



January 5, 2022

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, January 11, 2022, 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.

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. Please include the item number your comment references. The comments 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 regular agenda 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.

As always, 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.free-tv.com) and [Facebook LIVE](https://www.facebook.com/bismarckndgov). Agenda items can be found online at www.bismarcknd.gov/agendacenter.

FUTURE COMMISSION MEETINGS:

- January 25, 2022
- February 8, 2022 & February 22, 2022
- March 8, 2022 & March 22, 2022

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

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

Documents:

[HR - Personnel Actions.pdf](#)

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

- 1. City Commissioner portfolio presentation schedule.
- 2. Bismarck Local Foods Coordinator Agreement.

Documents:

[\(C\) ADMIN - Commission Portfolio Presentation Schedule.pdf](#)

[\(C\) ADMIN - Local Foods Coordinator Agreement.pdf](#)

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

- 1. Sponsorship of \$1500 to the North Dakota Aviation Association (NDAA) for the 2022 Fly-ND Conference and Expo.

Documents:

[\(C\) AIR- NDAA Sponsorship.pdf](#)

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

- 1. Request to amend the existing City of Bismarck and Burleigh County Extraterritorial Agreement to modify a portion of the existing boundary associated with the agreement.
- 2. Request of Debra Orley to release a non-access line described as the North 35 feet of South 60 feet along the West side, adjacent to Downing Street, and the East 35 feet of the West 60 feet along the South side, adjacent to West Glenwood Drive, of Lot 3, Block 2, Southbay Fifth Addition.
- 3. Request of Dennis Senger to release a utility easement described as the East 55 feet of the West 127 feet of the 10-foot utility easement on Lot 21, Block 1, Kilber Addition, adjacent to and parallel with the North line of Lot 14, Block 1, Kilber Addition.

Documents:

[\(C\) CD - Extraterritorial Agreement Amendment.pdf](#)

[\(C\) CD - Release Non-Access Line - Southbay Fifth Addition.pdf](#)

[\(C\) CD - Utility Easement Release - Kilber Addition.pdf](#)

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

1. Development Agreement with MNND Holdings, LLC.
2. North Dakota Department of Transportation (NDDOT) Preliminary Engineering Reimbursement Agreement for 9th Street Pavement Rehab Project HU-1-083(140)900, PCN 23202; City Project HC 152.
3. Request for a resolution approving plans and specifications for Street Improvement District SI 556 and resolution directing the advertisement of bids and receive bids for Sewer Improvement District SE 580.
4. Request for a resolution approving plans and specifications and for resolution directing the advertisement of bids and receive bids for Street Improvement District SI 557.
5. Approval of resolution of necessity for Street Improvement District SI 559.
6. Request for resolution creating the district and order the preparation of the preliminary report and request for resolution approving the preliminary report and directing the preparation of plans and specifications for Street Improvement District SI 560.
7. Request for resolution creating the district and order the preparation of the preliminary report and request for resolution approving the preliminary report and directing the preparation of plans and specifications for Street Improvement District SI 561.

Documents:

- (C) ENG - Development Agreement - MNND Holdings, LLC.pdf
- (C) ENG - NDDOT Preliminary Engineering - HC 152.pdf
- (C) ENG - SI556, SE580.pdf
- (C) ENG - SI557.pdf
- (C) ENG - SI559.pdf
- (C) ENG - SI560.pdf
- (C) ENG - SI561.pdf

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

1. Application for Abatement for the following where the Assessing Division recommends approval:
 - 504 Sunset PI (0350-001-110) - Gary & Judith Kurtz - Disabled Veteran (Years 2020 & 2021)
 - 550 Brandon PI Unit 201 (1205-001-531) - Walter & Delores Hensel - Wheelchair Exemption (Years 2020 & 2021)
 - 1610 N 26th St (0588-008-005) - Niles Singer - Market Value Reduction (2021)
 - 1400 Riverwood Dr (1256-001-340) - Daniel Privratsky & Melodee Grenz - Disabled Veteran (2021)
 - 4725 Mellowsun Dr (1430-003-025) - Ryan Kraft - Disabled Veteran (2021)

- 4513 Marsh Hawk Dr (1446-002-030) - Alexis & Christian Schulz - Market Value Reduction (2021)
- 918 N 32nd St (0980-003-015) - Myron & Ileen Silvernagel - Disabled Veteran (2021)
- 3715 E Bismarck Expressway (1990-001-900) - LESSEE: Park District of the City of Bismarck - Property Exempt (2021)

Documents:

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

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

1. Enter into the first option year of the Street Tree Pruning Contract with Beaver Creek Tree Service for 2022.
2. Change Order 3 to the agreement with Northern Improvement Company for the solid waste management facility cell 1 expansion project.
3. Notification of an emergency purchase per City Ordinance 07-01-04 #3 of a traffic signal controller cabinet due to it being destroyed in a traffic accident at Century Ave and 11th Street N.
4. Permission to purchase Motorola portable and mobile radios under the State of North Dakota bid contract for the 2022 budget year.
5. Permission to purchase oil for City vehicles and equipment under the State of North Dakota bid contract for the 2022 budget year.
6. Permission to purchase tires for City vehicles and equipment under the State of North Dakota bid contract for the 2022 budget year.
7. Request to sole-source the purchase of deicer agricultural-based liquid (Beet Heat) for snow-fighting activities for the City of Bismarck for the 2022 budget year.

Documents:

[\(C\) PW-SO - 2022 Street Tree Pruning Contract Extension.pdf](#)
[\(C\) PW-SO - Change Order 3 to Northern Improvement Company Contract.pdf](#)
[\(C\) PW-SO - Emergency purchase for Century Ave and 11th St N.pdf](#)
[\(C\) PW-SO - Request to Purchase Motorola Portable and Mobile Radios Under the State Bid Contract.pdf](#)

- (C) PW-SO - Request to Purchase Oil for City Vehicles and Equipment Under the State Bid Contract.pdf
- (C) PW-SO - Request to Purchase Tires Under the State Bid Contract.pdf
- (C) PW-SO - Request to Sole Source Purchase Beet Heat.pdf

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

1. Request for Engineering Services Agreement with HDR Engineering, Inc. for the Wastewater Treatment Plant H2S Control Project.

Documents:

- (C) PW-UO - Accept Agreement with HDR for the Bismarck WWTP H2S Control Project.pdf

3. REGULAR AGENDA

4. Receive Snow Removal Equipment Building Concept Study at the Bismarck Airport.

Documents:

- (R) AIR - SRE Concept Study.pdf

5. Public hearing on Ordinance 6494, a request for the annexation of Lots 18-27 and 29-32, Block 1; Lots 2-8, Block 4; and Lots 8-10, Block 8, Clear Sky Addition and a portion of Holmes Drive adjacent to Lot 8, Block 4 and Lots 8-10, Block 8, Clear Sky Addition, requested by FRF Investments, LLP.

Documents:

- (R) CD - Clear Sky Addition - Ord 6494.pdf

6. Consider the request from the Community Development Department for the South Meadows Third Addition submitted by Investcore, Inc.

1. Public hearing on Ordinance 6495, a request for the annexation of Lot 1, Block 1, Burleigh Avenue Addition.
2. Public hearing on Ordinance 6496, a request for a zoning change from the R10-Residential and RR-Residential zoning districts to the R10-Residential zoning district South Meadows Third Addition.

Documents:

- (R) CD - South Meadows Third Addition - Ord 6495 and 6496.pdf

7. Consider the application of abatement for BHI Hospitality LLC at 3903 State St. for 2020 and 2021.

Documents:

(R) FIN - Abatement - 3903 State St.pdf

8. Consider the application of abatement for Peterson Hospitality LLC at 1421 Skyline Blvd for 2019, 2020, and 2021.

Documents:

(R) FIN - Abatement - 1421 Skyline Blvd.pdf

9. Consider approval of Memorandum of Understanding with Bird Rides, Inc. to operate stand-up electric scooter sharing within the City of Bismarck right of way.

Documents:

(R) ENG - Bird Scooters.pdf

10. Request Concurrence for Staff to Amend the City of Bismarck Code of Ordinances Title 14 Zoning Allowing for Data Centers.

Documents:

(R) CD - Concurrence to Pursue Amendment to Title 14.pdf

11. Discussion on Utility Operations project needs, funding approach, and timing.

Documents:

(R) PW-UO - Utility Operations Water and Wastewater Treatment Plants Needs.pdf

Other Business

Adjourn

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