



Board of City Commissioners

The Board of City Commissioners is scheduled to meet on Tuesday, March 12, 2024, 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

- March 26, 2024
- April 9, 2024 & April 23, 2024
- May 14, 2024 & May 28, 2024

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. Proclamations

- A. MDU 100th Anniversary Proclamation
- B. National Drug and Alcohol Facts Week Proclamation

Documents:

[MDU 100 Anniversary Proclamation.pdf](#)
[National Drug and Alcohol Facts Week Proclamation.pdf](#)

2. Public comment (restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items)
3. CONSENT AGENDA
 - A. Consider approval of minutes

Documents:

[February 27, 2024 - 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. Introduction of and call for a public hearing on a request for a new Class I-2: Complimentary Alcohol license for Le Beauty, LLC. dba Lux Nails at 3001 Yorktown Drive.
 2. Introduction of and call for a public hearing on a request for a new Class I-2: Complimentary Alcohol license for COM Garden Center Inc. dba Plant Perfect at 4615 Ottawa Street.

Documents:

[C\) ADMIN - Lux Nails Liquor License Application.pdf](#)
[C\) ADMIN - Plant Perfect Liquor License Application.pdf](#)

- E. Consider the request for approval from the Community Development Department for the following:
 1. Appointment for the Bismarck Historic Preservation Commission.
 2. Additional supplemental HOME funds to pass through the City to NDHFA as a subrecipient.
 3. Mitchell Unterseher, Mark Unterseher, and Tamara Unterseher are requesting the release of non-access lines over two 30-foot sections along Fernwood Drive and one 20-foot section along Sandy River Drive, as well as the dedication of a non-

access line over one 30-foot section along Fernwood Drive, where staff recommends approval.

4. J & D Construction is requesting approval of a revision to the minor subdivision final plat titled Sonnet Heights Subdivision Ninth Replat, where Staff recommends approval.
5. Introduction of and call for a public hearing on Ordinance 6573, a request by Remedy Housing Solutions, LLC., Cory Louser, and Katilla Wiseman, for a zoning map amendment from the R10 – Residential zoning district to the PUD – Planned Unit Development zoning district for part of McKenzie and Coffins Second Addition, where the Bismarck Planning and Zoning Commission recommends approval.

Documents:

- C) [CD - HPC Member Appointment.pdf](#)
- C) [CD - Supplemental HOME Funds.pdf](#)
- C) [CD - Briese Subdivision.pdf](#)
- C) [CD - Sonnet Heights Subdivision Replat.pdf](#)
- C) [CD - Ord 6573.pdf](#)

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

1. Street closure for the KFYP TV Food Truck Festival.
2. Private Drive and Private Utility Agreement with J & D Construction, Inc.
3. Award concurrence of North Dakota Department of Transportation (NDDOT) Centennial Rd/Bismarck Expy Interchange Reconstruction project, IM-NHU-1-094(212)161), PCN 22648, City project HC 132.
4. North Dakota Department of Transportation (NDDOT) Cost Participation, Construction, and Maintenance Agreement for Urban Grant Project UGP-1-981(141), City Project HC 166.
5. Resolution receiving bids and ordering preparation of the Engineer's Statement and resolution rejecting all bids for Sewer Improvement District SE 582/WPSP392.
6. Receive bids and award contract for Street Light and Traffic Signal Project SV 75.
7. Receive bids and award contract for Water Utility WU 145.

Documents:

- C) [ENG - KFYR Food Truck Festival Street Closure.pdf](#)
- C) [ENG - PDPU J and D Construction Inc..pdf](#)
- C) [ENG - HC 132.pdf](#)
- C) [ENG - HC 166.pdf](#)
- C) [ENG - SE 582, WPSP 392.pdf](#)
- C) [ENG - SV 75.pdf](#)
- C) [ENG - WU 145.pdf](#)

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

1. Approval of Abatements.
2. Authorize P-Card Program and Security Administrators for JP Morgan P-Card Program.

Documents:

- C) [FIN - Abatements.pdf](#)
- C) [FIN - JP Morgan P-Card Program.pdf](#)

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

1. Permission to use Sourcewell contract to purchase safety equipment and personal protective equipment through M & T Fire & Safety Equipment.

Documents:

- C) [FIRE - Fire and Safety Equipment.pdf](#)

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

1. Task Order 24-02 from Houston Engineering for the Solid Waste operations to provide Air Quality Tier 2 NMOC Emission Testing, Analysis, and Reporting.
2. Permission to enter into an agreement with Ames Construction for the purchase of Borrow Dirt from the Landfill for the price of \$1.00 per Cubic Yard.
3. Permission to award the Landfill Cell 2 Construction Project to R.J. Zavoral and Sons, Inc.
4. Permission to award the bid for City of Bismarck Lawn Care Services, managed by Service Operations.
5. \$500 sponsorship to the 2024 North Dakota Excavator Meeting.

6. Permission to accept the signed deed from the State of North Dakota to turn back unused property near the Landfill to the City of Bismarck.
7. Permission to sell Environmental Health Assets at a Public Auction or Online Auction.

Documents:

- C) PW SO - BMWF Air Quality Reporting.pdf
- C) PW SO - Landfill Borrow Dirt.pdf
- C) PW SO - Landfill Cell 2 Construction.pdf
- C) PW SO - Lawn Care Bids.pdf
- C) PW SO - ND Excavator Meeting Sponsorship.pdf
- C) PW SO - Quick Claim Deed - Landfill Property.pdf
- C) PW SO - Sale of Enviromental Health Assets.pdf

J. Consider the request for approval from the Public Works Utility Operations Development Department for the following:

1. Expense coverage from professional organization for AWWA DC Fly-In.
2. Permission to award lawn care services bids.
3. Skeel's Electric Change Order No. 2 for Lift Station SCADA Project.
4. Amendment No.4 to Stantec License & Maintenance Agreement for Use of FAMS-XL.

Documents:

- C) PW UO - AWWA DC Fly-In.pdf
- C) PW UO - Lawn Care Bids.pdf
- C) PW UO - Skeels Electric Change Order.pdf
- C) PW UO - Stantec License and Maintenance Agreement.pdf

4. REGULAR AGENDA

- A. Continued discussion and final decision regarding the final recommendation from the City Commission Fact-Finding Subcommittee relating to the performance issues of Charlie Jeske, Event Center Director, and recommendations regarding the appropriate actions to take to address any necessary employee discipline and changes to Event Center operations.

Documents:

- R) ADMIN - Fact Finding Subcommittee Recommendation.pdf

- ~~B. Continued discussion and approval of department director employment and performance processes.~~

Documents:

~~R) ADMIN – Director Employment and Performance Policy.pdf~~

- C. Request for resolution creating district Parts A-1, A-2, and B, Resolution Approving Plans and Specifications, and authorization to advertise and receive bids for City Concrete (CC)24 - Parts A-1, A-2, and B.

Documents:

R) ENG - CC 24 A-1, A-2, and B.pdf

- D. Request for resolutions receiving bids, ordering preparation of the engineer's statement and awarding contracts for SI 578.

Documents:

R) ENG - SI 578.pdf

- E. Request for resolutions receiving bids, ordering preparation of the engineer's statement and awarding contracts for Street Improvement District SI 579.

Documents:

R) ENG - SI 579.pdf

- F. Request to receive bids and award contract for Sewer Utility Project SU 95.

Documents:

R) ENG - SU 95.pdf

- G. Request to receive bids and award contract for Water Utility WU 143.

Documents:

R) ENG - WU 143.pdf

- H. Request to receive bids and award contract for Water Utility WU 144.

Documents:

R) ENG - WU 144.pdf

5. Other Business

Adjourn

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