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:

- June 11 & 25, 2019
- July 9 & 23, 2019
- August 13 & 27, 2019

#### MEETING OF THE BOARD OF CITY COMMISSION

1. Consider approval of minutes.

Documents:

[SM051019.pdf](#)  
[SM012519.pdf](#)  
[MN051419.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:

[Personnel Report.pdf](#)

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

1. Vision Fund Committee recommendation to fund the Bismarck Mandan Chamber EDC operating grant of \$200,000 from the Vision Fund.
2. Renewal of Gaming Site Authorizations from July 1, 2019 to June 30, 2020.
3. Renewal of Liquor Licenses from August 1, 2019 to July 31, 2020.

Documents:

- (C) ADMIN - Vision Fund Application.pdf
- (C) ADMIN - Gaming Site Authorizations.pdf
- (C) ADMIN - Liquor License Renewals.pdf

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

1. Amendment 1 to the February 12, 2019 agreement with Kadmas, Lee & Jackson for design of wetland mitigation phase 5.

Documents:

- (C) AIR - Design of Wetland Mitigation Phase 5.pdf

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

1. Authorization to apply for funding from the North Dakota Department of Health and the North Dakota Comprehensive Cancer Control Program to increase colorectal cancer screening efforts.
2. Authorization to apply for funding from the Consensus Council, Inc.

Documents:

- (C) BBPH - Cancer Grant.pdf
- (C) BBPH - Consensus Council Grant.pdf

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

1. Introduction of and Call for Public Hearing on Ordinance 6381 regarding Trash Collection by the City; Exceptions.

Documents:

- (C) ATTY - Ordinance 6381.pdf

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

1. Receive Bids and Award the Contract for Concrete Contract Part B-3.
2. Development agreement with Boustead Enterprises, LLC for Huntington Plaza.
3. Modification to Capital Improvement Plan for low cost improvement projects.
4. Selection of Terracon and GeoServ to provide material testing services.
5. Corrected project budget for Storm Sewer Improvement District 563.
6. Receive Bids and Award the Contract for Street Utility Project 51 for Units 1, 3, and 4.
7. Acceptance of storm water and drainage easements and access easements for the Clear Sky Addition development and other adjoining properties.

Documents:

- (C) ENG - CC B-3.pdf
- (C) ENG - Development Agreement Boustead Enterprises.pdf
- (C) ENG - Low Cost Improvement Projects.pdf
- (C) ENG - Material Testing Services.pdf
- (C) ENG - SE563 - Corrected Project Budget.pdf
- (C) ENG - SV 51.pdf
- (C) ENG - Clear Sky Storm Water Easements.pdf

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

1. A one-year term for Sidewalk, Curb and Gutter assessments of \$250 or less.
2. Authorization to use the State contract for the software purchase for mobile data management, virus, and malware protection for all devices.

Documents:

[\(C\) FIN - Special Assessment 1 year term.pdf](#)  
[\(C\) FIN - Purchase from State Contract.pdf](#)

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

1. Authorization to participate in a fundraising event sponsored by the Bismarck Larks.

Documents:

[\(C\) FIRE - Larks.pdf](#)

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

1. Authorization to conduct the Archery Hunting Program on City properties.

Documents:

[\(C\) PD - Annual Deer-Turkey Hunting Program Request.pdf](#)

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

1. Change the fee for administrative costs for weed mowing from \$120 to \$40.
2. Award the bid for floor sweepers.
3. Award the bid for forklift trucks.

Documents:

[\(C\) PW-SO - Fee Change for Administrative Costs.pdf](#)  
[\(C\) PW-SO - Bid Award for Solid Waste Floor Sweepers.pdf](#)  
[\(C\) PW-SO - Bid Award for Solid Waste Forklift Trucks.pdf](#)

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

1. Contract with Advanced Engineering Services for engineering consulting services for the Lockport Pump Station Project not to exceed \$750,000.
2. Amendment to the Flood Response and Action Plan with Apex Engineering Group.
3. Task Order Number 7 to the agreement with Advanced Engineering Services for the 2019 Water SCADA Project.

Documents:

[\(C\) PW-UO - Approval of Lockport Pump Station Engineering Consulting Services with AE2S.pdf](#)  
[\(C\) PW-UO - Amendment to Flood Response and Action Plan with Apex.pdf](#)  
[\(C\) PW-UO - Task Order 7 to Agreement with AE2S for 2019 Water SCADA.pdf](#)

4. REGULAR AGENDA

5. Consider a discussion of the Bismarck Community Oriented Policing Program.

6. Consider the request from Anne Cleary to appeal the May 2, 2019 decision of the Board of Adjustment to deny a variance from Section 14-04-03(4) of the City Code of Ordinances (R5-Residential/Lot Area) to allow the construction of a single-family dwelling on a lot, platted prior to 1953, that is less than 5,000 square feet.

Documents:

[\(R\) CD - BOA Appeal.pdf](#)

7. Public Hearing on Ordinance 6379 relating to liquor licenses.

Documents:

[\(R\) ATTY - Ord 6379.pdf](#)

8. Consider the request from the Community Development Department regarding Clear Sky Addition:
  1. Public Hearing on Ordinance 6377, a request for the annexation of Auditor's Lot 6A of Lot 6, part of Auditor's Lot 7, and part of Auditor's Lot 8B of Lot 8 in the NE 1/4 and SE 1/4 of Section 1, T138N-R80W/Lincoln Township and Lots 1-15, Block 1, Lots 1-11, Block 2, Lots 1-11, and Lot 22, Block 3, Lots 1-8, Block 5, Lot 1, Block 10, Clear Sky Addition.
  2. Public Hearing on Ordinance 6378, a request for a zoning change from the A-Agriculture zoning district to the R5-Residential and P-Public zoning districts for Clear Sky Addition.
  3. Approval of the final plat of Clear Sky Addition, including the Park Development Agreement.

Documents:

[\(R\) CD - Clear Sky Addition.pdf](#)

9. Consider the request from the Community Development Department regarding Memory Second Addition:
  1. Public Hearing on Ordinance 6380, a request for a zoning change from the A-Agricultural and CG-Commercial zoning districts to the CG-Commercial zoning district for Memory Second Addition.
  2. Approval of major subdivision final plat of Memory Second Addition.

Documents:

[\(R\) CD - Memory 2nd Addition.pdf](#)

10. Consider the request from Brick Oven Bakery, LLC for a Lease Renaissance Zone project at 112 North 4th Street. The Renaissance Zone Authority recommends approval.

Documents:

[\(R\) CD - Brick Oven Bakery.pdf](#)

11. Consider the request for approval from the Community Development Department for an amendment to the Renaissance Zone Development Plan. The Renaissance Zone Authority recommends approval.

Documents:

[\(R\) CD - Renaissance Zone Boundary Expansion Proposal.pdf](#)

12. Consider the request from the City Attorney for a discussion and direction to staff regarding the off-highway vehicle draft ordinance 6375.

Documents:

[\(R\) ATTY - Ordinance 6375.pdf](#)

13. Consider the request for approval from the City Attorney of the purchase agreement with the University of Mary for the Bismarck-Burleigh Public Health building or enter executive session under NDCC 44-04-19.1(9) to provide direction for negotiation/negotiation strategy of the proposed purchase agreement.

Documents:

[\(R\) ATTY - University of Mary.pdf](#)

Other Business

Adjourn

