



August 18, 2016

Board of City Commissioners
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, August 23, 2016 at 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

Invocation will be presented by a Chaplain from the Bismarck Police Department.

Future City Commission meetings are scheduled as follows:

- September 13 & 27, 2016
- October 11 & 25, 2016
- November 8 & 22, 2016

BOARD OF CITY COMMISSIONERS

1. Consider approval of the minutes of the regular meeting on August 9, 2016.
2. CONSENT AGENDA
 - A. Consider approval of expenditures.
 - B. Consider approval of personnel actions.

Documents:

[Personnel Actions for August 23 meeting.pdf](#)

- C. Consider calling for a public hearing on the request from DCN, LLC (dba Dakota Carrier Network), to apply for a broadband franchise.

Documents:

[Dakota Carrier Network application for franchise agreement.pdf](#)

- D. Consider request to call for a public hearing on a request from A & B Pizza South, Inc. to locate a new class I-2 liquor license at 600 South Fifth Street, Space 212, Kirkwood Mall (dba A & B Pizza).

Documents:

[A and B Pizza Kirkwood.pdf](#)

- E. Consider request to call for a public hearing on a request from BWR-Bismarck, Inc. to locate a new class F-1 liquor license at 4424 North 15th Street (dba Buffalo Wings & Rings).

Documents:

[Buffalo Wings and Rings.pdf](#)

- F. Consider request to call for a public hearing to transfer a Class F-1 liquor license at 1800 North 12th Street from WR Bismarck Ventures Limited Partnership (dba Minerva's) to Kelly Midwest Ventures Limited Partnership (dba Capital Street Grill & Bar).

Documents:

[Capital Street Grille and Bar.pdf](#)

- G. Consider request to call for a public hearing on Ordinance 6232 relating to placement of poles in right-of-way restricted.

Documents:

[Ordinance 6232.pdf](#)

- H. Consider the following requests from the City Administration Department:

- 1) Approval of the amendment to the artwork agreement for items on display at the Bismarck Event Center.
- 2) Approval to provide financial contribution to support the North Dakota League of Cities Annual Conference.

Documents:

[Amendment to artwork agreement at Event Center.pdf](#)
[Support for ND League of Cities Annual Conference.pdf](#)

- I. Consider the following requests from the Bismarck Airport:

- 1) Approve the upgrade of the radio system at the airport with Electronic Communications Inc. for \$6,500.
- 2) Approve the Engineering Services Agreement with Kadmas, Lee & Jackson (KLJ) for Wetland Monitoring.

Documents:

[Airport radio system upgrade.pdf](#)
[Airport KLJ Wetland Monitoring Agreement.pdf](#)

- J. Consider request from the Community Development Department for approval of Corrective Ordinance 6139 regarding the annexation of Heritage Park Addition and call for a public hearing on the request. Staff recommends approval.

Documents:

[Corrective ordinance for annexation of Heritage Park Addition.pdf](#)

- K. Consider the following requests from the Engineering Department:

- 1) Approval of the NDDOT Discharge Permit and the Companion Agreement with Cherry Tree, LLP.
- 2) Approval of the Temporary Encroachment Agreement with Community Contractors, Inc.
- 3) Approval of Contract Change Order No. 1 with Northern Improvement in the amount of \$40,000 for the installation of edge drain pipe in Unit 3 of Street Improvement District 16-506.

Documents:

[NDDOT discharge permit and cherry tree agreement.pdf](#)
[Temporary Encroachment Agreement with Community Contractors Inc.pdf](#)
[Change Order Street Improvement District 16 506 Unit 3.pdf](#)

L. Consider the following requests from the Finance Department:

- 1) Approval of contract with AssetWorks for Work Order Management System.
- 2) Approval of the extension of the consulting contract the city has with Plante & Moran.

Documents:

[Approve contract with AssetWorks for Work Order Mgmt System.pdf](#)
[Approve contract extension with Plante and Moran.pdf](#)

M. Consider the following requests from the Human Resources Department:

- 1) Approval of the St. Alexius Employee Assistance service agreement for the period of September 1, 2016 to August 31, 2017.
- 2) Approval of the Bismarck State College Learning Partners agreement for the period of August 1, 2016 through June 30, 2017.

Documents:

[Employee Assistance Service Agreement.pdf](#)
[BSC Learning Partners Agreement.pdf](#)

N. Consider request from the Bismarck Parking Authority for authorization to sole source contract repairs at the Parkade Ramp.

Documents:

[Request for sole source contract work on Parkade Ramp.pdf](#)

O. Consider the following requests for resolutions relating to Park Improvement District 16-002 (construction of neighborhood park amenities including playground equipment, a picnic shelter, and parking lot)

- Receiving Bids and Ordering Preparation of Engineer's Statement
- Awarding Contract
- Approving Contract and Contractor's Bond

Documents:

[Park Improvement District 16 002 Resolutions.pdf](#)

P. Consider request from the Public Works Utility Operations Department for approval of Change Order No. 5 with Crow River Construction, LLC for a \$10,942.80 deduction to the contract amount for the Southport Lift Station and Forcemain project.

Documents:

[Change Order with Crow River Construction for Southport Lift Station.pdf](#)

Q. Addendum Item - Consider request from the Finance Department for approval of the use of Rural Road Sales Tax funding for Unit 4 of Street Improvement District 492 (roadway lighting).

Documents:

[Rural road funding for lighting street improvement district 492.pdf](#)

R. Addendum Item - Consider request from Bismarck Parks and Recreation District to execute warranty deed for Schaumberg Arena.

Documents:

[Request from Park District for Warranty Deed for Schaumberg Arena.pdf](#)

REGULAR AGENDA

3. Heartview Foundation Opioid Treatment Program.

(Note: The title for this item has been revised and attachments have been added since it was originally posted)

Documents:

[Opioid addiction handouts.pdf](#)
[Opioid addiction fact sheet.pdf](#)

4. Receive South Bismarck Watershed stormwater presentation by Apex Engineering.

(No attachment)

5. Consider request from the Metropolitan Planning Organization (MPO) to allow Bis-Man Transit to locate a public transportation point on the south side of Front Avenue between 5th and 7th Street.

Documents:

[BisMan Transit request for bus stop on Front Ave between 5th and 7th.pdf](#)

6. Addendum Item - PUBLIC HEARING on a request from a new owner of Bismarck Yellow Cab to obtain a new Taxi Cab License. Due to damage the vehicle recently sustained, repairs will need to be made to the vehicle prior to the applicant putting it into service. After examination of the repairs by the Police Department, the owner will be issued a license to operate by City Administration.

Documents:

[Bismarck Yellow Cab new owner new taxi license with updated reviews.pdf](#)

7. PUBLIC HEARING on Ordinance 6219 relating to the creation of the Bismarck Animal Advisory Board (revised since the original introduction on July 12, 2016).

Documents:

[Ordinance 6219 revised.pdf](#)

8. PUBLIC HEARING on Ordinance 6226 relating to city rights-of-way.

Documents:

[Ordinance 6226.pdf](#)

9. PUBLIC HEARING on Ordinance 6227 relating to rules and regulations for granting gaming site authorization.

Documents:

[Ordinance 6227.pdf](#)

10. Consider the following requests relating to Koch Creek Commercial Subdivision, requested by Michael Koch. Bismarck Planning and Zoning Commission recommends approval.

- PUBLIC HEARING on Ordinance 6228 relating to a zoning change from the A-Agriculture zoning district to the CG-Commercial zoning district.
- Approval of the final plat.

Documents:

[Koch Creek Commercial Subdivision Zoning Change Ordinance 6228 and Final Plat.pdf](#)

11. PUBLIC HEARING on Ordinance 6229 relating to a zoning change from the PUD-Planned Unit Development zoning district to the RM15-Residential zoning district for Lots 1-3, Block 1, Sonnet Heights Subdivision, requested by Boustead Enterprises, LLC. Bismarck Planning and Zoning Commission recommends approval.

Documents:

[Zoning change Lots 1 to 3 Block 1 Sonnet Heights Subdivision.pdf](#)

12. PUBLIC HEARING on Ordinance 6230 relating to a zoning change from the R5-Residential and R10-Residential zoning districts to the Conditional R10-Residential and RM15-Residential zoning districts for Lots 14-19, Block 4, South Meadows Addition, requested by Investcore, Inc. and Microvest, LLC. Bismarck Planning and Zoning Commission recommends approval.

Documents:

[Zoning change Lots 14 to 19 Block 4 South Meadows Addition.pdf](#)

13. PUBLIC HEARING on Ordinance 6231 relating to a zoning change from the P-Public zoning district to the PUD-Planned Unit Development zoning district for part of Lot 21, Lounsberry Outlots (Saxvik Elementary School), requested by Bismarck Public Schools. Bismarck Planning and Zoning Commission recommends approval.

Documents:

[Zoning change part of Lot 21 Lounsberry Outlots Saxvik Elementary.pdf](#)

14. Consider request from the Engineering Department to receive and consider disposition of bids for Solid Waste Utility Project LF16-01.

Documents:

[Bids for solid waste utility project LF16 01.pdf](#)

15. Consider request from the Engineering Department to receive and consider disposition of bids for Sewer Utility Project 16-68.

Documents:

[Bids for sewer utility project 16 68.pdf](#)

16. Consider request from the Engineering Department to order the repair of hazardous sidewalks deemed unsafe for pedestrian traffic.

(Note: These property owners have already been notified of the need to make repairs as directed by this Board)

Documents:

[Engineering request to order repair of hazardous sidewalks.pdf](#)

17. Receive project updates on North Washington Street and Quiet Rail Zone.

Documents:

[Project updates on North Washington Street and Quiet Rail Zone.pdf](#)

18. Consider the following requests from the Bismarck Airport regarding the Vehicle Parking Concession (pay parking lot) Requests for Proposals (RFP) at the airport terminal:

- Receive proposals and consider selection committee's recommendation to award (these will be provided at the meeting); and
- Approval of the format for the Concession Agreement.

Documents:

[Airport terminal pay parking lot RFP and agreement.pdf](#)

19. Addendum Item - Consider request from the Finance Department for approval of the 2016 Budget Adjustment for the loan prepayment to the Liability Insurance Fund.

Documents:

[2016 Budget adjustment for Liability Insurance Fund.pdf](#)

20. Consider other business.

(No attachment)

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