



Board of City Commissioners

September 8, 2022

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, September 13, 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.org) 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:

- September 27, 2022
- October 11, 2022 & October 25, 2022
- November 8, 2022 & November 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

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:

[August 23, 2022 - Minutes.pdf](#)

B. Consider approval of personnel actions

Documents:

[Personnel Report.pdf](#)

C. Consider approval of expenditures

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

1. Approve gaming site application for the following:
 - Gilbert N Nelson VFW Post 1326
 - Arco Runway Express - 1740 Airport Road
2. Application to transfer the Class D Alcoholic Beverages Liquor License from Febco, Inc. (dba) Comfort Lounge to ND Hospitality, LLC. (dba) Quality Inn at 1030 East Interstate Avenue.
3. Application for a Class M Catering Liquor License for The Scapegoat Bar, Inc. (dba) The Scapegoat Bar at 202 East Main Street, Mandan, ND 58554.

Documents:

[C\) ADMIN - Gaming Site Authorization - Gilbert N Nelson Post 1326.pdf](#)
[C\) ADMIN - New Liquor License Quality Inn.pdf](#)
[C\) ADMIN - New Liquor License The Scapegoat Bar.pdf](#)

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

1. Consider Change Order #2, final to the October 5, 2021, agreement with Northern Improvement Company for pavement maintenance.
2. Receive and consider bids for runway deicer.
3. Consider a lease agreement with the State Historical Society of North Dakota for a storage building.
4. Consider a short-term parcel lease with Simson Holding

Company, LLC.

Documents:

- C) AIR - Pavement Maintenance with NIC.pdf
- C) AIR - Runway Deicer Bids.pdf
- C) AIR - State Historical Society Lease.pdf
- C) AIR - Short Term Parcel Lease with Simson Holding Co.pdf

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

1. Introduction of and call for a public hearing on Ordinance 6522 to amend the penalty procedure in the traffic codes for clarity.

Documents:

- C) ATTY - Ord 6522.pdf

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

1. Introduction of and call for a public hearing on Ordinance 6521, the annexation of Country West XXXI addition, where the Bismarck Planning and Zoning Commission recommends approval.
2. A request of Justin and Kathryn Kringstad to release a utility easement over Lot 8, Block 1, High Meadows Eleventh Addition, where staff recommends approval.
3. Request to apply for the U.S. Economic Development Administration Public Space Initiative – Placemaking Planning Grant.
4. A request of the Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, for approval to decommission and dispose of one (1) 2006 Gillig Low Floor fixed route bus (Bus 602).
5. A request of the Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, for approval to accept the lowest compliant bid in order to purchase a new mobile bus hoist.

Documents:

- C) CD - Ord 6521.pdf
- C) CD - High Meadows Eleventh Addition.pdf
- C) CD - EDA Public Space Initiative-Placemaking Grant

[Application.pdf](#)

[C\) CD - Decommission of Transit Bus 602.pdf](#)

[C\) CD - Transit Bus Hoist Purchase.pdf](#)

H. Consider the request for approval from the Event Center for the following:

1. Permission to allow staff to issue a Request for Qualifications for a Construction Manager at Risk for the locker room renovation and facility expansion project.

Documents:

[C\) EC - Construction Manager at Risk.pdf](#)

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

1. Introduction of and call for a public hearing on the concrete sidewalk, curb and gutter, and private driveway assessments as part of SW2021 assessments.
2. Applications for Abatement where the Assessing Division recommends approval.
3. Authorizing the Resolution for the Conversion Related to the issuance of the Lodging and Restaurant Tax Refunding Note, Series 2022.

Documents:

[C\) FIN - 2021 Sidewalk Assessments.pdf](#)

[C\) FIN - Abatements 9.13.2022.pdf](#)

[C\) FIN - Series 2022 - Lodging and Restaurant Tax Refunding Revenue Note.pdf](#)

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

1. Permission to accept a donation for the purchase of Fire Department fitness equipment.

Documents:

[C\) FD - Donation for Fitness Equipment.pdf](#)

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

1. Request for approval of three (3) Agreements for Cost-Share Reimbursement with the North Dakota State Water Commission for Wastewater Treatment Effluent Flood Control Construction, Water Treatment Plant Filters 1-6 Piping and Improvements Construction, and Water Treatment Plant Expansion Design.
2. Acceptance of Guaranteed Maximum Price (GMP) for Public Works facility expansion project.
3. Permission to award the bid for Water Treatment Plant filters, 1-6 face piping replacement, and 12 million gallons per day accelerator effluent pipe improvements.

Documents:

- [C\) PW UO - North Dakota State Water Commission Cost Share Agreements.pdf](#)
- [C\) PW UO - Public Works Expansion Agreement.pdf](#)
- [C\) PW UO - Water Treatment Plant Bid Award.pdf](#)

2. REGULAR AGENDA

3. Public hearing on a new Class F-1 Restaurant Full Alcohol Liquor License for Tavern Bismarck, LLC. (dba) The Tavern Grill Restaurant & Bar at 1802 North 12th Street.

Documents:

- [R\) ADMIN - New Liquor License - The Tavern Grill Restaurant and Bar.pdf](#)

4. Public hearing on a request from Adam Woroniecki and Hamood Ur Rahman for the approval of an access easement release over lots 9-10, Block 5, Promontory Point VI Addition. Staff recommends denial of the easement release.

Documents:

- [R\) CD - Promontory Point VI Addition.pdf](#)

5. Public Hearing on Ordinance 6521 for the 2023 Budget.

Documents:

- [R\) FIN - 2023 Budget Ordinance.pdf](#)

6. Consider approving an amendment to the Bis-Man Transit Board 2016 brokerage agreement.

Documents:

- [R\) ATTY - Bis-Man Transit Board Brokerage Contract Request.pdf](#)

7. Consider for approval a Memorandum of Understanding with Bismarck State College to convey a City-owned parcel of land near the campus.

Documents:

R) ATTY - MOU with BSC.pdf

8. Bismarck-Burleigh Public Health 2023 County Budget Discussion.

Documents:

R) ADMIN - BBPH Budget Discussion.pdf

R) ATTY - BBPH Recap.pdf

9. Clean-Up Week Discussion.

Documents:

R) PW SO - Landfill Disposal for Fall Cleanup Week.pdf

10. Request to go into executive session under NDCC 44-04-19.1(9) for contract negotiation / negotiation strategy.

Documents:

R) ATTY - Executive Session.pdf

Other Business

Adjourn

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