



MEETING OF THE BOARD OF CITY COMMISSIONERS

10/14/2025 - MINUTES

CALL TO ORDER

The Board of City Commissioners met on October 14, 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, Zenker, and Mayor Schmitz were present. Commissioner Cleary was absent.

FUTURE COMMISSION MEETINGS

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. PUBLIC COMMENT

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

- A. Roselin Webber provided comments in support of Regular Agenda Item 3.L.
- B. Robert Field provided comments regarding Regular Agenda Item 3.B.
- C. Heidi Schirado provided comments regarding Regular Agenda Item 3.B.

2. CONSENT AGENDA

Commissioner Zenker moved to approve the Consent Agenda with the note that a public hearing will be held at the October 28, 2025, meeting for items 2.D.1 and 2.D.2 , and Commissioner Connelly 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: 1127793 to 1128270.

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

1. Application to transfer the Class D alcohol license from TBM Group, LLC (dba) Main Bar and Package Store to Matpac Properties, LLC (dba) The Main Bar at 804 East Main Avenue.
2. Application to transfer the Class D alcohol license from TBM Group, LLC (dba) Polar Package Place & Lucky's Bar to Matpac Properties, LLC (dba) Lucky's Bar / Polar Package at 2176 East Thayer Avenue.
3. Approval of the 2025 Lease Agreement, the 2025 Lodging Tax agreement, and a Memorandum of Understanding between the City of Bismarck and the Bismarck-Mandan Convention & Visitors Bureau.
4. Proposed meeting schedule for the 2026 Board of City Commissioners meetings.

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

1. Receive and consider bids for Runway Deicer Fluid.
2. Review and consider approval of Verizon In Building Radio Distribution Agreement.
3. Amendment 1 to the Right of Entry Agreement for the Aviation Support Facility's Remedial Study.

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

1. Amendments to the Citizen Participation Plan for Housing and Urban Development (HUD) related grants.
2. Introduction of and call for a public hearing on a revision to Ordinance 6625, the revision to a zoning map amendment from the A – Agricultural zoning district to the RM20 – Residential zoning district and a PUD – Planned Unit Development for the area of Silver Ranch Fifth Addition, where the Planning and Zoning Commission recommends approval.
3. Introduction of and call for a public hearing on Ordinance 6643, a zoning ordinance text amendment to Sections 14-02-03 and 14-03-06 of the City Code of Ordinances to allow short-term rentals as a use on residential properties within the city limits and the extraterritorial area, where the Planning and Zoning Commission recommends approval.
4. Introduction of and call for a public hearing on Ordinance 6644, an annexation of Lots 11-12, Block 2, Lots 14-19, Block 3, Lots 1-2, Block 4, and Lots 1-2 & 35-38, Block 5, Silver Ranch Fifth Addition and the adjoining rights-of-way of Davies Drive and Halverson Avenue, where the Planning and Zoning Commission recommends approval.
5. Introduction of and call for a public hearing on Ordinance 6645, a zoning map amendment from the RM20 – Residential zoning district to the RM20 – Residential and R10 – Residential zoning districts and the minor subdivision final plat for Silver Ranch Third Addition Third Replat, where the Planning and Zoning Commission recommends approval.
6. Introduction of and call for a public hearing on Ordinance 6646, an annexation of all of the proposed plat and all of Tyler Parkway from 57th Avenue NW to the northern boundary of the plat, and Ordinance 6647, a zoning map amendment from the A – Agriculture zoning district to the Conditional RM10 – Residential, R10 – Residential, R5 – Residential and P – Public zoning districts, a major subdivision final plat titled William Blackstone Addition, where the Planning and Zoning Commission recommends approval.
7. Final consideration of a Major Street Plan Amendment and a Future Land Use Plan Amendment in Hay Creek Township Sections 7 & 18, T139N-R80W, and Sections 12 & 13, T139N-R80W, where the Planning and Zoning Commission recommends approval.

8. Major subdivision final plat for Olive Tree Second Subdivision, where the Planning and Zoning Commission recommends approval.

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

1. Contract Change Order No. 1 for SE 582 Unit 1 and No.2 for SE 582 Unit 2 for a time extension.
2. Contract for sidewalk snow removal services with Yard Butler for the 2025-2026 winter season.
3. Resolution approving contracts and bonds for previously awarded special assessment projects.
4. Resolution declaring a petition has been received and approval to enlarge Street Improvement District SI 581.

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

1. Permission to auction and transfer eight decommissioned police department vehicles.

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

1. Amendment 2 of the agreement with Waste Management of North Dakota, Inc. for the Single Sort Recycling Program.
2. Change Order 2 for the Convention & Visitors Bureau (CVB) Roofing Project with J2 Studio Architecture + Design PC.
3. Change Order 3 for the Convention & Visitors Bureau (CVB) Roofing Project with Wegner Roofing & Solar Corporation.

4. Change Order 1 for the Public Works Roofing Project with J2 Studio Architecture + Design PC.
 5. Change Order 6 for the Public Works Roofing Project with Tecta America Dakotas.
 6. Notification of emergency repairs and purchase per City Ordinance 07-01-04 #2 that created an exception to the normal competitive bidding requirements for the emergency and permanent repairs of the traffic signal at the intersection of Tyler Parkway & Burnt Boat Road.
 7. Permission to sell or dispose of City Asset at Public Sale.
- J. Consider the request for approval from the Public Works - Utility Operations Department for the following:
1. Work Authorization No. 10 with PKG Contracting, Inc. for the Water Treatment Plant CIDERS Facility GMP 8 equipment procurement.
 2. Work Authorization 11 with PKG Contracting, Inc. for the Water Treatment Plant GMP 6A Pretreatment & Electrical Equipment Procurement.

3. **REGULAR AGENDA**

- A. Consider the request to receive an update on the Bismarck Arts and Culture Master Plan.

Lauren Oster, Community Development Planner, provided a presentation on the Bismarck Arts and Culture Master Plan. Jasmine Metcalf representative of Designing Local, was available for questions.

- [Presentation](#)
- [Bismarck Arts and Culture Master Plan](#)

The Commission received the report.

- B. Consider the request to discuss appropriate next steps for the Extraterritorial Area (ETA) boundary.

Mayor Schmitz provided an update on the proposed Extraterritorial Area (ETA) map and discussion at the Bismarck-Burleigh Commissions Committee regarding the ETA. Daniel Nairn, Acting Community Development Director, noted minor changes to the proposed map to make the lines more clear along the Missouri River and removal of Aster Ridge from the ETA.

- [Public Comment](#)

Commissioner Zenker moved to send it back to the county with the two adjustments that Daniel made along with a couple of minor modifications, and Commissioner Connelly seconded for discussion.

Mayor Schmitz emphasized his wish to have a resolution on the ETA map. He confirmed that city staff had engaged with county staff and expressed concerns about the lack of progress as a result. He outlined the possibility of exiting the Joint Powers Agreement if the county does not accept the proposed map, noting the six-month notice period and public hearing requirements. Mayor Schmitz supported minor changes to the map based on resident input and asked staff to begin aligning zoning rules for accessory buildings in the ETA with county standards. He stressed the importance of resolving the issue before upcoming elections to avoid further delays and political complications.

Commissioner Zenker expressed frustration with the lack of long-term planning and vision from the Burleigh County board, citing repeated budget cuts and broken partnerships. He voiced support for the city's proposed ETA map and emphasized the need for cooperative, future-oriented planning. Commissioner Zenker proposed a motion to send the revised map, including Daniel's adjustments and potential minor modifications, back to the county as a final offer. He clarified that annexation is always voluntary, and that ETA inclusion simply provides planning guidance and not forced city expansion. He stressed that misinformation around annexation should be corrected.

Commissioner Risch praised the city's offer, highlighting that it preserved 95% of existing homes and 45% of the land area. He raised concerns about whether the county had meaningful involvement in drafting the ETA map and questioned what the process would look like if the county rejected the proposal. Specifically, he asked whether ending the Joint Powers Agreement would be required and what delays might result. In the end, he supported moving the proposal forward and voted in favor of sending the revised map back to the county.

Commissioner Connelly suggested specific changes to the map, including removing three properties on TJ Lane and reviewing water concerns along Calvary Drive. He also raised development potential in the Apple Creek Industrial Park area due to updated FEMA floodplain maps. Commissioner Connelly warned that election cycles could complicate ongoing discussions and urged action while both commissions remained relatively stable. He referenced a conversation with Senator Dever, who called the ETA issue one of the most complex legislative topics, and emphasized that this proposal represents the most meaningful effort yet to address resident concerns and advance a workable solution.

Upon a roll call vote, all voted aye. M/C.

- C. 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.

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

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

- D. 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, an annexation of Part of Lot 1, Block 2, Northern Sky Second Addition First Replat.

Mayor Schmitz opened the public hearing.

- Landon Niemiller, with Swenson Hagen & Company, addressed the Commission with a request to remove or deny the item.

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

- E. Public hearing on Ordinance 6640, an annexation of the portion of the dedicated East Century Avenue right-of-way adjacent to Lot 24, Block 7, and Lot 1, Block 8, Sattler's Sunrise Sixth Addition, as well as the dedicated rights-of-way of East Century Avenue and 52nd Street NE as described on the right-of-way plat recorded as Document #974737.

Daniel Nairn, Acting Community Development Director, presented information on Ordinance 6640, an annexation of the portion of the dedicated East Century Avenue right-of-way adjacent to Lot 24, Block 7, and Lot 1, Block 8, Sattler's Sunrise Sixth Addition, as well as the dedicated rights-of-way of East Century Avenue and 52nd Street NE.

Mayor Schmitz opened the public hearing.

- Landon Niemiller, with Swenson Hagen & Company, was available for questions.

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

- F. Public hearing on Ordinance 6641, an annexation of all of Elk Ridge Fourth Addition.

Daniel Nairn, Acting Community Development Director, presented information on Ordinance 6641, an annexation of all of Elk Ridge Fourth Addition.

Mayor Schmitz opened the public hearing.

- Landon Niemiller, with Swenson Hagen & Company, was available for questions.

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

G. Public hearing and confirmation of the 2025 Health & Safety Assessments.

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

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

H. Public hearing and confirmation of the 2025 Special Assessment Districts as amended.

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

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

I. Consider the request to pursue North Dakota Department of Transportation (NDDOT) Highway Safety Improvement program funding.

Chris Holzer, Traffic Engineer, presented a request to apply for the North Dakota Highway Safety Improvement Program for four locations.

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

J. Consider the request to pursue North Dakota Department of Transportation (NDDOT) Transportation Alternatives program funding.

Chris Holzer, Traffic Engineer, presented a request to apply for the Transportation Alternatives Program.

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

K. Consider the request to pursue North Dakota Department of Transportation (NDDOT) Urban Grant program funding.

Chris Holzer, Traffic Engineer, presented a request to apply for the Urban Grant Program.

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

L. Consider the appeal request and make a determination on a zoning ordinance text amendment related to the keeping of chickens.

Jenny Wollmuth, Community Development Senior Planner, presented a request by Commissioner Risch to appeal the Planning and Zoning Commission's denial of a zoning ordinance text amendment that would allow chickens to be kept within city limits and to

eliminate setback requirements for coops within residential properties in the extraterritorial area.

Commissioner Connelly moved to reverse the decision of the Planning and Zoning Commission and Commissioner Risch seconded. Upon a roll call vote, Commissioner Risch and Commissioner Connelly voted aye. Commissioners Zenker and Mayor Schmitz voted nay. M/F.

- M. Consider the request to receive a presentation and information addressing proposed modifications to the current composition of City of Bismarck organizational structure and departments.

Jason Tomanek, City Administrator, presented a plan proposing modifications to the current composition of the City of Bismarck organizational structure and departments. Administrator Tomanek recommends dissolving the Community Development Department and creating two standalone departments: Planning, to be led by Daniel Nairn, and Building Inspections, led by Brady Blaskowski. Additionally, he proposes removing IT and GIS from the Finance Department, and forming a new IT/GIS Department under Tandra Kraft. Administrator Tomanek also suggests redefining the Assistant City Administrator role to focus on five growth-related departments and changing it from an appointed to a civil service-protected position, aligning it with other department directors. The vacated Community Development Director role would be reclassified into a dedicated Code Enforcement Officer position to better handle zoning and building code issues. These changes are aimed at improving efficiency, supporting professional growth, and aligning the organization with Bismarck's continued growth and development. The summary of Administrator Tomanek's recommendations are as follows:

1. Dissolve Community Development Department.
2. Establish:
 - Planning Department – Director: Daniel Nairn
 - Building Inspections Department – Director: Brady Blaskowski
 - ITGIS Department – Director: Tandra Kraft
3. Reclassify the Community Development Director role into Code Enforcement Officer.
4. Redefine Assistant City Administrator:
 - Remove appointed status.
 - Make civil service protected.

- [Department Reorganization Presentation](#)

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

4. OTHER BUSINESS

- A. Commissioner Connelly noted that Bismarck Parks and Recreation district is soliciting for letters of support for a grant for McDowell Dam.
- B. Commissioner Risch thanked Renae Moch and city staff for their efforts on a neighborhood cleanup.

ADJOURN

There being no further business to discuss, the meeting adjourned at 7:17 PM.