



## Board of City Commissioners

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, September 12, 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](mailto: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](http://www.bismarcknd.gov/agendacenter).

Call to Order

FUTURE COMMISSION MEETINGS:

- September 26, 2023
- October 10, 2023 & October 24, 2023
- November 14, 2023 & November 28, 2023

MISSION STATEMENT

To provide high-quality public services in partnership with our community to enhance our quality of life.

Papa's Pumpkin Patch Day Proclamation

Documents:

[Papas Pumpkin Patch Proclamation 2023.pdf](#)

## 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:

[August 22, 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. Appoint Jennifer Sick to the Bismarck-Mandan Mayors' Committee for People with Disabilities.
2. Appoint Derek Wachter to the City of Bismarck Vision Fund Committee.
3. Introduction of and call for a public hearing on a request for a new Class F1 Restaurant Full Alcohol license for 'Nickels And Dimes Incorporated' (dba) Tilt Studio at 600 South 5<sup>th</sup> Street.

Documents:

[C\) ADMIN - Bis-Man Mayors Committee for People with Disabilities Appointment.pdf](#)

[C\) ADMIN - Vision Fund Appointment.pdf](#)

[C\) ADMIN - New Alcohol License.pdf](#)

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

1. Receive and consider bids for Bismarck Airport Terminal Carpet Replacement.
2. Time extension request for Snow Removal Equipment Building (SRE) project.
3. Permission to join in Massport's appeal to TSA on National Amendment 23-02 – Aviation Worker Screening.

Documents:

- C) AIR - Carpet Bid.pdf
- C) AIR - SRE Time Extension.pdf
- C) AIR - TSA Appeal.pdf

F. Consider the request for approval from the Bismarck-Burleigh Public Health Department for the following:

1. Permission to accept grant funding from the North Dakota Department of Health and Human Services.

Documents:

- C) BBPH - Grant Funding.pdf

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

1. Minor Subdivision final plat of Misty Waters Second Addition, requested by Misty Waters LLC., where the Planning and Zoning Commission recommends approval.
2. Minor Subdivision final plat of Silver Ranch Third Addition, requested by Investcore, Inc., where the Planning and Zoning Commission recommends approval.
3. Minor Subdivision final plat of Tree Top Second Addition, requested by Malloy 57, LLC., where the Planning and Zoning Commission recommends approval.
4. Growth Phasing Plan Amendment where the Planning and Zoning Commission recommends approval.
5. Easement Release and Revision to Right-of-Way Vacation, requested by Ridgeline Contracting, Inc., for Lot 2A of Lot 2, Block 1, Sykes Addition.
6. Updated Resolution of Grant Signing Authority, Designation of Signature Authority for TrAMS, and Authorization of User Manager Privileges for MPO staff.
7. Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, for Paratransit bus purchases and decommissioning and sale of existing buses.

Documents:

- C) CD - Misty Waters.pdf
- C) CD - Silver Ranch.pdf
- C) CD - Tree Top.pdf
- C) CD - Growth Phasing Plan.pdf
- C) CD - Sykes.pdf

- C) [CD - TrAMS User Manager.pdf](#)
- C) [CD - Transit Bus Replacement.pdf](#)

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

1. Contract Change Order No. 1 for Street Improvement District SI 572.
2. Request for a resolution approving plans and specifications for Street Improvement District SI 573 - Part B and Sewer Improvement District SE 583 – Part B and resolution directing the advertisement of bids and receiving bids for Street Improvement District SI 573 - Part B and Sewer Improvement District SE 583 – Part B.
3. Encroachment and waiver agreement with United Tribes Technical College to install and maintain a stormwater force main (encroachment) under Yegen Road and in the right of way of 48th Ave SE.
4. Encroachment and waiver agreement with Daniel Rieger & Elena Rodgers-Rieger for the right to install and maintain landscaping, removable fencing, concrete patio, hot tub and pool equipment, and piping within the stormwater and drainage easement within Lot 34 Block 1 Whispering Bay Subdivision.

Documents:

- C) [ENG - SI 572.pdf](#)
- C) [ENG - SI 573 and SE 583.pdf](#)
- C) [ENG - UTTC Encroachment Agreement.pdf](#)
- C) [ENG - Whispering Bay Encroachment Agreement.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 SW2022 assessments.
2. Applications for abatement.

Documents:

- C) [FIN - 2022 Sidewalk.pdf](#)
- C) [FIN - Abatements.pdf](#)

J. Consider the request for approval from the Human Resources Department for the following:

1. Revised Americans with Disabilities Act Policy.
2. Revised Discretionary Leave Policy.
3. Revised Emergency Call Back policy.
4. Revised Substance Abuse Screening Policy.
5. Revised Voluntary Termination of Employment Policy.
6. Police Department Recruiting Incentive.

Documents:

- C) HR - Americans with Disabilities Act Policy.pdf
- C) HR - Discretionary Leave Policy.pdf
- C) HR - Emergency Call Back Policy.pdf
- C) HR - Substance Abuse Screening Policy.pdf
- C) HR - Voluntary Termination of Employment Policy.pdf
- C) HR - Police Department Recruiting Incentive.pdf

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

1. Introduction of and call for a public hearing on Ordinance 6563 to amend the Accumulation of Certain Items Prohibited ordinance.

Documents:

- C) LEGAL - Ordinance 6563.pdf

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

1. Permission to accept a donation from the Fraternal Order of Eagles.

Documents:

- C) PD - Donation Acceptance.pdf

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

1. Agreement with J2 Studio Architecture + Design PC to provide consulting services for the Convention and Visitor's Bureau Re-Roof project.

Documents:

- C) PW SO - CVB Roof Project.pdf

N. Consider the request for approval from the Public Works - Utility Operations

Department for the following:

1. Proposal for Wastewater Treatment Plant Biosolid Dewatering Polymer.

Documents:

[C\) PW UO - WWTP Biosolids Dewatering Polymer.pdf](#)

3. REGULAR AGENDA
4. Public hearing on Ordinance 6560 for the 2024 Budget

Documents:

[R\) FIN - 2024 Budget Ordinance Introduction.pdf](#)

5. Public hearing on Ordinance 6561, a request for annexation of that portion of Lot 2, Block 1, not previously annexed, and all of the Ash Coulee Drive right-of-way not previously annexed and included in the plat of Northern Sky Second Addition First Replat.

Documents:

[R\) CD - Ord 6561.pdf](#)

6. Public hearing on Ordinance 6562, a request for annexation of two rights-of-way within Northern Sky Second Addition First Replat.

Documents:

[R\) CD - Ord 6562.pdf](#)

7. Public hearing on the request of Clubhouse West, LLC, and Capital Electric Cooperative for the release of an access easement over parts Lots 2-3, Block 1, Schilling Second Addition.

Documents:

[R\) CD - Schilling.pdf](#)

8. Public hearing on the request of The City of Bismarck Community Development Department and Central Dakota Communications Center (CENCOM) regarding the proposal to change the name of "Tulsa Avenue" to "Tulsa Drive" within Meadow Valley Third Addition.

Documents:

[R\) CD -Tulsa Drive.pdf](#)

9. Consider the request for approval from BBS, Inc. (dba) Borrowed Bucks Roadhouse for a time extension to allow for the sale and transfer of a Class D: Sale at Retail of Alcoholic Beverages license previously utilized at 118 South 3rd Street.

Documents:

R) ADMIN - Borrowed Bucks Extension Request.pdf

10. Consider directing staff to post a new Class E Beer-Only On / Off-Sale alcohol license for sealed bid.

Documents:

R) ADMIN - Class E Bid Request.pdf

11. Other Business

Adjourn

Phone: 701-355-1300 | 221 North 5th Street | P.O. Box 5503 | Bismarck, ND 58501  
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