



MEETING OF THE BOARD OF CITY COMMISSIONERS

9/23/2025 - MINUTES

CALL TO ORDER

The Board of City Commissioners met on September 23, 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, Zenker, and Mayor Schmitz were present.

FUTURE COMMISSION MEETINGS

October 14, 2025 & October 28, 2025
November 13, 2025 & November 25, 2025
December 16, 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. COMMUNITY RECOGNITION

A. Certificate of Achievement for Susan Lundberg and Stephanie Delmore

Mayor Schmitz introduced a new tradition of honoring outstanding community members with Certificates of Achievement. The first recipients were Susan Lundberg and Stephanie Delmore, recognized for their work with Sleepy Hollow Theatre & Arts Park.

2. PROCLAMATION

A. Monica Hannan Day Proclamation

Mayor Schmitz read a proclamation declaring September 26, 2025, as Monica Hannan day and urged the community of Bismarck to join in celebrating Monica's enduring impact in journalism and the impact she has made throughout the community.

3. PUBLIC COMMENT

Restricted to items on the Consent Agenda, Regular Agenda, or the Prior City Commission Agenda excluding public hearing items.

- Ben Neigum spoke against the proposed location of Fire Station 6.

- Brian Klipfel spoke in favor of the proposed location of Fire Station 6.

4. **CONSENT AGENDA**

Commissioner Zenker moved to approve the Consent Agenda as presented, 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: 1127452 to 1127792.

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

1. Introduction of and call for a public hearing on a request for a new Class F-1, Restaurant Alcoholic Beverages license, from Sixteen03 Main Events, LLC (dba) 5th Underground Events at 102 North 5th Street.
2. Receive bid tabulation for the Class D Full-Alcohol On/Off-Sale License.
3. Letter of Support for ND Opportunity Fund Applicant New Freedom Family Center, Inc.

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

1. Additional funding for the appeal of Transportation Security Administration (TSA) National Amendment 23-02 Aviation Worker Screening.
2. Receive a report of Change Order 14-Final to the KLE Wetland Phase 5 Contract.
3. Bid from Arthur J. Gallagher as the Airport's Insurance consultant/broker and approve them as the Airport's Insurance Consultant for a five-year period.

4. Receive and award bids for the Runway 3/21 and Taxiway D Rehabilitation Project.
- F. Consider the request for approval from the Bismarck-Burleigh Public Health Department for the following:
1. Contract award to Health Management Associates.
- G. Consider the request for approval from the Community Development Department for the following:
1. Accept the 2025 Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD) in the amount of \$389,924.
- H. Consider the request for approval from the Engineering Department for the following:
1. North Dakota Department of Transportation (NDDOT) Cost Participation and Maintenance Agreement for the safety improvements at the intersection of Century Avenue and 19th Street, HEU-1-981(134), PCN 23645, HC 164.
 2. North Dakota Department of Transportation (NDDOT) Cost Participation, Construction, and Maintenance Agreement for the Rectangular Rapid Flashing Beacon project, HEU-1-981(133), PCN 23644, HC 171.
 3. Geotechnical testing services contract with Terracon Consultants, Inc. relating to 2025 Geotechnical Services.
 4. Allow closure of Capitol Ave between Turnpike Ave and Owens Ave on October 26, 2025, from 1:30 PM to 7:00 PM for a Trunk or Treat with the Larks event.
 5. Approve closure of 6th St from Main Ave north to the alley on October 12, 2025, from 10:00 AM to 7:00 PM for the Trestle Patio Block Party.

- I. Consider the request for approval from the Finance Department for the following:
 - 1. Applications for abatement.

- J. Consider the request for approval from the Human Resources Department for the following:
 - 1. Receive, consider and accept the Insurance Committee's decision to stay with TDA for dental insurance and switch to Standard for vision insurance, and to use Standard for all voluntary benefits.

- K. Consider the request for approval from the Police Department for the following:
 - 1. Permission to accept a donation in the amount of \$150 for officer safety vests.

- L. Consider the request for approval from the Public Works - Utility Operations Department for the following:
 - 1. Change Order No. 4 by PKG Contracting for GMP2 - Wastewater Treatment Plant Flow Equalization (FEQ) Project.
 - 2. Change Order 3 with S.J. Louis Construction for the Hay Creek Interceptor Main to Divide project.
 - 3. Change Order 5 with SJ Louis Construction for Hay Creek Interceptor Main-Divide project.

5. **REGULAR AGENDA**

- J. **Consider the request from the Community Development Department to provide a presentation update on Bismarck's Land Development Code.**

Jenny Baker and Mary Madden, representatives of Clarion Associates, provided a presentation regarding the Land Development Code.

- [Land Development Code Presentation](#)

The Commission received the report.

- A. Continue public hearing on Ordinance 6635, an annexation of Part of Lot 1, Block 2, Northern Sky Second Addition First Replat.

Daniel Nairn, Acting Community Development Director, addressed the Commission regarding Ordinance 6635, the request for approval of an annexation of the eastern portion of Lot 1, Block 2, Northern Sky Second Addition First Replat.

Mayor Schmitz opened the public hearing.

- Landon Niemiller, a representative from Swenson Hagen & Company, requested a continuation of the annexation item to the October 14th Commission meeting. He explained that while the area is already scheduled for annexation within 10 years, the developer and a potential buyer are still finalizing deal details. The brief delay would allow time to complete those arrangements.

Commissioner Zenker moved to continue the public hearing for Ordinance 6635 to the October 14, 2025, Commission meeting, and Commissioner Connelly seconded. Upon a roll call vote, all voted aye. M/C.

- B. Public hearing on Ordinance 6636, an annexation of Boulder Ridge Commercial Addition, and Ordinance 6642, a zoning map amendment from the CA – Commercial and CG – Commercial zoning districts to the CG – Commercial zoning district for Lot 1, Block 1, Boulder Ridge Commercial Addition, and a major subdivision final plat titled Boulder Ridge Commercial Addition.

Daniel Nairn, Acting Community Development Director, addressed the Commission regarding Ordinance 6636, an annexation of Boulder Ridge Commercial Addition, and Ordinance 6642, a zoning map amendment from the CA – Commercial and CG – Commercial zoning districts to the CG – Commercial zoning district for Lot 1, Block 1, Boulder Ridge Commercial Addition, and a major subdivision final plat.

Mayor Schmitz opened the public hearing.

- Landon Niemiller, with Swenson Hagen & Company, addressed the Commission to answer any questions they may have regarding the project.

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

- C. Public hearing on a Future Land Use Plan amendment and Ordinance 6639, a zoning map amendment from the RM30 – Residential zoning district to the DF – Downtown Fringe zoning district, and a Future Land Use Plan amendment from the Urban Neighborhood (UN) designation to the Downtown (DT) designation, for Lots 1-4, Block 10, Northern Pacific Addition.

Daniel Nairn, Acting Community Development Director, presented information on Ordinance 6639, a zoning map amendment from the RM30 – Residential zoning district to the DF – Downtown Fringe zoning district, and a Future Land Use Plan amendment from

the Urban Neighborhood (UN) designation to the Downtown (DT) designation, for Lots 1-4, Block 10, Northern Pacific Addition.

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

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

- D. Public Hearing on the approval of the concrete sidewalk, curb and gutter, and private driveway assessments as part of the SW2024 assessments.

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

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

- E. Public hearing on the 2025 special assessment districts and confirm the assessments as amended.

Gabe Schell, City Engineer, presented information on the 2025 Special Assessments, noting amended assessments.

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

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

- F. Consider the request to receive an update and provide direction on the Street Utility Fee & Half Cent Sales Tax for Arterial Roads.

Gabe Schell, City Engineer, provided an update and was seeking direction on two funding proposals for roads: a half-cent sales tax for arterial road construction and reconstruction, and a street utility fee. Originally, there was consideration of combining both proposals into a single 2026 ballot item, but after further discussion, it's now recommended to separate them into two distinct ballot questions. This approach is intended to prevent public confusion and avoid one measure negatively affecting the other if one is less popular. Each item would stand on its own merits for voter approval.

- [Street Utility Fee Presentation](#)

The general consensus of the Commission was for Engineer Schell to go out to the public and talk about the two funding proposals and report back with the results of the discussions before any decisions are made.

- G. Consider the request to receive and award bids for the replacement of the terminal doors and walk off mats.

Greg Haug, Airport Director, presented the bid tabulation for the Floor Mat Replacement Project and recommended awarding Alternate 1 to House of Color for \$29,950.00. The bid for the Automatic Sliding Door Replacement was not valid due to missing bid documents. The Terminal Vestibule Door project will be reissued for bid.

Commissioner Zenker moved to award Alternate 1 to House of Color for \$29,950.00, and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

- H. Consider the request from the Administration Department to provide an update and draft of the 2025 Strategic Plan.

Doug Wiles, Assistant City Administrator, presented the draft of the 2025 Strategic Plan and provided an update.

- [2025 Strategic Plan Draft](#)

The Commission received the report.

- I. **Consider the request from the Fire Department to provide an update of Fire Station 6.**

Joel Boespflug, Fire Chief, provided an update on Fire Station 6. The proposed location is a city-owned site at Burleigh and Calypso. EAPC was selected as the project architect, and several city departments have been involved in planning, infrastructure review, growth projections, and data collection. The station will support a full range of emergency services, including fire, EMS, water/ice rescue, and chemical response. The fire department has also engaged with the community to address concerns and is committed to being a good neighbor.

- [Public Comment](#)

The Commission received the report.

6. **OTHER BUSINESS**

- A. Commissioner Cleary noted that due to heavy rain during last week's free landfill week, many residents had difficulty accessing the site. In response, Public Works has decided to offer another free landfill week from Monday, September 29 to Saturday, October 4. The announcement will be made publicly later this week to avoid confusion, but the extension is confirmed to help those who couldn't participate due to weather conditions.
- B. Commissioner Connelly shared that one of two Honor Flights took place last night at the airport, drawing a large and emotional crowd. He encouraged anyone with free time after 7:00 PM on September 24, 2025, to attend the next return flight to help fill empty spaces and show appreciation for the veterans being honored.

7. **EXECUTIVE SESSION**

Commissioner Cleary moved to enter into 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) at 7:21 PM, and Commissioner Zenker seconded. Upon a roll call vote, all voted aye. M/C.

The Commission reconvened at 7:40 PM with all members present.

Commissioner Zenker moved to direct staff to move forward with the negotiation strategy agreed upon during the executive session, and Commissioner Connelly seconded. Upon a roll call vote, all voted aye. M/C.

- A. Consider the request by the Bismarck Airport to enter an executive session under North Dakota Century Code Section 44-04-19.2 regarding negotiation strategy under NDCC 44-04-19.1(9) for the consideration of Wetland Phase 5 Claim.
- B. 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).

ADJOURN

There being no further business to discuss, the meeting adjourned at 7:42 PM.