



MEETING OF THE BOARD OF CITY COMMISSIONERS

3/11/2025 - Minutes

CALL TO ORDER

The Board of City Commissioners met on March 11, 2025, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioners Connelly, Risch, and Zenker and Mayor Schmitz were present. Commissioner Cleary was absent.

FUTURE COMMISSION MEETINGS

March 25, 2025
April 8, 2025 & April 22, 2025
May 13, 2025 & May 27, 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

Ryan Werner addressed the Commission in opposition to Consent Agenda item 2.F.4 and asked that the item be pulled from the agenda and discussed during a public hearing at a later date.

2. CONSENT AGENDA

Commissioner Connelly moved to remove item 2.F.4 for discussion and approve the rest of the consent agenda as presented, and Commissioner Zenker seconded. Upon a roll call vote, all voted aye. M/C.

Commissioner Connelly moved to bring Item 2.F.4 back to the Commission table after the public input meeting had finished. The motion lapsed for a lack of a second.

Commissioner Zenker asked Gabe Schell, City Engineer, to explain the need to secure an easement for stormwater management for Tyler Coulee and for future requests for sanitary sewer easements and roadway right of way on the property.

Commissioner Zenker moved to approve item 2.F.4 as presented and Commissioner Risch 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: 1123556-1123783

- D. Consider the request for approval from the Bismarck Event Center for the following:
 - 1. Accept the bid from Nightlife Music LLC dba Nightlife Sound and Lighting for stage show labor.
- E. Consider the request for approval from the Community Development Department for the following:
 - 1. Introduction of and call for a public hearing on Ordinance 6611, a zoning map amendment from the RT – Residential zoning district to the CA – Commercial zoning district for Lot 3, Block 1, Kilber North Addition First Replat, where the Planning and Zoning Commission recommends approval.
 - 2. Updated Designation of Signature Authority for the Transit Asset Management System (TrAMS), and appointment of City Attorney Julie Mees, as TrAMS attorney role.
 - 3. Withdraw approval of the request to vacate Vermont Avenue adjacent to Lots 4 and 5, Block 4, Sloven Second Addition (PLMD2023-002).
- F. Consider the request for approval from the Engineering Department for the following:
 - 1. Permission to release a Stormwater Easement in Lot 2, Block 2, Pheasant Valley Subdivision, and acceptance of a replacement Stormwater Easement in Lot 2, Block 2, Pheasant Valley Subdivision.
 - 2. Hanging banners from city-owned light poles adjacent to Bismarck Municipal Field.
 - 3. Resolutions approving plans and specifications, directing the advertisement of bids and receiving bids for Street Improvement District SI 588.
 - 4. Purchase agreement with Cynthia Clairmont, Julie Clairmont-Shide and Nancy Clairmont Carr to purchase a portion of Tyler Coulee.
 - 5. To close multiple streets downtown from September 11, 2025, 5 PM through September 13, 2025, 12 AM for the 52nd Annual Downtowners Street Fair.

6. To close Sweet Ave from Washington St to Hannifin St on Saturdays from 8 AM - 2 PM from June 7, 2025 through October 25, 2025.
- G. Consider the request for approval from the Finance Department for the following:
 1. Applications for abatement.
- H. Consider the request for approval from the Human Resources Department for the following:
 1. Reclassification of a maintenance position at the Bismarck Police Department as recommended by Condrey and Associates.
- I. Consider the request for approval from the Police Department for the following:
 1. Permission to accept a donation from MATPAC Wrestling.
- J. Consider the request for approval from the Public Works - Service Operations Department for the following:
 1. Amendment 1 of Task Order 3 with HDR Engineering for the new Scale House Conceptual Design Scope and Fees.
- K. Consider the request for approval from the Public Works - Utility Operations Department for the following:
 1. Task Order No. 21 with Advanced Engineering and Environmental Services, LLC (AE2S) for the 2025 Water Distribution Master Plan Project.
 2. Resolution No. 3 authorizing the filing of application and submission of requests to the ND Department of Environmental Quality SRF Program Tracker.
 3. Amendment No. 2 to PKG Contracting, Inc. Construction Manager at Risk (CMAR) Agreement for the Wastewater Treatment Plant and Water Treatment Plant.
 4. Letter of support for the University of Mary Wastewater Regionalization Grant Application.
 5. ~~Work Authorization 7 with PKG Contracting, Inc., the construction manager at risk (CMAR) for the Water Treatment Plant Expansion Project.~~

3. **REGULAR AGENDA**

- A. Consider the request to receive a report from the Downtown Bismarck Community Foundation (Downtowners) and Karel Sovak relating to the economic development services provided by the organization and the 2025 Call for Projects.

Kate Herzog, COO of the Downtown Community Foundation, provided an update on the organization's work with Economic Development Services. Karel Sovak spoke regarding a call for projects as part of the economic development services provided by the Downtown Bismarck Community Foundation.

- [Downtowners Economic Development Presentation](#)

The Commission received the reports.

- B. Consider the 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)25 - Parts A-1, A-2, and B.

Gabe Schell, City Engineer, addressed the Commission regarding the 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)25 - Parts A-1, A-2, and B.

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

- C. Consider the request to discuss the River Road Trail closure by Burlington Northern Santa Fe Railway.

Commissioner Risch started a discussion about the River Road Trail closure by Burlington Northern Santa Fe Railway (BNSF). The general consensus of the Commission is to discuss the item in further detail after receiving an updated report from BNSF at the March 25, 2025, meeting.

- D. Consider the request to receive a Legislative update and provide direction to staff.

Jason Tomanek, City Administrator, provided the Commission with information regarding the current Legislative Session. Administrator Tomanek focused on the following bills:

- **House Bill 1020** - Relating to the northwest area water supply biota water treatment plant operating fund; to amend and reenact section 61-02-79 of the North Dakota Century Code, relating to a Bank of North Dakota line of credit; to authorize the state water commission to issue and sell bonds for water projects; to provide legislative intent; to provide for a report; to provide for a study; to provide a continuing appropriation; to provide for a transfer; to provide an exemption; and to declare an emergency.
- **House Bill 1176** - Relating to a legacy earnings fund, a legacy property tax relief fund, a primary residence certification, and a limitation on property tax levies without voter approval; to amend and reenact section 6-09.4-10.1, subsection 1 of section 21-10-06, sections 40-40-06, 54-27-19.3, and 57-02-01, subdivision c of subsection 1 of section 57-02-08.1, subdivision b of subsection 2 of section 57-02-08.1, section 57-02-08.9 as amended by section 1 of Senate Bill No. 2201, as approved by the sixty-ninth legislative assembly, sections 57-02-08.10, 57-02-27, 57-02-27.1, 57-02-53, 57-09-04, 57-11-03, 57-12-06, 57-15-02.2, and 57-20-07.1 of the North Dakota Century Code, relating to funds invested by the state investment board, property tax definitions, the homestead tax credit and renters refund, the primary residence credit, property classifications, assessment and budget hearing notices to property owners, and the property tax statement; to repeal sections 21-10-12 and 21-10-13 of the North Dakota Century Code,

relating to legacy fund definitions and the legacy earnings fund; to provide an appropriation; to provide a transfer; to provide an effective date; to provide an expiration date; and to declare an emergency.

- **House Bill 1474** - A BILL for an Act to provide for a legislative management study of property tax reform for residential property.
- **House Bill 1575** - Relating to a legacy earnings fund, a legacy property tax relief fund, a state reimbursed taxable valuation reduction for residential, agricultural, and commercial property, limitations on taxable valuation increases, and voter-approved excess levy authority; to amend and reenact section 6-09.4-10.1, subsection 1 of section 21-10-06, section 54-27-19.3, subdivision c of subsection 1 of section 57-02-08.1, subdivision b of subsection 2 of section 57-02-08.1, and section 57-02-08.10, of the North Dakota Century Code, relating to funds invested by the state investment board, the homestead tax credit and renters refund, and the primary residence credit certification and state reimbursement; to repeal sections 21-10-12, 21-10-13, and 57-02-08.9 of the North Dakota Century Code, relating to legacy fund definitions, the legacy earnings fund, and the primary residence credit; to provide an appropriation; to provide for a transfer; to provide an effective date; and to provide an expiration date.
- [Legislative Report](#)

4. **OTHER BUSINESS**

- Commissioner Connelly noted that the Transportation Steering Committee will be joining the Human Relations Committee in hosting their next Community Conversations Forum. The event is tentatively scheduled for early May and will focus on the transportation needs of the City of Bismarck.

ADJOURN

There being no further business to discuss, the meeting adjourned at 5:55 PM.