



Engineering Department

DATE: June 25, 2024

FROM: Gabe Schell, City Engineer

ITEM: Sidewalk Gap Process

REQUEST:

Consider request to modify sidewalk gap process

BACKGROUND INFORMATION:

The Bismarck City Commission provided direction at the April 23, 2024, meeting to evaluate the sidewalk gap process. Sidewalk portfolio holder Commissioner Zenker and City Engineer Gabe Schell propose changes to the timing to complete privately constructed sidewalks and propose a City financial participation in gap sidewalks performed by the City's contractor. The attached exhibit details the primary steps in the sidewalk gap process and proposed changes to the process.

Over 130 responses to date have been submitted through the online sidewalk suggestion tool (<https://arcg.is/0LTDvX0>). Also, the Bismarck-Mandan MPO is developing a Safe Routes to Services plan that will likely include pedestrian-focused improvements. Both the online form and the Safe Routes to Services plan will help inform future gap sidewalk recommendations.

RECOMMENDED CITY COMMISSION ACTION:

Approve request to modify gap sidewalk process

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. Sidewalk Process Changes 2024

Sidewalk Gap Process

6/18/2024

Process Step	Current Process	Proposed Process
Identification	Public input, Pedestrian activity, Engineering judgement, Vacant lots annexed for 15 years but no building permit	No Change
Recommendation	Evaluate location based on potential usage, costs, impacts and other criteria.	No Change
Approval	City Engineer and Sidewalk Portfolio holder present list of sidewalks to Commission for consideration. Occurs in late winter.	No Change
Bid	City concrete contract bid mid spring as "estimated work". Gap project bid as stand-alone contract but at the same time as new development sidewalk and hazardous sidewalk contract.	No Change
Notification	Letter sent to property owner informing them of Commission decision to construct sidewalk and option to use City's contractor or private contractor. Notice provided after bid to give accurate cost to inform property owner's decision.	No Change
Time to Complete	Property owner given 30-45 days to return petition with decision to use City's contractor or hire private contractor. Failure to return a petition is treated as direction to use City's contractor. Construction to be completed prior to end of construction season. City contractor performed work is billed the following spring or placed on assessments with first installment due with real estate taxes approximately 12-18 months after the work was performed.	Property owner given 30-45 days to return petition with decision to use City's contractor or hire private contractor. Private construction to be completed prior to end of <u>following</u> construction season. City contractor to perform work during current construction season. No other changes.
City Financial Participation	0% City contribution	25% City contribution if City contractor is used. 0% City contribution if privately performed. No City contribution if owner told previously sidewalks were required (gaps, commercial building permit, residential home) or for other political subdivision property.
Exception	Issuance of building permit or indication building permit is imminent will remove property from "gap" project and place it into other typical new construction process. Failure to issue building permit returns the property to the following year's "gap" project.	Failure to privately construct by the end of the following construction season will trigger City constructing the sidewalk with no financial contribution as soon as practical (likely 2 years after original notice given)