



Board of City Commissioners

AGENDA November 12, 2024

Tom Baker Meeting Room	City/County Office Building 221 N. 5th St. Bismarck, ND 58501	5:15 PM
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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 by 3:30 PM on the day of the meeting. Please include the item number that your comment references. The comments will be sent to the members and placed with the minutes.

Live meeting coverage is available on Government Access Channels 2 & 602HD, RadioAccess 102.5 FM Radio, or streaming on multiple platforms, including [FreeTV.org](https://www.free-tv.org/) and [Facebook LIVE](https://www.facebook.com/bismarckndgov/). Agenda items can be found online at <https://bismarcknd.portal.civicclerk.com>.

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

CALL TO ORDER

FUTURE COMMISSION MEETINGS

November 26, 2024
December 17, 2024
January 14, 2025 & January 28, 2025

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

- D. Consider the request for approval from the Administration Department for the following:
1. Revised meeting schedule for the 2025 Board of City Commissioners meetings.
 2. Gaming site authorization for Bismarck Hockey Boosters, Inc. at Capital Ice Complex, 1504 Wichita Drive.
 3. Gaming site authorization for Furry Friends Rockin' Rescue, Inc. to conduct gaming at Broadway Grill & Tavern, LLC, 100 West Broadway Avenue.
 4. Resignation of Human Relations Committee member Jason Grueneich.
 5. Letter of Support for EJ Jones Holdings, LLC.
 6. Letter of Support for JKRX Inc.
 7. Letter of Support for Plainview Truck Center, LLC.
 8. Letter of Support for Wolf Family Properties, LLC.
 9. Review and approve the revised Vision Fund Committee policy.
- E. Consider the request for approval from the Bismarck Airport for the following:
1. Extension of current Air Service Development Contract with Volaire Aviation.
 2. Purchase of two vehicles using North Dakota State Bid and approve the disposal of two airport vehicles.
 3. Permission to dispose of Boss Plow via trade-in.
- F. Consider the request for approval from the Bismarck-Burleigh Public Health Department for the following:
1. Permission for Bismarck-Burleigh Public Health to accept donations for the Women's Way program.
- G. Consider the request for approval from the Bismarck Event Center for the following:
1. Contract amendment with UBL Design Group to provide a Capital Improvement Plan for the Bismarck Event Center.
- H. Consider the request for approval from the Community Development Department for the following:
1. Annual review of the Growth Phasing Plan for 2024.
 2. Amend the original declaration of restrictive covenants for Burleigh County Housing Addition.

3. Future Land Use Plan (FLUP) Amendment from the Urban Reserve Mid-term (URA) designation to the Industrial Flex (IF) designation for part of Lincoln Township, Section 22, T138N-R80W
 4. Memorandum of Agreement for access to Class 1 Inventory GIS data.
 5. Permission for the Bismarck-Mandan MPO, on behalf of Bis-Man Transit, to purchase four (4) replacement paratransit cutaway buses
- I. Consider the request for approval from the Engineering Department for the following:
1. Resolution approving contracts and bonds for previously awarded special assessment projects.
 2. North Dakota Department of Transportation (NDDOT) Preliminary Engineering Reimbursement Agreement for 9th Street microsurfacing project NHU-1-083(148)900, PCN 24402 HC 179.
 3. North Dakota Department of Transportation (NDDOT) Preliminary Engineering Reimbursement Agreement for Bismarck Expressway microsurfacing project NHU-1-094(245)928, PCN 24403; NHU-1-810(034)003, PCN 24404; HC 180.
- J. Consider the request for approval from the Finance Department for the following:
1. Applications for abatement.
 2. Receive the resignation of Special Assessment Commissioner Mason Sisk.
- K. Consider the request for approval from the Fire Department for the following:
1. Permission to accept a donation of \$2,000 to be used for public educational materials.
 2. Change order No. 3 with Dakota West Contracting, Inc. for time extension.
- L. Consider the request for approval from the Human Resources Department for the following:
1. Reclassify the Bismarck-Burleigh Public Health Department Medical Billing Specialist position to Administrative Assistant (grade 12).
 2. Permission for the Police Department to offer an experienced officer candidate up to 40 hours of Incentive Time upon hire.
- M. Consider the request for approval from the Legal Department for the following:
1. Introduction of and call for a public hearing on Ordinance 6593 to amend the Resisting Arrest Ordinance.

2. Introduction of and call for a public hearing on Ordinance 6594 to amend the Bismarck Human Relations Committee Ordinance.
 3. Introduction of and call for a public hearing on Ordinance 6595 to amend the appeal process for City employees.
 4. Introduction and call for a public hearing on Ordinance 6596 to amend Persons Under the Influence of Intoxicating Liquor or Any Other Drugs or Substances Not to Operate Vehicle; Penalty.
- N. Consider the request for approval from the Public Works - Service Operations Department for the following:
1. Permission to dismantle and dispose of the Biomass Heating Sytem located at the landfill in the Household Hazardous Waste Facility.
 2. Permission to sell or dispose of City Assets at a Public Auction or Online Auction for the Solid Waste Division and the Roads and Streets Division.
 3. Change Order No. 2 Time Extension with Wegner Roofing for the Convention and Visitors Bureau (CVB) Roofing Project to June 15, 2025.
- O. Consider the request for approval from the Public Works - Utility Operations Department for the following:
1. Amendment No. 1 to Task Order No. 5 with Apex Engineering Group for the Hay Creek Lift Station Project.
 2. Award the bid for lime product hauling and disposal services for the water treatment plant.
 3. Award the bid for utility billing fulfillment services.
 4. Permanent and temporary sanitary sewer easements associated with the Hay Creek Lift Station (SU96).
 5. Retain the services of Howard Swanson, Swanson & Warcup, LTD, to proceed with a joint powers agreement for the Western ND pH Stabilizer Storage Facility.

3. **REGULAR AGENDA**

- A. Consider the request to receive an update and discuss the Bismarck Arts and Culture Master Plan project.
- B. Consider the recommendation from the Vision Fund Committee to support a PACE program interest buy-down for Eat Thai Cafe Corporation.
- C. Public hearing on a request for a new Class F-1 - Restaurant - Alcoholic Beverages License for Berry Investments Four, LLC (dba) Rock'n 50's Cafe at 2700 State Street.

- D. Public hearing on a request for a new Class F-1 - Restaurant - Alcoholic Beverages License for One Lodging Management, LLC (dba) Courtyard Bismarck at 3319 North 14th Street.
- E. Introduction of and call for a public hearing on a request for a new Class F-1 - Restaurant - Alcoholic Beverages License for Salty Steak of North Dakota, LLC (dba) Fogão Gaúcho of Bismarck at 4510 Skyline Crossings.
- F. Consider the request to Continue Discussion on the Garbage Collection Survey Results and Next Steps.
- G. Consider the request for approval of the Selection Committee recommendation for the Bismarck Event Center Management & Operations RFP
- H. Consider the request from the Legal Department to receive guidance on the Social Media for Public Officials matters.
- I. Consider the request to discuss the results of Bismarck Measure #1.
- J. Consider the request from the Engineering Department to enter an Executive Session under North Dakota Century Code Section 44-04-19.2 regarding contract negotiation/negotiation strategy under NDCC Section 44-04-19.1(9).

4. OTHER BUSINESS

ADJOURN