



Board of City Commissioners

The Board of City Commissioners is scheduled to meet on Tuesday, March 26, 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 email their comments for public hearing items on the Bismarck City Commission agenda 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

- April 9, 2024 & April 23, 2024
- May 14, 2024 & May 28, 2024
- June 11, 2024 & June 25, 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

1. Fair Housing Month Proclamation
2. National Public Safety Telecommunications Week

Documents:

[Fair Housing Month Proclamation.pdf](#)
[National Public Safety Telecommunications Week.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:

[March 11, 2024 - Minutes.pdf](#)

[March 12, 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 Bismarck Airport for the following:

1. Change Order #2 to the Ostrom Painting and Sandblasting Inc. Contract dated October 19, 2023.
2. Northern Improvement Company (NIC) Change Order #15 Final to Snow Removal Equipment (SRE) Building Agreement.

Documents:

[C\) AIR - Airfield Painting Contract Change Order.pdf](#)

[C\) AIR - SRE Building Change Order.pdf](#)

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

1. Appointment to the Bismarck Planning and Zoning Commission.
2. Approval of a contract and scope of work for the Land Development Code.
3. Approval of a substantial amendment to the Community Development Block Grant (CDBG) 2019 Annual Action Plan.
4. Approval of amendments to the Community Development Block Grant (CDBG) Citizen Participation Plan.
5. Approval for the release of a 14-foot utility easement over the

south 7 feet of Lot 5B and the north 7 feet of Lot 6, running 390 feet east and west, less the west 7-foot and east 10-foot perimeter easements in Edens Subdivision.

6. Permission to assign the City of Bismarck's rights and responsibilities related to the 2017 HOME funds provided for the Washington Court project to North Dakota Housing Finance Agency (NDHFA).

Documents:

- C) CD - P and Z Appointment.pdf
- C) CD - Land Development Code.pdf
- C) CD - 2019 Annual Action Plan Amendments.pdf
- C) CD - CDBG Citizen Participation Plan Amendments.pdf
- C) CD - Edens Subdivision Utility Easement Release.pdf
- C) CD - HOME Rights and Responsibilities.pdf

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

1. Encroachment and waiver agreement with Cape Boats, LLC for installation of a sign overhanging the right of way.
2. Cathedral of the Holy Spirit street closure request.
3. Request to receive bids and award Street Light and Traffic Signal Project SV 72.

Documents:

- C) ENG - Encroachment Agreement - 402 E Main Ave.pdf
- C) ENG - Raymond Street Closure.pdf
- C) ENG - SV 72.pdf

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

1. Applications for Abatement.
2. Approval of parking web payment convenience fees and credit card processing fees to be paid by the motorist.
3. Consider the introduction of and call for a public hearing on Ordinance 6574 to amend the 2023 budget ordinance.
4. Approval of the 2023 budget carryovers into the 2024 budget.

Documents:

- C) FIN - Abatements.pdf
- C) FIN - Parking ticket fees.pdf

- C) FIN - Ord 6574 to Amend the 2023 Budget.pdf
- C) FIN - 2023 Carryover Budget.pdf

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

1. Permission to purchase Fire Station Alerting Systems through Purvis Systems, Sourcewell Contract.

Documents:

- C) FIRE - Fire Station Alerting System.pdf

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

1. Permission to award the contract for 2024 Furnishing Paving Materials to Northern Improvement Company.
2. Permission to enter into an agreement for the Collection and Disposal of Hazardous Waste by Clean Harbors Environmental Services, Inc. and to increase landfill fees for the disposal of hazardous waste for non-residents and businesses/commercial to capture increased fees and administrative costs.
3. Permission to award the bid for Installation of Painted Pavement Markings for 2024 to Traffic Safety Services, Inc.
4. Permission to sell assets from various City Departments at Public Sale or Online Auction.

Documents:

- C) PW SO - Furnishing Paving Materials 2024.pdf
- C) PW SO - Household Hazardous Waste Collection and Disposal Bid Award.pdf
- C) PW SO - Painted Pavement Marking Bid Award.pdf
- C) PW SO - Sale of Assets from City Departments.pdf

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

1. Change Order No. 3 to Swanberg Construction's Contract for Water Treatment Plant Filters 1-6 & 12 MGD Accelerator Project.

Documents:

- C) PW UO - Swanberg Constructions Contract Change Order.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. Receive a presentation and recommendations on East Century Avenue reconstruction project and provide direction.

Documents:

[R\) ENG - E Century Avenue presentation and decisions.pdf](#)

- C. Public hearing on a request for a new Class I-2: Complementary Alcohol license for COM Garden Center Inc. dba Plant Perfect at 4615 Ottawa Street.

Documents:

[R\) ADMIN - Plant Perfect Liquor License Application.pdf](#)

- D. Public hearing on a request for a new Class I-2: Complementary Alcohol license for Le Beauty, LLC. dba Lux Nails at 3001 Yorktown Drive.

Documents:

[R\) ADMIN - Lux Nails Liquor License Application.pdf](#)

- E. Public hearing on Ordinance 6573 to amend the zoning district from the R10 – Residential district to a Planned Unit Development (PUD) for McKenzie and Coffin's Second Addition and the request for approval of a minor subdivision final plat, titled McKenzie and Coffin's Second Addition.

Documents:

[R\) CD - McKenzie and Coffins Second Addition.pdf](#)

- F. Appeal of the February 28, 2024, decision of the Planning and Zoning Commission to deny a zoning change from the A – Agricultural zoning district to the Conditional MA – Industrial zoning district for Lot 2, Block 1, Capital Electric Second Subdivision.

Documents:

[R\) CD - P and Z Appeal.pdf](#)

- G. Consider the request to receive bids and award contract for Street Light and Traffic Signal Project SV 73.

Documents:

R) ENG - SV 73.pdf

- H. Consider the request to receive bids and award contract for Street Light and Traffic Signal Project SV 74.

Documents:

R) ENG - SV 74.pdf

- I. Consider approval of the revised City Concrete (CC24) A-2 gap sidewalk project list.

Documents:

R) ENG - CC24 A-2 Gap Sidewalk Revised Proposal.pdf

- J. Consider request to receive bids and award contract for Public Works Roofing Project.

Documents:

R) PW SO - Public Works Roofing Project.pdf

- K. Consider the request from Commissioner Connelly to discuss the initiation of a Home Rule Charter Amendment to add an additional ½-cent sales, use, and gross receipts tax with the proceeds to be dedicated exclusively to public safety and public transportation needs.

Documents:

R) ADMIN - Home Rule Charter Amendment.pdf

5. Other Business

Adjourn

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