



MEETING OF THE BOARD OF CITY COMMISSIONERS

12/17/2024 - Minutes

CALL TO ORDER

The Board of City Commissioners met on December 17, 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 Cleary, Commissioner Risch, Commissioner Zenker, and Mayor Schmitz were present.

FUTURE COMMISSION MEETINGS

January 14, 2025 & January 28, 2025
February 11, 2025 & February 25, 2025
March 11, 2025 & March 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. HUMANITARIAN AWARD PRESENTATIONS

Thea Jorgensen, Human Relations Committee Chair, and Sargianna Wutzke, Human Relations Committee Member, presented the history of the Human Relations Committee Humanitarian Award and presented the 2023 Humanitarian Awards to Sanford Health Bismarck, and Micah Olson.

2. PUBLIC COMMENT

Restricted to items on the Consent Agenda and Regular Agenda, excluding public hearing items

Susan Dingle spoke addressing Consent Agenda Item 3.D.5 and Regular Agenda Item 4.F.

3. CONSENT AGENDA

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

A. Consider approval of minutes

B. Consider approval of personnel actions

C. Consider approval of expenditures

Vouchers: 1121774-1122182.

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

1. Appointment of Joan Kline, Mirabela Punga and Corinne "Betsy" Zarr to the Bismarck Human Relations Committee with terms to expire December 31, 2027.
2. Appointment of Michael Frye and Robyn Benedict and reappointing Terry Lincoln to the Bismarck Animal Advisory Board with terms to expire December 31, 2027.
3. Reappointment of Brian Houle and Doug Prchal to the Bismarck Forestry Advisory Board with terms to expire December 31, 2028.
4. Appointment of Jade Scherr and Joel Stugelmeyer and reappointing Andrea Petersen to the Bismarck Vision Fund Committee with terms to expire December 31, 2027.
5. Appointment of Dawn Kopp, Brenda Nagel, Brian Ritter, Dustin Gawrylow, Kim Riepl (non-voting), Mike Taylor, Trevor Vannet, Diedre Hughes (non-voting), Jaelyn Chathams and Lane Hoffer to the newly formed Bismarck Transportation Steering Committee.

[Public Comment](#)

6. Accept the donation of one-half of the reverter clause for the Police Department property and execute IRS Form 8283.
7. Application for gaming for Bismarck Youth Baseball, Incorporated at 3903 State Street.
8. Process of recruiting and hiring the Director of Public Works Utility Operations Department.

9. Changes to the Change Order and Contract Amendment Policies and elimination of the Professional Services Contracts Policy.

E. Consider the request for approval from the Bismarck Airport for the following:

1. \$1,500 sponsorship to the North Dakota Aviation Association (NDAA) for the 2025 Fly-ND Conference and Expo.
2. Incentive package recommendation for American Air's new route between Bismarck Airport and Chicago O'Hare Airport.

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

1. Appointment of Jennifer Clark to the Board of Adjustment with a term to expire December 31, 2027.
2. Appointment of Damita Engel and Matthew Hull to the Historic Preservation Commission with terms to expire December 31, 2027.
3. Appointment of Nancy Guy and Alexandra Geiger to the Renaissance Zone Authority with terms to expire December 31, 2027, and appointing Amelia Doll to fill an unexpired term to expire December 31, 2026.
4. Permission to submit a SFY2026 Section 5339 Grant Application.
5. Permission to submit a SFY2026 Section 5310 Grant Application.
6. Introduction of and call for a public hearing on Ordinance 6599, a zoning map amendment for Lots 1 and 3, Block 1, Washington Square Addition.
7. Introduction of and call for a public hearing on Ordinance 6600, a zoning map amendment for Lot 1, Block 1, Huchler Park Subdivision.

8. Introduction and call for a public hearing on Ordinance 6601, a zoning map amendment on Lots 1 and 2, Block 1, Kilber North Addition First Replat.
9. Introduction of and call for a public hearing on Ordinance 6602, a zoning ordinance text amendment for public notice signs.
10. Final consideration and approval of a Major Street Plan Amendment of a realignment of a future extension of Rocky Road.
11. Replacement water, sanitary sewer, and storm drainage easements and additional utility easement on Lot 2, Block 1, First Responders Third Addition.
12. Bismarck-Mandan MPO 2025 Unified Planning Work Program (UPWP) Contract with the North Dakota Department of Transportation (NDDOT).
13. Accept the 2024 Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD) in the amount of \$371,960.

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

1. Amendment 4 with Apex Engineering Group, Inc. for design services related to FEMA South Bismarck Flood Control Project.
2. Consider Request for Resolution Creating District SI 585 and Ordering Preparation of Preliminary Report.
3. Receive bids for Highway Construction Project HC 170 and reject all bids.
4. Receive bids and award contract for Sewer Utility Project SU 94.
5. **Consider approval of Change Order 14 and Change Order 15 for HC 131.**

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

1. Application for abatement.
2. Appointment of Abby Ritz to the City's Special Assessment Commission with a term to expire April 30, 2031.
3. **2025 fees and charges.**

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

1. Receive, consider, and accept the reclassification of the Public Works Service Operations Roads and Streets Supervisor position as recommended by Condrey and Associates.
2. Revised Service Awards Policy.

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

1. Permission to request donations for the Forestry Division's 2025 Partners In Planting and Arbor Day Fund.
2. Final Cover Closure Project Change Order No. 1 with R.J. Zavoral & Sons, Inc., for \$51,593.06 and extend the completion date to November 15, 2025.
3. Landfill Cell 2 Expansion Project Change Order No. 2 with R.J. Zavoral & Sons, Inc., for \$29,610.61.

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

1. Award the 2025 chemical bids for the Water and Wastewater Treatment Plants.
2. Change order No. 1 with PKG Contracting, Inc for the Water Treatment Plant GMP3a – UPS Replacement Project.
3. Permission to apply for state grant funding for 2025 Public Works Utility Operations water projects.

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

1. **Second Amendment to Bismarck Municipal Court Indigent Defense Contract.**

4. REGULAR AGENDA

- A. Receive the fourth quarter report from the Bismarck-Mandan Chamber EDC relating to the economic development services provided.

Nathan Schneider, with Bismarck Mandan Chamber EDC, provided an update on their work with Economic Development Services.

- [Chamber EDC Economic Development Presentation](#)

The Commission received the report.

- B. Receive the fourth quarter report from the Downtown Bismarck Community Foundation (Downtowners) relating to the economic development services provided by the organization.

Kate Herzog, COO of the Downtown Community Foundation, provided an update on the organization's work with Economic Development Services.

- [Downtowners Economic Development Presentation](#)

The Commission received the report.

- C. Receive a presentation from Karel Sovak regarding a call for projects as part of the economic development services provided by the Downtown Bismarck Community Foundation.

Karel Sovak provided a presentation regarding a call for projects as part of the economic development services provided by the Downtown Bismarck Community Foundation.

- [Call for Projects](#)

Commissioner Zenker motioned to approve the call for projects and Commissioner Connelly seconded. Upon a roll call vote, all voted aye. M/C.

- D. Receive a presentation on the Safe Routes to Services/Complete Streets Study Final Report for acceptance.

Mike Bittner, a representative with Bolton & Menk provided a presentation on the Final Safe Routes to Services/Complete Streets Study.

- [Safe Routes to Services/Complete Streets Study Presentation](#)

Commissioner Zenker motioned to accept the Safe Routes to Services/Complete Streets Study Final Reports as presented, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

- E. ~~Public hearing on Ordinance 6589 to amend thresholds related to emergency procurement thresholds.~~

- F. Public hearing on Ordinance 6597 to amend the Sales, Use and Gross Receipts Tax.

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

- [Public Comment](#)

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

- G. Consider the request to publish a Strategic Planning Services Request for Proposal (RFP).

Doug Wiles, Assistant City Administrator, presented the request to publish a Strategic Planning Services Request for Proposal (RFP).

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

- H. Consider identifying City of Bismarck priorities for the 2025 North Dakota legislative session.

Jason Tomanek, City Administrator, presented a request for the Commission to identify City of Bismarck priorities for the 2025 North Dakota legislative session. He presented a list of perspective City of Bismarck priorities as well as a list from the North Dakota League of Cities. The commission agreed to include support for State Transportation

Funding and childcare programs to reduce the cost and help parents re-enter the workforce. The commission also directed prepared testimony to be provided to Administrator Tomanek for his awareness and to ensure the message from the City of Bismarck is unified and aligned with the direction of the City Commission.

5. **OTHER BUSINESS**

Michelle Klose, Public Works Utility Operations Director, presented information on a request to apply for joint funding for a stream gage station.

- [Water Resource Investigations Joint Funding Agreement](#)

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

ADJOURN

There being no further business, the meeting adjourned at 6:29 PM.