MEETING OF THE BOARD OF CITY COMMISSIONERS

1/13/2026 - MINUTES

CALL TO ORDER

The Board of City Commissioners met on January 13, 2026, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioners Risch, Zenker, Connelly, Cleary and Mayor Schmitz were present.

FUTURE COMMISSION MEETINGS

January 27, 2026
February 10, 2026 & February 24, 2026
March 10, 2026 & March 24, 2026

MISSION STATEMENT
Together, we deliver exceptional public service.

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.

Dustin Gawrylow addressed the Commission regarding Regular Agenda Item 3.D.

2. **CONSENT AGENDA**

Commissioner Zenker requested that Item 2.D.6 be pulled for discussion.
Commissioner Connelly requested that Item 2.I.1 be pulled for discussion.
Commissioner Risch requested that Item 2.D.1 be pulled for discussion.

Commissioner Zenker moved to approve the consent agenda without Items 2.D.6, 2.D.1, and 2.I.1, and Commissioner Risch seconded. Upon a roll call vote, all voted aye. M/C.

Item 2.D.6: Commissioner Zenker voiced concerns regarding the contract amendment with Jones Lang LaSalle (JLL), noting the cost was unexpectedly high. Commissioner Zenker recommended limiting the scope of work or reducing the contract duration to a 60-day period. Commissioner Zenker also recommended having one City contact person to limit the billable hours.

Commissioner Zenker moved to amend the contract with JLL to a 60-day period with Jason Tomanek being the City's contact person, and Commissioner Connelly seconded. Upon a roll call vote, all voted aye. M/C.

Item 2.I.1: Commissioner Connelly commented that after meeting with representatives from City Administration, Municipal Court, and the League of Cities, language in Ordinance 6652 was updated to align with North Dakota Century Code. Commissioner Connelly also clarified that the Clerk of Court is the department director for Municipal Court with responsibilities that are clearly separated between city and judicial matters.

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

Item 2.D.1: Commissioner Risch noted that Item 2.D.1. highlights the dissolution of the Joint Powers Agreement between Burleigh County, Bismarck Parks and Recreation District, and the City of Bismarck per Burleigh County's request.

Commissioner Risch moved to approve the item as presented, 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: 1129607-1130145.

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

1. Accept the Termination by Burleigh County of the Joint Powers Agreement.

2. Introduction of and call for a public hearing on an application to transfer the Class F-1 alcohol license from Charras B, Inc., (dba) Charras and Tequila to Team Charras Bismarck, LLC (dba) Charras and Tequila at 4503 Skyline Crossings.

3. Appointment of Thea Jorgensen and Denise Fettig-Loftesnes to the Bismarck Human Relations Committee with terms to expire December 31, 2028.

4. Reappointment of Dawn Kopp and appointment of Susan Wefald to the Bismarck Forestry Advisory Board with terms to expire December 31, 2029.

5. Reappointment of Michael Frohlich to the Bismarck Vision Fund Committee with terms to expire December 31, 2028.

6. Amendment No. 3 with Jones Lang LaSalle (JLL) to assist the City of Bismarck with advisory services related to contract negotiation for the Bismarck Event Center management transition to third party operator Oak View Group (OVG).

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

1. Contract amendment to Aero Bridgeworks' Passenger Boarding Bridge 2 and 3 Replacement Construction Contract.

2. Disposal of a 2015 Ford Explorer.

3. Sponsorship of $1,500 for the North Dakota Aviation Association (NDAA) 2026 Fly-ND Conference and Expo.

4. Change Order No. 9 to Northern Improvement Company Taxiway C North Reconstruction Contract.

5. Extension to the Transportation Security Administration (TSA) Office Space Lease.

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

1. Resolutions approving the preliminary report, directing the preparation of the plans and specifications, and approval of the resolution of necessity for Street Improvement District SI 594.

2. Hear Insufficiency of Protest on the Resolution of Necessity for Street Improvement District SI 592.

3. Resolutions creating the district, ordering the preparation of the preliminary report, approving the preliminary report and directing the preparation of the plans and specifications for Street Improvement District SI 595.

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

1. Applicaitons for abatement.

2. Public Depositories for City Funds.

H. Consider the request for approval from IT/GIS Department for the following:

1. Renewal of the Microsoft license contract 2026-2028.

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

1. Introduction of and call for a public hearing on Ordinance 6652 to amend Sections 9-01-01, 9-01-02, 9-02-10, 9-03-10, 9-04-02, 9-05-02 and 9-06-06 of the City of Bismarck Code of Ordinances relating to definition of terms, employees covered; exceptions, administrative officer and duties, employment list, updating of plan, annual leave and grievance procedures.

J. Consider the request for approval from the Planning Department for the following:

1. Authorizing Resolution on behalf of Bis-Man Transit.

2. Permission to apply for the League of American Bicyclists, Community Spark Grant.

3. Minor subdivision final plat for Secluded Acres Fourth Subdivision, located southwest of Bismarck, west of South Washington Street, between West Burleigh Avenue and 48th Avenue SW, along the west side of Thornburg Drive, where the Planning and Zoning Commission recommends approval.

4. Updated Designation of Signature Authority for the Transit Asset Management System (TrAMS), and Reinstatement of “Official” & “Submitter” roles in TrAMS.

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

1. Accept bid proposal from Tag Firearms LLC for Walther PDP Pro with ACRO P-2.

2. Accept donation of $1,000 from Amvets Post #9.

L. Consider the request for approval from the Public Health Department for the following:

1. Permission to seek and accept donations to support Bismarck-Burleigh Public Health Wellness Pantry in 2026.

2. Permission to accept donations for the Women's Way Program in 2026.

M. 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 2026 Partners in Planting Program and Arbor Day Fund.

2. Permission to award Architectural Services for the Landfill Cold Storage Building to The Origin Group.

3. Permission to award the contract for Boulevard Tree Pruning to Beaver Creek Tree Service, LLC.

4. Permission to award bid for the Landfill New Scale Construction to Missouri River Contracting, Inc.

5. Permission to apply and accept the Emerald Ash Borer (EAB) Mitigation Grant from the North Dakota Forest Service.

6. Permission to function under Bismarck Ordinance 7-01-03(6) Competitive Bidding Required for Fleet Services Annual Contracts in 2026.

7. Request permission to sell or dispose of City Assets at Public Sale.

8. Permission to apply annually for the Tree City USA Certification.

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

1. Permission to sell one used jetting truck to the City of Mandan.

2. Upgrade the Supervisory Control and Data Acquisition (SCADA) software at the Wastewater Treatment Plant.

3. **REGULAR AGENDA**

A. Public hearing on an application for a Class F-1 alcohol license by TJGalpin Enterprises, LLC (dba) Tiff's Pub & Grub at 512 East Main Avenue.

Mayor Schmitz opened the public hearing. Neil Galpin was present to answer questions regarding the application.

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

B. Public hearing on an application for a Class B-5 alcohol license by Dirty Bean, LLC (dba) Classic Rock Coffee & Kitchen at 725 Riverwood Drive.

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, all voted aye.

C. Consider the request for resolution receiving bids and ordering preparation of the engineer’s statement and awarding contract for Street Improvement District No. 592.

Gabe Schell, City Engineer, presented the bid results for Street Improvement District SI 592 and recommended awarding the bid to the lowest bidder, Denny's Electric, LLC, for $864,942.00.

- Bid Documents

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

D. Consider the request to receive update on public input received and provide direction for proposed street utility fee.

Gabe Schell, City Engineer, provided an update on the proposed Street Utility Fee. Engineer Schell presented the results of the public input meetings and online survey responses regarding the Street Utility Fee. Engineer Schell noted that the responses concluded that most residents were generally satisfied with current road conditions, were opposed to the street utility fee concept, were opposed to using the fee to pay off existing special assessments, and that the proposed rate was unreasonable. Public comments highlighted preferences for special assessments, concerns about rate increases, transparency, vacant properties, and misunderstandings about funding and development. Engineer Schell requested that the Commission provide direction on how to proceed.

- Street Utility Fee Presentation

During discussion, the Commissioners expressed mixed views on the proposal and the public survey process and agreed that the survey results may not represent the opinions of the community as a whole. The Commissioners discussed the benefits of the Street Utility Fee, including reduced interest costs and avoiding large special assessments, but also agreed it is important to understand fairness for resident and commercial properties and the need to keep the rates affordable. The Commission agreed that more public education is needed as well as clear guardrails for the proposed home rule charter.

The general consensus is to have Engineer Schell prepare ballot language for a draft home rule charter amendment and also an advisory vote that the Commission will review at the February 24, 2026, meeting.

E. Consider the request for funding support for the America 250 4th of July Celebration.

Jason Tomanek, City Administrator, and John Bollinger, CEO of Funatix Entertainment, presented a request for additional funding for the upcoming 4th of July celebration. Administrator Tomanek explained that the 4th of July celebration will again be held at the MDU Resources Community Bowl this year. Administrator Tomanek noted that the 2025 event drew over 8,000 attendees and the 2026 event aims to expand the experience in recognition of America's 250th Anniversary. Administrator Tomanek requested that the Commission approve an additional $50,000 to support the event.

Mr. Bollinger explained that the Funatix handled the planning and fundraising for the 2025 4th of July celebration, to supplement the $15,000 that the City contributed to the event. Mr. Bollinger is requesting a larger budget to deliver enhanced experiences, including additional aerial attractions beyond fireworks, expanded music entertainment, and more family programming, while keeping the event free and community focused.

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**

ADJOURN

There being no further business to discuss, the meeting adjourned at 6:18 PM.