



June 2, 2021

Board of City Commissioners  
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, June 8, 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.

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

#### FUTURE COMMISSION MEETINGS:

- June 22, 2021
- July 13, 2021 & July 27, 2021
- August 10, 2021 & August 24, 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. Presentation by AARP on acceptance of the City of Bismarck into the Network of Age Friendly Communities

Documents:

[\(R\) CD - AARP Award Acceptance.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 minutes.

Documents:

[MN05252021.pdf](#)

- B. Consider approval of expenditures.

- C. Consider approval of personnel actions.

Documents:

[HR - Personnel Report.pdf](#)

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

1. Approve gaming site authorization renewal for Bismarck Cancer Foundation at:
  - o Bismarck Municipal Ballpark – 303 West Front Avenue
  - o Bismarck Cancer Center – 500 North 8th Street
2. Approve gaming site authorization renewal for Bismarck Mandan Elks Lodge 1199 at:
  - o Bismarck Mandan Lodge No. 1199 Benevolent and Protective Order of Elks of the USA – 900 South Washington Street.
3. Approve gaming site authorization renewal for Gilbert S. Furness Post 40 – American Legion Mandan at:
  - o Sixteen03 Main Events - 1603 East Main Avenue
4. Approve gaming site authorization renewal for North Dakota Association for the Disabled, Inc. at:
  - o Pub 21 – 1014 South 12th Street
5. Approve renewal of liquor licenses from August 1, 2021 to July 31, 2022.
  - o Jet Enterprises (dba) Amici Pizza Company – 3001 Yorktown Drive #6
  - o R.I. of Bismarck Opco, LLC (dba) Bismarck Residence Inn – 3421 North 14th Street
  - o Coborn's Incorporated (dba) Captain Jack's Liquor #7046 –

- 808 South 2nd Street
- Coborn's Incorporated (dba) Captain Jack's Liquor #7047 – 3131 Weiss Avenue
  - Coborn's Incorporated (dba) Captain Jack's Liquor #7048 – 1140 West Turnpike Avenue
  - Coborn's Incorporated (dba) CashWise Liquor – 1144 Bismarck Expressway
  - Coborn's Incorporated (dba) CashWise Liquor #3051 – 900 NE 43rd Avenue
  - Prairie Pasta Inc. (dba) Johnny Carino's – 1601 West Century Avenue
  - Mini Mark, Inc. (dba) Loaf 'N Jug #685 – 685 North Washington Street
  - RARE Hospitality Management, Inc. (dba) LongHorn Steakhouse #5557 – 1071 East Interstate Avenue
  - TBT, Inc. (dba) Midway Tavern – 1915 East Sweet Avenue
  - Obrian's Inc. (dba) Obrian's Tavern – 1059 East Interstate Avenue
  - Doublewood of Bismarck, Inc. (dba) Ramada Bismarck Hotel – 1400 East Interchange Avenue
  - Runto Asian Cuisine, Inc. (dba) Shogun Japanese Steakhouse – 2700 State Street
  - Sickies ND, Inc. (dba) Sickies Garage – 3130 North 14th Street
  - Tap in Tavern – 601 Memorial Highway
  - GMRI, Inc. (dba) The Olive Garden Italian Restaurant #1787 – 3400 North 14th Street

Documents:

- [\(C\) ADMIN - Gaming Site Renewal - Bismarck Cancer Foundation.pdf](#)
- [\(C\) ADMIN - Gaming Site Renewal - Elks Lodge.pdf](#)
- [\(C\) ADMIN - Gaming Site Renewal - Gilbert S Furness Post 40.pdf](#)
- [\(C\) ADMIN - Gaming Site Renewal - ND Dept Association for the Disabled.pdf](#)
- [\(C\) ADMIN - Liquor License Renewals.pdf](#)

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

1. Approve the Engineering Services Agreement with KLJ for HABS/HAER documentation of Hangar 5.
2. Approve a lease agreement with Chad Wachter, Investcore, Inc., for equipment and vehicle parking.

Documents:

- [\(C\) AIR - KLJ Agreement for Hangar 5 Historical Documentation.pdf](#)
- [\(C\) AIR - Investcore Lease Agreement.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 6466, a request for the annexation of Lots 4-14, Block 2, Lot 1, Block 3, and Lots 1-9 and Lots 23-29, Block 4, Boulder Ridge Seventh Addition First Replat, requested by Five Guys Investment, LLP.
2. Introduction of and call for a public hearing on Ordinance 6467, a Planning and Zoning Commission initiated zoning ordinance text amendment relating to the keeping of chickens.
3. RBK Ventures Second Subdivision, requested by RBK Ventures, LLC
  - o Introduction of and call for a public hearing on Ordinance 6468, a request for a zoning change from the A – Agriculture zoning district to the Conditional MA – Industrial zoning district. The Bismarck Planning and Zoning Commission recommends approval.
4. Approve Bis-Man Transit to purchase two (2) 29-foot Gillig heavy duty fixed-route buses.
5. Approve Bis-Man Transit to purchase a 2022 Ford F350 service truck.

Documents:

- (C) CD - RBK Ventures Second Subdivision, Ord 6468.pdf
- (C) CD - ZOTA\_Keeping of Chickens, Ord 6467.pdf
- (C) CD - Boulder Ridge 7th Add 1st Replat\_Annexation, Ord 6466.pdf
- (C) CD - Bus Purchase.pdf
- (C) CD - Service Truck Purchase.pdf

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

1. Grant permission to accept federal funding for the Immunization & Health Equity Initiative.

Documents:

- (C) BBPH - Grant.pdf

H. 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 2021 Geotechnical Services.
2. Approval of dedication and acceptance of a temporary access easement in Lot 4, Block 5, Cottonwood Parkview Addition.
3. Street Improvement District SI 552
  - o Resolution Approving Plans and Specifications.
  - o Resolution Directing the Advertisement of Bids and Receive Bids.
4. Street Improvement District SI 553
  1. Resolution Approving Plans and Specifications.
  2. Resolution Directing the Advertisement of Bids and Receive Bids.
5. Acceptance of North Dakota Department of Transportation

- (NDDOT) Transportation Alternatives (TA) funding for Bismarck Expressway Sidewalk Project.
6. Approval of Water Main Easement at 722 Airport Road from Craig Gierke of Bismar Remodel Pros, LLC.

Documents:

- (C) ENG - 2021 Geotechnical Services.pdf
- (C) ENG - easement temporary access - Cottonwood Parkview - Wachter.pdf
- (C) ENG - SI552 - prom pt 6th 7th - auth to adv.pdf
- (C) ENG - SI553 - heritage park 2nd - auth to adv.pdf
- (C) ENG - TA Award - Bis Expy.pdf
- (C) ENG - easement - water main airport road add. - Craig Gierke.pdf

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

1. Approval to purchase an Aerial Platform Fire Apparatus.

Documents:

- (C) FIRE - Purchase an Aerial Platform Fire Apparatus.pdf

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

1. Allow BPD to utilize 2021 one-time funding for training and award the contract to Savage Training Group.

Documents:

- (C) PD - FTO Training.pdf

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

1. Award the bid for the Fire Station 1 boiler replacement project.
2. Award the bid for the Bismarck Veterans Memorial Public Library siding and window replacement project.

Documents:

- (C) PW-SO - Bid Award for Fire 1 Boiler Upgrade.pdf
- (C) PW-SO - Bid Award for the Library Siding and Window Replacement Project.pdf

4. REGULAR AGENDA

5. Receive an update from Kate Herzog of the Downtowners regarding Downtown Bismarck Development, policy, and future development.

6. Public hearing on a new Class I-2 Restaurant Beer and Wine alcohol license for Cracker Barrel Old Country Store #447.

Documents:

[\(R\) ADMIN - New Liquor License Application - Cracker Barrel.pdf](#)

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

1. Approval of request from the Vision Fund Committee regarding a Flex PACE program interest buy down for CK Properties, LLC.

Documents:

[\(R\) ADMIN - Vision Fund CK Properties, LLC.pdf](#)

8. Receive presentation on proposed Interstate 94 Exit 161 reconstruction and provide recommendations to NDDOT on preferred alternative(s).

Documents:

[\(R\) ENG - I94 Exit 161 Decision Document.pdf](#)

9. Consider the request for resolution from the Engineering Department for the following:

1. Receiving bids and ordering preparation of the engineer's statement for SI 546.
2. Awarding contract for SI 546.

Documents:

[\(R\) ENG - SI546 - sattlers 10th - award.pdf](#)

10. Consider the request for resolution from the Engineering Department for the following:

1. Receiving Bids and Ordering Preparation of the Engineer's Statement for SI 547.
2. Awarding Contract for SI 547.

Documents:

[\(R\) ENG - SI547 - elk ridge 2nd - award.pdf](#)

11. Consider the request for resolution from the Engineering Department for the following:

1. Receiving Bids and Ordering Preparation of the Engineer's Statement for SI 548.

2. Awarding Contract for SI 548.

Documents:

(R) [ENG - SI548 - eagle crest 8th - award.pdf](#)

12. Consider the request for resolution from the Engineering Department for the following:

1. Receiving Bids and Ordering Preparation of the Engineer's Statement for SI 549.
2. Awarding Contract for SI 549.

Documents:

(R) [ENG - SI549 - silver ranch 1st replat - award.pdf](#)

13. Consider the request from the Engineering Department to receive bids and award contract for Streetlight and Traffic Signal Utility Project SV 59.

Documents:

(R) [ENG - SV59 - award.pdf](#)

- 14. Discussion for financing options of Public Health building/site and other space needs.**

**Documents:**

(R) [FIN - Space Needs Financing Options.pdf](#)

15. Consider the request from the Engineering Department to enter into an Executive Session under North Dakota Century Code (NDCC) Section 44-04-19.1(9).

Documents:

(R) [ENG - Executive Session Land Acquisition.pdf](#)

16. Consider the request from the Administration Department to enter into an Executive Session under NDCC Section 44-04-19.1(9).

Documents:

(R) [ADMIN - Executive Session.pdf](#)

17. Consider the request from the Attorney to enter into an Executive Session under NDCC Section 44-04-19.1(9).

Documents:

(R) [ATTY - Executive Session.pdf](#)

Other Business

Adjourn

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