



September 18, 2019

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, September 24, 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 FreeTV.org and RadioAccess.org. Agenda items can be found online at www.bismarcknd.gov/agendacenter.

Future City Commission meetings are scheduled as follows:

- October 8 & 22, 2019
- November 12 & 26, 2019
- December 17, 2019

MEETING OF THE BOARD OF CITY COMMISSION

1. Proclamation recognizing the month of October as National Disability Employment Awareness Month.

Documents:

[National Disability Awareness Month.pdf](#)

2. Consider approval of minutes.

Documents:

[MN091019.pdf](#)

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

4. 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 Community Development Department for the following:

1. Reappoint Chris Seifert and Rick Wohl for a term on the Bismarck Board of Adjustment to expire in April 2022.
2. Approval of a Corrected Resolution to vacate the right-of-way described as North 17th Street, North 18th Street and East Avenue F adjacent to Blocks 1-4 and 14-16, Flannery and Wetherby Addition Second Replat.
3. Request of the Historic Preservation Commission to provide Bismarck Parks and Recreation District a Letter of Support for Chief Looking's Village Special Road Fund Program grant.
4. Request of Dakota Pioneer Land Company, LLP for modifications to the approved plat of Kamrose Crossing Addition Second Replat.
5. Request of Southbay Development, LLC for the approval of an access easement release over parts of Lots 16-21, Block 4, Southbay 5th Addition. The released easement would be replaced by a different access, sanitary sewer, and stormwater and drainage easement to serve the same function. Staff recommends approval.

Documents:

- (C) CD - BOA Member Reappointments.pdf
- (C) CD - Correct Resolution - Lioins-Hillside Park right-of-way vacation.pdf
- (C) CD - HPC BPRD Support.pdf
- (C) CD - Revised plat of Kamrose Crossing Addition Second Replat.pdf
- (C) CD - Southbay Easement Release.pdf

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

1. Approval of geotechnical testing services contract with Terracon Consultants, Inc. relating to 2019 Geotechnical Services ongoing services related to River Road slope stability.
2. Approval of crossing agreements for conduits under the BNSF tracks at 3rd Street and 5th Street.
3. Approval of the quit claim deed, right of way easement and storm sewer easement pending approval from the Capital Electric Cooperative Board on the same.
4. Approval of development agreement with Verity Homes for reconstruction of Arabian Avenue.
5. Approval to apply for North Dakota Department of Transportation Special Road Funds on behalf of Bismarck Parks and Recreation Department.
6. Approval to award contract for Water Utility Project 127 to DL Barkie Construction, Inc. for \$88,200.00.

Documents:

- (C) ENG - 2019 Geotechnical Services.pdf
- (C) ENG - BNSF Crossing Agreement.pdf
- (C) ENG - Capital Electric - Quick Claim Deed.pdf
- (C) ENG - Development Agreement - Verity Homes, 313 Arabian Ave.pdf
- (C) ENG - SRF Funding Request.pdf
- (C) ENG - Water Utility Project 127 .pdf

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

1. Application for property tax abatement for 2017 and 2018, Disabled Veteran at 820 Camellia Lane.
2. Application for property tax abatement for 2017 and 2018, Disabled Veteran at 3114 Manchester Street.
3. Application for property tax abatement for 2017 and 2018, Disabled Veteran at 664 Oberhausen Drive.

Documents:

- (C) FIN - Abatement - 820 Camellia Lane.pdf
- (C) FIN - Abatement - 3114 Manchester St.pdf
- (C) FIN - Abatement - 664 Oberhausen Dr.pdf

F. Consider the request for approval from the Human Resources Department for the following:

1. Approval of a Customer Service Training contract with the University of Mary.

Documents:

- (C) HR - Customer Service Training request.pdf

G. Consider the request for approval from the Public Health Department for the following:

1. Approval to apply for grant funding from The Consensus Council, Inc.

Documents:

[\(C\) PH - Request to Apply for Consensus Council Grant.pdf](#)

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

1. Enter into contracts with snow haulers, utilizing the lowest bidder and to select the next lowest bidder's equipment as needed during snow hauling events.
2. Approve the contract with Ubl Design Group, P.C. for the Bismarck Police Department Water Infiltration Study Project.
3. Award the contract for a refuse compactor for the Solid Waste Division to Butler Machinery for \$593,800 with trade in.
4. Approve option year two to the 2017-2018 Snow Removal Agreement with All Seasons Landscaping for a one-year term commencing October 1, 2019 - September 30, 2020.

Documents:

[\(C\) PW-SO 2019-2020 Snow Hauling Contracts.pdf](#)
[\(C\) PW-SO Award Architectural Consulting Services to Ubl Design Group.pdf](#)
[\(C\) PW-SO Award Refuse Compactor Bid to Butler Machinery.pdf](#)
[\(C\) PW-SO Snow Removal Agreement with All Seasons Landscape.pdf](#)

5. REGULAR AGENDA

6. Public Hearing on a New Class O Microbrewery liquor license for Gideon's Brewing Company to be located at 107 North 5th Street.

Documents:

[\(R\) ADMIN - Gideons Brewing Company Public Hearing.pdf](#)

7. Consider the request for approval from the Community Development Department regarding part of the West half of Sections 19 & 30, Gibbs Township:

1. Public Hearing on a Future Land Use Plan amendment from the High Density Residential and Conservation designations to the Commercial Mixed Use and Conservation designations requested by Sattler Family, LLLP.
2. Public Hearing on Ordinance 6397, a request for a zoning change from the A - Agricultural zoning district to the A - Agricultural and CA - Commercial zoning districts for that portion of the West half of Sections 19 and 30, Gibbs Township, requested by Sattler Family, LLLP.

Documents:

[\(R\) CD - Ordinance 6397.pdf](#)

8. Public Hearing on Ordinance 6398, a request for a zoning change from the RM30 - Residential zoning district to the Conditional CA - Commercial zoning district for Auditor's Lots A and B lying in the Southeast Quarter of the Northeast Quarter of Section 33 / City Lands and Lots 1 and 2, Block 1, Replat of Calkins Addition, requested by Choice Financial Group and Lutheran Social Services Housing.

Documents:

[\(R\) CD - Ordinance 6398.pdf](#)

9. Public Hearing and Confirmation of Health and Safety Assessments.

Documents:

[\(R\) FIN - 2019 Health and Safety Assessments.pdf](#)

10. Public Hearing and Confirmation of the 2019 Special Assessment Districts.

Documents:

11. Public Hearing for the Sidewalk 2018 assessments.

Documents:

[\(R\) FIN - SW2018 Assessments.pdf](#)

12. Public Hearing for the Colorado Health Facilities Authority Revenue Bonds, Series 2019 (Sanford) as requested by Amy Cobb Curran with Chapman and Cutler LLP.

Documents:

[\(R\) ADMIN - Colorado Health Facilities Authority Revenue Bonds.pdf](#)

13. Public Hearing on Ordinance 6400 regarding Snow Emergency Route Change.

Documents:

[\(R\) ATTY - Ordinance 6400.pdf](#)

14. Consider the request of Lisa Fleury for approval of a Rehabilitation Renaissance Zone project at 522 North 5th Street, with 100% property tax exemption on the building for five years and an exemption from state tax on income for five years. The property is owned by Lisa Fleury and is legally described as Lots 13-18, Block 51, Original Plat. The Renaissance Zone Authority recommends approval.

Documents:

[\(R\) CD - Renaissance Zone 5th Street residential rehab.pdf](#)

15. Request of Capital Electric Cooperative, Inc. and AutoZone for the release of the west 30 feet of the east 40 feet of the non-access line adjacent to the north side of Lot 1, Block 1, Capital Electric Headquarters Addition. Staff recommends denial.

Documents:

[\(R\) CD - Capital Electric non-access line release.pdf](#)

16. Public Hearing on Ordinance 6399, relating to the 2020 Budget. (Scheduled for 6:00 p.m.)

Documents:

[\(R\) FIN - Budget Ordinance 6399.pdf](#)

Other Business

Adjourn

