MEETING OF THE BOARD OF CITY COMMISSIONERS

2/10/2026 - MINUTES

CALL TO ORDER

The Board of City Commissioners met on February 10, 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

February 24, 2026
March 10, 2026 & March 24, 2026
April 14, 2026 & April 28, 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.

   - Trevor Vannett - Spoke on Regular Agenda Item 3.D.
   - Dustin Gawrylow - Spoke on Regular Agenda Item 3.E.
   - Susan Dingle - Spoke on Regular Agenda Item 3.D.

2. **CONSENT AGENDA**

Commissioner Risch moved to approve the Consent Agenda as presented and Commissioner Zenker 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: #1130494-1130746.

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 C-1 – Hotel or Motel Full Service alcohol license for Mahadev Bismarck Hospitality, LLC at 605 E Broadway Ave.

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

1. Receive bids for the Terminal Vestibule Door Replacement Project and award to C&H Glass.

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

1. Close 21st Street from Broadway Avenue to Thayer Avenue and close Thayer Avenue from 20th Street to 21st Street on June 13, 2026, from 8:00 AM to 4:00 PM.

2. Resolutions approving plans and specifications, directing the advertisement of bids and receiving bids for Street Improvement District SI 594.

3. Resolution approving the resolution of necessity for Street Improvement District SI 597.

4. Amendment No. 2 to existing professional services with Apex Engineering Group for Tyler Parkway Extension - HC 173.

5. Amendment No. 6 to existing agreement for professional services with AE2S for Tyler Coulee Stormwater Ponds - SE 576.

G. Consider the request from the Legal Department for the following:

1. Introduction of and call for public hearing on Ordinance 6656 to amend Sections 9-07-02 and 9-08-02 of the City of Bismarck Code of Ordinances relating to the City Employee Pension Plan and the Police Pension Plan.

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

1. Introduction of and call for a public hearing on Ordinance 6654, a zoning map amendment for Lots 2-9, Block 1, Cottonwood Parkview Addition First Replat, where the Planning and Zoning Commission recommends approval.

2. Final consideration for approval of Boulder Ridge Seventh Addition Second Replat, a minor subdivision final plat titled Boulder Ridge Seventh Addition Second Replat where the Planning and Zoning Commission recommends approval

3. Introduction of and call for a public hearing on Ordinance 6655, a zoning map amendment, in the proposed Edgewood Village Seventh Addition Second Replat, a minor subdivision final plat for Edgewood Village Seventh Addition Second Replat, where the Planning and Zoning Commission recommends approval.

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

1. Order four vehicles using cooperative purchasing contracts.

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

1. $400 sponsorship to the 2026 North Dakota Excavator Meeting.

2. Permission to award the bid for Traffic Signal Replacement at Tyler Parkway and Burnt Boat Dr, southbound, for the Electrical Division.

3. Purchase traffic control cabinets from Traffic Control Corp in the amount of $123,660.

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

1. Agreement for Cost-Share Reimbursement with the North Dakota State Water Commission for the watermain extension WU 150 project.

2. Change Order No. 3 with PKG Contracting for GMP 7 - Water Treatment Plant Horizontal Collector Well HVAC Replacement.

3. Change Order No. 8 with PKG Contracting for GMP2 - Wastewater Treatment Plant Flow Equalization (FEQ) Project.

3. **REGULAR AGENDA**

A. Public hearing to approve a non-exclusive right of way occupancy agreement with Gateway Infrastructure LLC.

Gabe Schell, City Engineer, introduced Derek Leffert, Head of Government Affairs with Gateway Infrastructure, LLC (Gateway), and the company's request for a right of way occupancy agreement. Mr. Leffert presented the company's plan to expand fiber to the home internet service into Bismarck. Gateway offers high-speed, highly reliable fiber internet primarily for residential customers, with commercial and E-rate services also available. Pricing is standardized across markets with $65/month for 300 Mbps, $75 for 600 Mbps, $90 for 1 Gig, and $150 for 2 Gig, plus a 2.5% franchise fee and $5/month for an additional router if needed. Mr. Leffert outlined the company's construction and installation process, emphasizing efforts to minimize disruption, restore property, and reduce utility damage. Installation typically takes five days to complete with narrow appointment windows. Mr. Leffert stressed Gateway's focus on customer service, community engagement, safety, long-term infrastructure investment, and commitment to being a strong local partner.

- Gateway Infrastructure, LLC Presentation

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

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

B. Consider the request for resolutions receiving bids, ordering preparation of the engineer's statement and awarding contract for Highway Construction Project HC 174 (Street Improvement District SI 593).

Gabe Schell, City Engineer, presented the bid results for Highway Construction Project HC 174 and Street Improvement District SI 593 and recommended awarding the project to the lowest bidder, Strata Corporation, for $4,394,957.55. Engineer Schell explained that the project is qualified for the Prairie Dog grant funding, but will not know if funding is available at this time.

Commissioner Connelly moved to approve the item as presented and Commissioner Cleary seconded.

- Commissioner Risch expressed concerns about the engineering costs for both projects. Engineer Schell explained that it is typical for engineers' fees to range between 20-25%.

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

C. ~~**Consider the request to receive bids and award contract for Street Light and Traffic Signal Project SV 85.**~~

D. Consider the request to receive a presentation from Bis-Man Transit regarding service changes.

Diedre Hughes, Executive Director of Bis-Man Transit, presented a request for approval of service expansion to the current fixed route and paratransit services, proposed to begin April 1, 2026. Director Hughes explained that the plan includes extending the fixed route weekday hours from to be from 6:00 AM to 10:00 PM, Saturday hours from 7:00 AM to 10:00 PM, and Sunday paratransit hours from 7:30 AM to 6:00 PM. Director Hughes also let the Commission know that Sunday and holiday demand response service would be opened to the general public for the first time, with rides requiring a $3 one-day advance reservation. Estimated costs for the changes are approximately $664,100 for April through December 2026 and $953,470 for all of 2027. The effectiveness of the changes will be evaluated over 12–24 months through ridership data and community feedback. Paige Gilgallon, City Finance Accounting Supervisor, notified the Commission that the current balance from the sales tax revenue is $2,245,000.

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

E. Consider the request to receive options relating to proposed Street Utility Fee.

Gabe Schell, City Engineer, presented two options regarding a proposed street utility fee, aligning with the strategic goal of sustainable infrastructure funding and discussed two main approaches. The first approach is a non-binding advisory vote, which is a public query in June asking if residents support replacing special street assessments with a monthly utility fee, giving the Commission guidance without committing to action. The second approach is a Home Rule Charter amendment, which is a formal ballot measure that could authorize the fee and outline implementation details, such as eliminating double assessments, defining fee structure, and requiring public hearings. The amendment could appear on the June primary or later in November.

The general consensus of the Commission is to have Engineer Schell continue to develop language for a non-binding advisory vote by the citizens for the June 9, 2026, ballot.

4. **OTHER BUSINESS**

Commissioner Risch wanted to notify the public of a scam solicitation call he received from someone claiming to be from the Bismarck Police Department and warn others to be cautious of similar scams.

ADJOURN

There being no further business to discuss, the meeting adjourned at 6:15 PM.