



September 28, 2021

Board of City Commissioners  
Bismarck, ND

Dear Commissioners:

The Board of City Commissioners is scheduled to meet in regular session on Tuesday, September 28, at 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

Invocation and the Pledge of Allegiance presented by a Chaplain from the Bismarck Police Department.

The City of Bismarck is encouraging 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 your comment references. The comments will be sent to the members, as well as placed with the minutes.

To ensure your comments are received prior to the meeting, please submit them by 3:30 p.m. 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 e-mail address and contact information to the above e-mail at least 1 business day before the meeting.

As always, 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/bismarcknd). Agenda items can be found online at [www.bismarcknd.gov/agendacenter](http://www.bismarcknd.gov/agendacenter).

#### FUTURE COMMISSION MEETINGS:

- October 12, 2021 & October 26, 2021
- November 9, 2021 & November 23, 2021
- December 14, 2021 & December 28, 2021

#### 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. First Nations Day and Native American Heritage Month Proclamation

#### Documents:

[First Nations Day Proclamation.pdf](#)

## 2. US Heartland Global Leadership Day Proclamation

### Documents:

[US Heartland Global Leadership Day.pdf](#)

3. Presentation of Esri Award for Special Achievement in GIS
4. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items).
5. CONSENT AGENDA

- A. Consider approval of minutes.

### Documents:

[MIN09142021.pdf](#)

- B. Consider approval of expenditures.
- C. Consider approval of personnel actions.

### Documents:

[HR - Personnel Report.pdf](#)

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

1. **Tourism planning grant funding request.**
2. **Transfer for the A & B Pizza Class F1 Restaurant Liquor license located at 311 South 7th Street to new owner and to declare the conveyance not to be a transfer under Bismarck Ordinance 5-01-01.**
3. Accept the resignation of Brandi Hardy from the Bismarck Human Relations Committee.

### Documents:

[\(C\) ADMIN - Tourism Grant Request.pdf](#)  
[\(C\) ADMIN - Transfer of Ownership - A and B Pizza Bismarck Inc..pdf](#)  
[\(C\) ADMIN - HRC Member Resignation.pdf](#)

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

1. Introduction of and call for a Public Hearing on Ordinance 6482, a request for a zoning change from the RR – Residential zoning district to the RR – Residential and the R5 –

Residential zoning districts for Potter Pointe Subdivision, requested by Dan Potter and Wayne and Jennifer Harvison. The Bismarck Planning and Zoning Commission recommends approval.

2. Floodplain Development, Non-Conversion Agreement.

Documents:

(C) CD - Potter Pointe Subdivision MPLT and ZC.pdf  
(C) CD - Non-Conversion Agreement.pdf

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

1. Request for resolution receiving bids and ordering preparation of the Engineer's statement for PI 005.
2. Approval of Contract Change Order No. 14 for Water Utility Project No. 130.

Documents:

(C) ENG - PI005 -prom point - award.pdf  
(C) ENG - change order 14 Time Ext.pdf

G. Consider the request for approval from the Event Center for the following:

1. **Award the low bid to Side Line Interactive for LED scorer's tables.**

Documents:

(C) EC - Accept Bid LED Scorers Tables.pdf

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

1. Application for Abatement for the following where the Assessing Division recommends approval:
  - 2118 Marian Dr - Deferred Maintenance
  - 3623 Overlook Dr - Error in property description
  - 1333 Golden Eagle Ln - Market Value reduction

Documents:

(C) FIN - Abatements.pdf

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

1. Approval to sell decommissioned vehicle at auction.

Documents:

[\(C\) PD - Sale of Vehicle.pdf](#)

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

1. Award contracts to haul snow from snow removal operations for the 2021-22 winter season.
2. Approval of Change Order 1 to Task Order 2 to the Agreement with HDR Engineering for Solid Waste operations.
3. **Permission to purchase vehicles at the State of North Dakota bid price and the North Dakota Education Service Contract for the 2021 budget year.**

Documents:

[\(C\) PW-SO - Bid Award for Snow Haulers for Snow Removal Operations.pdf](#)  
[\(C\) PW-SO - Change Order 1 to Task Order 2 to HDR Engineering Agreement for Solid Waste Operations.pdf](#)  
[\(C\) PW-SO - Purchase of 2022 State Bid Vehicles.pdf](#)

## 6. REGULAR AGENDA

7. Public Hearing on a request for a new I-2 Beer & Wine Restaurant liquor license for Noodlezip located at 208 E Main Ave.

Documents:

[\(R\) ADMIN - New Liquor License - Noodlezip.pdf](#)

8. Public Hearing on Ordinance 6484 to amend Bismarck Ordinance Section 8-11-02 regarding tattooing and body piercing of minors.

Documents:

[\(R\) ATTY - Tattoo Piercing Ordinance.pdf](#)

9. Public Hearing on Ordinance 6485 to amend Bismarck Ordinance Section 8-10-04 regarding noise ordinance changes.

Documents:

[\(R\) ATTY - Noise changes.pdf](#)

10. Fairview Cemetery Addition, requested by Fairview Cemetery, Vertin and the City of Bismarck

- Public Hearing on Ordinance 6483, a request for a zoning change from the A-Agricultural and MA-Industrial zoning districts to the RT-

- Residential, M̃A-Industrial and P-Public zoning d̃istricts.
- Final plat of Fairview Cemetery Addition.

Documents:

[\(R\) CD - Fairview Cemetery Addition\\_091421.pdf](#)

11. Public Hearing for the 2021 special assessment districts and confirm the assessments as amended.

Documents:

[\(R\) FIN - Confirmation of Assessment List.pdf](#)

12. Public Hearing for approval of ordinances 6264-6269, 6427-6428, and 6469-6471 to create special assessment districts for annexed properties.

Documents:

[\(R\) FIN - Ordinances 6264-6269, 6427-6428, 6469-6471.pdf](#)

13. Public Hearing for Sidewalk 2020 Assessments

Documents:

[\(R\) FIN - Sidewalk 2020 Assessments.pdf](#)

14. Consider the request to receive an update on the activities of the Public Information Council and the Citizen Academy project.

Documents:

[\(R\) ADMIN - Public Info Council Update.pdf](#)

15. Consider the request for approval from the Engineering Department to pursue NDDOT Highway Safety Improvement Program (HSIP) funding.

Documents:

[\(R\) ENG - NDDOT HSIP Funding Solicitation.pdf](#)

16. Consider the request for approval from the Engineering Department to pursue NDDOT Transportation Alternatives (TA) funding for a multi-use trail along US 83/State Street from Calgary Avenue to 43rd Avenue.

Documents:

[\(R\) ENG - NDDOT TA Funding Solicitation.pdf](#)

17. Consider the request for resolution from the Engineering Department to pursue NDDOT Urban Road, Urban Regional and Urban Grant program projects.

Documents:

(R) ENG - NDDOT Urban Program Solicitation.pdf

18. Consider the request for approval from the Public Works - Utility Operations Department for the following:
  1. Approve the contract with Leo A. Daly for the building design of the Public Works expansion and the new Public Health building bidding documents.

Documents:

(R) PW-UO - Consulting Contract with Leo A Daly for PW Expansion and PH Building.pdf

19. **Request to go into executive session under NDCC 44-04-19.1(9) for contract negotiation / negotiation strategy.**

**Documents:**

(R) EC - Request for Executive Session.pdf

Other Business

Adjourn

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