



Board of City Commissioners

June 7, 2023

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, June 13, 2023, 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 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.

Call to Order

FUTURE COMMISSION MEETINGS:

- June 27, 2023
- July 11, 2023 & July 25, 2023
- August 8, 2023 & August 22, 2023

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:

[May 23, 2023 - Minutes.pdf](#)
[May 31, 2023 - Minutes.pdf](#)

B. Consider approval of personnel actions

Documents:

[HR - Personnel Actions.pdf](#)

C. Consider approval of expenditures

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

1. Appointments to the Dakota Media Access Board of Directors.
2. Liquor license renewals.
3. Gaming site authorization renewals.

Documents:

[C\) ADMIN - DMA Board of Directors Appointments.pdf](#)
[C\) ADMIN - Liquor License Renewals.pdf](#)
[C\) ADMIN - Gaming Site Authorization Renewals.pdf](#)

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

1. Cofell's Plumbing and Heating Change Order #2 to the Snow Removal Equipment Building Agreement.
2. Northern Improvement Company Change Order #4 to the Snow Removal Equipment Building Agreement.

Documents:

[C\) AIR - SRE Coffells Change Order 2.pdf](#)
[C\) AIR - SRE NIC Change Order 4.pdf](#)

F. Consider the request for approval from the Bismarck Event Center for the following:

Permission to purchase a Bobcat L28 small articulated loader from Bobcat Company using the pricing from Sourcewell contract #040319-CEC.

Documents:

[C\) EC - Bobcat Purchase.pdf](#)

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

1. Permission for the City of Bismarck to engage Nachawati Law Group to include the City in opioid litigation against McKinsey & Co., Inc.

Documents:

[C\) ATTY - Additional Opioid Litigation.pdf](#)

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

1. Introduction of and call for a public hearing on Ordinance 6553, a request for a zoning map amendment for Lot 1, Block 1, River of Hope Addition and Lot 1, Block 6, Meadowlark Commercial Third Addition where the Planning and Zoning Commission recommends approval.
2. A request of Premier Storage, Stephen and Karen McCormick, and the City of Bismarck for a vacation of the right-of-way on all of Lots 4-5, Block 4, and Lot 13, Block 1, Sloven Second Subdivision.
3. A request of Dakota Pioneer Land Company, LLC to release the North 35 feet of the South 185 feet of the non-access line along Boston Drive adjacent to Lot 32, Block 1, Meadow Village Addition First Replat.
4. A request of Ridgeline Contracting, Inc for the vacation of the North 35 feet of the Wanchena Way right-of-way adjacent to and parallel with the south line of Lot 2A of Lot 2, Block 1, Sykes Addition.

Documents:

- [C\) CD - Meadow Village.pdf](#)
- [C\) CD - River of Hope Addition and Meadowlark 3rd Addition.pdf](#)
- [C\) CD - Sloven Second.pdf](#)
- [C\) CD - Wanchena ROW.pdf](#)

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

1. Acceptance of a sidewalk easement granted by Target Corporation.
2. Acceptance of warranty deed for a lot in Promontory Point 7th

Addition for the sanitary sewer lift station.

3. Approval of Contract Change Order No. 1 for Highway Construction Project HC 143.
4. Approval of an amendment to the existing agreement for professional services with Apex Engineering Group, Inc. for South Washington Street reconstruction – HC 158.
5. Resolution receiving bids and ordering the preparation of the engineer's statement and resolution rejecting all bids for Sewer Improvement District 582 and Water and Sewer Improvement Project WPSP 392.
6. Approval of the request for a resolution approving the revised engineer's report, request for a resolution approving plans and specifications, part A, and request for a resolution directing the advertisement of bids and receiving bids, part A for Street Improvement District SI 573.
7. Resolution approving plans and specifications and a resolution directing the advertisement of bids and receiving bids for Street Improvement District SI 575.
8. Approval of Contract Change Order No. 4 for SI 564 for a time extension for Street Improvement District SI 564.
9. Approval of Contract Change Order No. 2 for Water Utility Project WU138.
10. **Approval of a development agreement for Northern Sky Second Addition First Replat.**

Documents:

- C) [ENG - Target Sidewalk Easement.pdf](#)
- C) [ENG - Warranty Deed - Promontory Point.pdf](#)
- C) [ENG - HC 143.pdf](#)
- C) [ENG - HC 158.pdf](#)
- C) [ENG - SE 582, WPSP 392.pdf](#)
- C) [ENG - SI 573.pdf](#)
- C) [ENG - SI 575.pdf](#)
- C) [ENG - SI564.pdf](#)
- C) [ENG - WU138.pdf](#)
- C) [ENG - Northern Sky Second Addition.pdf](#)

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

1. Applications for abatement.

Documents:

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

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

1. Permission to sell two decommissioned Animal Control vehicles.

Documents:

[C\) PD - Sell 2 Decommissioned Police Vehicles.pdf](#)

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

1. Permission to correct the VIN associated with the 2001 Chevrolet 1500 with 117,954 miles sold at the City Auction on May 20, 2023.
2. Change Order E-3 time extension to the contract with Western Edge Electric, Inc. for the Fire Station 3 Remodel Project.
3. Permission to sell Public Works retired equipment, 2001 Caterpillar Motor Grader, to the City of Lincoln, for \$85,000.
4. Permission to sell Bobcat Skid Steer Loader and Bucket at public sale or online auction.

Documents:

[C\) PW SO - Correct VIN on Vehicle Sold at City Auction.pdf](#)
[C\) PW SO - Generator Replacement Project Change Order.pdf](#)
[C\) PW SO - Sell 2001 Caterpillar Motor Grader.pdf](#)
[C\) PW SO - Sell Bobcat Skid Steer Loader and Bucket.pdf](#)

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

1. Task Order No. 6 with Apex Engineering Group, Inc. in the amount not to exceed \$99,456.00 for the development of an Odor and Corrosion Control Master Plan.
2. Change order to increase the Leo A Daly contract by \$55,000.00 for the Public Works Expansion Project and extend the end date of completion to December 31, 2023.
3. Permission to apply for Lead Service Line Inventory Assistance available through the Drinking Water State Revolving Fund.

Documents:

- C) PW UO - Apex Task Order No 6.pdf
- C) PW UO - Leo Daly Change order No 3.pdf
- C) PW UO - State Lead Service Line Inventory Assistance.pdf

3. REGULAR AGENDA

4. Public hearing on on Ordinance 6536, a request by Investcore, Inc. and Silver Ranch 18, LLLP for annexation of parts of Silver Ranch Third Addition and Silver Ranch Fourth Addition.

Documents:

R) CD - Ord 6536.pdf

5. Public hearing on Ordinance 6542, a request for the annexation of Tyler Parkway and Ash Coulee Drive roadway segments, requested by the City of Bismarck and owner Ron Knutson.

Documents:

R) CD - Ord 6542.pdf

6. Consider approval of the City/County Building lease with Burleigh County.

Documents:

R) ATTY - City County Lease Agreement.pdf

7. Consider request to assign East Century Avenue Reconstruction as the next half-cent sales tax funded project and begin preliminary engineering.

Documents:

R) ENG - East Century Ave RFP.pdf

8. Consider the request for approval of Design and Construction Manager At-Risk contracts for the City's Water Treatment Plant and Wastewater Treatment Plant.

Documents:

R) PW UO - Approval of Contracts for WTP and WWTP.pdf

9. Consider the request to receive bids and award the contract for Highway Construction project HC 161 relating to offsite improvements to US 83 and 64th Avenue and request to approve the construction observation contract to KLJ Engineering, LLC. for HC 161.

Documents:

R) ENG - HC161.pdf

10. Other Business

Adjourn

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