



MEETING OF THE BOARD OF CITY COMMISSIONERS

7/8/2025 - Minutes

CALL TO ORDER

The Board of City Commissioners met on July 8, 2025, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioners Connelly, Cleary, Risch, and Zenker and Mayor Schmitz were present.

FUTURE COMMISSION MEETINGS

July 22, 2025
August 12, 2025 & August 26, 2025
September 9, 2025 & September 23, 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. SERGEANT STEVE KENNER MEMORIAL

Dave Draovitch, Bismarck Police Chief, called for a moment of silence in remembrance of Sergeant Steve Kenner, who died in the line of duty 14 years ago on July 8, 2011.

2. PUBLIC COMMENT

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

A. Travis Jensen, a Burleigh County resident, provided comments relating to Regular Agenda Item 4.E.

3. CONSENT AGENDA

Mayor Schmitz requested that Consent Agenda Item 3.D.1. be pulled from the agenda at the request of the applicant.

Commissioner Zenker requested that Consent Agenda Item 3.K.2. be pulled from the agenda as the item is not ready and will be brought back at a later date.

Commissioner Risch moved to approve the Consent Agenda without items 3.D.1. and 3.K.2., and Commissioner Cleary 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: 1125938 to 1126198.

- D. Consider the request for approval from the Administration Department for the following:
 - 1. ~~Gaming site authorization application.~~
 - 2. Introduction of and call for a public hearing on a request for a Taxi Cab License for Affordable Taxi.
- E. Consider the request for approval from the Community Development Department for the following:
 - 1. Consider approval of a substantial amendment to the Community Development Block Grant (CDBG) 2019 Annual Action Plan.
 - 2. Building code text amendment to allow for specific group U and group S occupancy buildings to be constructed without a frost-protected foundation system.
 - 3. Final consideration of Shoults Addition, a minor subdivision final plat, where the Planning and Zoning Commission recommends approval.
 - 4. Final consideration of Silver Ranch Third Addition Second Replat, a minor subdivision final plat, where the Planning and Zoning Commission recommends approval.
 - 5. Final consideration of a minor subdivision final plat titled South Meadows Third Addition, where the Planning and Zoning Commission recommends approval.
 - 6. Final consideration of the minor subdivision final plat for Village Cooperative Addition where the Planning and Zoning Commission recommends approval.
 - 7. Final consideration of reapproval of a major subdivision final plat with additional easements for Fettig Subdivision where the Planning and Zoning Commission recommends approval.
 - 8. Final consideration of a major subdivision final plat for Voss Subdivision, where the Planning and Zoning Commission recommends approval.
 - 9. Introduction of and call for a public hearing on Ordinance 6634, a zoning ordinance text amendment to revise Section 14-04-16 of the City Code of

Ordinances height and setback regulations of structures in P – Public zoning districts, where the Planning and Zoning Commission recommends approval.

10. Introduction of and call for a public hearing on Ordinance 6635, an annexation of the eastern portion of Lot 1, Block 2, Northern Sky Second Addition First Replat, where the Planning and Zoning Commission recommends approval.

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

1. Close Edwards Avenue between the Gateway to Science building and the east side of the Bismarck State College (BSC) Community Bowl on Saturday, August 9, 2025, from 5:00 AM - 12:00 PM for the Medieval Rush event.
2. Resolutions creating the districts and ordering the preparation of the preliminary reports for Sewer Improvement Districts SE 585 & SE 586 and Water Improvement District WA 334 and resolutions declaring petitions have been received, creating the district and ordering the preparation of the preliminary report for Street Improvement District SI 591.

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

1. Applications for Abatement.
2. Introduction of and call for a public hearing on ordinance 6631 to create a special assessment district for annexed properties.

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

1. Introduction of and call for a public hearing on Ordinance 6630 to amend Sections 12-05-01, 12-05-03, 12-05-11, 12-07-04, 12-09-18, 12-10-06, 12-10-07 and 12-13-26 of the City of Bismarck Code of Ordinances, relating to traffic violations.
2. Introduction of and call for a public hearing on Ordinance 6632 to amend Chapters 9-07 and 9-08 of the City of Bismarck Code of Ordinances relating to the City Employee Pension Plan and to the Police Pension Plan.
3. Introduction of and call for a public hearing on Ordinance 6633 to amend Section 6-02-11 of the City of Bismarck Code of Ordinances relating to Obstructing Law Enforcement Officers In Discharge of Their Duties.

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

1. Permission to transfer damaged/salvaged Police Vehicle to the North Dakota Insurance Reserve Fund.

- J. Consider the request for approval from the Public Works - Service Operations Department for the following:
 - 1. Permission to sell or dispose of City Assets at a Public Sale from Public Works Service Operations divisions.
 - 2. Introduction of and call for a public hearing on Ordinance 6629 to amend Chapter 10-11 Franchises of the City of Bismarck Code of Ordinances.
- K. Consider the request for approval from the Public Works - Utility Operations Department for the following:
 - 1. Change Order No. 1 with PKG Contracting, Inc. for Work Authorization 8 - GMP 7 Horizontal Collector Well HVAC Replacement.
 - 2. ~~Permanent and temporary watermain easements associated with the 52nd Street Watermain (WU149) project.~~
 - 3. Water Treatment Plant Expansion GMP 5 - Supervisory Control and Data Acquisition (SCADA) project agreements.

4. REGULAR AGENDA

- A. Consider the request to receive the pavement conditions and analysis report by Quality Engineering Services, Inc.

Kurt Keifer, a representative of Quality Engineering Solutions, Inc., presented the results of the 2024 Pavement Conditions and Analysis Report.

- [2024 Pavement Conditions and Analysis Report](#)

The Commission received the report.

- B. Public hearing on a request for a new Class C-2, Hotel Complementary Alcohol license for Bismarck Sunrise Hotel, LLC (dba) Wingate by Wyndham - Bismarck at 1421 Skyline Blvd.

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

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

- C. Public hearing on the proposed Memorandum of Understanding with AP Construction, Übl Design Group, and JLG Architects regarding the Bismarck Event Center Amenity Development Project.

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

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

- D. Public hearing on Ordinances 6624 and 6625, zoning map amendments in proposed Silver Ranch Fifth Addition, and on Ordinance 6626, an annexation of parts of Silver Ranch Third Addition and proposed Silver Ranch Fifth Addition, in conjunction with the proposed plat of Silver Ranch Fifth Addition.

Ben Ehreth, Community Development Director, presented information regarding ordinances 6624 and 6625. Director Ehreth noted that the request also includes the release of a temporary easement. The request was included in the agenda packet but was not noted in the agenda memo.

Mayor Schmitz opened the public hearing.

- Jason Petryszyn, a representative of Swenson Hagen & Company, provided additional information on the project.

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

- E. Public hearing on release of the drainage easement on Lot 34, Block 1, Misty Waters.

Lauren Oster, Community Development Planner, presented information on the request for an Easement Release.

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

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

- F. Consider the request from Bismarck-Burleigh Public Health for the allocation of \$50,000 from the City of Bismarck's Opioid settlement funds to support technical assistance to develop a comprehensive plan for a Community Triage Center in Bismarck.

Renae Moch, Bismarck-Burleigh Public Health Director, presented information on the request to use Opioid Settlement Funds to support technical assistance for the development of a comprehensive plan for the community triage center in Bismarck. Director Moch explained that grant funding that was previously awarded for the project had been pulled, resulting in the search for a new funding source for the project. Director Moch noted that she presented the same request at the Burleigh County Commission meeting on July 7, 2025, and the Burleigh County Commission denied the request. Director Moch also addressed the concerns presented by Mr. Jensen at the beginning of the meeting.

Commissioner Cleary moved to allocate \$100,000 of the City of Bismarck's Opioid Settlement Funds to support technical assistance to develop a comprehensive plan for the community triage center in Bismarck, and Commissioner Zenker seconded. Upon a roll call vote, all voted aye. M/C.

- G. Consider the request for a resolution receiving bids, ordering preparation of the Engineer's Statement and awarding the contract for Street Improvement District SI 590 and for Water Improvement District WA 334.

Gabe Schell, City Engineer, presented the bid results for Street Improvement District 590 and Water Improvement District 334 and recommended awarding the bid to the lowest bidder, Northern Improvement Co. - Bismarck, for \$239,674.40.

- [Bid Results](#)

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

- H. Consider the request to receive bids and award the contract for Highway Construction Project 132.

Gabe Schell, City Engineer, presented the bid results for Highway Construction Project HC 132 and recommended that the bid be awarded to the lowest bidder, Eagle River Utility Solutions, for \$75,500.00.

- [Bid Results](#)

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

- I. Consider the request to discuss the draft Public Comment Policy for the City of Bismarck advisory boards, committees, and commissions.

Commissioner Connelly started the discussion with some additions he would like to see added to the draft policy. Commissioner Connelly's additions are underlined in the following list.

- This policy outlines the procedures for public comment to ensure that all individuals have a fair opportunity to be heard while maintaining a transparent, orderly and efficient meeting environment.
- To provide public comments, each individual must sign a speaker sheet provided at the podium that includes the individual's name and residential address (no P.O. Box).

Mayor Schmitz noted that he would like to have the following change be made:

- All comments must address an item of the current agenda or ~~at least one~~ the preceding meeting.

The general consensus of the Commission is to proceed with the changes as discussed.

- J. Consider the request to receive an update on the progress of the 2025 Strategic Plan.

Doug Wiles, Assistant City Administrator, presented an update on the progress of the 2025 Strategic Plan.

- [Strategic Plan Update](#)

The Commission received the report.

5. **OTHER BUSINESS**

- Commissioner Risch let the Commission know that there was a great turnout at the Juneteenth event at which he read a proclamation.
- Commissioner Risch thanked everyone who was involved with the 4th of July celebration as it was well attended by people from all over the community.

ADJOURN

There being no further business to discuss, the meeting adjourned at 6:32 PM.