



Board of City Commissioners

July 20, 2022

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, July 26, 2022, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

The Invocation and the Pledge of Allegiance will be presented by a Chaplain from the Bismarck Police Department.

The City of Bismarck encourages 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 that your comment references. The comments will be sent to the members and placed with the minutes.

To ensure your comments are received before the meeting, please submit them by 3:30 PM 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 email address and contact information to the above email at least one business day before the meeting.

Live meeting coverage is always 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.

Call to Order

FUTURE COMMISSION MEETINGS:

- August 9, 2022 & August 23, 2022
- September 13, 2022 & September 27, 2022
- October 11, 2022 & October 25, 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

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

1. CONSENT AGENDA

A. Consider approval of minutes

Documents:

[July 12, 2022 - Minutes.pdf](#)

B. Consider approval of personnel actions

Documents:

[HR Personnel Actions.pdf](#)

C. Consider approval of expenditures

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

1. Capital Acres, Inc. letter of support.
2. Liquor license renewals.
3. Introduction of and call for a public hearing on a request for a new class I1 Restaurant Full Alcohol liquor license for Ja Bomb Inc. at 706 Kirkwood Mall.

Documents:

[C\) ADMIN - Capital Acres, Inc. Letter of Support.pdf](#)
[C\) ADMIN - Liquor License Renewals.pdf](#)
[C\) ADMIN - New Liquor License - Ja Bomb Inc. - 706 Kirkwood Mall.pdf](#)

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

1. Engineering Agreement with KLJ for the General Aviation (GA) Apron Phase 4 Project.
2. Sell or dispose of 1998 Ford F150 4x4 and 2001 Ford New Holland TS110 Tractor at a public marketplace commonly used for the sale of motor vehicles.

Documents:

[C\) AIR - KLJ Engineering Agreement.pdf](#)
[C\) AIR - Sell Truck and Tractor.pdf](#)

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

1. Introduction and call for a public hearing on Ordinance 6518 to amend the shoplifting ordinance for clarity.
2. Consider approving due diligence and closing date extensions

for the Riverwalk Purchase Agreement.

Documents:

- [C\) ATTY - Ord 6518.pdf](#)
- [C\) ATTY - Riverwalk Purchase Agreement Extension.pdf](#)

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

1. Request of Jordan Ruff to release the West 40 feet of the 100-foot non-access line from McIntosh Avenue on the south side of Lot 9 and the North 40 feet of the 100-foot non-access line from Fuji Drive on the east side of Lot 9, Block 1, Apple Meadows Third Subdivision
2. Material changes to the approved major subdivision final plat of Fairview Cemetery Addition.
3. Introduction of and call for a public hearing on Ordinance 6517, a request for a zoning change from the R10 – Residential and RM30 – Residential zoning districts to the PUD – Planned Unit Development zoning district, as outlined in the attached draft ordinance, for Meadow Village Addition First Replat requested by REI Holdings, LLC. The Planning & Zoning Commission recommends approval.
4. Request to delay action on the previously considered requests for annexation, Future Land Use Plan Amendment, zoning change, Fringe Area Road Master Plan Amendment, major subdivision final plat, Park Development Agreement, Private Drive and Utility Agreement, and Development Agreement for Paradise Valley Addition, until the August 9, 2022, meeting of the Board of City Commissioners.

Documents:

- [C\) CD - Apple Meadows Third NALR.pdf](#)
- [C\) CD - Fairview Cemetery Addition Revision.pdf](#)
- [C\) CD - Meadow Village Addition First Replat.pdf](#)
- [C\) CD - Paradise Valley Addition Delayed Action.pdf](#)

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

1. Change Order No. 2 Time Extension to August 15, 2023, for Street Improvement District No. 545.
2. Consider request for resolution approving the preliminary report and directing the preparation of plans and specifications, resolution approving plans and specifications, and resolution directing the advertisement of bids and receive bids for Street Improvement District SI 569.
3. **Consider the request for the North Dakota Department of**

Transportation (NDDOT) agreement and companion agreement with Northern Plains Heritage Foundation for the Grant Marsh Bridge Mural.

Documents:

- C) [ENG - SI 545.pdf](#)
- C) [ENG - SI 569.pdf](#)
- C) [ENG - Grant Marsh Bridge Mural Agreement.pdf](#)

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

1. Easement agreement with Central Power for placement of new outdoor warning siren.
2. Easement agreement with MDU for placement of new outdoor warning siren.

Documents:

- C) [FIRE - Central Power Easement.pdf](#)
- C) [FIRE - MDU Easement.pdf](#)

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

1. Amendment to the agreement with Houston Engineering Inc. for the construction management services for cell 1 composite liner and leachate management system.
2. Change Order 1 time extension with Pierce Lee Roofing, LLC for the Waste Water Treatment Plant roof replacement contract.
3. Sole source purchase of additional Centracs Mobility Licenses for 28 intersections for the Street Lights and Traffic Signals Division.

Documents:

- C) [PW SO - Houston Engineering Inc. Agreement Amendment.pdf](#)
- C) [PW SO - Pierce Lee Roofing, LLC. Change Order.pdf](#)
- C) [PW SO - Street Lights and Traffic Signals Purchase.pdf](#)

2. REGULAR AGENDA

3. **Receive request from Doug Jensen; Ed.D., President of Bismarck State College regarding new Polytechnic Facility.**

Documents:

[R\) ADMIN - BSC Polytechnic Facility Request.pdf](#)

4. Consider the request from the Event Center for Übl Design Group, P.C., to provide an update on the drawings for the arena locker room project.

Documents:

[R\) EC - Arena Locker Room Update and RFQ.pdf](#)

5. Consider the request of Balerud Rentals, LLC, DDB Rentals, LLC for the designation of 425 North 5th Street as a Rehabilitation Renaissance Zone project as a 100% property tax exemption on the building for five years and an exemption from state tax on income derived from the location for five years; and the request of Quality Title, Inc. for the designation of 425 North 5th Street as a Lease Renaissance Zone project as an exemption from state tax on income derived from the location for five years. The property is owned by Balerud Rentals, LLC and DDB Rentals, LLC and is legally described as Lot 1, part of Lot 3, and Lot 4, Block 25, Northern Pacific 2nd Addition. The Renaissance Zone Authority recommends approval.

Documents:

[R\) CD - RZ Quality Title Rehabilitation and Lease.pdf](#)

- 6. Public Hearing on Ordinances 6507-6509 to create special assessment districts for annexed properties.**

Documents:

[R\) FIN - Ord 6507-6509.pdf](#)

7. Public hearing on Ordinance 6510, a zoning change from the CG-Commercial zoning district to the RMH-Residential zoning district for Block 49 and part of Block 56, Governor Pierce Addition, requested by Bismarck Rental Properties, LLC.

Documents:

[R\) CD - Ord 6510.pdf](#)

8. Public hearing on Ordinance 6511, a zoning change from the CG-Commercial zoning district to the RMH-Residential zoning district for Block 45, Governor Pierce Addition, requested by Bismarck Rental Properties, LLC.

Documents:

[R\) CD - Ord 6511.pdf](#)

9. Public hearing on Ordinance 6512, a zoning change from the RT-Residential zoning district to the DF-Downtown Fringe zoning district for Lot 7, Block 41, Northern Pacific 2nd Addition, requested by Venture Property Management.

Documents:

R) CD - Ord 6512.pdf

10. Public hearing on Ordinance 6513, a staff-initiated zoning ordinance text amendment relating to agency foster homes for adults to include provisions to allow agency foster care for adults as a permitted use in the R5 – Residential and R10 – Residential zoning districts.

Documents:

R) CD - Ord 6513.pdf

11. Public hearing on Ordinance 6514, a staff-initiated zoning ordinance text amendment relating to front yard setbacks in CG and MA zoning districts.

Documents:

R) CD - Ord 6514.pdf

12. Consider the 2023 Preliminary Budget, Mill Levy, Priority Initiatives, Capital Projects, and Salary Plan for approval.

Documents:

R) FIN - 2023 Preliminary Budget.pdf

Other Business

Adjourn

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