



August 24, 2021

Board of City Commissioners  
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, August 24, 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.freeTV.org) and [Facebook LIVE](https://www.facebook.com/bismarckndgov). Agenda items can be found online at [www.bismarcknd.gov/agendacenter](http://www.bismarcknd.gov/agendacenter).

#### FUTURE COMMISSION MEETINGS:

- September 14, 2021 & September 28, 2021
- October 12, 2021 & October 26, 2021
- November 9, 2021 & November 23, 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. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items).

### 2. CONSENT AGENDA

- A. Consider approval of minutes.

Documents:

[MIN08102021.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. Introduction of and call for a public hearing on a request for a new Class M Catering liquor license for Thomas & Moriarty's LLC (dba) Thomas & Moriarty's.
2. Approval of the application from New Salem Civic Club, Inc. for gaming at Big Dog Distillery, 303 South 3rd Street.

Documents:

[\(C\) ADMIN - New Liquor License Thomas and Moriartys.pdf](#)  
[\(C\) ADMIN - Gaming Site Renewal - New Salem Civic Club.pdf](#)

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

1. Approval of Amendment 4 to the Executive Air Taxi Corporation Ground Lease Agreement.

Documents:

[\(C\) AIR - EATC Lease Amendment 4.pdf](#)

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

1. Request of Divide Apartments, LLC to release the 14-foot

utility easement on the line common to Lots 7 and 8, the 14-foot utility easement on the line common to Lots 8 and 9, and the 14-foot utility easement on the line common to Lots 7 and 9, less the 10 feet on the south line of Lots 7 and 9, all in Block 5, Shamrock Industrial Park. Staff recommends approval.

Documents:

[\(C\) CD - Shamrock Industrial Park Easement Release.pdf](#)

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

1. Approval of the NDDOT Cost Participation and Maintenance Agreement for 7th Street and 9th Street Traffic Signal Replacement Project NHU-1-083(138)900, City Project HC-134.
2. Approval of Contract Change Order No. 6 for WA333, SE577 & SI539, contract increase and revised project budget.
3. Approval of a revised project budget for SI 551/SE 579 and revised contract amount to Strata Corporation.
4. Request for Resolution Approving Plans and Specifications and Directing the Advertisement of Bids and Receive Bids for SI 555.
5. Approval of the dedication and acceptance of the storm sewer easement associated with Heritage Park 2nd Addition.

Documents:

[\(C\) ENG - NDDOT 7th and 9th signal CPM.pdf](#)

[\(C\) ENG - SI 539 - change order 6.pdf](#)

[\(C\) ENG - SI 551 SE 579 - clear sky - revised project budget.pdf](#)

[\(C\) ENG - SI 555 - auth to adv.pdf](#)

[\(C\) ENG - storm easement.pdf](#)

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

1. Approval of the Resolution Directing Special Assessments to be Levied.
2. Introduction and call for a public hearing of the 2022 budget ordinance.

Documents:

[\(C\) FIN - Resolution Directing Special Assessments.pdf](#)

[\(C\) FIN - Introduction of 2022 Budget Ordinance.pdf](#)

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

1. Approval to sell a court forfeited vehicle at auction.
2. Approval to produce Bismarck Police Department K-9 calendars to sell for fundraising to supplement the K-9 program.
3. Approval to accept donation from Marathon Petroleum.

Documents:

- [\(C\) PD - Forfeited Vehicle Sale.pdf](#)
- [\(C\) PD - K9 Calendar Request.pdf](#)
- [\(C\) PD - Marathon Petroleum Donation.pdf](#)

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

1. Approval to dispose of/sell Public Works inventory at a public marketplace commonly used for the sale of motor vehicles as described in City Ordinance 7-01-05.

Documents:

- [\(C\) PW-SO - Disposal of Public Works Inventory.pdf](#)

3. REGULAR AGENDA

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

1. Receive Leo A Daly cost estimate report for the Public Health building and request Commission approval to negotiate contract services with Leo A Daly for building design services for the Public Works expansion and the new Public Health building, develop bidding documentation for both projects and proceed with the selection of a construction manager at risk.

Documents:

- [\(R\) PW-SO - Discussion of Leo A Daly Contract Negotiations.pdf](#)

~~5. Public Hearing of a new franchise agreement with Clarity Telecom, LLC DBA Vast Broadband.~~

Documents:

- ~~[\(R\) ATTY - Approval of Franchise Agreement.pdf](#)~~

6. Public Hearing on Ordinance 6480 to amend portions of Title 3 – Animal Control and Protection.

Documents:

- [\(R\) ATTY - Animal ordinance changes.pdf](#)

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

1. Resolution Receiving Bids and Ordering Preparation of the Engineer's Statement for SI 545.
2. Resolution Awarding Contract for SI 545.

Documents:

(R) [ENG - SI 545 - award.pdf](#)

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

1. Request for Resolution Receiving Bids and Ordering Preparation of the Engineer's Statement for SI 550.
2. Request for Resolution Awarding Contract for SI 550.

Documents:

(R) [ENG - SI 550 - award.pdf](#)

Other Business

Adjourn

Phone: 701-355-1300 | 221 North 5th Street | P.O. Box 5503 | Bismarck, ND 58501  
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