



MEETING OF THE BOARD OF CITY COMMISSIONERS

11/26/2024 - Minutes

CALL TO ORDER

The Board of City Commissioners met on November 26, 2024, 2024, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioner Connelly, Commissioner Zenker, Commissioner Cleary, and Mayor Schmitz were present. Commissioner Risch attended the meeting via Teams.

FUTURE COMMISSION MEETINGS

December 17, 2024

January 14, 2025 & January 28, 2025

February 11, 2025 & February 25, 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

No public comment was received.

2. CONSENT AGENDA

Commissioner Zenker motioned to approve the consent agenda as presented and Commissioner Cleary seconded. Upon a roll call vote, Commissioners Zenker, Cleary, Risch, and Mayor Schmitz voted aye. Commissioner Connelly voted nay. M/C.

A. Consider approval of minutes

B. Consider approval of personnel actions

C. Consider approval of expenditures

Vouchers: #1121508-1121773.

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

1. Lease extension with the Bismarck-Mandan Convention & Visitors Bureau for 12 months.
2. Contract renewal for economic development services with the Bismarck-Mandan Chamber EDC for 12 months.
3. Contract renewal for economic development services with the Downtown Bismarck Community Foundation (The Downtowners) for 12 months.

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

1. Letter of support for Northern Plains National Heritage Area federal funding.
2. Requesting permission to accept donated \$100 gift card for program supplies.

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

1. Correction to Ordinance 6503, the annexation for Elk Ridge Third Addition.

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

1. Applications for abatement.
2. Introduction of and call for public hearing on Ordinance 6589 to amend thresholds related to emergency procurement thresholds.

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

1. Review and consider the revised holiday policy.
2. Receive, consider, and accept the reclassification of the Procurement Officer and Fleet Parts Coordinator positions as recommended by Condrey and Associates.

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

1. Retainer agreements for legal assistance while the City Attorney recruitment position proceeds and appointment of acting City Attorney.

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

1. Request permission to sell or dispose of City Assets at a Public Auction or Online Auction for the Roads and Streets Division.

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

1. Bid awards for the Hay Creek Lift Station project based on the Apex Engineering's recommendation.
2. Wastewater Treatment Plant Flow Equalization Improvements (FEQ) project construction agreements.

3. **REGULAR AGENDA**

A. Public hearing on the final Arrive 2050 Metropolitan Transportation Plan (MTP) for acceptance by resolution.

Kim Riepl, Community Development Transportation Planner, presented information on Arrive 2050 MTO and introduced Jason Carbee, a representative of HDR, who provided a

presentation on Arrive 2050, the Metropolitan Transportation Plan (MTP) for the Bismarck-Mandan Metropolitan Planning Organization (BMMPO).

- [Presentation](#)

Mayor Schmitz opened the public hearing. No public comment was received.

Commissioner Connelly motioned to accept the report and resolution, and Commissioner Zenker seconded. Upon a roll call vote, all voted aye. M/C.

- B. Public hearing to release the water, sanitary sewer, and storm drainage easements on Lot 2, Block 1, First Responders Third Addition.

Lauren Oster, Community Development Planner, presented information regarding the request by Valor Property Group, LLC and 161 Commercial, LLC to release the water, sanitary sewer, and storm drainage easements on Lot 2, Block 1, First Responders Third Addition.

Mayor Schmitz opened the public hearing. No public comment was received.

Commissioner Cleary motioned to approve the item as presented, and Commissioner Zenker seconded. Upon a roll call vote, all voted aye. M/C.

- C. Public hearing on Ordinance 6593 to amend the Resisting Arrest Ordinance.

Mayor Schmitz opened the public hearing. No public comment was received.

Commissioner Connelly motioned to approve the item as presented, and Commissioner Risch seconded. Upon a roll call vote, all voted aye. M/C.

- D. Public hearing on Ordinance 6594 to amend the Bismarck Human Relations Committee Ordinance.

Mayor Schmitz opened the public hearing. No public comment was received.

Commissioner Connelly motioned to approve the item as presented, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

- E. Public hearing on Ordinance 6595 to amend the appeal process for City employees.

Mayor Schmitz opened the public hearing. No public comment was received.

Commissioner Cleary motioned to approve the item as presented, and Commissioner Risch seconded. Upon a roll call vote, all voted aye. M/C.

- F. 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.

Mayor Schmitz opened the public hearing. No public comment was received.

Commissioner Zenker motioned to approve the item as presented, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

- G. Receive an update from the Public Health Director regarding progress made on Community Solution for Homelessness and Behavioral Health.

Renae Moch, Bismarck-Burleigh Public Health Director, provided a presentation on the progress made regarding a community solution for homelessness and behavioral health.

- [Presentation](#)

The Commission received the report.

- H. Consider the request to pursue NDDOT Urban Road, Urban Regional and Rail Safety program projects.

Gabe Schell, City Engineer, presented information regarding the request to pursue NDDOT Urban Regional, and Rail Safety program projects.

Commissioner Zenker motioned to approve the item as presented, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

- I. Consider the request from the City Administrator to review and approve the Department Director Recruiting Process.

Jason Tomanek, City Administrator, presented information regarding the hiring process for department directors.

Commissioner Zenker motioned to approve the item as presented, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

- J. Consider the request from the Administration 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).

Commissioner Zenker motioned to enter into Executive Session at 6:14 PM, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

The Commission reconvened at 7:06 PM with all members present. Commissioner Zenker motioned to direct staff to move forward with the negotiation strategy agreed upon during the executive session, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

4. **OTHER BUSINESS**

- Commissioner Rish addressed the Commission with the request for further discussion regarding leaves not being picked up with the new garbage collection policy. Public Works Service Operations Director, Steve Salwei, will look into different options that might work for leaf collection.

ADJOURN

There being no further business to discuss, the meeting adjourned at 7:07 PM.

