



April 21, 2021

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, April 27, 2021, 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.

Due to ongoing public health concerns related to COVID-19, 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.

The physical meeting room will be open to the public, but we certainly understand the public wishing to limit their exposure at this time but still participate in government. Before entering the City/County Building, all individuals should self-screen for COVID-19 symptoms or potential exposure and if unable to pass the screening protocol, will be expected to participate remotely in the meeting for the public's safety. Some of the members may attend this meeting remotely.

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.freeTV.org) and [Facebook LIVE](https://www.facebook.com/bismarckndgov). Agenda items can be found online at www.bismarcknd.gov/agendacenter.

FUTURE COMMISSION MEETINGS:

- May 11, 2021
- May 25, 2021
- June 8, 2021

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. Proclamation recognizing May 7, 2021 as Arbor Day.

Documents:

[Arbor Day 2021 Proclamation.pdf](#)

2. Proclamation Recognizing May 2021 as National Historic Preservation Month

Documents:

[National Historic Preservation Month 2021 Proclamation.pdf](#)

3. Present the Humanitarian Award to Rachael Howard and Dakota OutRight.
4. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items).
5. Consider the approval of the minutes.

Documents:

[MN041321.pdf](#)
[SM041921.pdf](#)

6. CONSENT AGENDA

- A. Consider approval of personnel actions.

Documents:

[HR Personnel Report.pdf](#)

- B. Consider approval of expenditures.
- C. Consider the request for approval from the Administration Department for the following:
 1. Approve a new gaming site authorization for Fraternal Order of Eagles, at 313 North 26th Street.
 2. Gilbert N Nelson VFW Post 1326, Department of North Dakota, at 1235 South 12th Street.

Documents:

[\(C\) ADMIN - Gaming Site Renewal - Fraternal Order of Eagles.pdf](#)
[\(C\) ADMIN - Gaming Site Renewal - Gilbert N Nelson Post 1326.pdf](#)

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

1. Engineering agreement for Wetland Removal Phase 7 Project.
2. Lease agreement with U'Ren Brothers Development.

Documents:

- [\(C\) AIR - Engineering Agreement for Wetland Removal.pdf](#)
- [\(C\) AIR - Lease Agreement with URen Brothers Development.pdf](#)

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

1. Award a new Class E liquor license to John's Meat Market, Inc.
2. Introduction and call for a public hearing on Ordinance 6460 to amend Ordinances 5-03-03 and 5-03-06 regarding Public Dances.
3. Ratify the January 5, 2021 State of Emergency Declaration, relating to COVID-19 by the President of the City Commission and extend its effect to May 20, 2021.

Documents:

- [\(C\) ATTY - Award Class E License.pdf](#)
- [\(C\) ATTY - Ordinance 6460.pdf](#)
- [\(C\) ATTY - Emergency Declaration.pdf](#)

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

1. Withdraw the March 12, 2019 approval to vacate North 10th Street between East Rosser Avenue and East Avenue A.
2. Release a utility easement described as the 10-foot utility easement along the east line of Lot 7, Block 2, Sloven Second Subdivision and the west half of the vacated right-of-way of Burlington Drive adjacent to Lot 7, less the south 10 feet and the north 15 feet of said easement

Documents:

- [\(C\) CD - North 10th Street Vacation Withdraw.pdf](#)
- [\(C\) CD - Sloven Second Subdivision Easement Release.pdf](#)

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

1. Sewer Improvement District SE 578 - Request for resolution approving plans and specifications. Request for resolution directing the advertisement of bids and receive bids.
2. Sewer Improvement District SE 579 - Resolution approving plans and specifications. Resolution directing the advertisement of bids and receive bids.
3. Street Improvement District No. 543 - Resolution receiving bids and ordering preparation of the engineer's statement. Resolution awarding contract. Amend the contract with Terracon Consultants, Inc. for engineering services.
4. Street Improvement District No. 548 - Resolution approving plans and specifications. Resolution directing the advertisement of bids and receive bids.
5. Street Improvement District No. 550 - Resolution approving plans

- and specifications. Resolution directing the advertisement of bids and receive bids.
6. Street Improvement District No. 551 - Request for resolution approving plans and specifications. Request for resolution directing the advertisement of bids and receive bids.
 7. Street Improvement District No. 553 - Resolution declaring petitions for improvements has been received. Resolution creating district SI 553 and ordering preparation of the preliminary report. Resolution approving preliminary report and directing preparation of plans and specifications.
 8. Streetlight and Traffic Signal Utility Project No. SV 57 - Receive bids and award contract for streetlight and traffic signal utility project to Fetzer Electric, LLC for in the amount of \$84,097.80.
 9. Streetlight and Traffic Signal Utility Project No. SV 58 - Receive bids and award contract for streetlight and traffic signal utility project to Fetzer Electric, LLC for \$106,315.50.
 10. Storm Water and Drainage Easement and Release - Approve Release of Storm Sewer and Drainage Easements on Lots 7A & 7B of the SE 1/4 of Section 1, Township 138 North, Range 80 West. Dedication and acceptance of Storm Sewer and Drainage Easement on Lots 7A & 7B of the SE 1/4 of Section 1, Township 138 North, Range 80 West.

Documents:

- [\(C\) ENG - SE 578.pdf](#)
- [\(C\) ENG - SE 579.pdf](#)
- [\(C\) ENG - SI 543.pdf](#)
- [\(C\) ENG - SI 548.pdf](#)
- [\(C\) ENG - SI 550.pdf](#)
- [\(C\) ENG - SI 551.pdf](#)
- [\(C\) ENG - SI 553.pdf](#)
- [\(C\) ENG - SV 57.pdf](#)
- [\(C\) ENG - SV 58.pdf](#)
- [\(C\) ENG - Release of Storm Sewer and Drainage Easements.pdf](#)

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

1. Appoint John Lundby to the Bismarck Special Assessment Commission.

Documents:

- [\(C\) FIN - SAC Commission Recommendation.pdf](#)

- I. Consider the request for approval from the Police Department for the following:

1. Request permission for the Police Department to solicit donations to support the 2021 Annual Bismarck Police Department Benefit Golf Tournament.
2. Expenditure related to March 25th Homicide investigation.

Documents:

- [\(C\) PD - 2021 Golf Solicitation Request.pdf](#)
- [\(C\) PD - Authorization for expenditure.pdf](#)

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

1. Accept change order 2 to the agreement with Apex Engineering Group, Inc. for the City/County Building Backup Generator Project.
2. Purchase 11 chassis at the State of North Dakota bid price for the 2021 budget year.
3. Purchase a front-end loader for Solid Waste Disposal operations.

Documents:

- [\(C\) PWSO - Apex Engineering Change Order 2 for City County Backup Generator Project.pdf](#)
- [\(C\) PWSO - Chassis Purchases for Public Works Operations.pdf](#)
- [\(C\) PWSO - Front End Loader Purchase for Solid Waste Disposal.pdf](#)

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

1. Accept Task No. 1 to the agreement with AE2S for Wastewater Treatment Plant Dewatering & Chlorination System Improvements Project.

Documents:

- [\(C\) PWUO - Dewatering and Chlorination Improvements Project.pdf](#)

7. REGULAR AGENDA

8. Commissioner Portfolio Report - Commissioner Guy
9. Consider the request for approval from the Administration Department of the revised City of Bismarck logo, new slogan, and other organizational branding standards.

Documents:

- [\(R\) ADMIN - Agency MABU Organizational Branding.pdf](#)

10. Consider the the discussion with representatives from Friends of the Rail Bridge relating to mitigation measures.

Documents:

- [\(R\) ADMIN - Friends of the Rail Bridge Mitigation Measures.pdf](#)

11. Public hearing on a new Class U Domestic Distillery Liquor License for Big Dog Beverages, LLC., dba, Big Dog Beverages, located at 307 S. 3rd St.

Documents:

[\(R\) ADMIN - New Liquor License - Big Dog Beverages.pdf](#)

12. Public hearing on a new Class U Domestic Distillery Liquor License for Bismarck Distillery, LLC., dba, Bismarck Distillery, located at 1100 Canada Ave.

Documents:

[\(R\) ADMIN - New Liquor License - Bismarck Distillery.pdf](#)

13. Public hearing on a new Class F1 Restaurant Full Alcohol Liquor License for Shelter Belt, LLC., dba, Shelter Belt, located at 307 N. 3rd St.

Documents:

[\(R\) ADMIN - New Liquor License - Shelter Belt.pdf](#)

14. Public hearing on Ordinance 6459, regarding motorized scooters.

Documents:

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

15. Public hearing on Ordinance 6457, the annexation and development agreement for part of Clear Sky Addition.

Documents:

[\(R\) CD - Ordinance 6457 - Clear Sky Addition.pdf](#)

16. Consider the request from the Community Development Department for the following:

1. Public hearing on Ordinance 6458; annexation of First Responders Second Addition.
2. Final consideration of the final plat for First Responders Second Addition.

Documents:

[\(R\) CD - Ordinance 6458 - First Responders Second Addition.pdf](#)

17. Public hearing on release of sanitary sewer and storm sewer easements over Lot 7, Block 1, Pinehurst Square Addition.

Documents:

[\(R\) CD - Pinehurst Square Easement Release.pdf](#)

18. Consider the request from the Engineering Department to receive a presentation and recommendations on Downtown Concrete Pavement Repair.

Documents:

(R) ENG - Downtown CPR Decisions HC128.pdf

19. Discussion on how the new Police Department and Public Health facilities will be financed.

Documents:

(R) ATTY - Police Department and Public Health Facilities.pdf

20. Review and discuss the 2021 Legislative Report #6.

Documents:

(R) ADMIN - Legislative Report.pdf

Other Business

Adjourn

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