



*Community Development Department*

**RENAISSANCE ZONE AUTHORITY**

**MEETING AGENDA**

**November 19, 2013**

---

City-County Office Building                      4:00 p.m.                      David J. Blackstead Meeting Room

---

**1. Call to Order**

**2. Approval of Minutes**

- a. October 15, 2013 Meeting
- b. October 29, 2013 Special Meeting

**3. CORE Incentive Program Project – Façade Grant**

- a. Request of InVision Properties, LLP for assistance from the Façade Grant, a CORE Incentive Program for the building at 815 East Main Avenue. The property is owned by InVision Properties, LLP and is legally described as the Tract 815, Original Plat.

**4. Other Business**

**5. Adjourn – Next regular meeting is scheduled for Tuesday, December 17, 2013.**



**RENAISSANCE ZONE AUTHORITY  
MEETING MINUTES  
October 15, 2013**

The Bismarck Renaissance Zone Authority met on October 15, 2013 in the David J. Blackstead Meeting Room in the City-County Office Building at 221 North 5<sup>th</sup> Street.

Authority members present were Curt Walth, Jim Christianson, Kevin Magstadt and Brenda Smith.

Authority members Chuck Huber and Jeff Ubl were absent.

Technical advisors Bruce Whittey and Morgan Andenas were present.

Staff members present were Jason Tomanek (Planning), Brenda Johnson (Assessing) and Hilary Balzum (Planning).

Guest present was Nick Strom of Goldmark Property Management/Norma Apartments, LLP via telephone.

**CALL TO ORDER**

Chairman Walth called the meeting to order at 4:00 p.m.

**INTRODUCTION OF MORGAN ANDENAS – NEW TECHNICAL ADVISOR**

Ms. Andenas introduced herself and stated she is a graduate of the University of Montana and currently employed with JLG Architects. She also said she has lived in Bismarck for a year and a half, has two years left as an architect in training and is originally from South Dakota.

**MINUTES**

The minutes of the September 17, 2013 meeting were distributed with the agenda packet.

**MOTION:** A motion was made by Mr. Christianson and seconded by Ms. Smith to approve the minutes of the September 17, 2013 meeting as received. The motion passed unanimously with members Christianson, Magstadt, Smith and Walth voting in favor.

**RENAISSANCE ZONE PROGRAM PROJECT**

**215 North 3<sup>rd</sup> Street – Norma Apartments, LLP – Rehabilitation**

Mr. Tomanek stated that the applicants are proposing to rehabilitate the 18-unit apartment building that was damaged by fire. The proposed work includes rehabilitating the units and the accompanying hallways where the fire occurred, replacing the roof and insulation, redesigning the units with modern functionality and new electrical infrastructure throughout the building. Other improvements would be updates to the plumbing, heating, and ventilation systems and new insulation.

Mr. Tomanek also stated the improvements will not significantly increase the value of the property but that they are the most needed and logical at this time.

Nick Strom of Goldmark Property Management stated he has received the professional opinion of CW Structural Engineers in Bismarck and they said the rehabilitation of the Norma apartment building is a good project for reconstruction, since even with the significant loss it experienced in the fire, it is still a manageable repair and the building itself is structurally sound.

Chair Walth asked if the estimated value in the staff report includes the land value. Mr. Tomanek replied it does not, it only includes the value of the building.

Ms. Smith asked Mr. Strom if he is anticipating the rent rates of the apartment units to increase or the demographics to change. Mr. Strom said the current rent rates are \$500-\$570 and they are only expecting a small increase when the building re-opens in the spring. He said the demographics of the renters are not likely to change, but they are hoping to appeal to modern renters by creating more contemporary and openly spaced units.

Mr. Christianson inquired about the average square footage of the units. Mr. Strom replied they are fairly small with multiple small rooms in each, which is why they want to open them up and create multiple large efficiency units.

Chair Walth asked if there will be an elevator in the building and if it is required. Mr. Tomanek said the occupancy standard of the property does not currently require an elevator.

Mr. Whittey asked if any exterior rehabilitation will be included. Mr. Tomanek said the exterior is in generally good shape overall, with the exception of the northeast corner, which was charred by smoke and flames as well as multiple windows that were damaged.

Mr. Whittey also asked if the property meets all current landscaping and regulatory requirements and Mr. Tomanek said it does.

Mr. Strom added that it is the intention of the owners to replace all of the windows in the building. Chair Walth asked if a full exterior assessment has been done and Mr. Tomanek said CW Structural Engineers will do a full assessment.

Mr. Christianson said he encourages the owners to find a window casing that is compatible with the look of the surrounding area and to even make it part of the conditions of the motion when it is made.

Mr. Strom said he will make a note of the window request and would accept it as part of the motion that the window color be reviewed before the replacements are done.

**MOTION:** A motion was made by Mr. Christianson and seconded by Ms. Smith to recommend approval of the request for designation of the rehabilitation of the Norma Apartments, LLP for the building at 221 North 3<sup>rd</sup> Street as a Renaissance Zone project, with the condition that the color of the new window casings be approved by staff. The motion passed unanimously with members Christianson, Magstadt, Keiser and Smith voting in favor.

## **Renaissance Zone Program and CORE Incentive Program Application Fees – Discussion**

A discussion was held regarding the possibility of implementing Renaissance Zone and CORE Incentive Program application fees. Mr. Tomanek said it is required that a public hearing on each project be published once a week for two weeks, with an average of \$50-\$100 per legal ad. In addition, 30-60 notices are sent to adjacent property owners at \$.40 each with the total cost being around \$100-\$150 per project. He also said this does not include billable hours from work put in by staff. He explained that Community Development charges \$500 for a zoning change no matter how many lots it includes or how long it takes from start to finish. The minimum application fee in Community Development is \$25, which is for lot modification applications which are completed in-house.

Ms. Smith asked how many applications are received that never go through. Mr. Tomanek said hardly any do not get completed and that the cost is usually lost on things like the publishing of legal ads.

Chair Walth said he feels both are great programs and a \$100 fee is peanuts compared to the improvements it brings to the area.

**MOTION:** A motion was made by Mr. Magstadt and seconded by Ms. Smith to implement a \$100 application fee for all Renaissance Zone Program and CORE Incentive Program applications effective January 1<sup>st</sup>, 2014, pending approval by the City Commission. The motion passed unanimously with members Christianson, Magstadt, Smith and Walth voting in favor.

## **OTHER BUSINESS**

Chair Walth stated he would like to discuss downtown building restorations with the Downtowners Association at the next meeting. He also said comments for Steve Saunders, MPO Planner, on the Downtown Subarea Study needed to be finalized and given to the study consultant, Crandall Arambula, by the end of the month. He then called for a special meeting to be held on October 29<sup>th</sup>, 2013, at 4:00 p.m.

## **ADJOURNMENT**

There being no further business, Chair Walth adjourned the meeting of the Bismarck Renaissance Zone Authority at 4:40 p.m.

Respectfully Submitted,

---

Hilary Balzum  
Recording Secretary

---

Curt Walth  
Chairman

**RENAISSANCE ZONE AUTHORITY  
SPECIAL MEETING MINUTES  
October 29, 2013**

The Bismarck Renaissance Zone Authority met on October 29, 2013 in the David J. Blackstead Meeting Room in the City-County Office Building at 221 North 5<sup>th</sup> Street.

Authority members present were Curt Walth, Jim Christianson, Chuck Huber, Jeff Ubl and Kevin Magstadt.

Authority member Brenda Smith was absent.

Technical Advisor Bruce Whittey was present.

Staff members present were Jason Tomanek (Planning) and Hilary Balzum (Planning).

**CALL TO ORDER**

Chairman Walth called the meeting to order at 4:00 p.m. the Bismarck Renaissance Zone Authority met to discuss the Game Changers and the Essential Projects recommended in the Downtown Bismarck Sub-Area Study. Below are the comments and recommendations of the Renaissance Zone Authority.

**GAME CHANGERS**

**Main Avenue Traffic Calming**

The Main Avenue 'Road Diet' is a supported and endorsed project. The Renaissance Zone Authority would recommend that the Main Avenue improvements be done in concert with the removal of the Chancellor Square one way streets to help alleviate the potential congestion to Main Avenue.

**Depot Plaza**

The Renaissance Zone Authority is supportive of the Depot Plaza concept. The question was raised and the Authority would like the issue addressed; *Who will program, manage and operate the Depot Plaza space?*

**Fifth Street Improvements**

The general consensus of the Renaissance Zone Authority would be to identify the Bowen Avenue Ramp project as a Game Changer and switch the Fifth Street Improvements project to an Essential Project. The Renaissance Zone Authority indicated the Bowen Avenue Ramp project would help spur retail development and allow other properties (i.e. Kirkwood Mall) an opportunity to capitalize on the ramp project and expand and enhance their facilities.

**Civic Center Convention Hotel**

The Renaissance Zone Authority is supportive of the Civic Center Convention Hotel project and also recommends considering the project be melded or combined with the Bowen Avenue Ramp project.

## ESSENTIAL PROJECTS

### *Sixth Street Cultural Trail*

The general consensus of the Renaissance Zone Authority is that more study and engineering information would need to be developed to implement the project.

### *Mehus Commons*

The Renaissance Zone Authority indicated that the concept for the Mehus Commons is excellent and overall the Authority is very supportive of this project. Again, the question was raised relating to who will program, manage and operate the Commons space. An additional question would be, will the same entity that programs and operates the Depot Plaza be responsible for the Mehus Commons?

### *Chancellor Square*

The Renaissance Zone Authority considers the elimination of the one-way street system within Chancellor Square an absolute must project to implement. As previously stated, the Authority considers this project important to implement in concert with the Main Avenue Traffic Calming project.

### *Fifth Street Pedestrian Underpass*

The Renaissance Zone Authority has concerns relating to the cost and feasibility of implementation. However, the Authority is generally supportive and indicated this project is as important as the other identified Essential Projects.

### *Rail Trail*

The Renaissance Zone Authority recognizes this project would be an amenity for residents living in the downtown area as well as other community residents. Additionally, the general consensus of the Authority members is that the Rail Trail crossing at Washington Street may be difficult and costly to construct.

### *Public Market*

The Renaissance Zone Authority is supportive of the proposed higher and better use of the property. The Authority also recognizes the significance of the retail anchor and supporting businesses that would bolster downtown retail opportunities and provide some of the essential commercial uses necessary to support downtown residents; in particular, a food market, general goods and services.

### *Neighborhood Park*

The concept of a neighborhood park in addition to more housing around the downtown area is supported and encouraged.

### *Bowen Avenue Ramp*

As previously stated, the Renaissance Zone Authority would recommend melding the Bowen Avenue Ramp and the Civic Center Convention Hotel into one Game Changer project.

## ADJOURNMENT

There being no further business, Chair Walth adjourned the meeting of the Bismarck Renaissance Zone Authority at 5:00 p.m.

Respectfully Submitted,

---

Jason Tomanek  
Recording Secretary

---

Curt Walth  
Chairman

**BISMARCK RENAISSANCE ZONE AUTHORITY  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> 815 East Main Avenue – CORE Façade and Signage Grant Retro-active Reimbursement		
<b>Status:</b> Renaissance Zone Authority	<b>Date:</b> November 19, 2013	
<b>Street Address:</b> 815 East Main Avenue	<b>Legal Description:</b> Tract 815, Original Plat	
<b>Project Type:</b> CORE Incentive Program	<b>CORE Program:</b> Façade Grant	
<b>Applicant:</b> InVision Properties, LLP	<b>Owner:</b> InVision Properties, LLP	
<b>Project Description:</b> The applicant has renovated the exterior of the building. Exterior improvements consisted of covering the majority of the building with EIFS, new windows, and a new entry/front door area.		
<b>PROJECT INFORMATION:</b>		
<b>Parcel Size:</b> 26,600 square feet	<b>Building Floor Area:</b> 12,120 square feet	<b>Lease Area:</b> N/A
<b>Total Project Cost:</b> \$68,516+	<b>Contractor:</b> Multiple	<b>Incentive Grant Requested:</b> Undetermined
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>1. The Board of City Commissioners unanimously supported a request from City Administrator Wocken on February 22, 2011 to suspend applications for the CORE Incentive Programs. The Commission also noted that <i>“there is no guarantee: anyone who wishes to proceed with an improvement will do so at their own risk, there is no guarantee there will be a program or that their project will be selected for funding, if and when the program is available.”</i> On September 25, 2012 the Board of City Commissioners unanimously passed a motion to proceed with CORE Incentive Program projects.</li> <li>2. Based on the information provided by the applicant, the applicable façade work that was completed during the moratorium amounts to \$20,055.88. This work included the purchase and installation of new windows, concrete cutting to create the window openings, general construction, caulking and preparation work.</li> <li>3. The Community Development Department – Planning Division accepted the first CORE Incentive Programs application for work that was done during the duration of the lawsuit in November 2012.</li> <li>4. It is Planning staff’s understanding that work done during the duration of the TIF lawsuit and considered for a grant from the CORE Incentive Programs would be subject to the CORE Incentive Programs regulations that were in place prior to the lawsuit. The maximum grant amount for the CORE Façade and Signage Grant was \$25,000 with 50% match by the applicant for façade work and a maximum grant of \$3,000 for signage, again with a 50% match by the applicant. The applicant also installed signs as part of the façade renovation project. Based on the invoice provided by the applicant, the signs were not ordered until July 2013.</li> </ol>		
<i>(continued)</i>		

5. This building lies within the DC-Downtown Core zoning district and is subject to the design regulations within the zoning ordinance. The proposal was reviewed by the Downtown Design Review Committee on September 5, 2012 and it was determined that the project met the requirements of the regulations for the DC-Downtown Core zoning district.
6. The building lies outside the boundary of the Downtown Historic District.

#### **FINDINGS:**

1. The building is located within the Downtown Tax Increment Financing District.
2. The purpose of the Façade and Signage Incentive Grant Program was to promote and stimulate exterior maintenance of commercial buildings in order to enhance the overall appearance, quality and vitality of downtown.
3. Based on dated invoices provided by the applicant, renovation work began in March-April 2011 and was completed in June 2013.
4. Façade improvement grant funds may be used to update windows, walls, cornices, stairs, porches, railings, and additional structural elements associated with a building façade. Under the Façade and Signage Grant guidelines the maximum dollar amount available is \$25,000 for façade improvements. Each project requires a 50% matching contribution by the applicant. The grant amount requested for this project is \$25,000.

#### **RECOMMENDATION:**

Based on the above finding, and additional information, staff recommends the Renaissance Zone Authority consider the following:

- *What work is considered applicable and appropriate based on the dates of the CORE Incentive Programs moratorium?*
- *Will the Renaissance Zone Authority accept an application for work done after the moratorium was lifted when the continuing work should have been applied for before it was completed?*

Based on the above findings staff recommends the Renaissance Zone Authority consider the findings, the information provided, the scope of work performed, the timeframe in which the work took place and any additional information necessary to provide a recommendation to the Board of City Commissioners.

For the development work KLJ proposes a cost not to exceed \$158,078.74 for all work completed. Required testing sub consultant fees of \$24,060.30 have been added as a pass through to the KLJ contract. Our independent fee review done by Interstate Engineering, calculated total engineering fees of \$148,671.90. KLJ's proposed fees are 6% or \$9,406.84 above the independent fee review and are deemed reasonable. Airport staff will come back with bids for the Apron construction later this year.

Commissioner Grossman made a motion to approve the request. Commissioner Askvig seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Smith, Askvig, Grossman and President Warford. Naves: None, the motion carried. Commissioner Seminary was absent and not voting.

The Board of City Commissioners considered the request from Public Works Utility Operations Department to receive and consider disposition of bids for raw water pumps.

Keith Demke, Public Works Utility Operations Director, presented the following lump sum bids received:

Item Description	Weir Floway, Inc.	W.W. Goetsch Associates, Inc.	Fairbanks Morse	Engineer's Estimate
Raw Water Pump No. 1	\$135,996	\$154,980	\$182,357	\$177,500
Raw Water Pump No. 2	\$135,996	\$154,980	\$182,357	\$177,500
Raw Water Pump No. 3	\$237,858	\$273,516	\$311,855	\$250,000
Raw Water Pump No. 4	\$237,858	\$273,516	\$311,855	\$250,000
<b>Total Lump Sum Bid for Raw Water Pumps</b>	<b>\$747,708</b>	<b>\$856,992</b>	<b>\$988,424</b>	<b>\$855,000</b>

Mr. Demke said they are familiar with the Weir Floway pumps because there are some installed at the water treatment plant already. The bids have been checked and staff recommends award to the low bidder, Weir Floway, Inc.

Commissioner Askvig made a motion to award the bid to Weir Floway, Inc. Commissioner Smith seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Smith, Askvig, Grossman and President Warford. Naves: None, the motion carried. Commissioner Seminary was absent and not voting.

The Board of City Commissioners considered the request of City Administrator to suggest the requirement for CORE projects to receive approval of the Renaissance Zone Committee and the Board of City Commissioners prior to beginning construction of an improvement project be waived from now until the final disposition of the Haugland vs. City of Bismarck lawsuit over tax increment financing. No applications should be accepted until this lawsuit is settled. There is no guarantee of any CORE program funding for any improvement.

Bill Wocken, City Administrator, appeared before the Board to make this request. He said there are several people interested in doing downtown projects and making

BOARD OF CITY COMMISSIONERS MINUTES FROM  
 FEBRUARY 22, 2011<sup>27</sup>

BEGIN

improvements in the downtown. These people would like the ability to go ahead and start construction but don't want to be penalized by not being able to apply for CORE funds just because construction has begun. Commissioner Askvig asked why that requirement was originally in place. Mr. Wocken said he wasn't sure but he guesses this requirement began with the initiation of the CORE project. Askvig said he is concerned that letting people start projects before they've received approval almost insinuates that will happen. He doesn't feel comfortable making any changes until they know the final outcome of the lawsuit because an appeal can still be made. He doesn't want there to be expectations knowing we said there are no expectations. Mr. Wocken said as long as there is no funding guaranteed and no applications are received, we are simply saying construction activity can begin before an application is filed. But this is a policy decision and it's the Board's decision to make.

President Warford asked Charlie Whitman, City Attorney, if there are any implications to the Board adopting this toward the lawsuit or its outcome. Mr. Whitman said no and he said the historical reason for why the city requires them to apply and be approved before they start construction is to have them projects changed to fit the program, which alleviates arguments. The issue here is that there are projects out there that want to proceed now and not wait. They aren't asking for pre-approval, which Mr. Whitman wouldn't suggest doing right now in light of the lawsuit. On the other hand, all we are giving them is the right to show us they did comply with one or more of the programs, and had we not suspended the program, they would've been able to do that.

Commissioner Grossman shares Askvig's concerns about expectations. He wants to be clear, in Mr. Whitman's opinion this creates no obligation on the part of the city if there have been discussions about the potential CORE projects but no official approval. Mr. Whitman said that would be his opinion. If there is a project out there that wants to fall under this limited exception, it is his understanding that there would be no expectation. This limited exception would run from today through the end of the lawsuit. It would be smart of them to talk to staff ahead of time to make sure their project conforms to the CORE guidelines/qualifications of the program in as much information as staff can provide them. There is no promise that the lawsuit will be resolved in the city's favor and there will be CORE programs. Grossman said if they do discuss with staff if this conforms to the CORE programs, it creates no obligation on the city's part to approve it at a later date. Mr. Whitman's advice to staff is not to make any conclusory remarks about whether or not a program does comply; only give information about what the programs require.

Commissioner Askvig said he is a big supporter of downtown but struggles with the expectation part of this. He is not inclined to approve this request. President Warford said it could be said that all the risk is on the person moving ahead with their project and the city has no obligation. Commissioner Grossman asked Warford if he would be supportive of making this proposed change. Warford said yes, from the standpoint that the city needs to move forward in a legal fashion and this won't jeopardize the lawsuit. The risk lies with the business owner/developer and there is potential to never receive any CORE funds. Commissioner Smith agrees with President Warford and worries they

will lose momentum. She serves on the Renaissance Zone Committee and there have been months where they haven't received any applications.

Commissioner Askvig asked to clarify that if the proposed change is made to remove the requirement and the "no guarantee" provision is in place, when would the applications be due and how would that be structured. Mr. Whitman said after discussion with staff, no applications would be accepted during this time, nor would staff assist anyone to fill out an application; staff would only disseminate materials already available. No applications would be accepted until the lawsuit is settled in the city's favor. If it's not settled in the city's favor, there would never be an application. Askvig then asked if they start construction and the lawsuit is settled in the city's favor, what is the window for making application. Mr. Whitman said it would be whatever the Board decides.

Commissioner Grossman said it's his understanding that the Board isn't approving anything; it's proceed at your own risk. The Board is just removing the requirement that it needs to be approved by them. He is hesitant to support this but it doesn't create legal obligation on the part of the city but it should be very clear the city is not making any guarantee. He suggested if anyone makes an unofficial inquiry with staff, then it should be documented in writing that there is no guarantee or expectation of any kind that the city will retroactively approve that project. Mr. Wocken said typically the Renaissance Zone applications are handled by the Community Development Department and that information from Commissioner Grossman will be passed on.

Commissioner Grossman feels it is a bold move on the part of the individual considering a project, to proceed at their own risk. Obviously they want to do the project, with the possibility for some assistance later on. Commissioner Askvig is concerned with the handling of the applications after the fact for those projects started during this interim time. Maybe within 30 days of the lawsuit being settled. He would hate to see an application come in for a project three years after it's completed. Commissioner Smith thinks if they want assistance from the city, they will apply as soon as they are able too. President Warford asked Mr. Whitman what would be an appropriate window of time for applications to be made. Mr. Whitman said after the lawsuit is settled and if it is in the city's favor, they will come back before this Board to reinstate the policy to be approved before starting construction. He thinks a 60 day window is appropriate for any project started during this window of the requirement being removed until the lawsuit is settled. Since this also has to go before the Renaissance Zone Committee, 60 days may be more reasonable.

Commissioner Grossman said he thinks a time period should be discussed after the lawsuit is settled and the Board is ready to move forward. Commissioner Askvig is still concerned with the unknowns about this whole situation. He asked Mr. Whitman how many days are left for a potential appeal. Mr. Whitman said 60 days from January 24, 2011 so around March 24<sup>th</sup> or so. Askvig said about another month. Mr. Whitman said yes. Askvig said construction season doesn't normally begin until usually April or May. President Warford said a motion would allow the builders, at their own risk, move

forward. Grossman said if the project doesn't meet the requirements of the program, they wouldn't receive any funding regardless. Warford said Renaissance Zone and CORE are only incentives; the project has to make financial sense to the builder. Askvig said his concern is still the perception of the program. He said when the lawsuit is settled and if it is settled in the city's favor, then a timeline needs to be set to accept applications during this period.

President Warford asked Mr. Wocken to clarify what the Board has come up with about this request. Mr. Wocken said there is no guarantee: anyone who wishes to proceed with an improvement will do so at their own risk, there is no guarantee there will be a program or that their project will be selected for funding, if and when the program is available. Secondly, staff will not advise people on their projects, they will only provide them the requirements of the program so the person can make their election at their own risk. If and when the program is reinstated, this Board will then decide if any of the projects that are under construction must file their applications within a certain date or they would be barred. Lastly Mr. Wocken didn't think people would want to continue to make those investments.

Commissioner Grossman made a motion to approve the request. Commissioner Smith seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Smith, Askvig, Grossman and President Warford. Nays: None, the motion carried. Commissioner Seminary was absent and not voting.

END # The Board of City Commissioners considered the Legislative Report.

Bill Wocken, City Administrator, said it is crossover week at the Legislature. City staff is currently following 201 bills – 117 House bills and 84 Senate bills. Staff has asked the Board for their position on 30 bills so far. There are 30 bills out of the 201 bills that staff is following that have not yet passed over from one house into the other or have met failure. As of last night there were still 30 bills active.

Mr. Wocken provided the Board with a tracking sheet for the bills that the Board has taken a stand on. The measures in red are those that have failed and they are no longer of concern. The items in black have either passed or are still under deliberation in the various houses. The second page is the sales tax exemption bills the Board asked to monitor. The fonts are red and black to denote what has failed and what has passed or yet up for consideration.

HB 1194 has to do with property tax and budgets and how things are put together. It talks about if the city increases its budget, then there needs to be additional public notice and a hearing. It does not allow any increase in the individual budget before that public notice would go into effect. HB 1331 is a special assessment bill that says only half the costs of the special assessment improvement can be assessed and the other half has to be taken care of in some other fashion. In the past, the city has opposed both of those bills. They have both been amended. Mr. Wocken has sent an email to the Bismarck representatives detailing some of the concerns of this Board. The

A crest-stage monitor records the peak flow at the monitoring station for a given time period, rather than providing a continuous record of the flow. On Hay Creek where the flow is often very low, or zero, a crest-stage monitor provides sufficient information on peak flows associated with precipitation events when used in conjunction with the data from the continuous flow monitor at Main Avenue. With the everchanging development conditions within this watershed, staff believes it is prudent for both the city and county to continue monitoring streamflows to help determine future needs within the watershed.

Staff requested permission from the Board to allow the city of Bismarck to enter into a one year contract with the USGS for streamflow monitoring along Haycreek at a cost of \$11,530. Mr. Demke provided a copy of the letter from the USGS and the contract for the Board's consideration. This project will be funded by the Storm Water Utility fund.

Commissioner Grossman made a motion to approve the request. Commissioner Smith seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Seminary, Smith, Askvig, Grossman and President Warford. Nays: None, the motion carried.

15. The Board of City Commissioners considered the issuance of Class D liquor license.

City Attorney Charlie Whitman said Class D is full alcohol, which means beer, wine and spirits, on and off sale, while the Class E (the next agenda item) is beer only, on and off sale.

Commissioner Grossman made a motion to move forward with the issuance with a minimum bid of \$200,000 required. Commissioner Smith seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Seminary, Smith, Askvig, Grossman and President Warford. Nays: None, the motion carried.

16. The Board of City Commissioners considered request to hold discussion regarding the issuance of class E liquor licenses.

Commissioner Seminary made a motion to recommend that staff come back at a future meeting with a similar proposal to what was done for the Class D license. Commissioner Grossman seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Seminary, Smith, Askvig, Grossman and President Warford. Nays: None, the motion carried.

17. The Board of City Commissioners considered the ongoing project agenda.

Commissioner Smith brought up for discussion that CORE project applications were suspended a couple of years ago when the lawsuit against the city came about. She wondered how the other Board members felt about accepting CORE applications again. Charlie Whitman, City Attorney, said after consulting with the city's legal counsel, Randy

EHD  
Bakke, there are no legal implications to restarting. Commissioner Grossman made a motion to proceed with CORE projects. Commissioner Seminary seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Seminary, Smith, Askvig, Grossman and President Warford. Nays: None, the motion carried.

Acting Police Chief Fred Wooten plans to retire in January of 2013. The city will move forward to hire a Police Chief.

Commissioner Seminary said he was one of the reasons for the delay in interviews of those presenters for the Recycling RFP due to his schedule. It will be scheduled for late October and will be brought forward at a Board meeting in November to discuss.

#### EXECUTIVE SESSION:

Commissioner Grossman made a motion to go into executive session at 6:52 p.m. Commissioner Smith seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Seminary, Smith, Askvig, Grossman and President Warford. Nays: None, the motion carried.

Addendum Item: The Board of City Commissioners considered request from the Civic Center for an executive session under the authority of NDCC Section 44-04-19.2 to discuss contract negotiations for prospective Civic Center entertainment event pursuant to NDCC Section 44-04-19.1(9).

Commissioner Seminary made a motion to come out of executive session at 7:04 p.m. Commissioner Smith seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Seminary, Smith, Askvig, Grossman and President Warford. Nays: None, the motion carried.

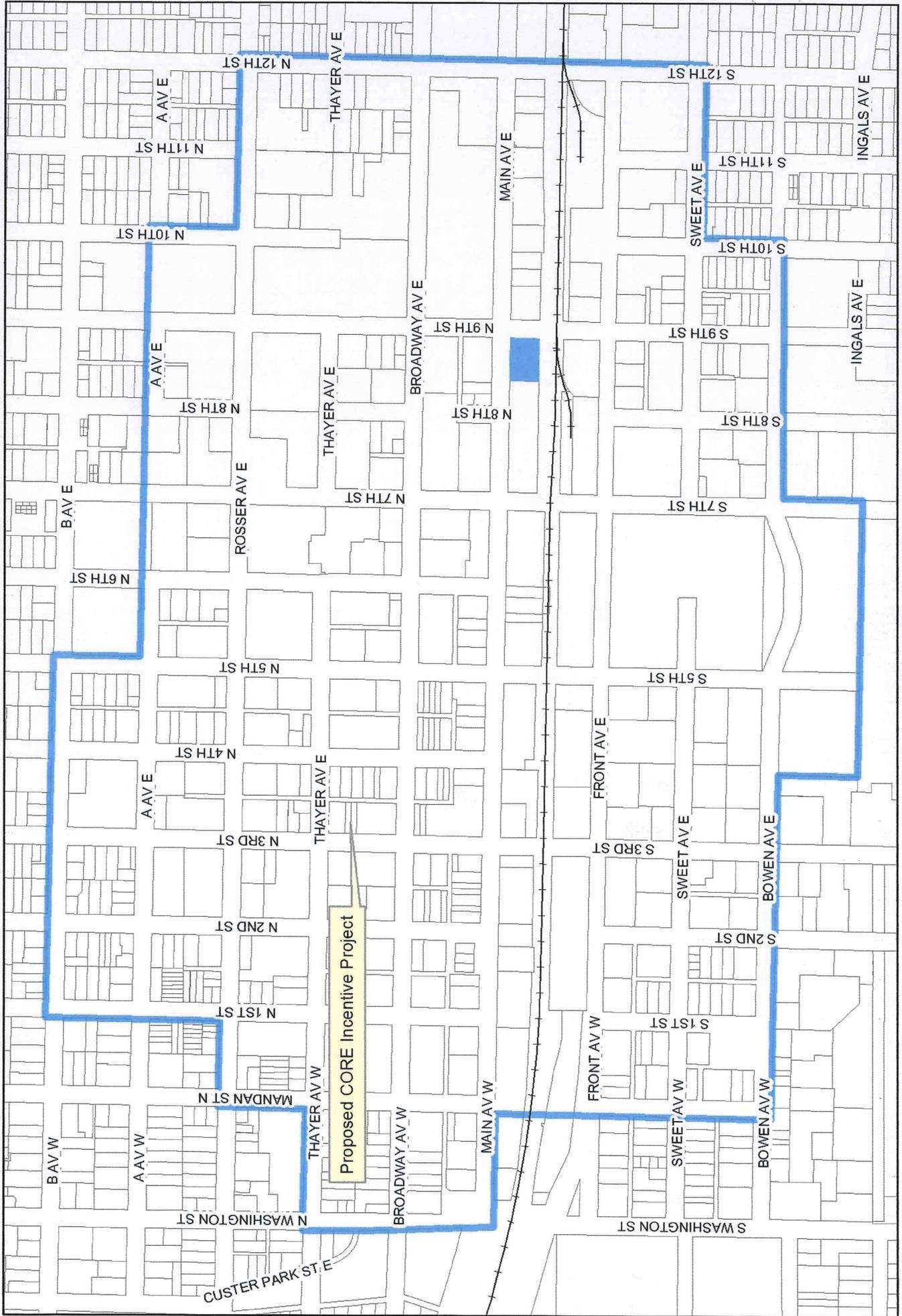
Commissioner Grossman made a motion to proceed with the items discussed. Commissioner Askvig seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Smith, Askvig, Grossman and President Warford. Nays: Seminary, the motion carried.

Having completed the items on the agenda, President Warford asked if there was any further business for this meeting. There being none, the meeting was declared adjourned at 7:05 p.m.

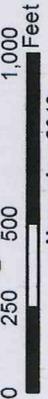
BOARD OF CITY COMMISSIONERS

MINUTES FROM SEPTEMBER 25, 2012

# Proposed CORE Incentive Programs Project - 815 East Main Avenue



## City of Bismarck - Community Development Department - Planning Division



This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

November 2013

# INVISION PROPERTIES, LLP

2513 ASTRONAUT DR.  
BISMARCK, ND 58503-1143

RECEIVED

OCT - 3 2013

October 3, 2013

Jason Tomanek, Planner  
Community Development Department  
Planning Division  
City of Bismarck

Dear Jason,

Attached you will find our application for the CORE Incentive Program.

We are pleased to have finished our project at 815 E Main Ave. As you will see in the application that we have taken a very visible property which was considered an eye sore on Main Avenue and have remodeled it to fit into the ever growing downtown area of Bismarck.

I have included in the application pictures of the project, a spreadsheet of the costs for each side of the building and finally the invoices for those costs. If you have any question please let me know.

We are pleased to have had the opportunity to complete another project in downtown Bismarck, which has become a vibrant and energetic area of Bismarck.

Sincerely,

Michael M. Chuppe

## Renaissance Zone Authority

### Costs for CORE Program

Date	Invoice No.	Contractor	Amount			
			North Side	East Side	South Side	West Side
10/02/12	331	J & M Concrete, LLC	<del>-\$5,000.00</del>	N/A		
10/20/12	339	J & M Concrete, LLC	<del>-\$12,375.00</del>	N/A		
08/01/12 ✓	104	Construx	? \$3,274.23			
12/05/12	6750	Scheer Plastering & Drywall	\$35,683.80			
03/11/11 ✓	16249	Badlands Environmental Consultants, Inc	<del>-\$283.00</del>	N/A		
04/29/11 ✓	7193	Red River Glazing, Inc	\$13,660.00			
04/12/11 ✓		Dave Marklevitz Masonry	\$870.00			
04/14/11 ✓	3544	EdSons Const. LLC	\$9,455.54			
05/03/11 ✓	5569	Dakota Caulking	\$900.00			
03/11/11 ✓	4425	CW Structural Engineers	<del>-\$1,800.00</del>	N/A		
06/27/13	35251	T & M Electric	\$526.50			
06/11/13	145388	Bismarck Lumber	\$690.46			
05/21/13	34668	T & M Electric	\$2,012.00			
05/03/13	623682	Barn Light Electric Co.	\$1,443.72			
05/09/13	6813	Scheer Plastering & Drywall		\$17,228.00		
04/26/13	34503	Twin City Roofing	<del>768,516.25</del>		\$479.00	
03/18/13	3398338	United Products				\$137.27
03/25/13	129154	Bismarck Lumber			\$163.61	
03/26/13	129500	Bismarck Lumber			\$388.90	
03/22/13	1286	The Window and Door Store			\$1,270.15	\$683.93
03/05/13	5359	Superior Steel Supply Inc.			\$964.60	\$519.40
05/24/13	MN0000027	TruNorth Steel, Inc.	\$5,045.00			
02/06/13	3121454	United Products			\$360.69	\$194.22
02/09/13		Menards			\$108.99	\$58.68
02/18/13		Menards			\$328.90	\$177.10
02/09/13		Menards			\$19.68	\$10.60
02/18/13	122324	Bismarck Lumber			\$35.46	\$19.09
02/19/13		Bismarck Lumber			\$37.86	\$20.39
02/21/13	122967	Bismarck Lumber			\$368.34	\$198.34
02/28/13	3298008	United Products			\$1,524.32	\$820.78
03/05/13	3298008-03	I?			\$411.90	\$251.79
02/27/13	3298008-01				\$2,127.98	\$1,145.83
02/20/13	3246363				\$887.65	\$477.96
02/20/13	3298008-00				\$50.99	\$27.45
03/05/13	3392217-00			(\$518.54)	(\$279.21)	
10/10/12		City of Bismarck	N/A	<del>-\$121.21</del>	<del>-\$121.21</del>	<del>-\$121.21</del>
03/15/12 ✓	1284	The Window and Door Store	\$1,351.65	\$732.15		\$732.15
<b>Totals</b>			<b>\$93,019.25</b>	<b>\$17,228.00</b>	<b>\$9,010.48</b>	<b>\$4,463.62</b>
<b>Grand Total</b>			<b>\$123,721.35</b>			

✓ = WORK DONE DURING THE MORATORIUM (02-22-11 - 09-25-12)

\$ 3,274.23

13,660.00

870.00

900.00

1,351.65

\$ 20,055.88 → APPLICABLE INVOICES DATED DURING MORATORIUM

Beginning Pictures of 815 E Main, Bismarck, ND



Finished Pictures of 815 E Main, Bismarck, ND

