



Board of City Commissioners

April 28, 2026

Tom Baker Meeting Room	City/County Office Building	5:15 PM
	221 N. 5th St.	
	Bismarck, ND 58501	

The City of Bismarck encourages citizens to provide their comments for public hearing items on the Bismarck City Commission agenda via email to bismarckadmin@bismarcknd.gov by 3:30 PM on the day of the meeting. Please include the item number that your comment references. The comments will be sent to the members and placed with the minutes.

Live meeting coverage is available on Government Access Channels 2 & 602HD, RadioAccess 102.5 FM Radio, or streaming on multiple platforms, including DakotaMediaAccess.org and [Facebook LIVE](https://www.facebook.com/BismarckCityCommission).

The Invocation and the Pledge of Allegiance will be presented by a Chaplain from the Bismarck Police Department.

CALL TO ORDER

FUTURE COMMISSION MEETINGS

May 12, 2026 & May 26, 2026
June 9, 2026 & June 23, 2026
July 14, 2026 & July 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.

2. PROCLAMATIONS

- A. Arbor Day
- B. Bike Month
- C. Historic Preservation Month

D. Landscape Architecture Month

E. National Small Business Week

3. **CONSENT AGENDA**

A. Consider approval of minutes

B. Consider approval of personnel actions

C. Consider approval of expenditures

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 C-2, Hotel Complementary Alcohol, from Omkara, LLC (dba) Super 8 by Wyndham at 1124 East Capitol Avenue.
2. Gaming site authorization renewals.
3. Amendment No. 4, a no-cost time extension 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-Burleigh Public Health Department for the following:

1. Adjustment to fee for sexually transmitted disease (STD) blood draw services.

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

1. Encroachment agreement with Next Play, LLC at 707 Airport Road for a staircase.
2. Request for resolution receiving bids, ordering preparation of the engineer's statement and awarding contracts for City concrete projects CC2026, Parts A-1, A-2 and B.
3. Award concurrence of the North Dakota Department of Transportation (NDDOT) University Drive Microsurface, Bismarck Expressway to 48th Ave, NHU-1-804(054)074, PCN 24405, City Project HC 175.
4. Concurrence of the North Dakota Department of Transportation (NDDOT) Bismarck Expressway Microsurface, Expressway Bridge to Rosser Ave, NHU-1-094(245)925 & NHU-1-810(034)001, PCN 24403 and 24404, City Project HC 180.

5. Receive bids and award contract for Facility Improvement Project FI 26.
 6. Resolutions declaring petitions have been received, creating the district, ordering the preparation of the engineer's report, approving the engineer's report, directing the preparation of the plans and specifications, approving plans and specifications, directing the advertisement for bids, and receiving bids for Street Improvement District No. SI 598.
 7. Engineering Private Utility (EPU) permit fees of \$250 for the first 1,000 linear feet of private infrastructure installed within the right-of-way and \$300 for each additional 1,000 linear feet, effective for all permits issued on or after May 4, 2026.
- G. Consider the request for approval from the Police Department for the following:
1. Permission for Bismarck Police Department Animal Control to issue 20 permits for the 2026 archery season.
- H. Consider the request for approval from the Public Works - Service Operations Department for the following:
1. Permission to apply for, and accept if awarded, the American Public Works Association (APWA) Grant for the 2026 Public Works Open House scheduled for May 19, 2026.
 2. Time extension to Task Order 25-02 with Houston Engineering, Inc. for landfill utilization, analysis, and reporting for 2025.
 3. Permission to sell or dispose of City Assets at Public Sale.
4. **REGULAR AGENDA**
- A. Consider the request to receive a presentation from Bismarck Public Schools Superintendent Dr. Jeff Fastnacht on the 2026 Bond Referendum.
 - B. Consider the request to receive the Dakota West Arts Council 2025 Annual Report.
 - C. Public hearing on an application to transfer the alcohol license from Matpac Properties, LLC to LPM, LLC at 2150 East Thayer Avenue.
 - D. Public hearing on an application to transfer the alcohol license from Matpac Properties, LLC to LPM, LLC at 804 East Main Avenue.
 - E. Public hearing on an application to transfer the alcohol license from Doublewood of Bismarck, Inc. to GHM Bismarck Holding Co, LLC at 1400 East Interchange Avenue.
 - F. Public hearing on Ordinance 6659, a zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and Cruz Subdivision, a major subdivision final plat.

- G. Public hearing on Ordinance 6661, a zoning ordinance text amendment to Section 14-04-19 (FP – Floodplain District) to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027.
- H. Consider the request for approval of a Renaissance Zone Rehabilitation and Commercial Lease projects at 407 North 4th Street.
- I. Consider the request for a resolution receiving bids, ordering preparation of the Engineer's Statement and awarding the contract for Street Improvement District No. SI 599.
- J. Consider the request from the Administration Department to provide an update on the Strategic Plan.

5. OTHER BUSINESS

ADJOURN



Bismarck

PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska: and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, the City of Bismarck has been part of the Arbor Day Foundation Program Tree City USA for 49 years; and

WHEREAS, the City of Bismarck has scheduled a community recognition program and ceremonial tree planting Arbor Day celebration on May 1st at 1 PM at Elk Ridge Park in Bismarck in which the public is welcome and invited to attend.

THEREFORE, BE IT RESOLVED that I, Mayor Schmitz, on behalf of this Commission, do hereby proclaim May 1, 2026, as **ARBOR DAY**. I urge all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands, and further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Signed this 28th day of April 2026.

Michael Schmitz, Mayor
Bismarck Board of City Commissioners



Bismarck

PROCLAMATION

WHEREAS, the bicycle is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation and enjoyment of the city of Bismarck's scenic beauty; and

WHEREAS, throughout the month of May, the residents of the city of Bismarck and its visitors will experience the joys of bicycling through a variety of organized activities or events, or by simply getting out and going for a ride; and

WHEREAS, the City of Bismarck is recognized as a Bronze Level Bicycle Friendly Community by the League of American Bicyclists, reflecting a commitment to bicycle infrastructure, education, and encouragement; and

WHEREAS, creating a bicycle friendly community has been shown to improve citizens' health, well-being, and quality of life, growing Bismarck's economy, attracting tourism dollars, improving traffic safety, supporting student learning outcomes, and reducing pollution, congestion, and wear and tear on our streets and roads; and

WHEREAS, the Bicycle and Pedestrian Subcommittee of the Bismarck-Mandan Metropolitan Planning Organization, the League of American Bicyclists, local schools, parks and recreation departments, police department, public health districts, and civic groups will be promoting bicycling during the month of May through bike buses, Bike to Work Day, Bike and Roll to School Day, and more; and

WHEREAS, these groups are also promoting bicycle tourism year-round to attract more visitors to enjoy our local restaurants, hotels, retail establishments, and cultural and scenic attractions; and

WHEREAS, these groups are also promoting greater public awareness of bicycle operation and safety education in an effort to reduce collisions, injuries, and fatalities and improve health and safety for everyone on the road.

THEREFORE, BE IT RESOLVED that I, Michael Schmitz, Mayor of the City of Bismarck, on behalf of this Commission, do hereby proclaim May 2026 as BIKE MONTH in the city of Bismarck, and I urge all residents to join me in this special observance.

Signed this 28th day of April 2026.

Michael Schmitz, Mayor
Bismarck Board of City Commissioners



PROCLAMATION

WHEREAS, The National Trust for Historic Preservation established May as Historic Preservation Month in 1973, as a way to promote historic places for the purpose of instilling nation and community pride, promoting heritage tourism, and showing the social and economic benefits of historic preservation; and

WHEREAS, Historic Preservation Month can instill awareness of the local historically significant buildings and landmarks to the residents of Bismarck and surrounding communities; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life, and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people.

THEREFORE, BE IT RESOLVED that I, Michael Schmitz, Mayor of the City of Bismarck, on behalf of this Commission, do hereby proclaim the month of May as **HISTORIC PRESEVATION MONTH** in the City of Bismarck and I encourage all citizens to join me in this worthy observance.

Signed this 28th day of April 2026.

Michael Schmitz, Mayor
Bismarck Board of City Commissioners



PROCLAMATION

WHEREAS, landscape architects play a vital role in shaping the natural and built environments of the City of Bismarck, creating outdoor spaces that are functional, sustainable, and visually appealing; and

WHEREAS, landscape architects plan and design parks, trails, streetscapes, and public gathering spaces that enhance the health, safety, and well-being of residents and visitors; and

WHEREAS, their work supports environmental stewardship through sustainable design practices, including stormwater management, conservation of natural resources, and resilience along the Missouri River and the surrounding prairie landscapes; and

WHEREAS, landscape architecture contributes to Bismarck's economic vitality and community identity by creating vibrant, accessible, and inclusive outdoor environments that attract residents, businesses, and visitors; and

WHEREAS, landscape architects collaborate with engineers, architects, planners, public officials, and community members to develop thoughtful solutions that balance environmental, social, and economic needs; and

WHEREAS, April is nationally recognized as Landscape Architecture Month, celebrating the significant contributions of the profession to communities across the United States.

THEREFORE, BE IT RESOLVED that I, Michael Schmitz, Mayor of the City of Bismarck, on behalf of this Commission, do hereby proclaim April as **LANDSCAPE ARCHITECTURE MONTH**. I urge all citizens to celebrate and recognize the contributions of landscape architects in creating healthy, resilient and vibrant communities.

Signed this 28th day of April 2026.

Michael Schmitz, Mayor
Bismarck Board of City Commissioners



Bismarck

PROCLAMATION

WHEREAS, small businesses are the engine of the American economy and the foundation of a free and prosperous nation, accounting for more than 99 percent of all private sector employers and creating nearly two out of every three new jobs nationwide; and

WHEREAS, from our farms and factory floors to the frontiers of technology, small businesses drive innovation, strengthen local economies, and provide the products and services that keep America competitive, secure, and strong; and

WHEREAS, Bismarck's small businesses embody the spirit of entrepreneurship that has shaped our city's character—serving as trusted employers, community partners, and innovators whose dedication enhances quality of life and strengthens our neighborhoods; and

WHEREAS, National Small Business Week has been proclaimed by the President of the United States since 1963, honoring the vital role of small businesses in creating jobs, growing the economy, and anchoring our communities; and

WHEREAS, in 2026, the United States will commemorate the 250th anniversary of the signing of the Declaration of Independence, known as Freedom 250, marks a historic opportunity to reflect on our nation's founding principle of free enterprise.

THEREFORE, BE IT RESOLVED that I, Michael Schmitz, Mayor of the City of Bismarck, on behalf of this Commission, do hereby proclaim May 3 through May 9 as **NATIONAL SMALL BUSINESS WEEK** in Bismarck. I urge all citizens to support small businesses and celebrate their many achievements and contributions to the daily fabric of our community.

Signed this 28th day of April 2026.

Michael Schmitz, Mayor
Bismarck Board of City Commissioners



MEETING OF THE BOARD OF CITY COMMISSIONERS

4/7/2026 - MINUTES

CALL TO ORDER

The Board of City Commissioners met as the Board of Equalization on April 7, 2025, at 5:15PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota.

Commissioners Cleary, Zenker, and Mayor Schmitz were present. Commissioner Risch joined the meeting via Teams at 5:55 PM.

BOARD OF EQUALIZATION

AGENDA

1. Receive the Assessing Division 2026 Annual Report

Allison Jensen, City Assessor, presented the 2026 Assessing Division Annual Report. Assessor Jensen noted that there was a 3.27% increase based on existing properties with 1.25% market gains from new construction and annexations, properties that were exempt and are now taxable. Assessor Jensen stated that 65% of the valuations are made up of residential properties, 35% are commercial properties, and less than 1% are agricultural.

- [Board of Equalization Presentation](#)
- [2026 Assessing Division Annual Report](#)

2. Public hearing on 2026 valuation.

The Mayor opened the public hearing. The following members of the public addressed the Commission with concerns regarding the proposed valuations for the properties they own. Many expressed disagreement with the valuations and noted that in many cases, very few if any improvements had been made to their homes in recent years. Several individuals requested that an assessor visit their property to provide an assessment.

- Steve McNichols
- [Jeff Hinz](#)
- Mike Boyd
- Tim Thueson
- D. Marie Zaun
- Lesley Bentz
- Raymond and Cathern Edenholm
- Kim Losos

- Matthew Weigel
- Richard Peck
- Patricia Jensen
- Deb Hayden
- Ben Chambers
- Sandi Bates
- Art Kunnanz
- Paul Mueller
- Jennifer Carruth

Mayor Schmitz closed the public hearing.

Assessor Jensen explained that the property valuation notice is a new State-issued form with limited detail, and that local offices do not control the formatting, but her office will provide additional property information upon request. Assessor Jensen noted that feedback can be provided to the State and that future inserts may improve communication. She clarified that some entities are centrally assessed by the State and not locally. Assessor Jensen stated that the assessing staff does not enter homes without the owner's permission and that valuations follow a State-set tolerance range applied to overall values. Assessor Jensen explained that valuations are based on market value, not taxes, and increases do not directly translate to tax increases. She outlined the Assessing Office's communication and appeals process, including letters, inspections and follow-ups, with unresolved cases eligible for county board review. She acknowledged limitations that occur when properties have not been recently inspected and the reliance on existing data and comparable sales. Assessor Jensen presented a list of agreed changes, contested properties, and pending reviews, noting that some "no change" recommendations are temporary. She also provided examples of valuation methods and challenges, including unique commercial properties and recent improvements, and committed to further review and will report back to the Commission once she has met with property owners.

Commissioner Zenker urged consideration of improvements to the State form to include more relevant local information. Commissioner Zenker asked for clarification on the Assessing office's communication process with property owners and how follow-ups are documented. He raised concerns about significant valuation increases over short periods and emphasized the need for clear explanations. Commissioner Zenker questioned the data accuracy in some cases and stressed that incorrect property details should be corrected. Commissioner Zenker supported further review of valuations and expressed concern about fairness when comparable properties show large differences.

Commissioner Cleary supported adding clearer communication on notices so that residents know how to contact the Assessor's office with questions. Commissioner Cleary asked for clarification regarding specific properties and documentation to ensure accuracy and understanding.

Mayor Schmitz requested a future summary report of follow-up actions and outcomes to ensure that the resident's concerns are addressed. Mayor Schmitz sought clarification on the approval process for contested valuations and emphasized the importance of communication with property owners. He suggested that income-based valuation may be more appropriate for certain commercial properties and encouraged review of current methodologies. Mayor Schmitz raised concerns about valuation practices for developer-

owned lots and market realities and emphasized fairness, transparency, and the importance of public participation. Mayor Schmitz expressed interest in reviewing the adjusted results at a future meeting.

Commissioner Cleary moved to approve the list of 2025 Board of Equalization meeting owners agreed with value change and Commissioner Zenker seconded. Upon a roll call vote, Commissioners Cleary, Zenker, Risch, and Mayor Schmitz voted aye. M/C.

Commissioner Cleary moved to approve the 2025 Board of Equalization Owners disagree with the recommendation list of addresses and values to include the property owners that spoke at the meeting and Commissioner Risch seconded. Upon a roll call vote, Commissioners Risch, Zenker, Cleary, and Mayor Schmitz voted aye. M/C.

Commissioner Cleary moved to approve the annual report from the Assessing Division for 2026 with the changes that were made at the meeting and Commissioner Zenker seconded.

Discussion:

- Commissioner Zenker commented that with the State-imposed 3% cap on tax increases, the current property valuations and assessment system needs to change. He sees it as unfair because the 3% impacts homeowners differently depending on property value. Commissioner Zenker suggested creating a more equitable formula, so everyone pays more equal share and believes limits should be placed on how valuations are calculated unless there are major property changes. Commissioner Zenker noted that he plans to continue to push the issue with legislators.
- Mayor Schmitz agreed with Commissioner Zenker and stated that he has had similar conversations with State delegates and that he hopes future legislative action will simplify or improve the system.
- Commissioner Risch supports Commissioner Zenker's point and highlights that large increases in property assessments are misleading residents into thinking their taxes will rise by the same amount, even though increases are capped at 3% and emphasized the need for clearer communication to avoid confusion.

Upon a roll call vote, Commissioners Cleary, Risch, Zenker and Mayor Schmitz voted aye. M/C.

3. [Public Comment](#)

ADJOURN

There being no further business to discuss, the meeting was adjourned at 7:29 PM.



MEETING OF THE BOARD OF CITY COMMISSIONERS

4/14/2026 - MINUTES

CALL TO ORDER

The Board of City Commissioners met on April 14, 2026, 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 Mayor Schmitz were present. Commissioner Zenker attended the meeting via Teams.

FUTURE COMMISSION MEETINGS

April 28, 2026
May 12, 2026 & May 26, 2026
June 9, 2026 & June 23, 2026

MISSION STATEMENT

Together, we deliver exceptional public service.

MEETING OF THE BOARD OF CITY COMMISSION

1. PROCLAMATION

A. Public Safety Telecommunications Week

Mayor Schmitz read a proclamation declaring April 12th – 18th, 2026, as National Public Safety Telecommunications week in the City of Bismarck.

B. Day of Prayer Day

Mayor Schmitz read a proclamation declaring May 7, 2026, as a Day of Prayer in the City of Bismarck.

C. Fair Housing Month

Mayor Schmitz read a proclamation declaring April 2026 as Fair Housing Month in the City of Bismarck.

2. RECOGNITION OF BISMARCK CITIZEN ACADEMY PARTICIPANTS

Doug Wiles, Assistant City Administrator, addressed the Commission with a recap of the most recent Citizen Academy session and presented Certificates of Completion to the participants. Citizen Academy participants included James Eastin, Arlene Erdahl, Joshua Fern, Jason Grueneich, Cindie Hoge, Eric Irani, Ben Kennelly, Beth Kocis, Taylor Koster, Molly Lamoureux,

Mark Malm, Randy Mathern, Richard Sagmiller, Matthew Shaw, Melissa Shaw, Kelsey Stotz, David Tamisiea, Rosalyn Weber, Zachary Weiland, and Caleb Weisgarber. Arlene Erdahl, Beth Kocis, and Rosalyn Weber provided comments about their experience going through the Citizen Academy.

3. **PUBLIC COMMENT**

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

No public comment was received.

4. **CONSENT AGENDA**

Mayor Schmitz requested to pull item 4.K.4. as he has a conflict of interest.

Commissioner Connelly requested to pull item 4.D.4 for discussion.

Commissioner Connelly moved to approve the Consent Agenda without items 4.D.4. and 4.K.4. as presented and Commissioner Cleary seconded. Upon a roll call vote, all voted aye. M/C.

Commissioner Connelly moved to deny item 4.D.4. and Commissioner Risch seconded.
Discussion:

- Commissioner Connelly explained that he does not support a letter of support to the Opportunity Fund for businesses or nonprofits that do not fill a clear community need with competition. Commissioner Connelly stated that this case involves an electric company competing with others, which he believes unfairly alters the market.
- Mayor Schmitz explained that the project is a form of economic development in Bismarck supported by the State of North Dakota through an interest rate buydown program. The City itself is not financially involved but instead only provides a letter of support, so the applicants can seek funding from the North Dakota Opportunity Fund. Mayor Schmitz further explained that the funding is borrowed and repaid, and local banks are encouraging applicants to pursue financing through the Bank of North Dakota.
- Commissioner Risch stated that he understands the Mayor's position and supports local business growth, including an electrical contractor wanting to build or buy a new building. He, however, believes that economic development efforts should be more narrowly focused, even if the initiative is coming from the State.

Commissioners Connelly and Risch voted aye. Commissioners Cleary, Zenker and Mayor Schmitz voted nay. M/F.

Commissioner Cleary moved to approve item 4.D.4. as presented, and Commissioner Zenker seconded. Upon a roll call vote, Commissioners Cleary, Zenker and Mayor Schmitz voted aye. Commissioners Risch and Connelly voted nay. M/C.

Commissioner Risch moved to approve item 4.K.4. as presented, and Commissioner Connelly seconded. Upon a roll call vote, Commissioners Risch, Zenker, Connelly and Cleary voted aye. Mayor Schmitz abstained from voting. M/C.

A. Consider approval of minutes

B. Consider approval of personnel actions

C. Consider approval of expenditures

Vouchers: 1131545-1131948.

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

1. Appoint Amy Sisk to the Dakota Media Access (DMA) Board of Directors, with a term to expire in 2027.
2. Introduction of and call for a public hearing on an application to transfer the legal names on the following alcohol licenses:
 - Matpac Properties, LLC to LPM, LLC at 2150 East Thayer Avenue
 - Matpac Properties, LLC to LPM, LLC at 804 East Main Avenue
 - Doublewood of Bismarck, Inc. to GHM Bismarck Holding Co, LLC at 1400 East Interchange Avenue.
3. Gaming site authorization renewals.
4. Provide a letter of support to the North Dakota Opportunity Fund Loan Program for applicant Ozscape Properties, LLC.

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

1. Receive and consider bids for the Airfield Painting Project.
2. Receive and consider bids for Apple Creek Outfall Repair Project.
3. Receive and consider bids for Asphalt Pavement Maintenance Project.
4. Receive and consider bids for Concrete Panel Replacement Project.

5. MDU Corporation Easement on Airport Property.
 6. Selection Committee's recommendation for the Airport Terminal Advertising Request for Proposal (RFP).
- F. Consider the request for approval from the Bismarck-Burleigh Public Health Department for the following:
1. Permission to apply for grant funding from the North Dakota Council on the Arts.
 2. Permission to apply for Rural Health Transformation Grant funding allocated to local public health.
- G. Consider the request for approval from the Engineering Department for the following:
1. Insufficiency of protests on the resolution of necessity for Street Improvement District SI 596.
 2. Dedication and acceptance of Storm Sewer, Drainage, and Grading Easements and Access Easement for SE 576 - Tyler Coulee Regional Stormwater.
 3. Dedication and acceptance of Streetlight Utility Easement from Inspire Family Fellowship across a portion of the west half of Lot 21 in Lounsberry Outlets for Street Light and Traffic Signal Project SV86.
 4. Receive bids and award contract for Street Light and Traffic Signal Project SV 86.
 5. Receive bids and award contract for Street Light and Traffic Signal Project SV 87.
 6. Close the alley on the south side of the Brick Oven Bakery on Friday, May 29, 2026, from 4:00 PM to 10:00 PM.

7. Close 6th Street from Main Avenue north to the alley every Sunday evening from May to September, from 4:00 PM to 9:00 PM.
 8. Encroachment agreement with Sedivec Properties, LLC at 5511 Tree Top Lane for a pylon sign.
 9. Permission to hang banners from City-owned light poles adjacent to Bismarck Municipal Field.
 10. Dedication and acceptance of watermain, sanitary sewer, and access easements as part of Silver Ranch Fifth Addition.
 11. Dedication and acceptance of Right-of-Way and Watermain, Sanitary Sewer, Access, and Utility easements as part of the William Blackstone Addition.
- H. Consider the request for approval from the Finance Department for the following:
1. Applications for abatement.
- I. Consider the request for approval from the Legal Department for the following:
1. Memorandum of Understanding between the City of Bismarck and Burleigh County regarding the allocation of victim/witness fees imposed by the Municipal Court.
 2. Permission to complete the required paperwork to accept the settlement with six opioid distributors/dispensers.
- J. Consider the request for approval from the Planning Department for the following:
1. Introduction of and call for a public hearing on Ordinance 6659, a zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and Cruz Subdivision, a major subdivision final plat, where the Planning and Zoning Commission recommends approval.

2. Introduction of and call for a public hearing on Ordinance 6661, a zoning ordinance text amendment to Section 14-04-19 (FP – Floodplain District) to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027, where the Planning and Zoning Commission recommends approval.

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

1. Permission to award the South Washington Street ash tree removal to CD & Sons, LLC and the stump removal to T & M Tree Service.
2. Award bid for Lawn Care Services for Roads and Streets Sites to Johnson Lawn & Landscaping.
3. Permission to revise the bid award for Unit 1 – Part A – AC Superpave in the Furnishing Paving Materials contract, originally presented to the City Commission on March 24, 2026.
4. Permission to award Construction Management at Risk (CMAR) for the new Police Headquarters to the team of JE Dunn Construction & Northwest Contracting, Inc.
5. Time Extension to Task Order 22-03 with Houston Engineering, Inc. for Landfill Final Cover Closure Phase I-III to July 31, 2026.

5. **REGULAR AGENDA**

- A. Receive the 2025 annual report from the City of Bismarck Human Relations Committee.

Katie Houle, Betsy Zarr, and Sargianna Wutzke provided the Human Relations Committee's 2025 Annual report to the Commission.

- [2025 Annual Report](#)

The Commission received the report.

- B. Public hearing on the request for a Taxi Cab License for Guiding Wheels, LLC.

Mayor Schmitz opened the public hearing.

- Trevor Vannett expressed concern that visitors and residents lack clear information about available transportation options. He urged the city to improve communication and signage and suggested revisiting the current ordinance.
- Emir Basic, representing Guiding Wheels, explained that he is from Bismarck and familiar with the area, addressing a concern about his local knowledge. He noted the business is just starting and that their phone number is currently available on their Facebook page and brochures, with plans to make it easier to find once the taxi application process is complete.
- Susan Dingle commented that the taxi system in the City of Bismarck is inadequate, with too few vehicles and unreliable services. She expressed concerns about high and possibly unfair pricing, including for disabled riders. She requested that the applicant make his phone number known so that riders can easily call for rides.

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

Discussion:

- Commissioner Risch agreed that there is a transportation shortage and supports giving a new transportation provider a chance to succeed.
- Commissioner Connelly reflected on past ordinance changes that raised accessibility requirements and made it harder for small businesses to succeed. Commissioner Connelly suggested allowing entrepreneurs to begin small and grow as they are successful. Commissioner Connelly noted that the applicant might advertise with the Convention and Visitors Bureau to help his business be successful.
- Commissioner Cleary agreed that the community is lacking this type of business and noted the challenges for small businesses. Commissioner Cleary noted that the owner should receive a fair chance to succeed in the community.

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

C. Public hearing on Ordinance 6657, an annexation of part of the South ½ of Section 19, T139N-R80W/Hay Creek Township pursuant to Document #975320 and Auditor's Lot B1 of the West ½ of Section 20, T139N-R80W/Hay Creek Township pursuant to Document #727447.

Daniel Nairn, Planning Director, presented information on Ordinance 6657, an annexation of Hay Creek Township, Part of Sections 19 and 20.

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.

D. Public hearing on Ordinance 6660, a zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district, and an

accompanying major subdivision final plat for JFP Foxhaven Subdivision, and Major Street Plan amendment.

Isak Johnson, City Planner, presented information on Ordinance 6660, a zoning map amendment, and the accompanying major subdivision final plat of JFP Foxhaven Subdivision and major street plan amendment.

Mayor Schmitz opened the public hearing.

- [Public Comment submitted prior to the meeting.](#)
- Landon Niemiller with Swenson, Hagen & Co., provided clarification on the original request that was presented to the Bismarck Planning and Zoning Commission. Mr. Niemiller described a plan for a rural residential subdivision on the west side of the road with the east side reserved for future urban development. He explained that the design accounts for existing features and will not impact the current home or septic system and that urban development is not feasible yet due to the lack of City services. The plan allows flexibility for future road adjustments.
- Heather Jones with Jones Family Properties (JFP), explained that she supports the subdivision as it will maintain the neighborhood's rural residential character. Ms. Jones noted that the land could be used for agricultural purposes, but she and her neighbors would prefer smaller residential lots over agricultural uses. She stated that the proposal is intended to benefit her immediate area and not dictate changes elsewhere and would be consistent with existing rural residential standards.
- Mona Heid, landowner on the east side of the proposed change, is concerned about the new road design. Ms. Heid explained that the updated proposal places the road 40–50 feet from her home and over her drain field. She explained that the road would also curb north and cut off part of her land, leaving it less usable. Ms. Heid noted that the design mainly benefits the developer while negatively impacting her property and nearby neighbors, who also oppose having additional houses and a road so close to their lots.
- Loren Fisher, owner of the property, explained that the land on the east side of the proposed change cannot currently be developed due to zoning and lack of City utilities whereas the west side is capable now. Mr. Fisher wanted to assure the neighbors that no immediate changes would affect their property and that future changes could be decades away.

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

Discussion:

- Commissioner Connelly noted that he supports prioritizing property rights, especially for the landowners to the west but noted that the eastern stakeholders still have input through planning and zoning. Commissioner Connelly suggested adding a historical note that the current landowner does not want a road to split their property in future planning discussions, as context can be lost over time.

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

- E. Consider the request for a resolution awarding the contract for Street Improvement District SI 596.

Gabe Schell, City Engineer, presented the bid results for Street Improvement District SI 596 and recommended awarding the bid to the lowest bidder, Northern Improvement Company for \$1,364,415.80.

- [Bid results](#)

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

- F. Consider the request for a resolution awarding the contract for Street Improvement District SI 597.

Gabe Schell, City Engineer, presented the bid results for Street Improvement District SI 597 and recommended awarding the bid to the lowest bidder, Strata Corporation for \$658,978.77.

- [Bid results](#)

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

- G. Consider the request from Commissioner Risch to purchase two electric patrol cars for the Bismarck Police Department.

Commissioner Risch addressed the Commission with a request to purchase two electric vehicles (EVs) for the Bismarck Police Department. Commissioner Risch explained that EVs could significantly reduce operating costs, citing reports of about \$6,700 annually due to lower fuel use, minimal maintenance and cheaper electricity in North Dakota. Commissioner Risch noted that the EVs have a range of roughly 250 miles, which should be enough for a 12-hour shift, a low center of gravity that improves stability and quieter operations which could provide tactical advantages. The upfront cost for the EVs is comparable to traditional patrol vehicles. However, there would be the cost of installing a charging station at the current Police Station. Commissioner Risch intends for the two EVs to be part of the 2027 budget but would require ordering now due to the ordering window closing soon.

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

Discussion:

- Mayor Schmitz inquired about how the proposed purchase would fit within the budget cycle, and which fiscal year would be charged and whether it would require a budget amendment. Mayor Schmitz is concerned about the timing of the order window and delivery of the vehicles, and how costs would be accounted for across fiscal periods. Mayor Schmitz noted that his main hesitation is adding expenses to an already tight 2026 budget given property tax constraints and legislative impacts. Mayor Schmitz stated that he is not opposed to the idea but is concerned with the financial timing and budgeting implications.

- Eric Lund, Acting Finance Director, explained that the ordering deadline for the two EVs is April 24, 2026. The plan would be to carry over the cost to the 2027 budget through a budget amendment in 2027. Acting Director Lund noted that the charging station is estimated to cost between \$20,000 and \$30,000, and would likely be installed at the current Police Headquarters in 2026. Plans to have a second charging station would then be included in the design plans for the future police station. Delivery of the EVs is expected around October or November 2026.
- Commissioner Zenker raised several concerns regarding purchasing the EVs. Commissioner Zenker questioned the overall budget and whether the EVs are meant to replace or supplement existing squad cars, as well as any gas-powered cars that have already been ordered. He was also concerned about operational reliability, especially in winter conditions with continuous 8–12-hour shifts. Commissioner Zenker suggested that hybrid vehicles might be a more dependable option.
- Commissioner Cleary asked if the costs associated with installing and maintaining a charging station would be included in the 2027 budget and asked if the purchase of the EVs were limited to a single annual ordering window. Commissioner Cleary suggested clarifying how the process would be handled going forward, potentially as part of the 2027 budget.

Upon a roll call vote, Commissioners Cleary and Risch voted aye. Commissioners Connelly, Zenker, and Mayor Schmitz voted nay. M/F.

6. **OTHER BUSINESS**

- A. Commissioner Cleary reminded citizens that Spring Clean Up Week will take place from April 20-23, 2026.
- B. Commissioner Connelly reminded citizens that the upcoming Community Conversations forum will be held at the Dream Center Bismarck on Tuesday, April 21, 2026 at 5:30 PM.
- C. Commissioner Risch recognized Tammy Roesler, a Senior Dispatcher at Central Dakota Communications, who walked a family through the delivery of their baby at the Apple Creek Area Rest Stop. Ms. Roesler received a butterfly on the Tree of Life at Central Dakota Communications, signifying that she helped fully deliver a baby.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 7:02 PM.

PERSONNEL ACTIONS FOR THE MEETING ON APRIL 28, 2026

<u>Full-Time and Part-Time Appointments</u>	<u>Department</u>	<u>Status/Action</u>	<u>Date</u>
Brocker, Victoria – Office Assistant II	Building Inspections	Full-Time	04/20/2026
Dagman, Kyle – Audio Visual Tech	Event Center	Part-Time	04/12/2026
Shirley, Caitlyn – Deputy Court Clerk	Municipal Court	Full-Time	04/20/2026
Krantz, Jonathan – Mosquito Surveillance Officer	Public Health	Part-Time	05/27/2026
Helm, Brady – Heavy Equipment Operator	PW-Services	Full-Time	04/20/2026

Separations

Dagman, Kyle – Audio Visual Supervisor	Event Center	Full-Time	04/03/2026
Johnson, Brenda – Adult Services Associate I	Library	Part-Time	04/17/2026
Leingang, Jaime – Roads and Streets Crew Lead	PW-Services	Full-Time	04/10/2026
Malloy, Joshua – Heavy Equipment Operator	PW-Services	Full-Time	04/10/2026

Others

Green, Dustin – Arborist	PW-Services	Full-Time	04/12/2026
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Administration Department

DATE: April 28, 2026

FROM: Douglas Wiles, Assistant City Administrator

ITEM: Application for a new C-2 – Hotel Complementary alcohol license for Super 8 by Wyndham

REQUEST:

Introduction of and call for a public hearing on a request for a new Class C-2, Hotel Complementary Alcohol, from Omkara, LLC (dba) Super 8 by Wyndham at 1124 East Capitol Avenue.

BACKGROUND INFORMATION:

Omkara, LLC (dba) Super 8 by Wyndham is requesting the issuance of a new Class C-2, Hotel Complementary Alcohol license at 1124 East Capitol Avenue.

Class C-2. To a hotel or motel that provides at least forty-five rooms for transient guests, to provide on-sale or complementary alcoholic beverages to registered customers and their guests in their rooms or in a common room designated for that purpose. The value of the alcoholic beverages sold shall not exceed the value of the alcoholic beverages given to or otherwise provided to registered customers and their guests. Any alcoholic beverage sold or provided under this license shall not be mixed or dispensed in the direct view of a minor.

RECOMMENDED CITY COMMISSION ACTION:

Staff recommends approval of the introduction of and call for a public hearing on the request for a new Class C-2, Hotel Complementary Alcohol, from Omkara, LLC (dba) Super 8 by Wyndham at 1124 East Capitol Avenue, with the public hearing scheduled for Tuesday, May 12, 2026.

Staff also recommends approval of the new Class C-2: Hotel Complementary Alcohol license.

STAFF CONTACT INFORMATION:

Whitnie Olsen, Senior Administrative Assistant, wolsen@bismarcknd.gov

ATTACHMENTS:

1. Super 8 Application



APPLICATION FOR RETAIL ALCOHOL BEVERAGE LICENSE

Phone: 701-355-1300 • Fax: 701-221-6470 • TDD 711
221 N 5th St • Bismarck, ND 58501

Note: The \$200 application fee is due when the application is submitted.
(Fee does not apply to renewal applications)

LAST REVISED: 9/19/2025

License Type:		☒ New Application	☐ Renewal	☐ Transfer	☐ Relocation
Class A: Nationally Organized Fraternal Order or Club ☐ \$3,700	Class B-1: Operator of the Beverage Concession at the Airport Terminal Building ☐ \$650	Class B-2: Concession at the Bismarck Municipal Country Club ☐ \$650	Class B-3: Commercial passenger vessels on the Missouri River ☐ \$650	Class B-4: Sale of Beer & Wine at the Bismarck Event Center ☐ \$650	
Class B-5: Sale of Alcoholic Beverages at Bismarck Parks & Recreation Locations ☐ \$650	Class B-6: Commercial Airline ☐ \$650	Class C-1: Hotel or Motel Full Service ☐ \$3,800	Class C-2: Hotel or Motel ☒ \$1,000	Class D: Sale at Retail of Alcoholic Beverages ☐ \$4,100	
Class E: Sale at Retail of Beer Only ☐ \$800	Class F-1: Restaurant - Alcoholic Beverages ☐ \$3,500	Class F-2: Restaurant - Beer & Wine Only ☐ \$1,100	Class G: Catered Retail Alcoholic Beverages ☐ \$650	Class H-1: Domestic Winery ☐ \$800	
Class H-2: Domestic Brewery ☐ \$800	Class H-3: Domestic Distillery ☐ \$800	Class I-1: Senior Living Community ☐ \$350	Class I-2: Complimentary ☐ \$350		

All Class F-1, F-2, & G license holders shall file with the application for license renewal a copy of their report of food and alcoholic beverage amounts that they have filed with the State of North Dakota for their state alcohol permit for the immediately preceding calendar year prior to renewal. The Board of City Commissioners may, at its discretion, require the licensee to provide such additional proof of the licensee's compliance with this section as the commission deems necessary.

All Class C-2 license holders shall file with the application for license renewal a report verifying that the value of the alcoholic beverages sold did not exceed the value of the alcoholic beverages given to or otherwise provided to registered customers and their guests.

Location Information:

Legal Business Name: Omkara LLC		Date of Incorporation: 05/27/2017	State Business ID Number: 82-1662697	
Doing Business As (DBA) Name, if Applicable: Super 8 by Wyndham		If out of state corporation, is corporation registered in North Dakota? ☒ Yes ☐ No		
Location Address: 1124 E Capitol Ave	City: Bismarck	State: ND	Zip: 58501	Phone Number: (701) 770-3649
Name and Title of Person Completing Form (must be the person listed in ownership information or manager):				

Contact Information (Where correspondence is to be sent):

Primary Contact: minal. R. oza		Phone Number:	Email Address:	
Mailing Address: 1124 E Capitol Ave	City: Bismarck	State: ND	Zip: 58501	

Manager's Name: minal. R. oza		Date of Birth: 1980	Percentage of Ownership: 100%
Driver's License Number:	State Issued: MN	Gender:	Race:
	City: Detroit Lake Bismarck	State: ND MN	Zip: 58501 56501
Occupation: owner	Phone Number:	Title: owner	Email Address:

List all officers or directors of corporation or partners and percentage of ownership:

Name: <i>Michael R. Oza</i>		Date of Birth: <i>1980</i>	Percentage of Ownership: <i>100%</i>
Driver's License Number:	State Issued: <i>MN</i>	Gender: <i>F</i>	Race: <i>Indicor</i>
Home Address:	City: <i>Detroit Lake</i>	State: <i>MN</i>	Zip: <i>56501</i>
Occupation: <i>self employed</i>	Phone Number:	Title: <i>owner</i>	

Name:		Date of Birth:	Percentage of Ownership:
Driver's License Number:	State Issued:	Gender:	Race:
Home Address:	City:	State:	Zip:
Occupation:	Phone Number:	Title:	Email Address:

Name:		Date of Birth:	Percentage of Ownership:
Driver's License Number:	State Issued:	Gender:	Race:
Home Address:	City:	State:	Zip:
Occupation:	Phone Number:	Title:	Email Address:

Name:		Date of Birth:	Percentage of Ownership:
Driver's License Number:	State Issued:	Gender:	Race:
Home Address:	City:	State:	Zip:
Occupation:	Phone Number:	Title:	Email Address:

The undersigned states that the following information is true and correct.

1. Are the manager and partners legal residents of the United States and the State of North Dakota, and are all officers or directors legal residents of the United States? ☒ Yes ☐ No	If no, please explain:
2. Have any of the persons listed above been convicted of any crime within the past five years? ☐ Yes ☒ No	If yes, list all convictions and the dates, locations and sentence of disposition of each:
3. Does the building meet all state and local sanitation and safety requirements? ☒ Yes ☐ No	
4. Has applicant, or any of the persons listed above, within the past five years had any license to engage in sale of alcoholic beverages revoked or suspended? ☐ Yes ☒ No	If yes, please give details:
5. If a new application, has the applicant or any of the persons listed above engaged in the sale or transportation of alcoholic beverages previously? ☐ Yes ☒ No	If yes, please give details:
6. Has the applicant, or any of the persons listed above, within the past five years, had an application for any federal or state, or local license of any type rejected or denied? ☐ Yes ☒ No	If yes, please give details:
7. Is there any agreement or understanding, or proposed agreement or understanding to obtain the license for another, or to operate the business for another, or as an agent for another? ☐ Yes ☒ No	If yes, please give details:
8. Has the business been sold or leased, or is there any intention to sell or lease the business to another? ☐ Yes ☒ No	If yes, please give details:
9. Has the applicant, or any of the persons listed above, shown interest in whatsoever, directly or indirectly, any other licensed liquor establishment within or without the State of North Dakota? ☒ Yes ☐ No	If yes, please give details: 2 on sale liquor licenses, on state of MN
10. Will the applicant, or any of the persons listed above, be engaged in any other business other than the sale of liquor under the license applied for? ☒ Yes ☐ No	If yes, please give details: Hotel Lodging
11. Have all property taxes and special assessments currently due been paid? ☒ Yes ☐ No	If no, please give details:

Signature:

☒ I agree that I will not transfer or sell this license, if granted, without the prior approval of the governing body and in accordance with applicable ordinances.

☒ I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform city officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership or management during the period of the license, prior approval of the Board of City Commissioners is required.

☒ I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.



Signature of Applicant

04.17.2026
Date

Min Al R Oza / Owner

Print Name / Title of Officer

Liquor License Transfers (only use if license is being transferred):

The Class _____ license owned by me is transferred to Applicant upon successful application.

Business Name

Applicant Business Name

Original License Holder Name Printed

Transfer Applicant Name Printed

Original License Holder Signature

Transfer Applicant Signature

State of

Subscribed and sworn to before me this _____

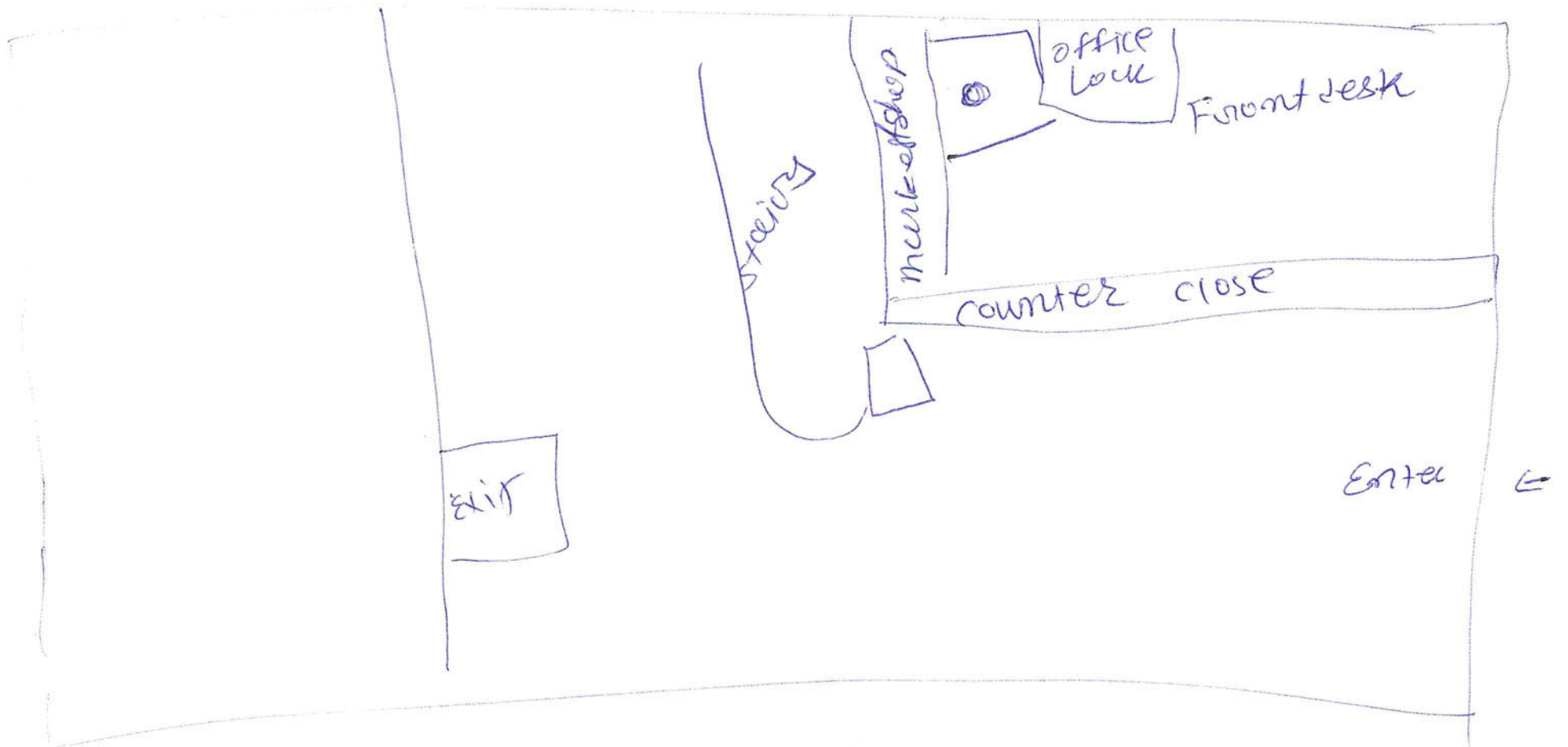
County of

day of _____

Notary Seal

Notary Public

My Commission Expires











Administration Department

DATE: April 28, 2026

FROM: Douglas Wiles, Assistant City Administrator

ITEM: Gaming Site Authorization Renewals

REQUEST:

Gaming site authorization renewals.

BACKGROUND INFORMATION:

Gaming site authorizations expire on June 30th of each year. The Bismarck Administration Department administers the annual gaming site authorizations and renewals. Please consider the request to approve the following applications for gaming:

- Dakota Junior Golf Association
 - Quality Inn - 1030 East Interstate Avenue
- Prairie Grit Adaptive Sports
 - Applebee's Neighborhood Grill - 434 South 3rd Street

RECOMMENDED CITY COMMISSION ACTION:

Consider approving the gaming applications.

STAFF CONTACT INFORMATION:

Douglas Wiles, Assistant City Administrator, 701-355-1300, dwiles@bismarcknd.gov

ATTACHMENTS:

None



Administration Department

DATE: April 28, 2026

FROM: Jason Tomanek, City Administrator

ITEM: Jones Lang LaSalle (JLL) Contract - Amendment 4

REQUEST:

Amendment No. 4, a no-cost time extension 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).

BACKGROUND INFORMATION:

The City of Bismarck has been working with third party consultants Jones Lang LaSalle (JLL) in November 2024 to facilitate the transition of the Bismarck Event Center to a third party company to manage and operate the Event Center. To date, JLL has facilitated the drafting and distribution of a Request for Proposals seeking third party operators, coordinated the interviews of potential third party management companies, and successfully coordinated a final contract between the City and Oak View Group (OVG) on the City's behalf.

Amendment No. 4 to the contract with JLL would allow for a no-cost time extension with JLL to finalize their services and submit a final invoice.

RECOMMENDED CITY COMMISSION ACTION:

Approve Amendment 4 to the contract with Jones Lang LaSalle (JLL) to include a no-cost time extension to allow for the finalization of services provided.

STAFF CONTACT INFORMATION:

Jason Tomanek, City Administrator, 701-355-1300, jtomanek@bismarcknd.gov

ATTACHMENTS:

None



Bismarck-Burleigh Public Health Department

DATE: April 28, 2026

FROM: Renae Moch, Director

ITEM: Adjustment to fee for STD Blood Draw

REQUEST:

Adjustment to fee for sexually transmitted disease (STD) blood draw services.

BACKGROUND INFORMATION:

Bismarck-Burleigh Public Health (BBPH) is requesting an adjustment to its fee schedule for STD blood draw (syphilis) services. The current fee of \$25 was established based on prior North Dakota State Laboratory costs. The North Dakota State Laboratory has increased its fee for this service from \$25 to \$35, and BBPH is requesting a corresponding adjustment to align our fees for service with the updated cost. The proposed fee change would be effective May 1, 2026. Consistent with North Dakota Century Code, services will not be withheld due to a client's inability to pay, and staff will continue to work with clients as needed to ensure access to care.

RECOMMENDED CITY COMMISSION ACTION:

Approve adjustment to fee schedule for STD blood draw from \$25 to \$35 effective May 1, 2026.

STAFF CONTACT INFORMATION:

Theresa Schmidt, Community Health Nursing Manager, 701-355-1578,
tschmidt@bismarcknd.gov

ATTACHMENTS:

None



Engineering Department

DATE: April 28, 2026

FROM: Gabe Schell, City Engineer

ITEM: Encroachment Agreement - 707 Airport Rd

REQUEST:

Encroachment agreement with Next Play, LLC at 707 Airport Road for a staircase.

BACKGROUND INFORMATION:

Next Play, LLC has purchased the old Super Valu warehouse at 707 Airport Road. During review of the site plan, staff recognized that a staircase was within the right-of-way of Indiana Avenue on the north side of the building. The staircase is required for emergency ingress and egress. The encroachment committee has reviewed and recommends approval of the attached agreement with a term of 10 years, continuing yearly thereafter.

RECOMMENDED CITY COMMISSION ACTION:

Approve encroachment agreement with Next Play, LLC for the staircase.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. Encroachment-Waiver Agreement - 707 Airport Rd
2. Supervalue Stairway Encroachment

ENCROACHMENT AGREEMENT AND WAIVER

The City of Bismarck (City) hereby grants Next Play LLC(Grantee) the right to maintain a privately owned Staircase (Encroachments) on the north side of the building adjacent to Indiana Avenue, Lot 1, Block 4, Casey's Industries, Inc. First Addition, 707 Airport Rd, Bismarck, Burleigh County, North Dakota, see exhibits stored in the Engineering Department, subject to the following conditions:

1. The Grantee shall comply with all rules regarding maintenance of the Encroachments in the right-of-way as set by the City Engineer.
2. The term of this grant shall be for ten(10) years and shall continue thereafter from year to year. The City may cancel this grant at any time after the initial term upon six months' written notice to the Grantee.
3. Upon the end of the term or prior abandonment by the Grantee, the Grantee shall, at its own expense, remove the Encroachments and restore the right of way to its original condition, if so required by the City.
4. For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, for the City's permission to operate and maintain the Encroachments within the right of way, Grantee agrees to release the City, its assigns or other franchised utilities from and waive any and all claims relating to said Encroachments, but not limited to, damages arising from damage to the Encroachments, loss of business, or other personal injury or property damage resulting from damage to the Encroachments by the City, its assigns or other franchised utilities.
5. Grantee agrees that it is using the right-of-way at its own risk. Grantee shall not look to the City, its assigns, or other franchised utilities, to pay for any expense or damage to the Encroachments by the City, its assigns or other franchised utilities. Grantee agrees that it will hold harmless and indemnify the City, its assigns, or other franchised utilities from any and all claims in any way resulting from the placement of the Encroachments

on the right of way. Grantee agrees that after installation of the Encroachments, Grantee will restore the right of way or street to its original condition.

6. In the event the City is required to perform street maintenance or construction on the right of way at the location of the Encroachments, Grantee shall cooperate with the City in temporarily protecting the Encroachments and accommodating the City's project, at Grantee's sole expense.
7. This Encroachment Agreement and Waiver and the covenants, agreements and restrictions contained herein, shall run with the land benefitted and burdened hereunder.
8. In the event of the commission of any breach of the terms of this Agreement by a party, the non-breaching party may cause this Agreement to be terminated on ten (10) days written notice. All obligations contained in paragraphs 3 and 4 will survive the termination of this Agreement, including but not limited to, the restoration of the property to the original condition.

(Business/Owners Name)

By: _____

_____ Date

Print: _____

Title: _____

STATE OF _____)
COUNTY OF _____) SS.

On this _____ day of _____, 20____, before me personally appeared _____, and that executed the within instrument, and acknowledged to me that such entity executed the same.

Notary Public
My commission expires:

City of Bismarck

Gabe Schell, PE
City Engineer

Date

Jason Tomanek
City Administrator

Date

Michael T. Schmitz
President
City Commission

Date

STATE OF _____)
) SS.
COUNTY OF _____)

On this _____ day of _____, 20____ before me personally appeared Gabe Schell known to me to be the City Engineer on behalf of the City of Bismarck, known to me to be the person who is described in, and who executed the within and foregoing instrument and who acknowledged to me that he executed the same.

Notary Public
My commission expires:

STATE OF _____)
) SS.
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared Jason Tomanek, known to me to be the City Administrator of the City of Bismarck, known to me to be the person who is described in, and who executed the within and foregoing instrument and who acknowledged to me that he executed the same.

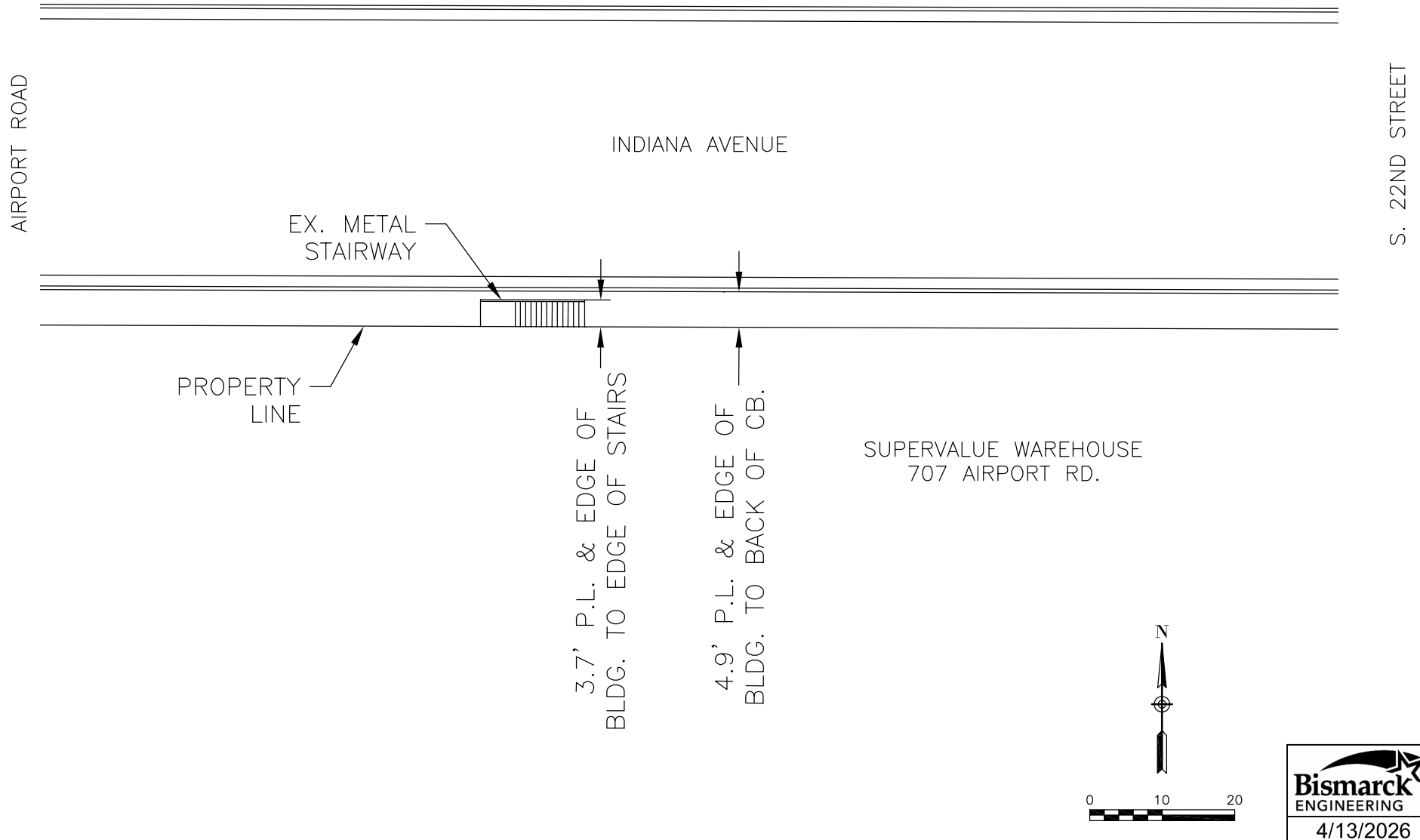
Notary Public
My commission expires:

STATE OF _____)
) SS.
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared Michael T. Schmitz, known to me to be the President of the Bismarck City Commission, known to me to be the person who is described in, and who executed the within and foregoing instrument and who acknowledged to me that he executed the same.

Notary Public
My commission expires:

ENCROACHMENT AGREEMENT





Engineering Department

DATE: April 28, 2026

FROM: Gabe Schell, City Engineer

ITEM: City Concrete Contracts, Projects CC2026 Parts A-1, A-2 and B.

REQUEST:

Request for resolution receiving bids, ordering preparation of the engineer's statement and awarding contracts for City concrete projects CC2026, Parts A-1, A-2 and B.

BACKGROUND INFORMATION:

This project is the annual city concrete contract to construct concrete sidewalks, curb and gutter, driveways, and other concrete as petitioned by land developers or homeowners and as needed by a city department during the 2026 construction season.

The project was divided into three separate contracts. Contractors were permitted to submit a bid for any or all parts of the city concrete contract and are divided as follows:

Part A-1	New Sidewalk and Driveway Aprons.
Part A-2	Sidewalk Gaps.
Part B	Hazardous Sidewalks and Driveway Apron Repairs and Miscellaneous Concrete Repairs including Sidewalk Driveway Aprons, Curb & Gutter

The bids were received on April 16, 2026. The engineer's estimates for each part are as follows:

Part A-1:	\$1,594,925
Part A-2:	\$ 170,067
Part B:	\$ 702,250

Strata Corporation submitted the low bid of \$1,245,525.00 for Part A-1; Brandoz Concrete submitted the low bid for Part A-2 in the amount of \$124,814.00; Sair Concrete, LLC for Part B in the amount of \$631,310.00. The bid summary is attached.

Project Schedule

Receipt and Opening of Bids

April 16, 2026

Award of Bid

April 28, 2026

Project Completion

June 1, 2027

RECOMMENDED CITY COMMISSION ACTION:

Approve the resolution receiving bids and ordering preparation of the engineer's statement. Award contract for CC2026 - Part A-1 to Strata Corporation for \$1,245,525.00, CC2026 - Part A-2 to Brandoz Concrete for \$124,814.00 and CC2026 - Part B to Sair Concrete, LLC for \$631,310.00.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. Bid Summary - Concrete Part A-1, A-2 & B

**BID SUMMARY
FOR
CONSTRUCTION OF CONCRETE SIDEWALKS, DRIVEWAYS, AND CURB AND GUTTER 2026**

BID DATE: April 16, 2026; 4:00 pm

ENGINEER'S ESTIMATE:	A1	\$	1,594,925.00
	A2	\$	170,067.00
	B	\$	702,250.00

BIDDER	AMOUNT		
Strata Corporation	A1	\$	<u>1,245,525.00</u>
	A2	\$	<u>144,460.00</u>
	B	\$	<u>829,447.00</u>
Brandoz Concrete	A1	\$	<u>1,332,148.00</u>
	A2	\$	<u>124,814.00</u>
	B	\$	<u>804,907.00</u>
Sair Concrete LLC	A1	no bid	
	A2	\$	<u>165,105.00</u>
	B	\$	<u>631,310.00</u>

Other Contractors listed as Prime Bidders for this project on Quest CDN

Ti-Zack Concrete LLC



Engineering Department

DATE: April 28, 2026

FROM: Gabe Schell, City Engineer

ITEM: NDDOT Bid Concurrence - HC 175

REQUEST:

Award concurrence of the North Dakota Department of Transportation (NDDOT) University Drive Microsurface, Bismarck Expressway to 48th Ave, NHU-1-804(054)074, PCN 24405, City Project HC 175.

BACKGROUND INFORMATION:

Project HC 175 consists of microsurfacing University Drive from Bismarck Expressway to 48th Ave. There were two bidders, with Asphalt Surface Technologies Corporation being the low bid at \$1,810,580.15.

The Board of City Commissioners approved the Cost Participation, Construction, and Maintenance Agreement with NDDOT for HC 175 at their August 12, 2025, meeting. The estimated City cost share based on the bid amounts per the NDDOT's April 13, 2026, letter is \$199,163.82. The City cost share is identified as sales tax through the 2025 and 2026 budget process under budget project ENG 26-11. This budget project combined microsurfacing projects HC 175, HC 179 and HC 180. No additional budget authorization is requested at this time as HC 175 and HC 180 came in below the budgeted amounts. NDDOT plans to bid and award HC 179 in 2027.

RECOMMENDED CITY COMMISSION ACTION:

Concur in award of the North Dakota Department of Transportation (NDDOT) University Drive Microsurface Project, Bismarck Expressway to 48th Ave, NHU-1-804(054)074, PCN 24405, City Project HC 175.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. NDDOT Concurrence Request Letter - HC 175

April 13, 2026

Gabe Schell
City Engineer
221 N 5th Street
Bismarck, ND 58506

PROJECTS: NHU-1-804(054)074; PCN 24405 – ND 1804; BISMARCK EXP. TO 48TH AVENUE

Bids for the construction on the above noted project were taken at our bid opening of April 10, 2026. A copy of the Contract Detail Estimate and Abstract of Bids are enclosed.

The low bid for Microsurfacing and pavement marking was submitted by Asphalt Surface Technologies Corporation of Saint Cloud, MN in the amount of \$1,810,580.15. According to the agreement with the City of Bismarck, the City's share of project **NHU-1-804(054)074** is estimated to be \$199,163.82. See contract detail estimates for cost breakdown and limits.

Before we can award to the low bidder, we need the City of Bismarck to **concur**, in writing, in the estimated amount before April 21, 2026, if possible.

Questions should be addressed to the Construction Services Division at 701-328-2566.

Sincerely,



Phillip Murdoff, PE
Construction Services Engineer

80/pm/jmm
Enclosure

North Dakota **FEDERAL AID**

Project Number: **NHU-1-804(054)074**

PCN: **24405**

Job Number: **24405**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Signed Date:

Contract with **ASPHALT SURFACE TECHNOLOGIES CORPORATION SAINT CLOUD, MN**

County(s): **BURLEIGH**

Location: **ND 1804, 48TH AVE SE TO BISMARCK EXPRESSWAY NB/SB - BISMARCK**

North Dakota **FEDERAL AID**

Project Number: **NHU-1-804(054)074**

PCN: **24405**

Job Number: **24405**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Roadway: **URBAN**
LRS_ID S1804N000M RP 74.6 (72.5086) TO RP 78.24 (76.0533)
LRS_ID S1804S000M RP 74.6 (2.3669) TO RP 78.24 (5.9129)

Type: **MICROSURFACING, PAVEMENT MARKING**

Participating: **Y**

Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
103	0100	CONTRACT BOND	1.000	L SUM	\$4,700.00	\$4,700.00
421	0011	AGGREGATE FOR MICROSURFACING TYPE III	1,965.000	TON	\$135.00	\$265,275.00
421	0020	ASPHALT EMULSION FOR MICROSURFACING	65,492.000	GAL	\$2.50	\$163,730.00
702	0100	MOBILIZATION	1.000	L SUM	\$310,000.00	\$310,000.00
704	0100	FLAGGING	200.000	MHR	\$60.00	\$12,000.00
704	1000	TRAFFIC CONTROL SIGNS	1,874.000	UNIT	\$3.15	\$5,903.10
704	1052	TYPE III BARRICADE	9.000	EA	\$105.00	\$945.00
704	1060	DELINEATOR DRUMS	65.000	EA	\$23.10	\$1,501.50
704	1067	TUBULAR MARKERS	242.000	EA	\$10.50	\$2,541.00
704	1087	SEQUENCING ARROW PANEL-TYPE C	1.000	EA	\$2,100.00	\$2,100.00
704	1500	OBLITERATION OF PAVEMENT MARKING	38,437.000	SF	\$2.00	\$76,874.00
704	4011	PORTABLE CHANGEABLE MESSAGE SIGN	2.000	EA	\$8,400.00	\$16,800.00
762	0122	PREFORMED PATTERNED PVMT MK-MESSAGE(GROOVED)	960.000	SF	\$42.00	\$40,320.00
762	0430	SHORT TERM 4IN LINE-TYPE NR	20,959.000	LF	\$0.21	\$4,401.39
762	0432	SHORT TERM 6IN LINE-TYPE NR	50,834.000	LF	\$0.29	\$14,741.86
762	0434	SHORT TERM 8IN LINE-TYPE NR	2,340.000	LF	\$0.42	\$982.80
762	1255	PREFORMED THERMO PLASTIC PVMT MK 6IN LINE	1,326.000	LF	\$15.75	\$20,884.50
762	1270	PREFORMED THERMO PLASTIC PVMT MK 24IN LINE	1,039.000	LF	\$44.10	\$45,819.90
762	1305	PREFORMED PATTERNED PVMT MK 4IN LINE-GROOVED	20,959.000	LF	\$6.30	\$132,041.70
762	1307	PREFORMED PATTERNED PVMT MK 6IN LINE-GROOVED	71,954.000	LF	\$8.40	\$604,413.60
762	1309	PREFORMED PATTERNED PVMT MK 8IN LINE-GROOVED	2,340.000	LF	\$12.60	\$29,484.00
762	1315	PREFORMED PATTERNED PVMT MK 12IN LINE-GROOVED	3,281.000	LF	\$16.80	\$55,120.80
Subtotal						\$1,810,580.15
Eng and Contg						\$181,058.02
Total						\$1,991,638.17

Length **3.6400 Miles**

		Construction
Estimated Cost		\$1,991,638.17
NHU FEDERAL FUNDS	80.93%	\$1,611,832.77
NHU STATE FUNDS	9.07%	\$180,641.58
NHU BISMARCK CITY FUNDS	10.00%	\$199,163.82

North Dakota **FEDERAL AID**

Project Number: **NHU-1-804(054)074**

PCN: **24405**

Job Number: **24405**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Summary for Project

Length

3.6400 Miles

BURLEIGH

3.6400 Miles

Estimated Total Construction Cost:

\$1,810,580.15

Estimated Total Eng and Contg:

\$181,058.02

	Construction	Total
Estimated Cost	\$1,991,638.17	\$1,991,638.17
NHU FEDERAL FUNDS	\$1,611,832.77	\$1,611,832.77
NHU STATE FUNDS	\$180,641.58	\$180,641.58
NHU BISMARCK CITY FUNDS	\$199,163.82	\$199,163.82

ND DEPARTMENT OF TRANSPORTATION				SHEET NO. 1 OF 1		ABSTRACT OF BIDS RECEIVED					
PROJECT NO. NHU-1-804(054)074				NO. 24405		BIDDER ENGINEERS ESTIMATE		BIDDER ASPHALT SURFACE TECH NOLOGIES CORPORATION		BIDDER VSS INTERNATIONAL IN C	
COUNTY & DATE BURLEIGH (015) APR 10, 2026 09:30AM								SAINT CLOUD, MN		WEST SACRAMENTO, CA	
LENGTH & TYPE ND 1804, 48TH AVE SE TO BIS EXPR - BIS								C.C. BOND RANK 01		C.C. BOND RANK 02	
COMPLETION TIME 10/10/26 MICROSURFACING, PAVEMENT MARKING						C.C. CHECK RANK 00					
SPEC. NO.	ITEM DESCRIPTION	UNIT	QUANTITY	BID PRICE	AMOUNT	BID PRICE	AMOUNT	BID PRICE	AMOUNT	BID PRICE	AMOUNT
103	CONTRACT BOND	L SUM	1000	11800000	11800000	4700000	4700000	12087110	12087110		
421	AGGREGATE FOR MICROSURFACING TYPE III	TON	1965000	116580	22907970	135000	26527500	200000	39300000		
421	ASPHALT EMULSION FOR MICROSURFACING	GAL	65492000	3060	20040552	2500	16373000	8000	52393600		
702	MOBILIZATION	L SUM	1000	18900000	18900000	31000000	31000000	561966980	561966980		
704	FLAGGING	MHR	200000	53620	1072400	60000	1200000	165000	3300000		
704	TRAFFIC CONTROL SIGNS	UNIT	1874000	2200	412280	3150	590310	3300	618420		
704	TYPE III BARRICADE	EA	9000	103110	92799	105000	94500	110000	99000		
704	DELINEATOR DRUMS	EA	65000	22300	144950	23100	150150	24200	157300		
704	TUBULAR MARKERS	EA	242000	6520	157784	10500	254100	11000	266200		
704	SEQUENCING ARROW PANEL-TYPE C	EA	1000	949540	94954	2100000	210000	2200000	220000		
704	OBLITERATION OF PAVEMENT MARKING	SF	38437000	2510	9647687	2000	7687400	2090	8033333		
704	PORTABLE CHANGEABLE MESSAGE SIGN	EA	2000	5798000	1159600	8400000	1680000	8800	1760		
762	PREFORMED PATTERNED PVMT MK-MESSAGE(GROOVED)	SF	960000	40000	38400000	42000	4032000	44000	4224000		
762	SHORT TERM 4IN LINE-TYPE NR	LF	20959000	170	356303	210	440139	220	461098		
762	SHORT TERM 6IN LINE-TYPE NR	LF	50834000	350	1779190	290	1474186	300	1525020		
762	SHORT TERM 8IN LINE-TYPE NR	LF	2340000	910	212940	420	98280	440	102960		
762	PREFORMED THERMO PLASTIC PVMT MK 6IN LINE	LF	1326000	12110	1605784	15750	2088450	16500	2187900		
762	PREFORMED THERMO PLASTIC PVMT MK 24IN LINE	LF	1039000	27870	2895693	44100	4581990	46200	4800180		
762	PREFORMED PATTERNED PVMT MK 4IN LINE-GROOVED	LF	20959000	7250	15195275	6300	13204170	6600	13832940		
762	PREFORMED PATTERNED PVMT MK 6IN LINE-GROOVED	LF	71954000	9290	66845266	8400	60441360	8800	63319520		
762	PREFORMED PATTERNED PVMT MK 8IN LINE-GROOVED	LF	2340000	13920	3257280	12600	2948400	13200	3088800		
762	PREFORMED PATTERNED PVMT MK 12IN LINE-GROOVED	LF	3281000	17000	5577700	16800	5512080	17600	5774560		
TOTAL					177376409		181058015		261112000		
						NO LIMIT		NO LIMIT			
ACTION TAKEN BY DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering:				AWARD TO: ASPHALT SURFACE TECHNOLOGIES CORPORATION				WHEN PRELIMINARY ARRANGEMENTS ARE COMPLETED.			
42				DATE OF AWARD				DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering			



Engineering Department

DATE: April 28, 2026

FROM: Gabe Schell, City Engineer

ITEM: NDDOT Bid Concurrence - HC 180

REQUEST:

Concurrence of the North Dakota Department of Transportation (NDDOT) Bismarck Expressway Microsurface, Expressway Bridge to Rosser Ave, NHU-1-094(245)925 & NHU-1-810(034)001, PCN 24403 and 24404, City Project HC 180.

BACKGROUND INFORMATION:

Project HC 175 consists of microsurfacing Bismarck Expressway from Expressway Bridge to Rosser Ave. There were two bidders, with Asphalt Surface Technologies Corporation being the low bid at \$3,948,742.68.

The Board of City Commissioners approved the Cost Participation, Construction, and Maintenance Agreement with NDDOT for HC 180 at their August 12, 2025, meeting and an amendment at their February 24, 2026, meeting. The estimated City cost share based on the bid amounts per the NDDOT's April 13, 2026, letter is \$10,159.48 for NHU-1-094(245)925 and \$181,019.17 for NHU-1-810(034)001. The City cost share is identified as sales tax through the 2025 and 2026 budget process under budget project ENG 26-11. This budget project combined microsurfacing projects HC 175, HC 179 and HC 180. No additional budget authorization is requested at this time as HC 175 and HC 180 came in below the budgeted amounts. NDDOT plans to bid and award HC 179 in 2027.

RECOMMENDED CITY COMMISSION ACTION:

Concur in award of the North Dakota Department of Transportation (NDDOT) Bismarck Expressway Microsurface Project, Expressway Bridge to Rosser Ave, NHU-1-094(245)925 & NHU-1-810(034)001, PCN 24403 and 24404, City Project HC 180.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. NDDOT Concurrence Request Letter - HC 180

April 13, 2026

Gabe Schell
City Engineer
221 N 5th Street
Bismarck, ND 58506

Jarek Wigness
City Engineer
205 Second Ave NW
Mandan, ND 58554

PROJECTS: NHU-1-810(034)001, NHU-1-094(245)925, IM-1-094(252)155, IM-1-194(248)000, NHU-1-810(036)000, PCN 24404, 24403, 24743, 24744, 24745 – ND 810 FROM EXPRESSWAY BRIDGE TO MAIN AVENUE, I-94 BUS; MAIN AVE TO END OF ASPHALT; WEST MIDWAY TO E OF JCT US 83; HWY 194; JCT 1-94 TO ND 810; MANDAN ND 810 FROM MEMORIAL HWY I-94

Bids for the construction on the above noted project were taken at our bid opening of April 10, 2026. A copy of the Contract Detail Estimate and Abstract of Bids are enclosed.

The low bid for Microsurfacing and pavement marking was submitted by Asphalt Surface Technologies Corporation of Saint Cloud, MN in the amount of \$3,948,742.68. According to the agreement with the City of Bismarck, the City's share of project **NHU-1-810(034)001** is estimated to be \$181,019.17. The City's share of project **NHU-1-094(245)925** is estimated to be \$10,159.48.

According to the agreement with the City of Mandan, the City's share of project **NHU-1-810(036)000** is estimated to be \$24,624.76. The Cities do not have any cost for tied projects **IM-1-094(252)155 & IM-1-194(248)000**. See contract detail estimates for cost breakdown and limits.

Before we can award to the low bidder, we need the City of Bismarck and the City Mandan to **concur**, in writing, in the estimated amount before April 21, 2026, if possible.

Questions should be addressed to the Construction Services Division at 701-328-2566.

Sincerely,



Phillip Murdoff, PE
Construction Services Engineer

80/pm/jmm
Enclosure

North Dakota **FEDERAL AID**

Project Number: **NHU-1-094(245)925**

PCN: **24403**

Job Number: **24404**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Signed Date:

Contract with **ASPHALT SURFACE TECHNOLOGIES CORPORATION SAINT CLOUD, MN**

County(s): **BURLEIGH**

Location: **I 94 BUS; MAIN AVE TO S OF ROSSER AVE EB/WB - BISMARCK**

Roadway: **URBAN**

S94E000B147.183_03 RP 925.209 (0.0001) TO 925.331 (0.1217)

S94W000B147.183_03 RP 925.209 (0.0001) TO 925.331 (0.1215)

Type: **MICROSURFACING**

Participating: **Y**

Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
103	0100	CONTRACT BOND	0.020	L SUM	\$10,000.00	\$200.00
421	0011	AGGREGATE FOR MICROSURFACING TYPE III	106.000	TON	\$135.00	\$14,310.00
421	0020	ASPHALT EMULSION FOR MICROSURFACING	3,542.000	GAL	\$2.50	\$8,855.00
702	0100	MOBILIZATION	0.020	L SUM	\$668,000.00	\$13,360.00
704	1500	OBLITERATION OF PAVEMENT MARKING	2,183.000	SF	\$1.79	\$3,907.57
704	4011	PORTABLE CHANGEABLE MESSAGE SIGN	1.000	EA	\$8,400.00	\$8,400.00
762	0122	PREFORMED PATTERNED PVMT MK-MESSAGE(GROOVED)	96.000	SF	\$36.75	\$3,528.00
762	0430	SHORT TERM 4IN LINE-TYPE NR	3,756.000	LF	\$0.21	\$788.76
762	1270	PREFORMED THERMO PLASTIC PVMT MK 24IN LINE	189.000	LF	\$42.00	\$7,938.00
762	1305	PREFORMED PATTERNED PVMT MK 4IN LINE-GROOVED	3,756.000	LF	\$6.30	\$23,662.80
762	1309	PREFORMED PATTERNED PVMT MK 8IN LINE-GROOVED	588.000	LF	\$12.60	\$7,408.80
Subtotal						\$92,358.93
Eng and Contg						\$9,235.89
Total						\$101,594.82

Length **0.1300 Miles**

Estimated Cost		Construction
		\$101,594.82
NHU FEDERAL FUNDS	80.93%	\$82,220.69
NHU STATE FUNDS	9.07%	\$9,214.65
NHU BISMARCK CITY FUNDS	10.00%	\$10,159.48

North Dakota **FEDERAL AID**

Project Number: **NHU-1-094(245)925**

PCN: **24403**

Job Number: **24404**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Summary for Project

Length

0.1300 Miles

BURLEIGH

0.1300 Miles

Estimated Total Construction Cost:

\$92,358.93

Estimated Total Eng and Contg:

\$9,235.89

	Construction	Total
Estimated Cost	\$101,594.82	\$101,594.82
NHU FEDERAL FUNDS	\$82,220.69	\$82,220.69
NHU STATE FUNDS	\$9,214.65	\$9,214.65
NHU BISMARCK CITY FUNDS	\$10,159.48	\$10,159.48

North Dakota **FEDERAL AID**

Project Number: **NHU-1-810(034)001**

PCN: **24404**

Job Number: **24404**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Signed Date:

Contract with **ASPHALT SURFACE TECHNOLOGIES CORPORATION SAINT CLOUD, MN**

County(s): **BURLEIGH**

Location: **ND 810, W OF WASHINGTON ST (EXPRESSWAY BRIDGE) E TO MAIN AVE EB/WB - BISMARCK**

North Dakota **FEDERAL AID**

Bid Opening Date: **4/10/2026**

Project Number: **NHU-1-810(034)001**

PCN: **24404**

Job Number: **24404**

English/Metric: **ENGLISH**

Roadway: **URBAN**

LRS_ID S810E000M RP 1.320 (1.3214) TO RP 5.741 (5.7801)

LRS_ID S810W000M RP 1.320 (1.3097) TO RP 5.741 (5.7526)

Type: **MICROSURFACING**

Participating: **Y**

Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
103	0100	CONTRACT BOND	0.330	L SUM	\$10,000.00	\$3,300.00
107	0100	RAILWAY PROTECTION INSURANCE	0.500	L SUM	\$2,500.00	\$1,250.00
107	0140	RAILROAD COORDINATION	0.500	L SUM	\$1,500.00	\$750.00
107	0145	RAILROAD FLAGGING	1,600.000	DAY	\$3.00	\$4,800.00
421	0011	AGGREGATE FOR MICROSURFACING TYPE III	1,898.000	TON	\$135.00	\$256,230.00
421	0020	ASPHALT EMULSION FOR MICROSURFACING	63,293.000	GAL	\$2.50	\$158,232.50
702	0100	MOBILIZATION	0.330	L SUM	\$668,000.00	\$220,440.00
704	0100	FLAGGING	200.000	MHR	\$60.00	\$12,000.00
704	1000	TRAFFIC CONTROL SIGNS	2,242.000	UNIT	\$3.15	\$7,062.30
704	1052	TYPE III BARRICADE	20.000	EA	\$78.75	\$1,575.00
704	1060	DELINEATOR DRUMS	60.000	EA	\$21.00	\$1,260.00
704	1067	TUBULAR MARKERS	396.000	EA	\$7.35	\$2,910.60
704	1087	SEQUENCING ARROW PANEL-TYPE C	1.000	EA	\$1,050.00	\$1,050.00
704	1500	OBLITERATION OF PAVEMENT MARKING	25,073.000	SF	\$1.79	\$44,880.67
704	4011	PORTABLE CHANGEABLE MESSAGE SIGN	1.000	EA	\$8,400.00	\$8,400.00
762	0122	PREFORMED PATTERNED PVMT MK-MESSAGE(GROOVED)	1,944.000	SF	\$36.75	\$71,442.00
762	0430	SHORT TERM 4IN LINE-TYPE NR	85,402.000	LF	\$0.21	\$17,934.42
762	1255	PREFORMED THERMO PLASTIC PVMT MK 6IN LINE	4,981.000	LF	\$15.75	\$78,450.75
762	1270	PREFORMED THERMO PLASTIC PVMT MK 24IN LINE	1,516.000	LF	\$42.00	\$63,672.00
762	1305	PREFORMED PATTERNED PVMT MK 4IN LINE-GROOVED	85,402.000	LF	\$6.30	\$538,032.60
762	1309	PREFORMED PATTERNED PVMT MK 8IN LINE-GROOVED	12,060.000	LF	\$12.60	\$151,956.00
Subtotal						\$1,645,628.84
Eng and Contg						\$164,562.88
Total						\$1,810,191.72

Length **4.3780 Miles**

		Construction
Estimated Cost		\$1,810,191.72
NHU FEDERAL FUNDS	80.93%	\$1,464,988.16
NHU STATE FUNDS	9.07%	\$164,184.39
NHU BISMARCK CITY FUNDS	10.00%	\$181,019.17

North Dakota **FEDERAL AID**

Project Number: **NHU-1-810(034)001**

PCN: **24404**

Job Number: **24404**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Summary for Project

Length

4.3780 Miles

BURLEIGH

4.3780 Miles

Estimated Total Construction Cost:

\$1,645,628.84

Estimated Total Eng and Contg:

\$164,562.88

	Construction	Total
Estimated Cost	\$1,810,191.72	\$1,810,191.72
NHU FEDERAL FUNDS	\$1,464,988.16	\$1,464,988.16
NHU STATE FUNDS	\$164,184.39	\$164,184.39
NHU BISMARCK CITY FUNDS	\$181,019.17	\$181,019.17

North Dakota **FEDERAL AID**

Project Number: **IM-1-094(252)155**

PCN: **24743**

Job Number: **24404**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Contract with **ASPHALT SURFACE TECHNOLOGIES CORPORATION SAINT CLOUD, MN**

Signed Date:

County(s): **BURLEIGH MORTON**

Location: **I-94, E END OF MAIN AVE (EXIT 155) - MANDAN TO E OF JCT US 83 EB/WB- BISMARCK**

Roadway: **URBAN**

I94E000M RP 155.210 (155.4176) TO RP 162.095 (162.1022)

I94W000M RP 155.210 (155.507) TO RP 162.095 (162.0311)

Type: **MICROSURFACING**

Participating: **Y**

Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
103	0100	CONTRACT BOND	0.510	L SUM	\$10,000.00	\$5,100.00
421	0011	AGGREGATE FOR MICROSURFACING TYPE III	4,590.000	TON	\$135.00	\$619,650.00
421	0020	ASPHALT EMULSION FOR MICROSURFACING	153,004.000	GAL	\$2.50	\$382,510.00
702	0100	MOBILIZATION	0.510	L SUM	\$668,000.00	\$340,680.00
704	0100	FLAGGING	50.000	MHR	\$60.00	\$3,000.00
704	1000	TRAFFIC CONTROL SIGNS	4,076.000	UNIT	\$3.15	\$12,839.40
704	1052	TYPE III BARRICADE	15.000	EA	\$78.75	\$1,181.25
704	1060	DELINEATOR DRUMS	300.000	EA	\$21.00	\$6,300.00
704	1067	TUBULAR MARKERS	600.000	EA	\$7.35	\$4,410.00
704	1087	SEQUENCING ARROW PANEL-TYPE C	3.000	EA	\$1,050.00	\$3,150.00
704	1500	OBLITERATION OF PAVEMENT MARKING	69,613.000	SF	\$1.79	\$124,607.27
704	4011	PORTABLE CHANGEABLE MESSAGE SIGN	4.000	EA	\$8,400.00	\$33,600.00
762	0103	PVMT MK PAINTED-MESSAGE	64.000	SF	\$7.35	\$470.40
762	0200	RAISED PAVEMENT MARKERS	180.000	EA	\$5.25	\$945.00
762	0432	SHORT TERM 6IN LINE-TYPE NR	470,916.000	LF	\$0.21	\$98,892.36
762	0437	SHORT TERM 12IN LINE-TYPE NR	18,050.000	LF	\$0.42	\$7,581.00
762	0442	SHORT TERM MESSAGE-TYPE NR	128.000	SF	\$8.40	\$1,075.20
762	1106	PVMT MK PAINTED 6IN LINE	276,313.000	LF	\$0.17	\$46,973.21
762	1112	PVMT MK PAINTED 12IN LINE	7,825.000	LF	\$0.42	\$3,286.50
Subtotal						\$1,696,251.59
Eng and Contg						\$169,625.16
Total						\$1,865,876.75

Length **6.2600 Miles**

Construction		
Estimated Cost		\$1,865,876.75
IM FEDERAL FUNDS	90.00%	\$1,679,289.07
IM STATE FUNDS	10.00%	\$186,587.68

CONTRACT DETAIL ESTIMATE UPON WHICH PROJECT AGREEMENT IS TO BE BASED

North Dakota **FEDERAL AID**

Project Number: **IM-1-094(252)155**

PCN: **24743**

Job Number: **24404**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Summary for Project

Length	6.2600 Miles	BURLEIGH	3.8403 Miles	MORTON	2.4197 Miles
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Estimated Total Construction Cost:	\$1,696,251.59
Estimated Total Eng and Contg:	\$169,625.16

	Construction	Total
Estimated Cost	\$1,865,876.75	\$1,865,876.75
IM FEDERAL FUNDS	\$1,679,289.07	\$1,679,289.07
IM STATE FUNDS	\$186,587.68	\$186,587.68

North Dakota **FEDERAL AID**
Project Number: **IM-1-194(248)000**
Contract with **ASPHALT SURFACE TECHNOLOGIES CORPORATION SAINT CLOUD, MN**
County(s): **MORTON**
Location: **I-194, JCT I-94 TO ND 810 EB/WB - MANDAN**
Roadway: **URBAN**
Type: **MICORSURFACING**

PCN: **24744**
Job Number: **24404**

Bid Opening Date: **4/10/2026**
English/Metric: **ENGLISH**
Signed Date:

Participating: **Y**

Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
103	0100	CONTRACT BOND	0.080	L SUM	\$10,000.00	\$800.00
107	0100	RAILWAY PROTECTION INSURANCE	0.500	L SUM	\$2,500.00	\$1,250.00
107	0140	RAILROAD COORDINATION	0.500	L SUM	\$1,500.00	\$750.00
107	0145	RAILROAD FLAGGING	1,600.000	DAY	\$3.00	\$4,800.00
421	0011	AGGREGATE FOR MICROSURFACING TYPE III	790.000	TON	\$135.00	\$106,650.00
421	0020	ASPHALT EMULSION FOR MICROSURFACING	26,332.000	GAL	\$2.50	\$65,830.00
702	0100	MOBILIZATION	0.080	L SUM	\$668,000.00	\$53,440.00
704	0100	FLAGGING	50.000	MHR	\$60.00	\$3,000.00
704	1500	OBLITERATION OF PAVEMENT MARKING	14,119.000	SF	\$1.79	\$25,273.01
762	0103	PVMT MK PAINTED-MESSAGE	96.000	SF	\$7.35	\$705.60
762	0432	SHORT TERM 6IN LINE-TYPE NR	70,954.000	LF	\$0.21	\$14,900.34
762	0436	SHORT TERM 24IN LINE-TYPE NR	64.000	LF	\$16.80	\$1,075.20
762	0437	SHORT TERM 12IN LINE-TYPE NR	6,434.000	LF	\$0.42	\$2,702.28
762	0442	SHORT TERM MESSAGE-TYPE NR	192.000	SF	\$8.40	\$1,612.80
762	1106	PVMT MK PAINTED 6IN LINE	35,477.000	LF	\$0.17	\$6,031.09
762	1112	PVMT MK PAINTED 12IN LINE	3,217.000	LF	\$0.42	\$1,351.14
762	1124	PVMT MK PAINTED 24IN LINE	32.000	LF	\$14.70	\$470.40
Subtotal						\$290,641.86
Eng and Contg						\$29,064.19
Total						\$319,706.05

Length **0.9910 Miles**

Estimated Cost		Construction
		\$319,706.05
IM FEDERAL FUNDS	90.00%	\$287,735.44
IM STATE FUNDS	10.00%	\$31,970.61

North Dakota **FEDERAL AID**

Project Number: **IM-1-194(248)000**

PCN: **24744**

Job Number: **24404**

Bid Opening Date: **4/10/2026**

English/Metric: **ENGLISH**

Summary for Project

Length

0.9910 Miles

MORTON

0.9910 Miles

Estimated Total Construction Cost:

\$290,641.86

Estimated Total Eng and Contg:

\$29,064.19

	Construction	Total
Estimated Cost	\$319,706.05	\$319,706.05
IM FEDERAL FUNDS	\$287,735.44	\$287,735.44
IM STATE FUNDS	\$31,970.61	\$31,970.61

North Dakota **FEDERAL AID**
Project Number: **NHU-1-810(036)000**

PCN: **24745**
Job Number: **24404**

Bid Opening Date: **4/10/2026**
English/Metric: **ENGLISH**

Contract with **ASPHALT SURFACE TECHNOLOGIES CORPORATION SAINT CLOUD, MN**
Signed Date:

County(s): **MORTON**
Location: **ND 810, JCT 94B (MEMORIAL HIGHWAY) TO EXPRESSWAY BRIDGE EB/WB - MANDAN**

Roadway: **URBAN**
LRS_ID S810E000M RP 0 (0.0001) TO RP 0.863 (0.8671)
LRS_ID S810W000M RP 0 (0.0001) TO RP 0.863 (0.8573)

Type: **MICROSURFACING**

Participating: **Y**

Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
103	0100	CONTRACT BOND	0.060	L SUM	\$10,000.00	\$600.00
421	0011	AGGREGATE FOR MICROSURFACING TYPE III	562.000	TON	\$135.00	\$75,870.00
421	0020	ASPHALT EMULSION FOR MICROSURFACING	18,744.000	GAL	\$2.50	\$46,860.00
702	0100	MOBILIZATION	0.060	L SUM	\$668,000.00	\$40,080.00
704	0100	FLAGGING	50.000	MHR	\$60.00	\$3,000.00
704	1500	OBLITERATION OF PAVEMENT MARKING	14,010.000	SF	\$1.79	\$25,077.90
762	0432	SHORT TERM 6IN LINE-TYPE NR	75,812.000	LF	\$0.21	\$15,920.52
762	0436	SHORT TERM 24IN LINE-TYPE NR	196.000	LF	\$16.80	\$3,292.80
762	0437	SHORT TERM 12IN LINE-TYPE NR	3,574.000	LF	\$0.42	\$1,501.08
762	1106	PVMT MK PAINTED 6IN LINE	37,906.000	LF	\$0.17	\$6,444.02
762	1112	PVMT MK PAINTED 12IN LINE	1,787.000	LF	\$0.42	\$750.54
762	1124	PVMT MK PAINTED 24IN LINE	98.000	LF	\$14.70	\$1,440.60
762	1350	PAVEMENT MARKING MESSAGE-MASKING	48.000	SF	\$63.00	\$3,024.00
Subtotal						\$223,861.46
Eng and Contg						\$22,386.15
Total						\$246,247.61

Length **0.7350 Miles**

		Construction
Estimated Cost		\$246,247.61
NHU FEDERAL FUNDS	80.93%	\$199,288.19
NHU STATE FUNDS	9.07%	\$22,334.66
NHU MANDAN CITY FUNDS	10.00%	\$24,624.76

North Dakota FEDERAL AID		Bid Opening Date: 4/10/2026	
Project Number: NHU-1-810(036)000		PCN: 24745	
		Job Number: 24404	English/Metric: ENGLISH
Summary for Project			
Length	0.7350 Miles	MORTON	0.7350 Miles
Estimated Total Construction Cost:			\$223,861.46
Estimated Total Eng and Contg:			\$22,386.15
		<u>Construction</u>	<u>Total</u>
Estimated Cost		\$246,247.61	\$246,247.61
NHU FEDERAL FUNDS		\$199,288.19	\$199,288.19
NHU STATE FUNDS		\$22,334.66	\$22,334.66
NHU MANDAN CITY FUNDS		\$24,624.76	\$24,624.76

ND DEPARTMENT OF TRANSPORTATION				SHEET NO 1 OF 1		ABSTRACT OF BIDS RECEIVED			
PROJECT NO. NHU-1-810(034)001 NHU-1-094(245)925 IM-1-094(252)155 COUNTY & DATE BURLEIGH (015) AND MORTON APR 10, 2026 09:30AM LENGTH & TYPE 12.494 ND 810, EXPRESSWAY BR TO MAIN AVE - BIS COMPLETION TIME 10/10/26 MICROSURFACING				NO. 24404		BIDDER ENGINEERS ESTIMATE		BIDDER ASPHALT SURFACE TECH NOLOGIES CORPORATION	
						SAINT CLOUD, MN		WEST SACRAMENTO, CA	
				C.C. CHECK RANK 00		C.C. BOND RANK 01		C.C. BOND RANK 02	
SPEC. NO.	ITEM DESCRIPTION	UNIT	QUANTITY	BID PRICE	AMOUNT	BID PRICE	AMOUNT	BID PRICE	AMOUNT
103	CONTRACT BOND	L SUM	1000	27000000	27000000	10000000	10000000	40000000	40000000
107	RAILWAY PROTECTION INSURANCE	L SUM	1000	5000000	5000000	2500000	2500000	16500000	16500000
107	RAILROAD COORDINATION	L SUM	1000	8000000	8000000	1500000	1500000	16500000	16500000
107	RAILROAD FLAGGING	DAY	3200000	2000	6400000	3000	9600000	30000	9600000
421	AGGREGATE FOR MICROSURFACING TYPE III	TON	7946000	117000	92968200	135000	107271000	205000	162893000
421	ASPHALT EMULSION FOR MICROSURFACING	GAL	264915000	3300	874219500	2500	662287500	8000	2119320000
702	MOBILIZATION	L SUM	1000	430000000	430000000	668000000	668000000	1042480380	1042480380
704	FLAGGING	MHR	350000	57770	20219500	60000	21000000	165000	57750000
704	TRAFFIC CONTROL SIGNS	UNIT	6318000	2360	14910480	3150	19901700	3300	20849400
704	TYPE III BARRICADE	EA	35000	118310	4140850	78750	2756250	82500	2887500
704	DELINEATOR DRUMS	EA	360000	26020	9367200	21000	7560000	22000	7920000
704	TUBULAR MARKERS	EA	996000	5470	5448120	7350	7320600	7700	7669200
704	SEQUENCING ARROW PANEL-TYPE C	EA	4000	1281250	5125000	1050000	4200000	1100000	4400000
704	OBLITERATION OF PAVEMENT MARKING	SF	124998000	2600	324994800	1790	223746420	1870	233746260
704	PORTABLE CHANGEABLE MESSAGE SIGN	EA	6000	6744600	40467600	8400000	50400000	8800000	52800000
762	PVMT MK PAINTED-MESSAGE	SF	160000	5180	828800	7350	1176000	7700	1232000
762	PREFORMED PATTERNED PVMT MK-MESSAGE(GROOVED)	SF	2040000	40000	81600000	36750	74970000	38500	78540000
762	RAISED PAVEMENT MARKERS	EA	180000	2110	379800	5250	945000	5500	990000
762	SHORT TERM 4IN LINE-TYPE NR	LF	89158000	210	18723180	210	18723180	220	19614760
762	SHORT TERM 6IN LINE-TYPE NR	LF	617682000	350	216188700	210	129713220	220	135890040
762	SHORT TERM 24IN LINE-TYPE NR	LF	260000	8050	2093000	16800	4368000	17600	4576000
762	SHORT TERM 12IN LINE-TYPE NR	LF	28058000	420	11784360	420	11784360	440	12345520
762	SHORT TERM MESSAGE-TYPE NR	SF	320000	6010	1923200	8400	2688000	8800	2816000
762	PVMT MK PAINTED 6IN LINE	LF	349696000	170	59448320	170	59448320	180	62945280
762	PVMT MK PAINTED 12IN LINE	LF	12829000	650	8338850	420	5388180	440	5644760
762	PVMT MK PAINTED 24IN LINE	LF	130000	6880	894400	14700	1911000	15400	2002000
762	PREFORMED THERMO PLASTIC PVMT MK 6IN LINE	LF	4981000	12110	60319910	15750	78450750	16500	82186500
762	PREFORMED THERMO PLASTIC PVMT MK 24IN LINE	LF	1705000	44500	75872500	42000	71610000	44000	75020000
762	PREFORMED PATTERNED PVMT MK 4IN LINE-GROOVED	LF	89158000	7500	668685000	6300	561695400	6600	588442800
762	PREFORMED PATTERNED PVMT MK 8IN LINE-GROOVED	LF	12648000	13960	176566080	12600	159364800	13200	166953600
762	PAVEMENT MARKING MESSAGE-MASKING	SF	48000	12070	579360	63000	3024000	66000	3168000
TOTAL					408920051		394874268		659012000
						NO LIMIT		NO LIMIT	
ACTION TAKEN BY DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering:				AWARD TO: ASPHALT SURFACE TECHNOLOGIES CORPORATION				WHEN PRELIMINARY ARRANGEMENTS ARE COMPLETED.	
41				DATE OF AWARD				DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering	



Engineering Department

DATE: April 28, 2026

FROM: Gabe Schell, City Engineer

ITEM: Facility Improvements FI 26

REQUEST:

Receive bids and award contract for Facility Improvement Project FI 26.

BACKGROUND INFORMATION:

Facility Improvement Project FI 26 will microsurface the parking lots at the Public Works Facility and Public Health Building as part of regular maintenance of the asphalt surfaces.

The engineer's estimate for this project was \$163,577.30; the budgeted 2026 One-Time Initiative programmed cost was \$775,000. This programmed cost includes contingency and engineering along with work performed by City of Bismarck Public Works staff (including patching, pavement marking and crack sealing). The project budget does not reflect the work performed by Public Works staff.

One bid was received on April 16, 2026. Asphalt Surface Technologies Corp. submitted the sole bid of \$241,680.04. The bid summary and project budget are attached.

Project Schedule

Receipt and Opening of Bids

April 16, 2026

Award of Bid

April 28, 2026

Project Completion

September 30, 2026

RECOMMENDED CITY COMMISSION ACTION:

Receive bids and award contract to Asphalt Surface Technologies Corp for FI 26 in the amount of \$241,680.04.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. Bid Summary - FI26
2. Project Budget - FI 26

**BID SUMMARY
FOR
FACILITY IMPROVEMENT NO. 2026
2026 MICRO SURFACE PW & PH LOTS
BID DATE: April 16, 2026; 4:00 PM**

ENGINEER'S ESTIMATE: \$ 163,577.30

BIDDER	AMOUNT
Asphalt Surface Technologies Corp.	<u>\$ 241,680.04</u>

PROJECT BUDGET

Number	FI 26	Description	Parking Lot Microsurfacing - PW & PH Building
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Construction Award	4/28/2026	Construction Completion	9/30/2026
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Project Contracts

<u>Project Construction Contracts</u>	<u>Amount</u>
Asphalt Surface Technologies Corp -----	241,680.04
Subtotal	241,680.04
Contingencies 10%	24,168.00
Total Construction Contracts	265,848.04

<u>Other Contracts, Land Purchases, Etc.</u>	<u>Contract No.</u>	<u>Amount</u>
Subtotal		-
*Contingencies 10%		-
Total Other Contracts		-

<u>Work by Other City Departments</u>	<u>Amount</u>
Subtotal	-
*Contingencies 10%	-
Total Work by Other City Departments	-

SUMMARY

Construction Cost - No Contingencies	241,680.04
TOTAL CONSTRUCTION COST WITH CONTINGENCIES	265,848.04
Engineering 10% -----	26,584.80
FI 26 TOTAL PROJECT COST -----	292,432.84

<u>Project Funding</u>	<u>Amount</u>
2026 Budget One-Time -----	292,432.84
Total Funding	292,432.84

Date 4/21/2026



Engineering Department

DATE: April 28, 2026

FROM: Gabe Schell, City Engineer

ITEM: Street Improvement District SI 598

REQUEST:

Resolutions declaring petitions have been received, creating the district, ordering the preparation of the engineer's report, approving the engineer's report, directing the preparation of the plans and specifications, approving plans and specifications, directing the advertisement for bids, and receiving bids for Street Improvement District No. SI 598.

BACKGROUND INFORMATION:

Street Improvement District No. 598 consists of one (1) unit of storm sewer, new asphalt pavement, curb and gutter, ADA ramps, sidewalk and related work. Unit 1 includes approximately 3,920 lineal feet of new roadway in Silver Ranch Third, Third Second Replat, and Fifth Additions, north of 43rd Avenue in northeast Bismarck.

The engineer's report and boundary map for the district are attached. The report will be posted to the city website upon City Commission approval at www.bismarcknd.gov/streets. The developer has requested that the portion shown as benefiting property outside city limits, Lot 45 Block 4, Silver Ranch Fifth Addition, be included in the district. The annexation of Lot 45 is currently in progress and is scheduled to conclude prior to spreading special assessments. Should the annexation of the parcels not be concluded, staff would come back to the commission for direction on how to proceed.

UNIT NO. 1 (100% petitioned)

Welder Avenue - 170' east of Brynhild Dr. to Silbernagle Dr.

Halverson Ave - 380' west to 195' east of Silbernagle Dr.

Halverson Ave - 155' west to 165' east of Davies Dr. (N)

Halverson Ave - Davies Dr. (S) to 120' southeast

Silbernagle Drive - 115' south of Welder Ave. to 140' north of Halverson Ave.

Davies Drive - 270' northeast of Silbernagle Dr. to 150' north of Halverson Ave (N)

Project Schedule

Receipt and Opening of Bids

Award of Bid

Project Completion

May 19, 2026

May 26, 2026

Fall 2027

RECOMMENDED CITY COMMISSION ACTION:

Approve resolutions declaring petitions have been received, creating the district, ordering the preparation of the engineer's report, approving the engineer's report, directing the preparation of the plans and specifications, approving plans and specifications, directing the advertisement of bids, and receiving bids for Street Improvement District SI 598.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. Engineering Report - SI598

ENGINEER'S REPORT

Street Improvement District Five Hundred Ninety-Eight (SI 598)

General Nature, Purpose and Benefit

Street Improvement District No. 598 consists of one (1) unit of storm sewer, new asphalt pavement, curb and gutter, ADA ramps, sidewalk and related work. Unit 1 includes approximately 3,920 lineal feet of new roadway in Silver Ranch Third, Third Second Replat, and Fifth Additions.

The streets within this district will extend and connect the City's road network as requested by the majority landowner for the continued growth of the City of Bismarck.

The boundaries of the district were drawn to include all parcels which receive benefit from the improvements of this district as per the current special assessment policy approved by the City Commission. Please see attached maps.

Cost Feasibility

Schedule A - Project Costs included as set out in Section 40-22-01 of the NDCC and as advertised under section 40-22-19 of the NDCC.

New Roadway Paving Costs	\$	1,006,000.00
New Storm Sewer Costs	\$	690,000.00
Subtotal	\$	1,696,000.00
10% Contingency	\$	169,600.00
Total Schedule A Cost	\$	1,865,600.00

Schedule B - Other Project Costs not otherwise included above.

Sign Costs	\$	2,200.00
Engineering Fees	\$	186,780.00
Administration Fees	\$	93,390.00
Interest During Construction	\$	56,034.00
Advertising and Legal	\$	37,356.00
Total Schedule B Cost	\$	375,760.00

Project Cost Summary

Schedule A Costs	\$	1,865,600.00
Schedule B Costs	\$	375,760.00
Total Estimated Improvement Cost	\$	2,241,360.00

Funding Summary

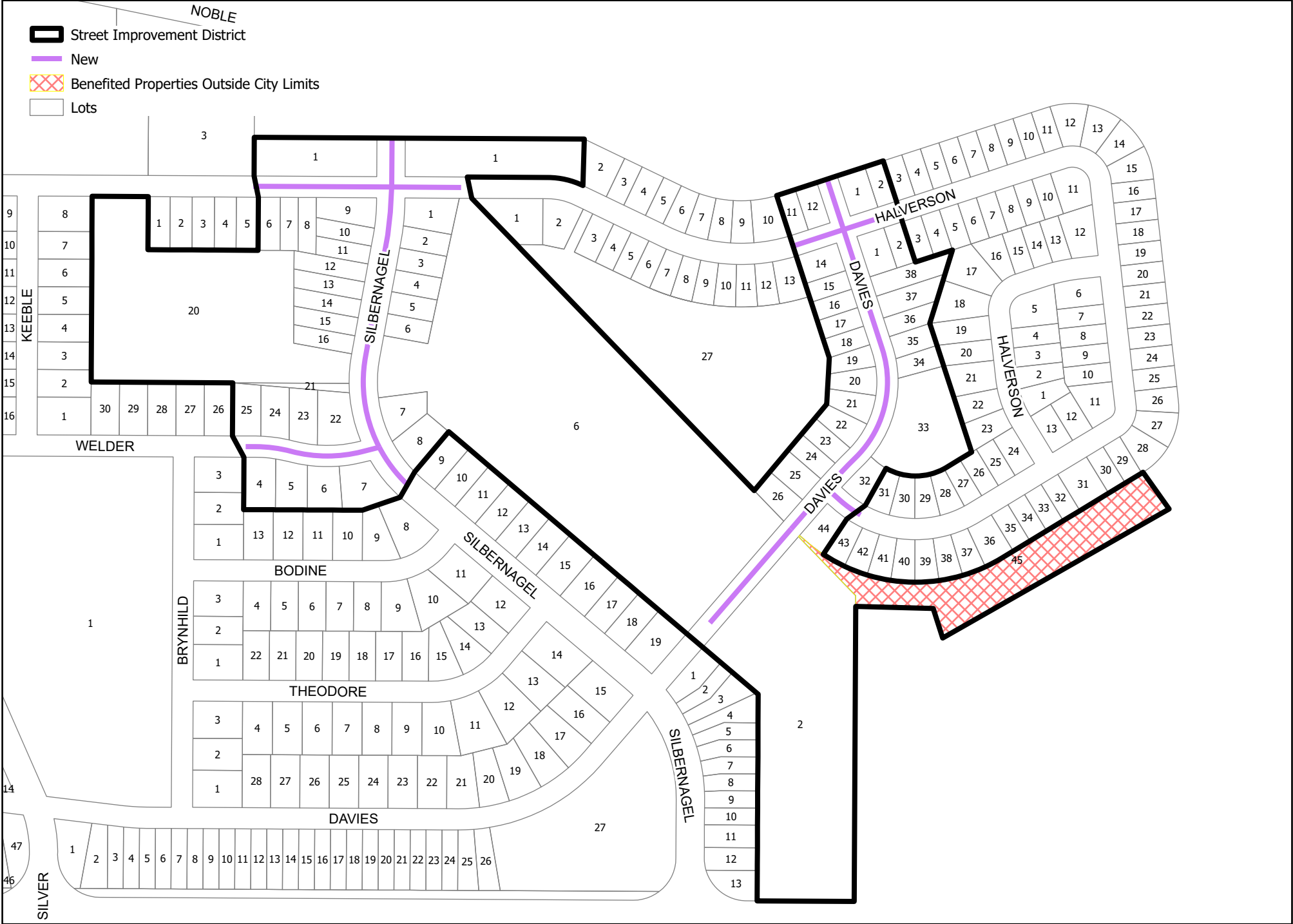
Special Assessments	\$	2,241,360.00
Total Funding	\$	2,241,360.00

This work was prepared by me or under my direct supervision. We believe this project to be cost effective.




Michael Greer, P.E.
Design and Construction Engineer

SI 598





Engineering Department

DATE: April 28, 2026

FROM: Gabe Schell, City Engineer

ITEM: Engineering Fees for Private Utilities

REQUEST:

Engineering Private Utility (EPU) permit fees of \$250 for the first 1,000 linear feet of private infrastructure installed within the right-of-way and \$300 for each additional 1,000 linear feet, effective for all permits issued on or after May 4, 2026.

BACKGROUND INFORMATION:

The Engineering Department administers permits for excavation and other disturbances within the public right-of-way through an established excavation permitting process. Typical permits involve contractors excavating to connect to City-owned or privately owned water, sanitary sewer, or storm sewer infrastructure. This process also applies to franchised utilities and other authorized entities constructing and maintaining natural gas, electric, and telecommunications systems within the right-of-way.

We are requesting approval to modify the fee structure for private utility excavation permits from a “per submittal” basis to a structure based on the linear footage of infrastructure installed within the right-of-way. This approach more accurately aligns the level of right-of-way disturbance with the anticipated review, inspection, and administrative effort required by Engineering staff. The proposed methodology is consistent with practices used in peer communities and would apply uniformly to private utility company permits, including natural gas, electric, and telecommunications.

The proposed fee structure is \$250 for the first 1,000 linear feet of installed infrastructure within the right-of-way, and \$300 for each additional 1,000 linear feet increment. By comparison, peer communities typically charge between \$0.40 and \$0.80 per linear foot. Appurtenances (handholds, pedestals, transformers) or adjustments to appurtenances would not be charged separately and would be included in the base fee. Staff will monitor the effectiveness of this structure and return to the Commission with any recommended adjustments.

RECOMMENDED CITY COMMISSION ACTION:

Approval of Engineering Private Utility (EPU) permit fees of \$250 for the first 1,000 linear feet of private infrastructure installed within the right-of-way and \$300 for each additional 1,000 linear feet, effective for all permits issued on or after May 4

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

None



Police Department

DATE: April 28, 2026

FROM: Jason Stugelmeyer, Police Chief

ITEM: Annual Deer/Turkey Archery Hunting Program

REQUEST:

Permission for Bismarck Police Department Animal Control to issue 20 permits for the 2026 archery season.

BACKGROUND INFORMATION:

This year's hunting season will begin September 4th, 2026 and will coincide with the archery season set forth by the ND Game and Fish Department. There will be 20 permits maximum issued and are issued on a first come first serve basis. The areas proposed consist of the Airport property east of Airway Ave. and south of Lincoln Rd. and a small section of land north of Lincoln Rd. The other area is located east of the archery range and horse arena, extending south to Burleigh Av. to include areas surrounding the Waste Water Treatment Plant. The Bismarck Police Department Animal Control Staff will provide instructions and maps to all participating in the program.

RECOMMENDED CITY COMMISSION ACTION:

Approve the 2026 Annual Deer and Turkey Archery Program as outlined.

STAFF CONTACT INFORMATION:

Jason Stugelmeyer, Police Chief, 701-355-1862, jstugelmeyer@bismarcknd.gov

ATTACHMENTS:

None



Public Works Service Operations

DATE: April 28, 2026

FROM: Steve Salwei, Director Public Works Services

ITEM: APWA Public Works Outreach Grant Application

REQUEST:

Permission to apply for, and accept if awarded, the American Public Works Association (APWA) Grant for the 2026 Public Works Open House scheduled for May 19, 2026.

BACKGROUND INFORMATION:

The North Dakota Chapter of APWA encourages communities to educate the general public on the importance of a Public Works Department. This education includes showcasing all the work the Public Works Department does from water main maintenance to snow removal, wastewater management to streetlights and everything in between. The NDAPWA Grant Award was established in 2020 to provide up to \$500 in grant monies to assist cities/counties in promoting their Public Works Department. Showcasing the Public Works Department promotes the substantial contributions made to health, safety, welfare, and quality of life across our state. Up to three Public Works Departments will be awarded this year.

The APWA's Grant, if awarded, will support the 2026 Public Works Open House scheduled for May 19, 2026. Grant funds must be used in 2026 for a public outreach program or event and may cover expenses such as advertising, supplies, and event execution. The Community/County is eligible to receive this grant once every three years.

RECOMMENDED CITY COMMISSION ACTION:

Allow the application and approval, if awarded, for the APWA Grant to be used for the 2026 Public Works Open House scheduled for May 19, 2026.

STAFF CONTACT INFORMATION:

Steve Salwei, Director Public Works Services, 701-355-1700 Opt. 3, ssalwei@bismarcknd.gov

ATTACHMENTS:

1. APWA Public Outreach Grant Cover Letter 2026

NORTH DAKOTA AMERICAN PUBLIC WORKS ASSOCIATION PUBLIC WORKS OUTREACH GRANT APPLICATION INFORMATION

The ND Chapter of the American Public Works Association is soliciting applications for the **2026 Public Works Outreach Grant**.

Purpose:

The North Dakota Chapter of APWA encourages communities to educate the general public on the importance of a Public Works Department. This education includes showcasing all the work the Public Works Department does from water main maintenance to snow removal, wastewater management to streetlights and everything in between.

The NDAPWA Grant Award was established in 2020 to provide up to \$500 in grant monies to assist cities/counties in promoting their Public Works Department. Showcasing the Public Works Department promotes the substantial contributions made to health, safety, welfare, and quality of life across our state. **Up to three Public Works Departments will be awarded this year.**

Criteria:

- The grant monies must be used during 2026 for a public outreach program or event. The monies may be used for anything related to the event(s) such as advertising, supplies, event execution, etc.

If awarded the monies, the awardee agrees to submit a photo(s) of the event for publication by APWA. The event can be as small as a public works building open house to provide an entire day of activities. Some communities have had students paint snowplow blades, employees have visited local schools, tours of public work facilities, or had the Mayor sign a proclamation.

- Community/County is only eligible every **3 years**.
- Priority will be given to the communities that have not previously received the grant.
- APWA Membership is encouraged but not required for grant eligibility.
- The APWA website has a large amount of information to assist with planning and implementing a Public Works event. There are examples of event ideas, trinkets, posters, social media posts, images, text, etc.

Please visit <https://www.apwa.org/events/national-public-works-week-npww/> for numerous amounts of ideas and resources.

We hope you consider planning an event and apply for this grant to assist with the costs of implementing a public outreach program or event.

Deadline for Submission: May 8, 2026

Communities being awarded funds will receive them on or before May 15, 2026.

Applications for consideration or questions concerning the application should be addressed to:

Joe Reiter, PE
Houston Engineering, Inc.
3900 13th Avenue SE
Minot, ND 58701
701-852-7931
jreiter@houstoneng.com

Past Recipients:

- 2020: City of Watford City
- 2021: City of Bismarck
- 2022: City of Minot, City of Mandan, City of West Fargo
- 2023: City of Williston, City of Dickinson
- 2024: *No Applicants*
- 2025: *No Applicants*



Public Works Service Operations

DATE: April 28, 2026

FROM: Steve Salwei, Director Public Works Services

ITEM: Landfill Utilization & Analysis Time Extension

REQUEST:

Time extension to Task Order 25-02 with Houston Engineering, Inc. for landfill utilization, analysis, and reporting for 2025.

BACKGROUND INFORMATION:

Services under this Amendment to Task Order 25-02 included engineering design and analysis utilizing drone LiDAR data to determine the in-place and available airspace of the expansion area landfill cells, including a summary of available cover soil sources. The initial task order identified a completion date of December 31, 2025.

The drone LiDAR flights were completed during the summer and fall of 2025. The associated engineering analysis was primarily completed during the fall and winter of 2025. A draft of the utilization report was provided to the City in February 2026. The City reviewed and provided comments on the utilization report following the draft submittal. HEI addressed the City comments and finalized the utilization report on March 3, 2026. As a result of HEI's prolonged schedule to complete the utilization report, we are requesting that Task Order 25-02 be extended to May 15, 2026, to accommodate final invoicing for the project. The original project budget was estimated at \$38,017. Due to efficiencies realized during engineering analysis, the project will result in a small deduction of \$3,039.95, resulting in a project cost of \$34,977.05.

RECOMMENDED CITY COMMISSION ACTION:

Approve a time extension to May 15, 2026, for Task Order 25-02: Landfill Utilization, Analysis, and Reporting, to allow completion of final project invoicing for Houston Engineering, Inc., and approve a \$3,039.95 reduction to the overall project cost.

STAFF CONTACT INFORMATION:

Steve Salwei, Director Public Works Services, 701-355-1700 Opt. 3, ssalwei@bismarcknd.gov

ATTACHMENTS:

1. LF Houston Engineering Contract Time Ext
2. LF Util Time Ext - Houston Engineering

Amendment To Task Order No. 25-02

1. Background Data:

- a. Effective Date of Task Order: **August 12, 2025**
- b. Owner: **City of Bismarck**
- c. Engineer: **Houston Engineering Inc. (HEI)**
- d. Specific Project: **Bismarck Landfill 2025 Utilization Analysis and Reporting**

2. Description of Modifications

- a. The Scope of Services currently authorized to be performed by Engineer in accordance with the Task Order and previous amendments, if any, is modified as follows:

Services under this Amendment to Task Order 25-02 included engineering design and analysis utilizing drone LiDAR data to determine the in-place and available airspace of the expansion area landfill Cells including a summary of available cover soil sources. The initial task order identified a completion date of December 31, 2025.

The drone LiDAR flights were completed during the summer and fall of 2025. The associated engineering analysis was primarily completed during the fall and winter of 2025. A draft of the utilization report was provided to the City in February 2026. The City reviewed and provided comments on the utilization report following the draft submittal. HEI addressed the City comments and finalized the utilization report on March 3, 2026. As a result of HEI's prolonged schedule to complete the utilization report we are requesting that Task Order 25-02 be extended to May 15, 2026 to accommodate final invoicing for the project.

- b. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation:

The project will be completed under budget for a total fee of \$34,977.05 or a reduction of \$3,039.95 from the original task order amount of \$38,017.

3. Task Order Summary (Reference only)

- a. Original Task Order amount: **\$ 38,017**
- b. Net change for prior amendments: **\$ 0**
- c. This amendment amount: **\$ (\$3,039.95)**

d. Adjusted Task Order amount: \$ 34,977.05

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is December 31, 2025.

OWNER:

By:

Michael T. Schmitz
President, Board of City Commission

Title:

Date

Signed:

ENGINEER:

By:

Sherwin Wanner, PE
Principal in Charge / Bismarck Office
Manager

Title:

Date

Signed:

CITY OF BISMARCK

ATTEST:

Name:

Jason Tomanek

Title:

City Administrator

Date

Signed:

Exhibit K – Amendment to Task Order

EJCDC® E-505, Agreement Between Owner and Engineer for Professional Services – Task Order Edition.
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and American Society of Civil Engineers. All rights reserved.

Page 2



Public Works Service Operations

DATE: April 28, 2026

FROM: Steve Salwei, Director Public Works Services

ITEM: Time Ext LF Utilization & Analysis - Houston Engineering

REQUEST:

Consider and approve Time Extension to Task Order 25-02 with Houston Engineering, Inc. for Landfill Utilization, Analysis & Reporting for 2025.

BACKGROUND INFORMATION:

Services under this Amendment to Task Order 25-02 included engineering design and analysis utilizing drone LiDAR data to determine the in-place and available airspace of the expansion area landfill cells, including a summary of available cover soil sources. The initial task order identified a completion date of December 31, 2025.

The drone LiDAR flights were completed during the summer and fall of 2025. The associated engineering analysis was primarily completed during the fall and winter of 2025. A draft of the utilization report was provided to the City in February 2026. The City reviewed and provided comments on the utilization report following the draft submittal. HEI addressed the City comments and finalized the utilization report on March 3, 2026. As a result of HEI's prolonged schedule to complete the utilization report, we are requesting that Task Order 25-02 be extended to May 15, 2026, to accommodate final invoicing for the project. The original project budget was estimated at \$38,017. Due to efficiencies realized during engineering analysis, the project will result in a small deduction of \$3,039.95, resulting in a project cost of \$34,977.05.

RECOMMENDED CITY COMMISSION ACTION:

Approve a time extension to May 15, 2026, for Task Order 25-02: Landfill Utilization, Analysis, and Reporting, to allow completion of final project invoicing for Houston Engineering, Inc., and approve a \$3,039.95 reduction to the overall project cost.

STAFF CONTACT INFORMATION:

Steve Salwei, Director Public Works Services, 701-355-1700 Opt. 3, ssalwei@bismarcknd.gov

ATTACHMENTS:

1. TO 25-02 SW Utilization Analysis and Reporting Exp 12.31.2025



Public Works Service Operations

DATE: April 28, 2026

FROM: Steve Salwei, Director Public Works Services

ITEM: Sell or Dispose of City Assets at Public Sale

REQUEST:

Permission to sell or dispose of City Assets at Public Sale.

BACKGROUND INFORMATION:

Request permission to sell or dispose of City Assets, listed below, at a Public Sale from Public Works Fleet Services, Electrical Division, and Wastewater Treatment Plant.

Department	Electrical Division	Fleet Services	Wastewater Treatment Plant
Unit #	1682	1007	5113
Asset #	10129	8805	8799
Year/Make/Model	2014 Ford F250	2004 Chevrolet Blazer	2004 Chevrolet 1500
VIN	1FT7W2B67EEB81182	1GNDDT13X04K152806	1GCEK19T14E273878
ND License #	G84510	G89093	G89096
Meter Type	Miles	Miles	Miles
Meter	89,825	56,534	35,421
Acquire Date	4/18/2014	2/13/2004	3/9/2004

RECOMMENDED CITY COMMISSION ACTION:

Approve sale or disposal of City Assets from Public Works Fleet Services, Electrical Division, and Wastewater Treatment Plant.

STAFF CONTACT INFORMATION:

Steve Salwei, Director Public Works Services, 701-355-1700 Opt. 3, ssalwei@bismarcknd.gov

Kurt Ohnell, Fleet Manager, 701-355-1711, kohnell@bismarcknd.gov

ATTACHMENTS:

None



Administration Department

DATE: April 28, 2026

FROM: Jason Tomanek, City Administrator

ITEM: Bismarck Public Schools 2026 Bond Referendum

REQUEST:

Consider the request to receive a presentation from Bismarck Public Schools Superintendent Dr. Jeff Fastnacht on the 2026 Bond Referendum.

BACKGROUND INFORMATION:

Dr. Jeff Fastnacht is the Superintendent of Bismarck Public Schools, the largest school district in the state, serving nearly 14,000 students. With nearly 30 years of experience in North Dakota education, he is currently spearheading a \$127 million bond referendum set for the June 9, 2026, primary election. This bond addresses needs outlined in a comprehensive plan focusing on safety, accessibility, and infrastructure needs across 25 school sites. Dr. Fastnacht is dedicated to ensuring the district's 32 facilities remain modern and cost-effective to better support student programming and community growth.

RECOMMENDED CITY COMMISSION ACTION:

Receive the report.

STAFF CONTACT INFORMATION:

Jason Tomanek, City Administrator, 701-355-1300, jtomanek@bismarcknd.gov

ATTACHMENTS:

None



Administration Department

DATE: April 28, 2026

FROM: Jason Tomanek, City Administrator

ITEM: Dakota West Arts Council - 2025 Annual Report

REQUEST:

Consider the request to receive the Dakota West Arts Council 2025 Annual Report.

BACKGROUND INFORMATION:

Dakota West Arts Council (DWAC) is a 501(c)(3) non-profit arts organization in Bismarck whose mission is to "advance art and culture in North Dakota's Capital City through advocacy, community engagement, partnerships, and collaboration." Annually, the City of Bismarck supports DWAC through a grant to help support the Council's mission.

DWAC operates with a 12-member Board of Directors, and one staff person, Executive Director Dr. Jason Thoms.

RECOMMENDED CITY COMMISSION ACTION:

Receive the 2025 Dakota West Arts Council Annual Report.

STAFF CONTACT INFORMATION:

Jason Tomanek, City Administrator, 701-355-1300, jtomanek@bismarcknd.gov

ATTACHMENTS:

None



Administration Department

DATE: April 28, 2026

FROM: Douglas Wiles, Assistant City Administrator

ITEM: Alcohol License Transfer - Lucky's Bar and Polar Package

REQUEST:

Public hearing on an application to transfer the alcohol license from Matpac Properties, LLC to LPM, LLC at 2150 East Thayer Avenue.

BACKGROUND INFORMATION:

City Administration has received applications to change the legal business name from Matpac Properties, LLC to LPM, LLC at 2150 East Thayer Avenue. All other license information has remained unchanged.

RECOMMENDED CITY COMMISSION ACTION:

Staff recommends approval of the license name change.

STAFF CONTACT INFORMATION:

Whitnie Olsen, Senior Administrative Assistant, wolsen@bismarcknd.gov

ATTACHMENTS:

1. Transfer Authorization



Alcoholic Beverages License Transfers

The following licenses may be transferred according to City Code 5-01-12. Licenses may be transferred with the prior approval of the Board of City Commissioners:

- **Class A** license may not be transferred to another person. It may be transferred to a new location only if the fraternal order or club is moved to that location.
- **Class B-1** license may not be transferred to another person or to a new location other than the airport terminal.
- **Class B-2** license may not be transferred to another person or to a new location other than the Municipal Country Club.
- **Class B-3** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase the passenger vessel. It may not be transferred to a new location other than the passenger vessel and the location where the vessel docks and boards passengers.
- **Class B-4** license may not be transferred to a new entity or location.
- **Class B-5** license may not be transferred and may be held only by the person or entity holding the lease with the Bismarck Parks and Recreation District for the Riverwood or Tom O'Leary Golf Courses.
- **Class B-6** license may not be transferred to a new location or Entity.
- **Class C** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase the hotel or motel. It may not be transferred to a new location.
- **Class D** license may be transferred to another person only with the prior approval of the board of city commissioners.
- **Class E** license may be transferred to another person only with the prior approval of the board of city commissioners.
- **Class F** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase that establishment. It may not be transferred to a new location.
- **Class G** license may be transferred to another person or entity only if that person or entity has purchased or has entered into an agreement to purchase the catering business.
- **Class H** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase that establishment. It may not be transferred to a new location except by the current owner.
- **Class I** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase that establishment. It may not be transferred to a new location.

Notarized signatures of both parties are required for eligible license transfers.

STATE OF North Dakota

COUNTY OF Burleigh

On this 23 day of April, in the year 2026 before me, personally appeared MATPAC Properties LLC (Original license holder) and LPM LLC (Transfer applicant) to acknowledge the transfer of a Class _____ alcoholic beverage license. The applicant agrees to abide by all rules of the license and the City of Bismarck Chapter 5-01 Alcoholic Beverages Code of Ordinances.

Original License Holder Signature

Original License Holder Name Printed

Matpac properties LLC - DBA Lucky's Bar & Polar Package

Business Name

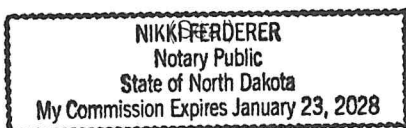
Transfer Applicant Signature

Transfer Applicant Name Printed

LPM LLC - DBA Lucky's Bar & Polar Package

Applicant Business Name

Notary Signature / Date





Administration Department

DATE: April 28, 2026

FROM: Douglas Wiles, Assistant City Administrator

ITEM: Alcohol License Transfer - Main Bar

REQUEST:

Public hearing on an application to transfer the alcohol license from Matpac Properties, LLC to LPM, LLC at 804 East Main Avenue.

BACKGROUND INFORMATION:

City Administration has received applications to change the legal business name from Matpac Properties, LLC to LPM, LLC at 804 East Main Avenue. All other license information has remained unchanged.

RECOMMENDED CITY COMMISSION ACTION:

Staff recommends approval of the license name change.

STAFF CONTACT INFORMATION:

Whitnie Olsen, Senior Administrative Assistant, wolsen@bismarcknd.gov

ATTACHMENTS:

1. Transfer Authorization



Alcoholic Beverages License Transfers

The following licenses may be transferred according to City Code 5-01-12. Licenses may be transferred with the prior approval of the Board of City Commissioners:

- **Class A** license may not be transferred to another person. It may be transferred to a new location only if the fraternal order or club is moved to that location.
- **Class B-1** license may not be transferred to another person or to a new location other than the airport terminal.
- **Class B-2** license may not be transferred to another person or to a new location other than the Municipal Country Club.
- **Class B-3** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase the passenger vessel. It may not be transferred to a new location other than the passenger vessel and the location where the vessel docks and boards passengers.
- **Class B-4** license may not be transferred to a new entity or location.
- **Class B-5** license may not be transferred and may be held only by the person or entity holding the lease with the Bismarck Parks and Recreation District for the Riverwood or Tom O'Leary Golf Courses.
- **Class B-6** license may not be transferred to a new location or Entity.
- **Class C** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase the hotel or motel. It may not be transferred to a new location.
- **Class D** license may be transferred to another person only with the prior approval of the board of city commissioners.
- **Class E** license may be transferred to another person only with the prior approval of the board of city commissioners.
- **Class F** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase that establishment. It may not be transferred to a new location.
- **Class G** license may be transferred to another person or entity only if that person or entity has purchased or has entered into an agreement to purchase the catering business.
- **Class H** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase that establishment. It may not be transferred to a new location except by the current owner.
- **Class I** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase that establishment. It may not be transferred to a new location.

Notarized signatures of both parties are required for eligible license transfers.

STATE OF North Dakota

COUNTY OF Burleigh

On this 23 day of April, in the year 2026 before me, personally appeared Matpac Properties LLC (Original license holder) and LPM LLC (Transfer applicant) to acknowledge the transfer of a Class _____ alcoholic beverage license. The applicant agrees to abide by all rules of the license and the City of Bismarck Chapter 5-01 Alcoholic Beverages Code of Ordinances.

Dyke Boese
Original License Holder Signature

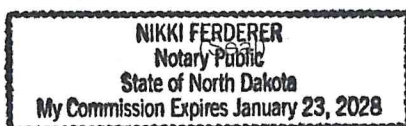
Dyke Boese
Transfer Applicant Signature

Dyke Boese
Original License Holder Name Printed

Dyke Boese
Transfer Applicant Name Printed

Matpac properties LLC - DBA The Main Bar
Business Name

LPM LLC - DBA The Main Bar
Applicant Business Name



Nikki Ferderer 4-23-26
Notary Signature / Date



Administration Department

DATE: April 28, 2026

FROM: Douglas Wiles, Assistant City Administrator

ITEM: Alcohol License Transfer - Ramada Bismarck

REQUEST:

Public hearing on an application to transfer the alcohol license from Doublewood of Bismarck, Inc. to GHM Bismarck Holding Co, LLC at 1400 East Interchange Avenue.

BACKGROUND INFORMATION:

City Administration has received applications to change the legal business name from Doublewood of Bismarck, Inc. to GHM Bismarck Holding Co, LLC at 1400 East Interchange Avenue. All other license information has remained unchanged.

RECOMMENDED CITY COMMISSION ACTION:

Staff recommends approval of the license name change.

STAFF CONTACT INFORMATION:

Whitnie Olsen, Senior Administrative Assistant, wolsen@bismarcknd.gov

ATTACHMENTS:

1. Transfer Authorization



Alcoholic Beverages License Transfers

The following licenses may be transferred according to City Code 5-01-12. Licenses may be transferred with the prior approval of the Board of City Commissioners:

- **Class A** license may not be transferred to another person. It may be transferred to a new location only if the fraternal order or club is moved to that location.
- **Class B-1** license may not be transferred to another person or to a new location other than the airport terminal.
- **Class B-2** license may not be transferred to another person or to a new location other than the Municipal Country Club.
- **Class B-3** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase the passenger vessel. It may not be transferred to a new location other than the passenger vessel and the location where the vessel docks and boards passengers.
- **Class B-4** license may not be transferred to a new entity or location.
- **Class B-5** license may not be transferred and may be held only by the person or entity holding the lease with the Bismarck Parks and Recreation District for the Riverwood or Tom O'Leary Golf Courses.
- **Class B-6** license may not be transferred to a new location or Entity.
- **Class C** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase the hotel or motel. It may not be transferred to a new location.
- **Class D** license may be transferred to another person only with the prior approval of the board of city commissioners.
- **Class E** license may be transferred to another person only with the prior approval of the board of city commissioners.
- **Class F** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase that establishment. It may not be transferred to a new location.
- **Class G** license may be transferred to another person or entity only if that person or entity has purchased or has entered into an agreement to purchase the catering business.
- **Class H** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase that establishment. It may not be transferred to a new location except by the current owner.
- **Class I** license may be transferred to another person only if that person has purchased or entered into an agreement to purchase that establishment. It may not be transferred to a new location.

Notarized signatures of both parties are required for eligible license transfers.

STATE OF North Dakota

COUNTY OF Burleigh

On this 7th day of April, in the year 2026²⁰²⁷ before me, personally appeared

Stacy Gangl (Original license holder) and _____ (Transfer applicant) to

acknowledge the transfer of a Class _____ alcoholic beverage license. The applicant agrees to abide by all rules of the license and the City of Bismarck Chapter 5-01 Alcoholic Beverages Code of Ordinances.

Stacy Gangl
Original License Holder Signature

Stacy Gangl
Original License Holder Name Printed

Business Name

Acifer
Transfer Applicant Signature

Sean Foss - Vice President
Transfer Applicant Name Printed

OTM Bismarck Holding Co., LLC
Applicant Business Name

(Seal)

LOGAN VERNER
Notary Public
State of North Dakota
My Commission Expires November 1, 2027

[Signature] April 7, 2026
Notary Signature / Date

STATE OF NORTH DAKOTA

COUNTY OF WARD

On this 15th day of April, 2026, before me, personally appeared
Sean Foss

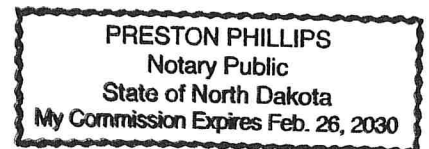
to me known to be the individual(s) described in and who executed the foregoing instrument and
acknowledged that they executed the same as their free act and deed.



(Seal)

Notary Public, State of North Dakota

My Commission Expires: _____





Planning Department

DATE: April 28, 2026

FROM: Daniel Nairn, Planning Department Director

ITEM: Ordinance 6659 and Cruz Subdivision

REQUEST:

Public hearing on Ordinance 6659, a zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and Cruz Subdivision, a major subdivision final plat.

BACKGROUND INFORMATION:

Evaristo (Lito) Cruz, Damares Torres Villegas, and Verna and Barbara Hoover are requesting approval of a zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and a major subdivision final plat titled Cruz Subdivision.

The property is located southeast of Bismarck, east of 52nd Street SE, on the south side of 48th Avenue SE.

The Planning and Zoning Commission held a public hearing on this request on March 25, 2026, and voted to recommend approval.

The attached staff report contains a complete review of the request, according to the standards of the Comprehensive Plan, city ordinances, and other relevant law.

RECOMMENDED CITY COMMISSION ACTION:

Approve Ordinance 6659, a zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and Cruz Subdivision, a major subdivision final plat.

STAFF CONTACT INFORMATION:

Daniel Nairn, Planning Department Director, 701-355-1854, dnairn@bismarcknd.gov
Lauren Oster, Planner, 701-355-1846, laoster@bismarcknd.gov

ATTACHMENTS:

1. Staff Report

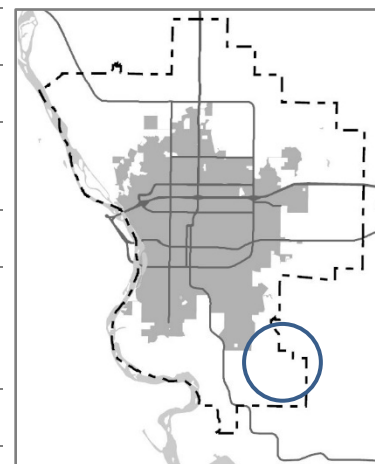
STAFF REPORT

Application for: **Final Plat**
Zoning Map Amendment

Project ID: **FPLT2025-004**
ZC2025-009

Project Summary

<i>Title:</i>	Cruz Subdivision
<i>Status:</i>	Board of City Commissioners - Public Hearing
<i>Property Owner(s):</i>	Evaristo Cruz & Damares Torres Villegas (Lot 1) Verna & Barbara Hoover (Lot 2)
<i>Project Contact:</i>	Josh Muehler, Mountain Plains LLC
<i>Project Location:</i>	Southeast of Bismarck, east of 52nd Street Southeast, on the south side of 48th Avenue Southeast
<i>Project Size:</i>	9.97 acres
<i>Applicant Request:</i>	Plat and rezone to rebuild current residence on Lot 1
<i>Staff Recommendation:</i>	Approve
<i>PZC Recommendation</i>	Approve



Site Information

<i>Existing Conditions</i>		<i>Proposed Conditions</i>	
<i>Lots/Blocks:</i>	3 parcels	<i>Lots/Blocks:</i>	2 lots in 1 block
<i>Land Use:</i>	Single-family rural residential	<i>Land Use:</i>	No change
<i>Future Land Use:</i>	Rural Residential (RR)	<i>Future Land Use:</i>	No change
<i>Zoning:</i>	A – Agricultural	<i>Zoning:</i>	RR – Residential
<i>Uses Allowed:</i>	A – Agriculture	<i>Uses Allowed:</i>	RR – Large lot single-family residential and limited agriculture
<i>Max Density:</i>	A – 1 unit / 40 acres	<i>Max Density:</i>	RR – 1 unit per 65,000 square feet

Area Information

<i>Zoning Jurisdiction:</i>	Extraterritorial Area (ETA) (prior to 3/1/26)
<i>Township:</i>	Apple Creek (organized)
<i>Neighborhood:</i>	Undefined

Property History

<i>Zoned:</i>	04/1978
<i>Platted:</i>	N/A
<i>Annexed:</i>	N/A

(continued)

Project Narrative

Evaristo (Lito) Cruz, Damares Torres Villegas, and Verna and Barbara Hoover are requesting approval of a zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and a major subdivision final plat titled Cruz Subdivision.

Background

Prior to March 1, 2026, this property was within Bismarck's Extraterritorial Area (ETA). Bismarck's ETA boundary in this area was adjusted on March 1, 2026, as part of an update to the agreement between the City of Bismarck and Burleigh County. Per the updated agreement, projects located in areas that were leaving Bismarck's ETA that were started with the City prior to March 1 had the option to finish the process with the City. As such, at the request of the applicant, this request is being processed as though it were still within the City's ETA.

Burleigh County staff have been part of the review process for this project since the initial request

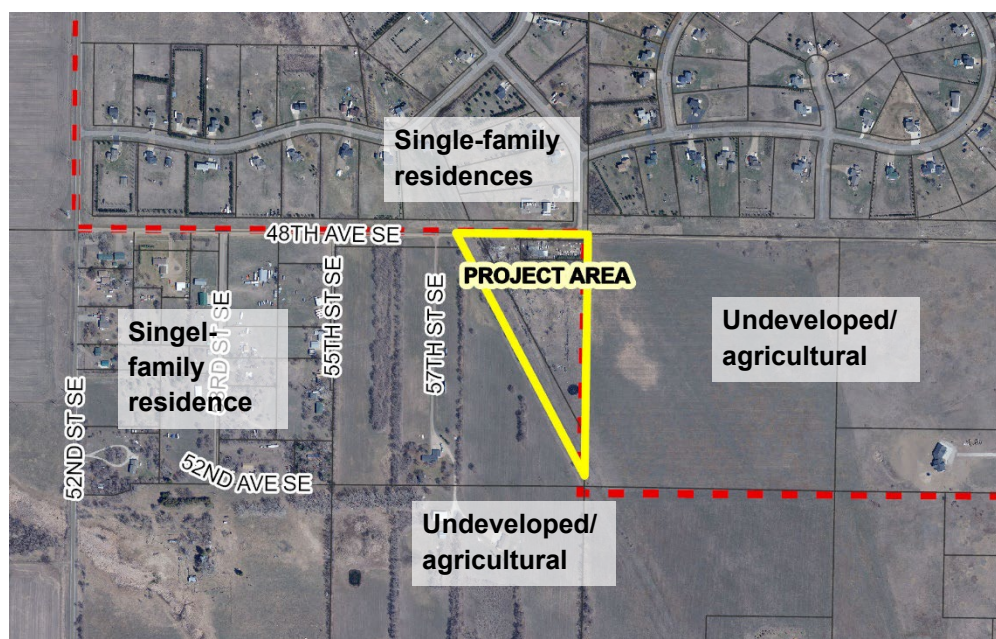
was submitted for review in March 2025. There are currently several buildings located within the area being dedicated for the right-of-way for 48th Avenue SE. The applicant's consultant has noted that the owners of Lot 2 intend to rebuild the current residence which will comply with building code regulations and setback requirements. The owners of Lot 1 do not have intentions at this time to rebuild any of the structures on the lot. At the direction of the City and County Engineers, a note has been included on the plat for these current structures stating that no building permits or improvements will be issued to the buildings located within the dedicated right-of-way.

The applicant's consultant is working with Burleigh County staff on the dedication and acceptance of the 48th Avenue SE and Pinewood Drive rights-of-way. A paving waiver was submitted for these roadways and was approved by the Burleigh County Commission at their regular meeting on May 19, 2025.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

A Zoning and Plan Reference Map is attached to this staff report, including current zoning, the Future Land Use Plan, Major Street Plan, and Active Mobility Plan.



(continued)

The property has been identified as Rural Residential (RR) in the Future Land Use Plan. The RR areas are places for country living with convenient proximity to city life. Goals and objectives of this plan as they relate to major subdivision final plats and zoning map amendments are referenced in review standards below.

Land to the south and east is in an undeveloped or agricultural state. Large lot single-family residences are located to the north and west. To the north and east of the project area, the land is inside of the City of Lincoln's ETA. Lincoln city limits are near the project area. Most of the nearby land within Lincoln's ETA contains single-family residences.

Public Engagement

Planning and Zoning Commission

The Planning and Zoning Commission considered this request on May 28, 2025, and called for a public hearing.

Apple Creek Township was notified of this request on May 6, 2025, and have not provided a comment.

The public was duly notified of this request. A notice was published in the Bismarck Tribune on March 13 and 20, 2026, and 62 postcards were mailed to the owners of nearby properties on March 13, 2026.

A physical sign providing information on the public hearing was placed in a publicly accessible spot at the project location on March 9, 2026.

The Planning and Zoning Commission held a public hearing on this request on March 25, 2026. Staff did not receive any written comments before the hearing, and no members of the public spoke. At the conclusion of the hearing, the Planning and Zoning Commission voted to recommend approval of the project.

City Commission

The City Commission considered this request on April 14, 2026, and called for a public hearing.

The public was duly notified of this request. A notice was published in the Bismarck Tribune on April 17 and 24, 2026.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

All written comments received by staff prior to the public hearing will be distributed to the City Commission and summarized by staff during the oral presentation.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Major Subdivision Final Plat

The final plat generally conforms to the preliminary plat for the proposed subdivision that was tentatively approved by the Planning and Zoning Commission

Yes. The proposed final plat is substantially similar to the preliminary plat.

Any and all conditions placed on approval of the preliminary plat by the Planning and Zoning Commission have been satisfied or will remain in place for future completion

Yes. No specific conditions were placed on the approval of the preliminary plat.

Sufficient easements and rights-of-way are included on the proposed subdivision to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision ([Goal G3-d](#))

(continued)

Yes. The proposed subdivision is not within the city limits or the urban service area boundary of the City of Bismarck. Therefore, planning for future municipal services is not necessary.

The Major Street Plan is adhered to with the proposed subdivision ([Major Street Plan](#))

Yes. The corridors identified in the Major Street Plan are incorporated into rights-of-way within the proposed subdivision. 48th Avenue SE is an arterial roadway which has right-of-way included in the final plat. A future North-South collector roadway titled Pinewood Drive is also included in the final plat. A plan reference map is attached to this staff report. A paving waiver was submitted for these roadways and was approved by the Burleigh County Commission at their regular meeting on May 19, 2025.

The Active Mobility Plan is adhered to with the proposed subdivision ([Active Mobility Plan](#))

Yes. There are no corridors identified in the Active Mobility Plan within or adjacent to the proposed subdivision. A plan reference map is attached to this staff report.

A neighborhood park will be available within walking distance for all urban residents ([Goal I1-a](#), Section 14-09-04(2)a(vii))

Yes. The provision of neighborhood parks and open space is not needed because the proposed final plat is not an urban subdivision with residential zoning districts.

Vehicle trips generated by the proposed subdivision will be adequately supported by the transportation system ([Goal C3-c](#))

Yes. The proposed subdivision would likely not have a substantial effect on circulation and safety of public roadways in the vicinity, and therefore no traffic impact study is required.

Street connectivity is provided for efficient travel and secondary access for emergency services ([Goal C4](#), Section 14-09-05)

Yes. Subdivision design requirements, such as maximum block length, intended to promote street connectivity has been met, and there are no cul-de-sacs or dead-end streets in the proposed subdivision. The City's Secondary Roadway Access Policy has been met allowing alternative routes into and out of the subdivision.

Roadway access is managed to reduce potential points of conflict and improve safety ([Goal C3-b](#))

Yes. Direct access to major public roadways is appropriately limited and spacing of all intersections is adequate to meet the City's access management standards and professional engineering judgement. Non-access lines will be dedicated with the proposed plat to communicate and enforce this access control.

Stormwater runoff impacted by this subdivision is adequately managed to protect public and private investments and the natural environment ([Goal I5](#), Section 14.1-04-03);

Yes. The City Engineer, with concurrence from the County Engineer, has conditionally approved the Post-Construction Stormwater Management Permit (PCSMP) for the proposed subdivision.

Dimensional standards of the zoning ordinance are met with the proposed subdivision (Title 14)

Yes. All lots meet area and width requirements of the zoning district within which they are located, and there is sufficient space within each lot for anticipated buildings to meet density, setback, and lot coverage requirements. All rights-of-way and dedicated easements conform to design standards of the subdivision ordinance.

Natural hazards and impact to environmentally sensitive land is minimized through the location and design of the proposed subdivision ([Goal I6-a](#))

(continued)

Yes. The proposed subdivision is not located within the Special Flood Hazard Area (SFHA), also known as the 100-year floodplain, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or an area that is topographically unsuited for development

Water supply systems will seamlessly transition from a rural to an urban system through cooperation with the South-Central Regional Water District ([Goal G3-f](#), Section 14-09-04(2)d)

Yes. The proposed subdivision is within two miles of the city limits and will require an agreement with the South Central Regional Water District prior to recordation of the plat. The City of Bismarck will retain rights to extend municipal water into the proposed subdivision after five years.

The City's investment in infrastructure associated with the proposed subdivision is expected to receive a proportional long-term return to residents through future revenues or other public goods associated with this subdivision ([Goal G3-a](#))

Yes. The proposed subdivision is outside of Bismarck city limits and will not be served by municipal services at this time.

The public health, safety and general welfare will not be adversely impacted by the proposed subdivision ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed subdivision would not adversely impact the public health, safety, and general welfare.

Technical specifications required of the final plat have been met (Section 14-09-07)

Yes. The proposed final plat contains the required information to ensure an accurate and timely review by staff, the Planning and Zoning

Commission, City Commission, and the general public.

Proper administrative procedures related to the request are being followed (Section 14-09-04)

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. Upon tentative approval of the preliminary plat, the applicant has submitted a complete application for final plat approval, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission and City Commission. A public hearing has been scheduled for this request, and all requirements for notice of this hearing have been met, as documented in this report above.

Zoning Map Amendment

The Future Land Use Plan is adhered to with the proposed zoning map amendment ([Future Land Use Plan](#))

Yes. The proposed zoning map amendment is within the area designated as Rural Residential in the Future Land Use Plan, as described in the Project Context section above. The proposed zoning district would generally conform to the character of this district.

The proposed amendment is compatible with adjacent land uses and zoning ([Goal S10-a](#), [S5-a](#))

Yes. Adjacent uses are described in the project context section above. The proposed zoning district would allow large lot single-family residences with limited agricultural uses. Development that may be anticipated from the proposed zoning would have no negative impact on the surrounding properties.

A change in conditions or by an error in the zoning map has occurred since the previous zoning classification was established ([Goal S9-e](#))

(continued)

Yes. The current zoning district of A - Agriculture was established in April 1978. Conditions have changed since this time such that the current owners of the proposed Lot 2 wish to rebuild their single-family residence.

Undue restriction of housing options or access to neighborhood amenities would not result from the proposed zoning map amendment ([Goal S1-a](#), [Goal T1-c](#))

Yes. The proposed zoning map amendment would not adversely impact housing opportunities in any way.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance map amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

- S5: Protect the rural character of existing planned rural residential areas in Bismarck's Extraterritorial Area.
- G2(c): Exercise zoning and subdivision authority within the City's Extraterritorial Area and periodically review this boundary with potential adjustments to align with expected growth.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed zoning map amendment (Section 14-02-01; [NDCC 40-27-03](#))

Yes. The proposed zoning map amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

Proper administrative procedures related to the request are being followed (Section 14-07-02, [NDCC Chapter 40-47](#))

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century

Code have been followed to date. The applicant has submitted a complete application for a zoning map amendment, and the required staff review of all submitted materials has occurred prior to submittal of this report to the Planning and Zoning Commission and City Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning map amendment ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning map amendment would not adversely impact the public health, safety, and general welfare.

Recommendations

Planning and Zoning Commission

Based on the above findings, and at the conclusion of the public hearing, the Planning and Zoning Commission recommends approval of the zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and the major subdivision final plat titled Cruz Subdivision.

Planning Staff

Based on the above findings, staff recommends approval of the zoning map amendment from the A – Agricultural zoning district to the RR – Residential zoning district and the major subdivision final plat titled Cruz Subdivision.

Attachments

1. Draft Zoning Ordinance
2. Zoning and Plan Reference Map
3. Proposed Zoning
4. Preliminary Plat
5. Final Plat

(continued)

Staff report prepared by: Lauren Oster, Planner

701-355-1846 | laoster@bismarcknd.gov

CITY OF BISMARCK

ORDINANCE NO. 6659

First Reading
Second Reading
Final Passage and Adoption
Publication Date

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-03-02 OF THE CITY OF BISMARCK CODE OF ORDINANCES (1986 Rev.), AS AMENDED, RELATING TO THE BOUNDARIES OF ZONING DISTRICTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-03-02 of the Code of Ordinances of the City of Bismarck, North Dakota is hereby amended to read as follows:

The following described property shall be excluded from the A – Agricultural zoning district and included in the RR – Residential zoning district:

Lots 1 and 2, Block 1, Cruz Subdivision

Section 2. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. Taking Effect. This ordinance shall take effect upon final passage, adoption and publication.

Proposed New Zoning Map

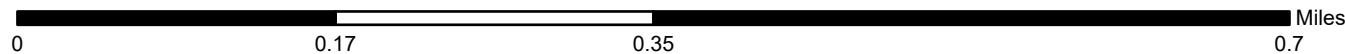
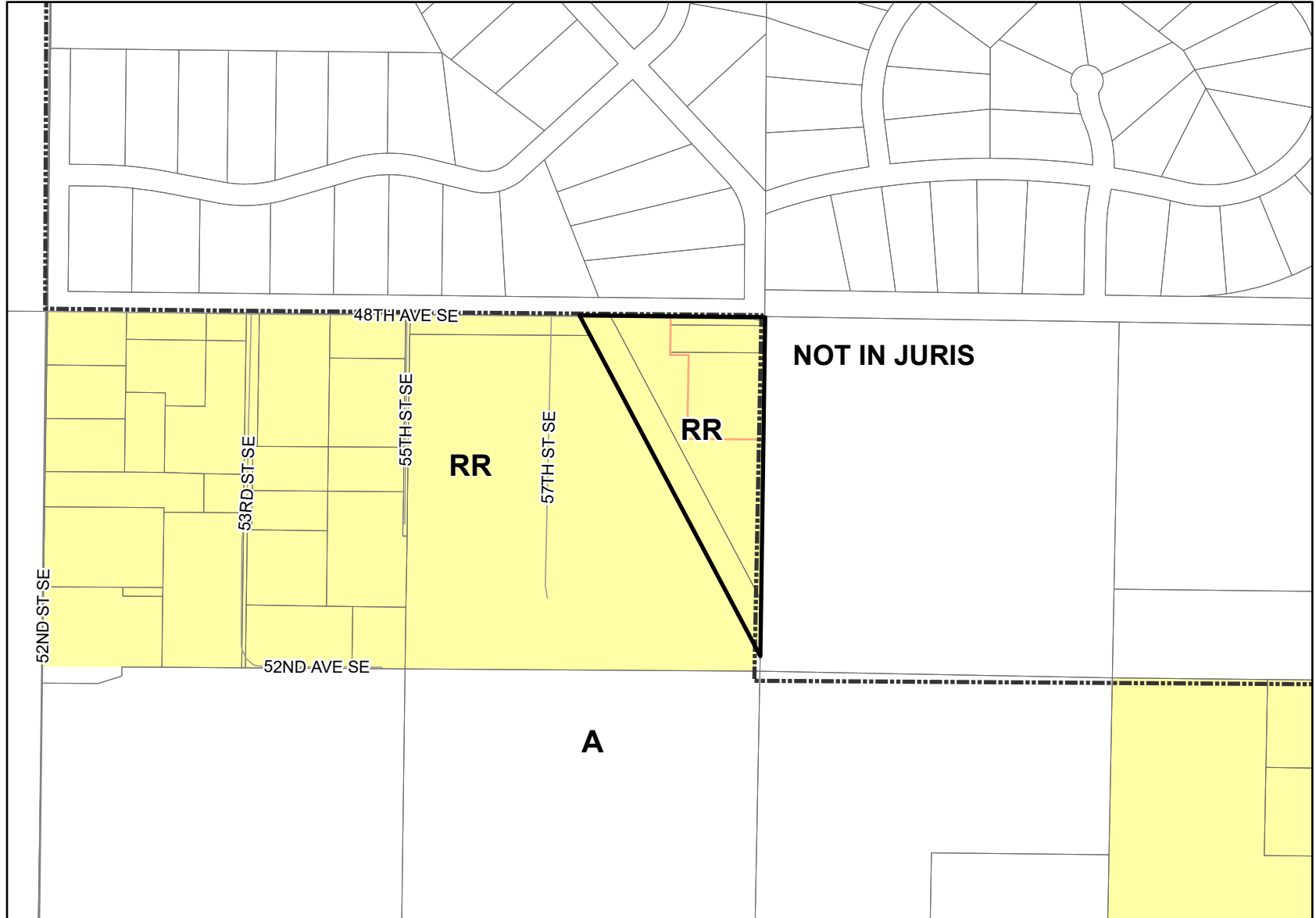
 Project Area
(zoning within
is proposed)

 City Limits

Zoning Districts

A	Agriculture
RR	Rural
	Residential
R5	Residential
RMH	Manufactured Home Residential
R10	Residential
RM	Residential Multifamily
RT	Residential (Offices)
HM	Health and Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit Development
DC	Downtown Core
DF	Downtown Fringe

*A "C-" prior to the district
indicates that special
conditions would apply
to the zoning district*



*This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.*



City of Bismarck
Community Development
Planning Division
May 19, 2025

Zoning Districts

A	Agriculture
RR	Rural
	Residential
R5	Residential
RMH	Manufactured
	Home Residential
R10	Residential
RM	Residential
	Multifamily
RT	Residential
	(Offices)
HM	Health and
	Medical
CA	Commercial
CG	Commercial
MA	Industrial
MB	Industrial
PUD	Planned Unit
	Development
DC	Downtown Core
DF	Downtown Fringe

Future Land Use Plan

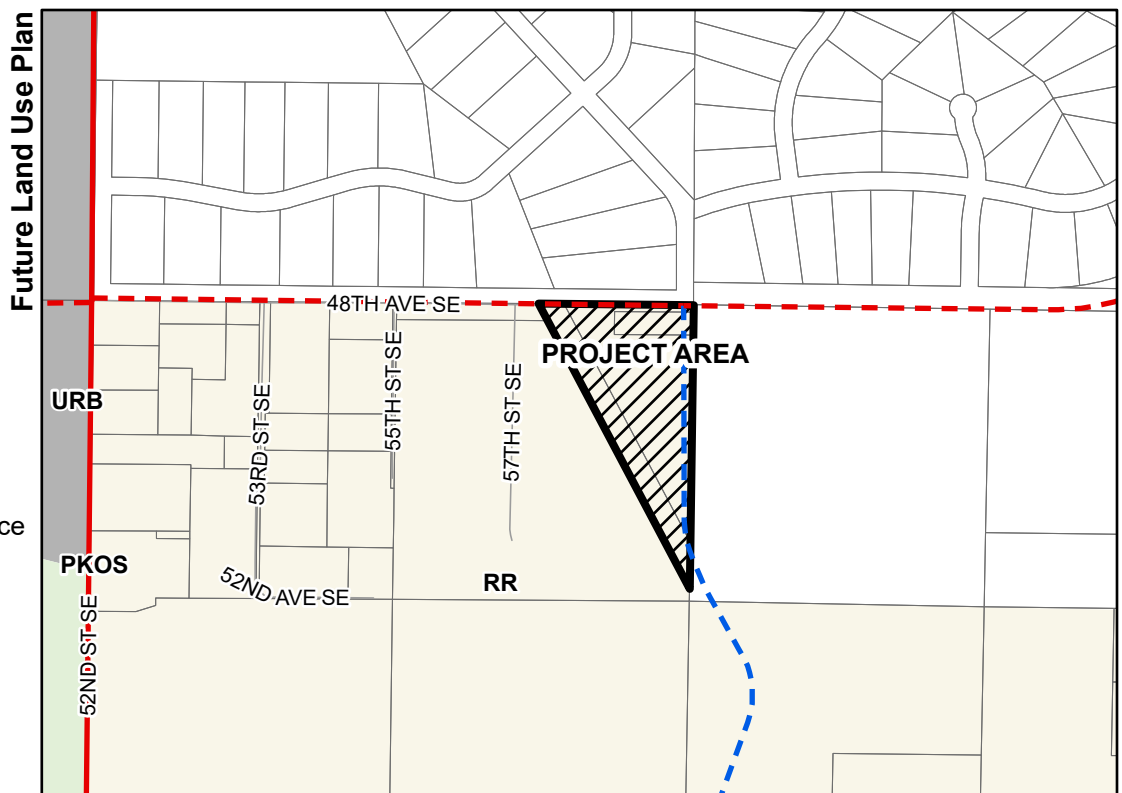
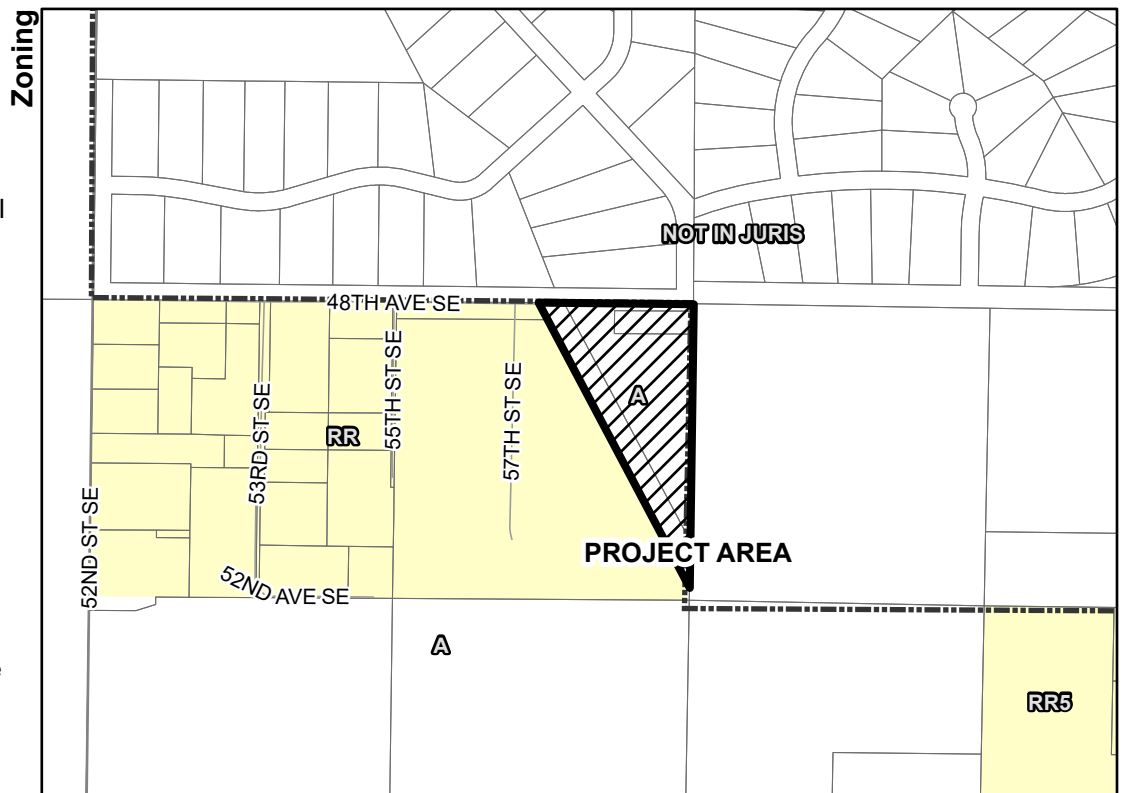
UN	Urban
	Neighborhood
NMU	Neighborhood
	Mixed Use
CMU	Community
	Mixed Use
DMU	Destination
	Mixed Use
DT	Downtown
IND	Industrial
IF	Industrial Flex
IMU	Industrial
	Mixed Use
INS	Institutional
RR	Rural
	Residential
TR	Transitional
	Rural
PKOS	Parks/Open Space
	Urban Reserve
URA/	Mid/Long-Term
URB	

Active Mobility Plan

— Future Shared Trail

Major Street Plan

- Existing Arterial
- Future Arterial
- Existing Collector
- Future Collector
- Existing Interstate
- Future Interstate
- City Limits



This map is for representational use only and does not represent a survey.
No liability is assumed as to the accuracy of the data delineated hereon.

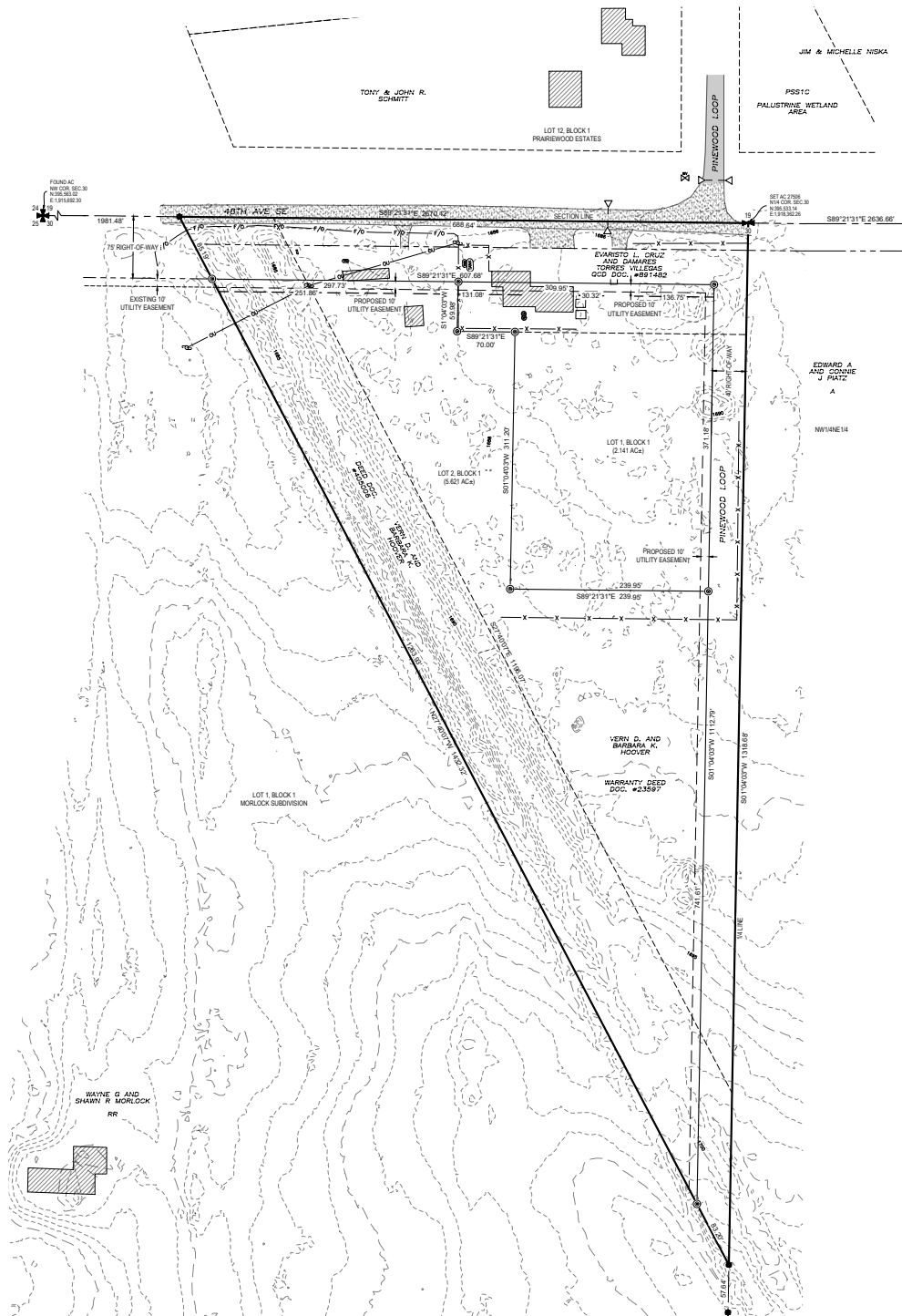
0 500 1,000 2,000 Feet



City of Bismarck
Community Development
Planning Division
May 19, 2025

PRELIMINARY PLAT
CRUZ SUBDIVISION

TO THE CITY OF BISMARCK
IN THE NE1/4NW1/4 OF SECTION 30, TOWNSHIP 138 NORTH, RANGE 79 WEST
OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA



LOT ACRES	7.962 ±
TOWN ACRES	2.206 ±
TOTAL ACRES	5.968 ±

OWNER:
EDUARDO L. CRUZ
DAMARIS TORRES VILLEGAS
5881 SE 46TH AVE
BISMARCK, ND 58504

VERNO D. HOOVER
BARBARA K. HOOVER
5881 SE 46TH AVE
BISMARCK, ND 58504

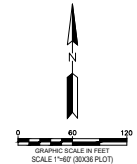
SURVEYOR:
MICHAEL J. TARNOWSKI, PLS-27506
MOUNTAIN PLANS, LLC
1300 TACOMA AVE, SUITE A
BISMARCK, ND 58504
(701) 557-3348

- PLAT NOTES:**
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
 - FIELD SURVEY COMPLETED 3/10/2025.
 - NGS MONUMENT DESIGNATION: CITY OF BISMARCK CONTROL 861-25 (NAV08B).
 - SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
 - TOTAL LOTS: 2
 - TOTAL PLAT: 5.968 ACRES
 - EXISTING ZONING: A
 - PROPOSED ZONING: RR
 - 100 YEAR FLOOD PLAIN FEMA ZONE X, DOCUMENT #380150381SE, EFFECTIVE DATE: 6/4/2024
 - SURFACE CONTOURS SHOWN IS SOURCED BY THE BISMARCK-MANDAN MPO DIGITAL ORTHOPHOTOGRAPHY & MAPPING PROJECT AND WAS COLLECTED ON MAY 3RD, 2023

LEGAL DESCRIPTION:
A PLAT OF LOTS 1 AND 2, BLOCK 1 OF CRUZ SUBDIVISION IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4NW1/4) OF SECTION 30, TOWNSHIP 138 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TO THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTH QUARTER (N1/4) CORNER OF SAID SECTION 30; THENCE S81°04'00"W ON AND ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 30 A DISTANCE OF 1261.54 FEET TO THE SOUTH CORNER OF A TRACT OF LAND, PER DOCUMENT NO. 40006, WHICH POINT BEARS N01°54'00"E A DISTANCE OF 574.4 FEET FROM THE SOUTHWEST CORNER OF LOT 1, BLOCK 1 OF MORLOCK SUBDIVISION, PER DOCUMENT NO. 03203; THENCE N07°46'00"W ON AND ALONG THE EAST LINE OF SAID LOT 1, BLOCK 1 OF MORLOCK SUBDIVISION A DISTANCE OF 142.32 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 30; SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1 OF MORLOCK SUBDIVISION; THENCE S89°21'31"E ON AND ALONG THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 30 A DISTANCE OF 88.66 FEET TO THE POINT OF BEGINNING.
SAID TRACT OF LAND CONTAINS 9.97 ACRES, MORE OR LESS, AND SHALL HENCE FORTH BE KNOWN AS CRUZ SUBDIVISION.

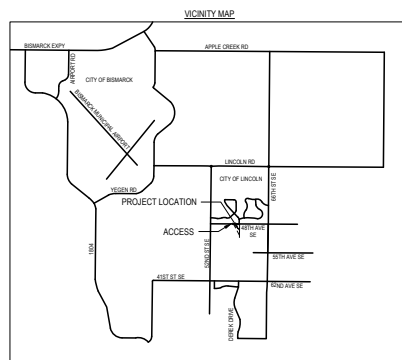
SURVEYOR'S CERTIFICATE
I, MICHAEL J. TARNOWSKI, A REGISTERED LAND SURVEYOR, NORTH DAKOTA PLS NO. LS-27506, DO HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE BY ME OR UNDER MY DIRECTION, AND THE INFORMATION SHOWN ON THIS MAP IS TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE.

MICHAEL J. TARNOWSKI, PLS-27506 DATE **PRELIMINARY**



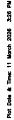
BASIS OF BEARINGS: NORTH DAKOTA STATE PLANE
COORDINATE SYSTEM, SOUTH ZONE, NAD83,
INTERNATIONAL FEET, GRID DISTANCES

- LEGEND**
- FOUND MONUMENT
 - SET 60\"/>



C:\Users\jaye\My Computer\Bar\Survey\Bismark\Active Jobs\J30 Cruz\Survey\CAD\Final Plot\J30 Cruz - Final Plot.dwg

Plot Date & Time: 11 March 2026 3:26 PM



ATTEST: MARK SPLONSKOWSKI - AUDITOR



Page 10 of 11



Planning Department

DATE: April 28, 2026

FROM: Daniel Nairn, Planning Department Director

ITEM: Ordinance 6661

REQUEST:

Public hearing on Ordinance 6661, a zoning ordinance text amendment to Section 14-04-19 (FP – Floodplain District) to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027.

BACKGROUND INFORMATION:

The Planning Department requests approval of a zoning ordinance text amendment to Section 14-04-19 (FP – Floodplain District) to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027.

The Planning and Zoning Commission held a public hearing on this request on March 25, 2026, and voted to recommend approval.

The attached staff report contains a complete review of the request, according to the standards of the Comprehensive Plan, city ordinances, and other relevant law.

RECOMMENDED CITY COMMISSION ACTION:

Approve Ordinance 6661, a zoning ordinance text amendment.

STAFF CONTACT INFORMATION:

Daniel Nairn, Planning Department Director, 701-355-1854, dnairn@bismarcknd.gov
Jenny Wollmuth, Senior Planner, 701-355-1850, jwollmuth@bismarcknd.gov

ATTACHMENTS:

1. Staff Report

STAFF REPORT

Application for: **Zoning Ordinance Text Amendment**

Project ID: **ZOTA2026-001**

Project Summary

<i>Title:</i>	Revisions to FP – Floodplain District
<i>Status:</i>	Planning and Zoning Commission - Public Hearing
<i>Project Contact:</i>	Jenny Wollmuth, AICP, CFM, Senior Planner
<i>Request:</i>	Amend Section 14-04-19 to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027
<i>PZC Recommendation:</i>	Approve
<i>Staff Recommendation:</i>	Approve

Project Narrative

The Planning Department requests approval of a zoning ordinance text amendment to Section 14-04-19 (FP – Floodplain District) to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027.

Background

SB2027 clarified and streamlined local floodplain management authority by separating it from zoning, allowing communities to manage flood risks without adopting zoning ordinances. It created new sections in NDCC Chapters 40-05, 11-11, and 58-06.

While beneficial for smaller North Dakota communities, Bismarck already regulates floodplain management through its zoning ordinance, which applies within the city and its extraterritorial area. This amendment will not change how Bismarck manages floodplains.

However, to comply with state and federal law, the North Dakota Department of Water Resources (DWR) has requested that communities participating in the National Flood Insurance Program (NFIP) update their ordinances to

reference NDCC Chapters 40-05, 11-11, and 58-06 in their specific authorization sections. This particular section was added to Section 14-04-19 in 2024 at the request of NFIP representatives in conjunction with adoption of the 2024 FIRM Map. A model amendment has been provided to communities and is included for review.

SB2027 also requires that all ND communities annually certify to the DWR that they are continuing to undertake floodplain management. This certification was presented to the City Commission at their meeting on February 24 and forwarded to the DWR on March 4, 2026.

Public Engagement

Planning and Zoning Commission

The Planning and Zoning Commission considered this request on February 25, 2026, and called for a public hearing.

The public was duly notified of this request. A notice was published in the Bismarck Tribune on March 13 and 20, 2026.

The Planning and Zoning Commission held a public hearing on this request on March 25, 2026. No written comments were submitted by the

(continued)

public prior to the meeting, and no members of the public spoke at the hearing.

At the conclusion of the public hearing, and based on the findings in the staff report, the Planning and Zoning Commission voted unanimously to recommend approval of the zoning ordinance text amendment.

City Commission

The City Commission considered this request at their meeting on April 14, 2026.

The public was notified of this request via publications in the Bismarck Tribune on April 17 and 24, 2026.

All written comments received by staff prior to the public hearing will be distributed to the Board of City Commissioners and summarized by staff during the oral presentation.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

The goals and objectives of Together 2045 Bismarck's Comprehensive Plan would be advanced by the proposed zoning ordinance text amendment ([Comprehensive Plan](#))

Yes. The following objectives of the plan would be advanced through the proposed amendment.

I6(b): Participate actively in the National Flood Insurance Program and Community Rating System to manage designated floodplains.

T9(d): Integrate development review processes conducted by various city departments and external agencies into a clear and seamless process.

The proposed text amendment is justified by a change in conditions since the zoning ordinance was originally adopted or clarifies a provision that is confusing, in error or otherwise inconsistent with the general intent and purpose of the zoning ordinance ([Goal S9-e](#), [G10-g](#))

Yes. This section of the zoning ordinance was previously adopted in 2024. In particular, the authorization section referencing NDCC chapters was added at the request of representatives of the NFIP. The purpose of the proposed zoning ordinance text amendment is to clarify this provision referencing modified chapters as noted in SB2027 to ensure that the original intent is met.

The general intent and purpose of the zoning ordinance would be adhered to with the proposed amendment (Section 14-02-01; [NDCC 40-27-03](#))

Yes. The proposed zoning text amendment would support the purpose of the zoning ordinance, as stated in the City Code of Ordinances and North Dakota Century Code.

The proposed text amendment will preserve the overall integrity and coherence of the zoning ordinance ([Goal G10](#))

Yes. All sections of the zoning ordinance containing any references to or potential conflicts with the proposed zoning ordinance text amendment have been reviewed and corrected, as needed.

Proper administrative procedures related to the request are being followed (Section 14-07-02, [NDCC Chapter 40-47](#))

Yes. All administrative procedures of the City Code of Ordinances and North Dakota Century Code have been followed to date. The zoning ordinance text amendment has been initiated by staff from the Planning Department, on behalf of

(continued)

the Planning and Zoning Commission. A preliminary draft is attached to this report for consideration by the City Commission.

The public health, safety and general welfare will not be adversely impacted by the proposed zoning text amendment ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed zoning ordinance text amendment would not adversely impact the public health, safety, and general welfare.

Recommendations

Planning and Zoning Commission

Based on the above findings, the Planning and Zoning Commission recommends approval of the

zoning ordinance text amendment to Section 14-04-19 (FP – Floodplain District) to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027.

Planning Department

Based on the above findings, staff recommends approval of the zoning ordinance text amendment to Section 14-04-19 (FP – Floodplain District) to update references to North Dakota Century Code (NDCC) chapters relating to Senate Bill 2027.

Attachments

1. Draft Zoning Ordinance
2. Model Amendment

Staff report prepared by: Jenny Wollmuth, AICP, CFM, Senior Planner
701-355-1854 | jwollmuth@bismarcknd.gov

CITY OF BISMARCK

ORDINANCE NO. 6661

First Reading _____
Second Reading _____
Final Passage and Adoption _____
Publication Date _____

AN ORDINANCE TO AMEND SECTION 14-04-19 OF THE CODE OF ORDINANCES OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO STATUTORY AUTHORIZATION THE IN FLOODPLAIN DISTRICT.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Amend. Section 14-04-19 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to FP – Floodplain District, is hereby enacted to read as follows:

14-04-19. FP Floodplain District. In any FP floodplain district, the following regulations shall apply:

1. Statutory Authorization. The Legislature of the State of North Dakota has in North Dakota Century Code, Chapters 40-~~4705~~, 11-~~3311~~ and 58-0~~36~~, delegated responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

* * * * *

(Ord. 4137, 5-26-87; Ord. 4737, 11-14-95; Ord. 4948, 10-13-98; Ord. 5037, 03-14-00; Ord. 5259, 05-27-2003; Ord. 5423, 05-24-05; Ord. 5728, 05-26-09; Ord. 5779, 07-27-10 and 08-10-10; Ord. 5811, 03-22-11; Ord. 6028, 01-28-14; Ord. 6068, 06-24-14; Ord. 6173, 10-27-15; Ord. 6477, 08-02-21; Ord. 6577, 06-11-24, Ord XXXX, [DATE])

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall take effect after final passage, adoption and publication.

DRAFT

MODEL AMENDMENT
FLOODPLAIN MANAGEMENT

SECTION 1.0
STATUTORY AUTHORIZATION

The _____ of _____,
(governing body) (local unit)
North Dakota does hereby amend its floodplain management ordinance as follows:

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of North Dakota has in North Dakota Century Code, Chapters 40-05, 11-11 and 58-06, delegated responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

PASSED THIS _____ of _____, _____.

APPROVED:

CHIEF EXECUTIVE OFFICER

ATTEST:
(seal)

(Auditor or Clerk)



Planning Department

DATE: April 28, 2026

FROM: Daniel Nairn, Planning Department Director

ITEM: Glance Spa and Salon Renaissance Zone Projects

REQUEST:

Consider the request for approval of a Renaissance Zone Rehabilitation and Commercial Lease projects at 407 North 4th Street.

BACKGROUND INFORMATION:

JAB Investments LLC (property owner) and Glance Spa and Salon Inc (business owner) are requesting approval of a Rehabilitation Renaissance Zone project and a Commercial Lease Renaissance Zone project, respectively.

The applicants are proposing to rehabilitate the existing tenant space in the building currently occupied by Glance Spa and Salon. The proposed scope of work meets the minimum level of investment required by the program.

The Renaissance Zone Authority held a public hearing on this request on February 25, 2026, and voted to recommend approval with the following condition:

1. A Certificate of Good Standing for JAB Investments LLC (property owner) is received by Planning staff prior to approval by the City Commission

The attached staff report contains a complete review of the request, according to standards of the Comprehensive Plan, city ordinances, and other relevant law.

RECOMMENDED CITY COMMISSION ACTION:

Approve the Rehabilitation Renaissance Zone for project and the Commercial Lease Renaissance Zone project.

STAFF CONTACT INFORMATION:

Daniel Nairn, Planning Department Director, 701-355-1854, dnairn@bismarcknd.gov
Isak Johnson, Planner, 701-355-1850, ijohnson@bismarcknd.gov

ATTACHMENTS:

1. Staff Report

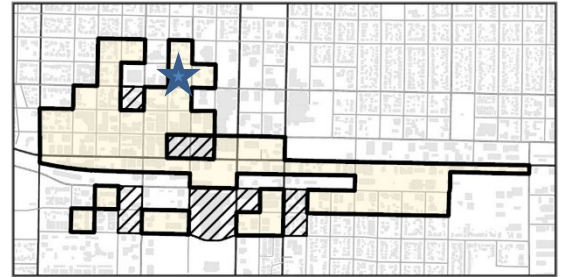
STAFF REPORT

Application for: **Renaissance Zone**
Renaissance Zone

Project ID: **RZ2026-001**
RZ2026-002

Project Summary

<i>Title:</i>	Glance Salon and Spa Rehabilitation
<i>Project Type:</i>	Rehabilitation
<i>Status:</i>	Renaissance Zone Authority
<i>Property Owner(s):</i>	JAB Investments LLC
<i>Project Contact:</i>	Andrea Birst (Glance Spa and Salon Owner)
<i>Project Location:</i>	407 North 4th Street
<i>RZ Block #:</i>	5
<i>Applicant Request:</i>	Renovate the business space within the existing building
<i>RZA Recommendation:</i>	Approve with conditions
<i>Staff Recommendation:</i>	Approve with conditions



Project Information

<i>Building Floor Area (square feet):</i>	8,775	<i>Completion Date:</i>	12/01/2026	<i>Certificate of Good Standing:</i>	Received
<i>Assessed Building Value (existing):</i>	\$787,300	<i>Proposed Investment:</i>	\$588,973	<i>Estimated Value with Investment:</i>	\$1,230,600
<i>Annual Property Taxes (existing):</i>	\$9,321.59	<i>Estimated Property Tax Benefit:</i>	\$29,600	<i>Estimated Income Tax Benefit:</i>	\$30,000

Project Narrative

Andrea Birst (owner of Glance Spa and Salon Inc) and the property owner, JAB Investments LLC, are requesting approval of a Rehabilitation Renaissance Zone project and a Commercial Lease Renaissance Zone project located at 407 North 4th Street.

The projects are proposed for the portion of the building which Glance Spa and Salon currently occupies. Although the proposed project would not rehabilitate the entirety of the building, the proposed project would meet the minimum level of investment, as outlined later. The property tax exemption would apply to the increased value (increment) of the entire property.

(continued)

The project as described would be entirely interior work to rearrange or replace the interior spaces and fixtures (including plumbing work) and would facilitate the expansion of the existing business. No Downtown Design Review will be required based on the described scope of work.

If approved, the property tax exemption for the increased value of the building (Rehabilitation project) would apply to the property owner, JAB Investments LLC, and the state income tax exemption (Commercial Lease project) would apply to the business owner, Glance Spa and Salon Inc.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:

As shown in the map to the right, the project area is surrounded primarily by offices and banks on all sides along with associated parking lots.



Public Engagement

RZA

The public was duly notified of this request. A notice was published in the Bismarck Tribune on March 27 and April 3, 2026, and 19 postcards were mailed to the owners of nearby properties on March 27, 2026.

The Renaissance Zone Authority held a public hearing on the request on April 9, 2026. Planning staff did not receive any written comments prior to the hearing, and no members of the public spoke at the hearing.

At the conclusion of the public hearing, the Renaissance Zone Authority voted to recommend approval of the projects with the condition outlined in the recommendations section.

BCC

No additional public notice is required prior to final consideration before the City Commission.

Basic project information, with the ability to contact staff for more details, has been provided publicly online through the Open Development Projects Dashboard and Community Development Activities map.

(continued)

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Renaissance Zone

The property has not previously been designated a Renaissance Zone of this type and meets the relevant minimum project eligibility criteria for the City of Bismarck Renaissance Zone Program

Yes. As a rehabilitation project, the minimum level of investment is 50% of the current assessed building value and \$40 per square foot of the building area.

The proposed investment is \$588,973. 50% of the current building value of \$787,300 is \$393,650. And \$40 times the building area of 8,775 square feet is \$351,000. Therefore, the proposed level of investment is approximately 75% of the building value or \$67.12 per square foot.

Both requirements for the minimum level of investment would be met.

The proposed project is consistent with the goals and objectives of the City of Bismarck Renaissance Zone Development Plan

Yes. The projects advance the following goals and objectives of the Renaissance Zone Development Plan:

- a) Establish the Renaissance Zone as the center for business life, government and cultural opportunity for the Bismarck regions.
- b) Promote the Renaissance Zone as the preferred location for hotel, class A office buildings, specialty retail, government and instructional uses.

Use and design standards of the DC – Downtown Core or DF – Downtown Fringe zoning districts, as applicable, would be met with the proposed project (Section 14-04-21.1(4), 14-04-21.2 (4), 14-04-21.3, 14.04.21.4)

Yes. The existing use is permitted within the DC – Downtown Core zoning district and as all of the proposed work is internal to the building, no Downtown Design Review is required.

The project would meet all applicable building code requirements.

Yes. Adherence to building and fire codes would be verified prior to issuance of a building permit, subject to review of more detailed building plans. There are no features of the proposed design submitted with this request that present an obvious and insurmountable conflict with building code requirements.

Proper administrative procedures related to the request are being followed (Section 14-04-21.1(4)b, 14-04-21.2 (4)b)

Yes. Applications requesting a Renaissance Zone designation approval have been submitted to the Planning Department. Staff have reviewed the applications, and following approval from the Renaissance Zone Authority, submit this report to the City Commission for final consideration.

The public health, safety and general welfare will not be adversely impacted by the proposed design ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed Renaissance Zone project would not adversely impact the public health, safety, and general welfare.

(continued)

Recommendations*Renaissance Zone Authority*

Based on the above findings, and at the conclusion of the public hearing, the Renaissance Zone Authority recommended approval of the proposed Rehabilitation and Commercial Lease Renaissance Zone projects for 407 North 4th Street as presented in all submitted documents and materials, with the following condition:

1. A Certificate of Good Standing for JAB Investments LLC (property owner) is received by Planning staff prior to approval by the City Commission

Planning Staff

Based on the above findings, staff recommends approval of the proposed Rehabilitation and Commercial Lease Renaissance Zone project for 407 North 4th Street as presented in all submitted documents and materials, with the following condition:

1. A Certificate of Good Standing for JAB Investments LLC (property owner) is received by Planning staff prior to approval by the City Commission

Attachments

1. RZ map
2. Building plans

Staff report prepared by: Isak Johnson, AICP, Planner

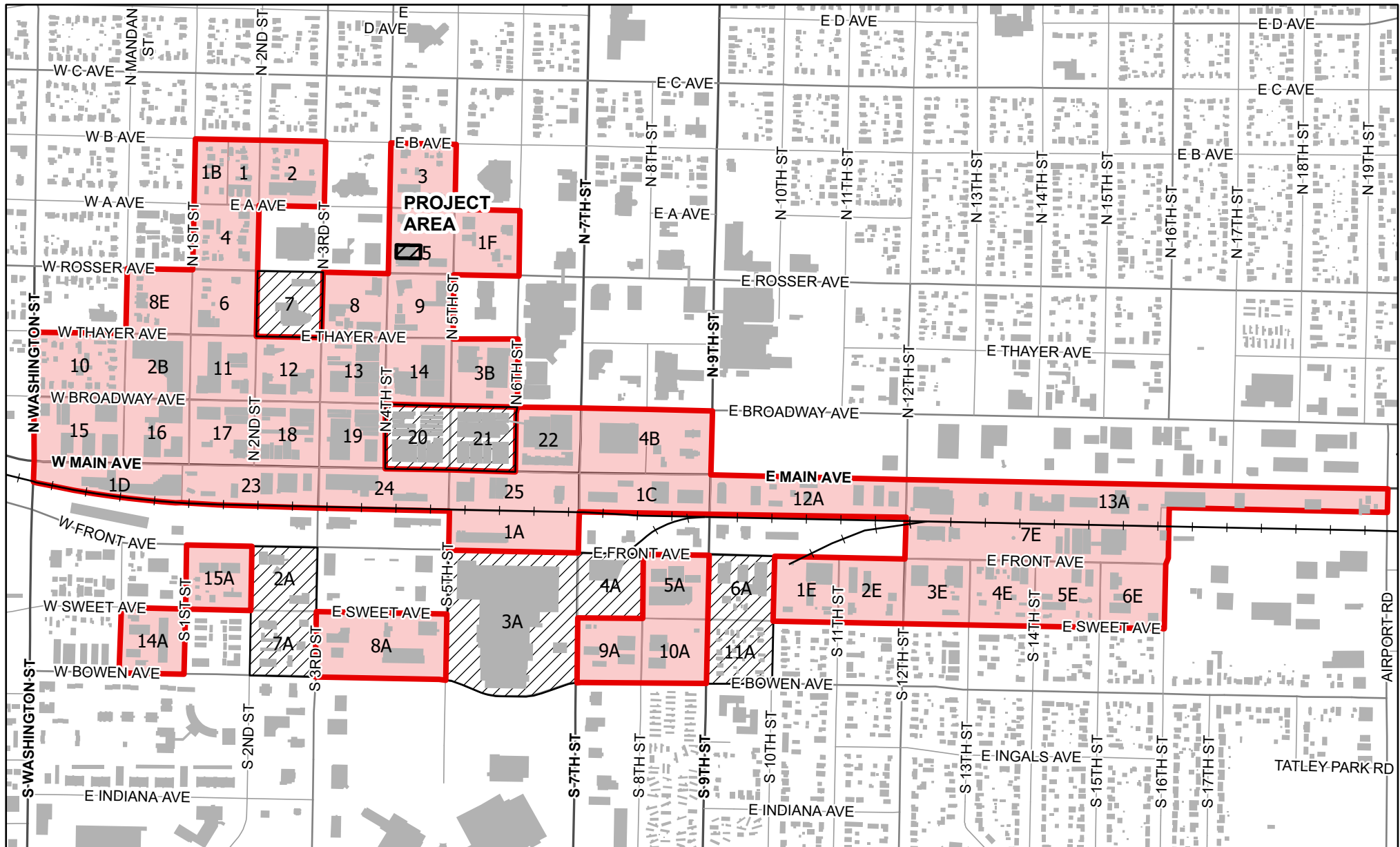
701-355-1850 | ijohnson@bismarcknd.gov



RENAISSANCE ZONE - PROJECT LOCATION MAP

RZ2026-001

GLANCE SPA AND SALON 405



City of Bismarck
Community Development
Planning Division
March 23, 2026

COMPLETED BLOCK

NO

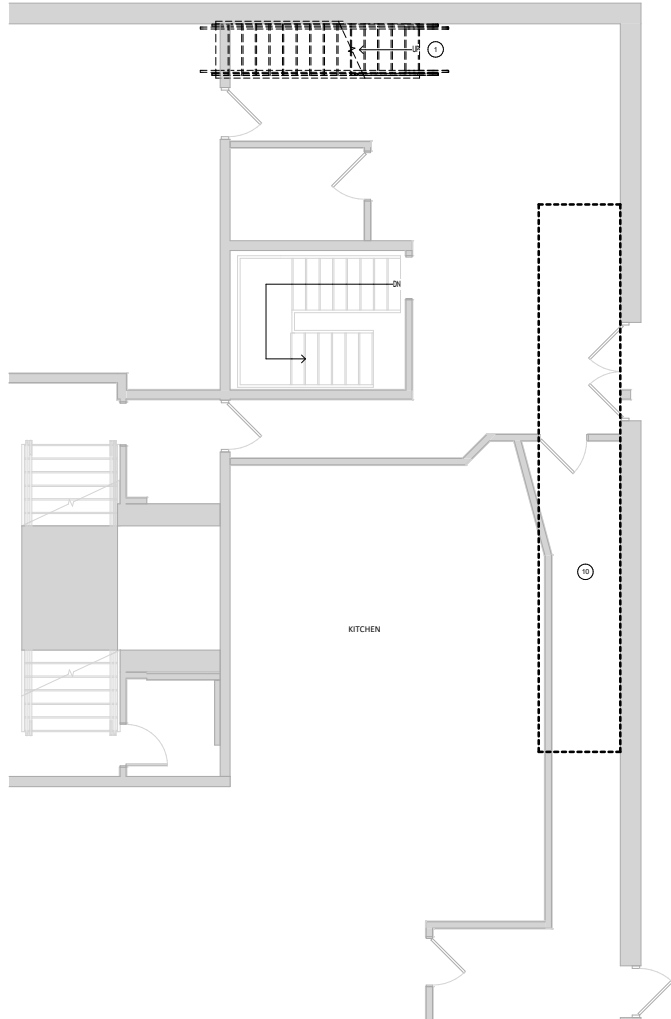
YES

— Railroad

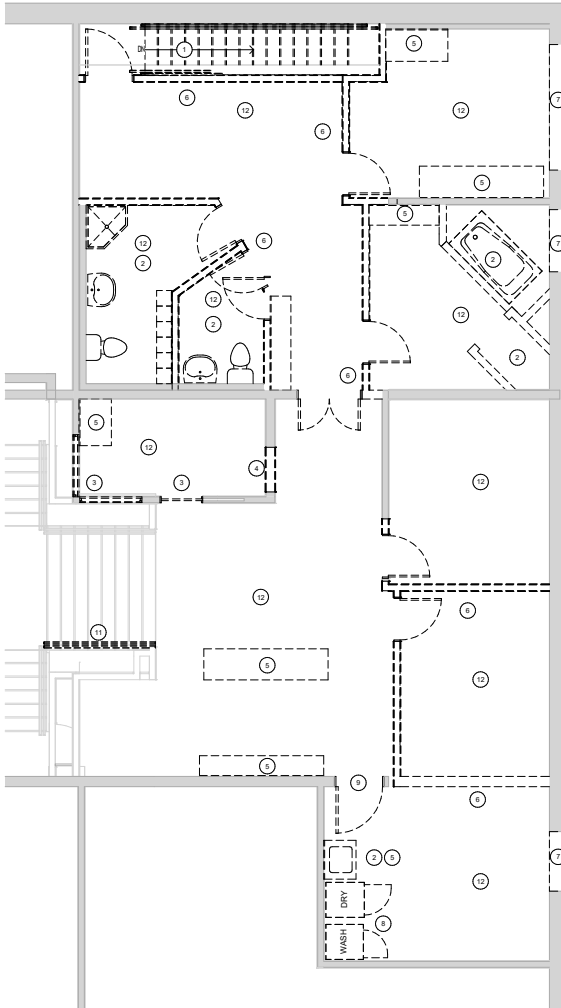
This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

0 245 490 980 Feet





A2 DEMOLITION PLAN - FIRST FLOOR
1/4" = 1'-0"



A1 DEMOLITION PLAN - SECOND FLOOR Copy 1
1/4" = 1'-0"

DEMOLITION PLAN GENERAL NOTES

1. OWNER WILL OCCUPY THE OF THE EXISTING BUILDING IMMEDIATELY ADJACENT TO THE AREAS OF DEMOLITION AND NEW CONSTRUCTION. CONTRACTOR(S) SHALL CONDUCT DEMOLITION IN A MANNER TO MINIMIZE DISRUPTION TO THE NORMAL DAILY OPERATIONS OF THE EXISTING FACILITY.
2. PROVIDE TEMPORARY BARRICADES AND PROTECTION TO PREVENT OWNER'S PERSONNEL AND OCCUPANTS IN THE EXISTING BUILDING FROM INJURY DURING DEMOLITION AND NEW CONSTRUCTION.
3. EXISTING BUILDING COMPONENTS, SYSTEMS, AND FINISHES THAT ARE TO REMAIN IN PLACE SHALL BE PROTECTED FROM DAMAGE DURING DEMOLITION.
4. IN ADVANCE OF DEMOLITION, CONTRACTOR(S) SHALL LOCATE AND IDENTIFY EXISTING UTILITY AND OTHER INFRASTRUCTURE SERVICES THAT WILL REMAIN IN OPERATION. VERIFY AND MAINTAIN THE LOCATION OF EXISTING POWER, COMMUNICATION, AND DATA CABLES SO AS NOT TO COMPROMISE OR INTERRUPT THESE SERVICES. CONTRACTORS SHALL NOTIFY OWNER AND ARCHITECT, IN WRITING, IF ANY DEMOLITION OR RELATED WORK WILL IMPACT THE NORMAL OPERATIONS OF THE EXISTING FACILITY.
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7. CONTRACTOR SHALL PROVIDE SECURE WEATHER-TIGHT PROTECTION AND/OR TEMPORARY HEAT AND UTILITIES IF ANY PORTION OF THE EXTERIOR WALL, GLAZING/WINDOWS, OR ROOFING SYSTEM IS REMOVED OR COMPROMISED DURING DEMOLITION ACTIVITIES. THE TEMPORARY PROTECTION SHALL BE MAINTAINED AND REMAIN IN PLACE FOR THE DURATION OF THE WORK.
8. REMOVE ALL DEMOLITION MATERIALS FROM THE PROJECT SITE, UNLESS NOTED OTHERWISE. THE OWNER RESERVES THE RIGHT TO SALVAGE ANY MATERIALS OR SYSTEMS.
9. PATCH, REPAIR, OR REPLACE, TO AN EQUAL OR GREATER QUALITY, ANY WALLS, FLOORS, OR EQUIPMENT DAMAGED FROM DEMOLITION OR CONSTRUCTION ACTIVITIES. MATCH EXISTING FINISH OR CONDITION.
10. PATCH ALL FLOOR AND CEILING PENETRATIONS IMPACTED FROM THE REMOVAL OR REROUTING OF NEW OR EXISTING PIPING, DUCTWORK, CONDUIT, AND OTHER INFRASTRUCTURE ITEMS AS REQUIRED TO MAINTAIN THE NECESSARY FIRE SEPARATION. ALL PATCH WORK REQUIRED SHALL MATCH NEW AND/OR THE EXISTING ADJACENT SURFACES.
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13. CONTRACTOR IS RESPONSIBLE FOR ENSURING ALL DUMPSTERS ARE MIN. 30 FEET AWAY FROM COMBUSTIBLES, REF. NFPA 241.

DEMOLITION KEYNOTES

Mark	Comments
1	REMOVE EXISTING STAIR AND RAILING.
2	REMOVE EXISTING PLUMBING FIXTURES AND FINISHES IN THIS SPACE. COORDINATE DEMOLITION OF WATER AND DRAIN LINES WITH NEW CONSTRUCTION. CAP AS NEEDED.
3	REMOVE EXISTING WINDOW OR DOOR, PREPARE FOR INFILL.
4	CUT NEW OPENING IN WALL FOR NEW DOOR. COORDINATE LOCATION WITH NEW PLANS.
5	REMOVE EXISTING CASEWORK SHOWN.
6	REMOVE EXISTING INTERIOR DOORS AND WINDOWS AS SHOWN.
7	REMOVE EXISTING WINDOW. REPLACE WITH NEW WINDOW.
8	REMOVE EXISTING WASHER AND DRYER. STORE DOWNSTAIRS UNTIL CONSTRUCTION COMPLETE.
9	REMOVE EXISTING DOOR.
10	COORDINATE NEW PLUMBING ROUTING WITH THE ADJACENT TENANT. AVOID IMPACTING ADJACENT KITCHEN WHEN POSSIBLE.
11	REMOVE EXISTING RAILING. PREPARE FOR NEW PLATFORMS AND RAILING.
12	REMOVE CEILING AND GRID IN THIS AREA.

No.	Description	Date

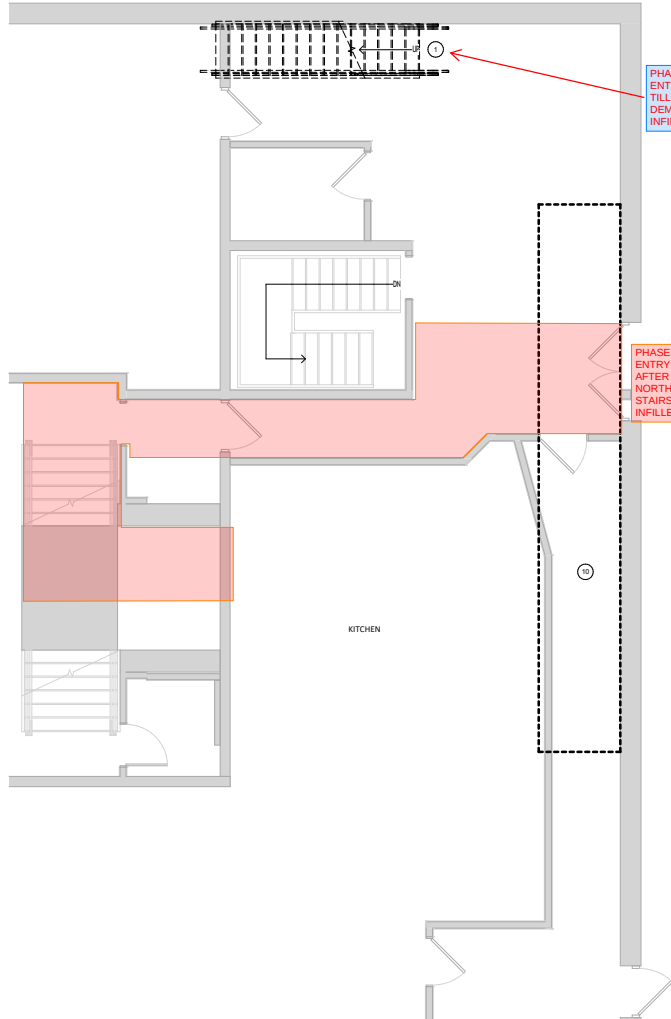
GLANCE SALON UPPER LEVEL RENOVATIONS

DEMOLITION

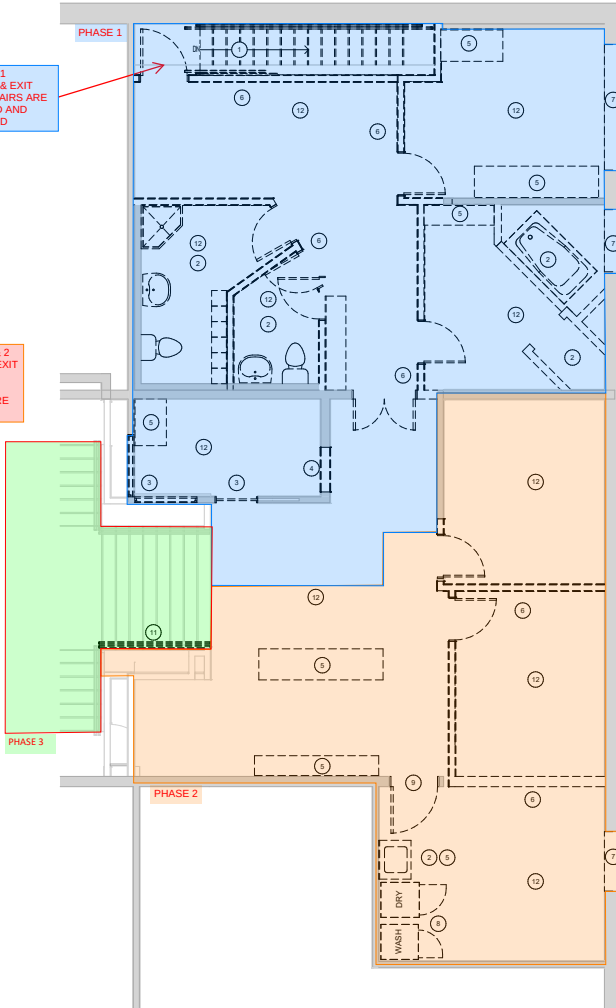
Project Number	25026
Date	12/10/2025
Drawn By	CMJ
Checked By	CMJ

A100

Scale 1/4" = 1'-0"



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No.	Description	Date

GLANCE SALON UPPER LEVEL RENOVATIONS

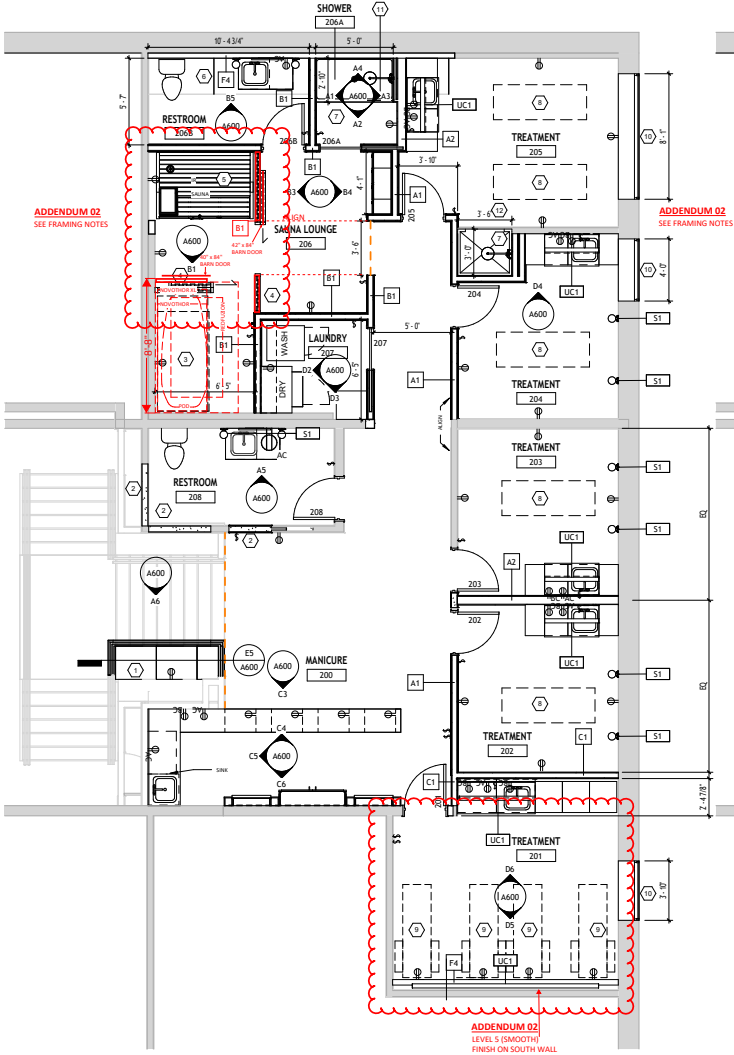
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Date	12/10/2025
Drawn By	CMJ
Checked By	CMJ

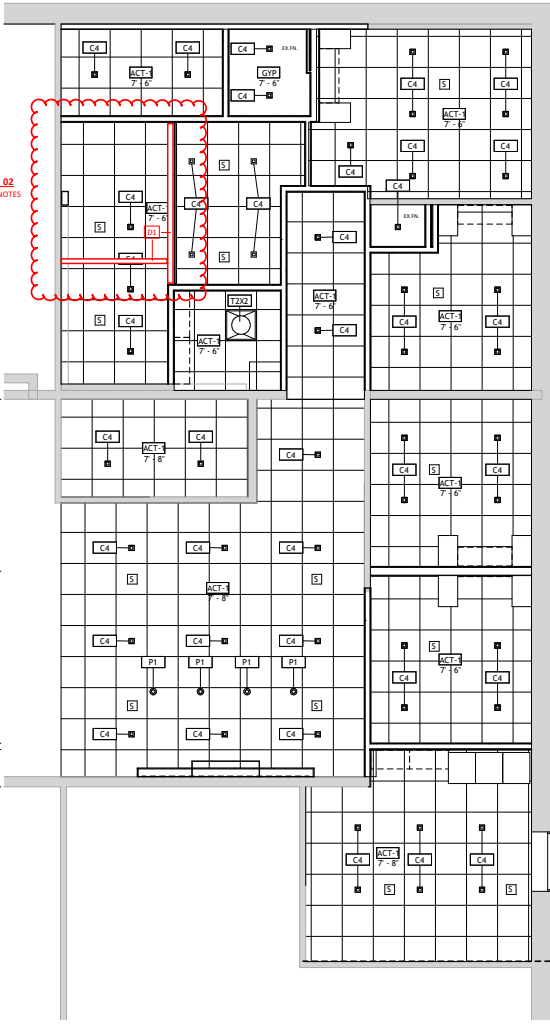
A100

Scale 1/4" = 1'-0"

LIGHTING LEGEND						
TAG	NAME	MFR	STYLE	COLOR	DIMENSIONS	NOTES
C4	RECESSED CAN, 4", SQUARE				4" x 4"	WHITE TRIM, ADJUSTABLE COLOR TEMPERATURE, DIMMABLE, GYP OR ACT AS SHOWN IN DRAWINGS, WET COMP. IN.
P1	PENDANT		DECORATIVE PENDANT LIGHT			BRASS CYLINDER PENDANT, CORD OR STEM, 2'-4" DIAMETER, 6'-14" HEIGHT, -1200 LUMENS.
S1	WALL SCONCE		DECORATIVE WALL SCONCE			DUAL GLOBE, FROSTED, BRASS FINISH. SIM TO DAYANA UP/DOWN WALL SCONCE.
T2x2	PANEL, 2x2		LED, FLAT PANEL		24" x 24"	WHITE TRIM, ADJUSTABLE COLOR TEMPERATURE, DIMMABLE, A.C.T. AS SHOWN IN DRAWINGS
UC1	UNDERCABINET		LED TAPE LIGHT W/ HOUSING		FIELD VER.	LED TAPE LIGHT WITH ALUMINUM CHANNEL, WHITE DIFFUSER CAP AND ENDCAPS. ADJUSTABLE COLOR TEMPERATURE



SECOND FLOOR PLAN
1/4" = 1'-0"



SECOND FLOOR REFLECTED CEILING PLAN
1/4" = 1'-0"

FLOOR PLAN GENERAL NOTES

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5	INFRARED SAUNA. 120 VAC, 20 AM MAX CURRENT.
6	INFILL EXISTING FLOOR OPENING.
7	TILED SHOWER ROOM WITH SHOWER PAN. SHOW IN TREATMENT ROOM 205 SIMILAR TO SHOWER ROOM 206A EXCEPT FOR SIZE.
8	OWNER FURNISHED EQUIPMENT AND FURNITURE.
9	PEDICURE CHAIR. PROVIDE HOT AND COLD WATER, DRAIN.
10	REMOVE EXISTING WINDOW, REPLACE WITH NEW. REFINISH EXISTING JAMBS. INSTALL NEW SSF SILL.
11	PROVIDE 30" WIDE GLASS SHOWER DIVIDER AT THIS SHOWER WITH BRUSHED NICKEL MOUNTING TRIM. FULL HEIGHT.
12	PROVIDE SHOWER CURTAIN AND ROD AT THIS SHOWER.

INTERIOR PARTITION(S) LEGEND

- A ACOUSTIC FULL HEIGHT GYPSUM BOARD WALL TO DECK, NON-RATED
A1 - 3-5/8" METAL STUD
A2 - 6" METAL STUD
- B ACOUSTIC PARTIAL HEIGHT GYPSUM BOARD WALL TO ABOVE CEILING, NON-RATED
B1 - 3-5/8" METAL STUD
B2 - 6" METAL STUD
- C ACOUSTIC FULL HEIGHT GYPSUM BOARD WALL, RATED (UL U419)
C1 - 3-5/8" METAL STUD
C2 - 6" METAL STUD
- F FLURRED OUT WALLS, NON-RATED
F4 - 3-5/8" METAL STUD
- ADDENDUM 02
D 10" TALL METAL HEADER, TOP AT DECK HEIGHT FOR BARN DOOR SUPPORT.
D1 - 3-5/8" 38 GAUGE METAL HEADER

No.	Description	Date

GLANCE SALON UPPER LEVEL RENOVATIONS

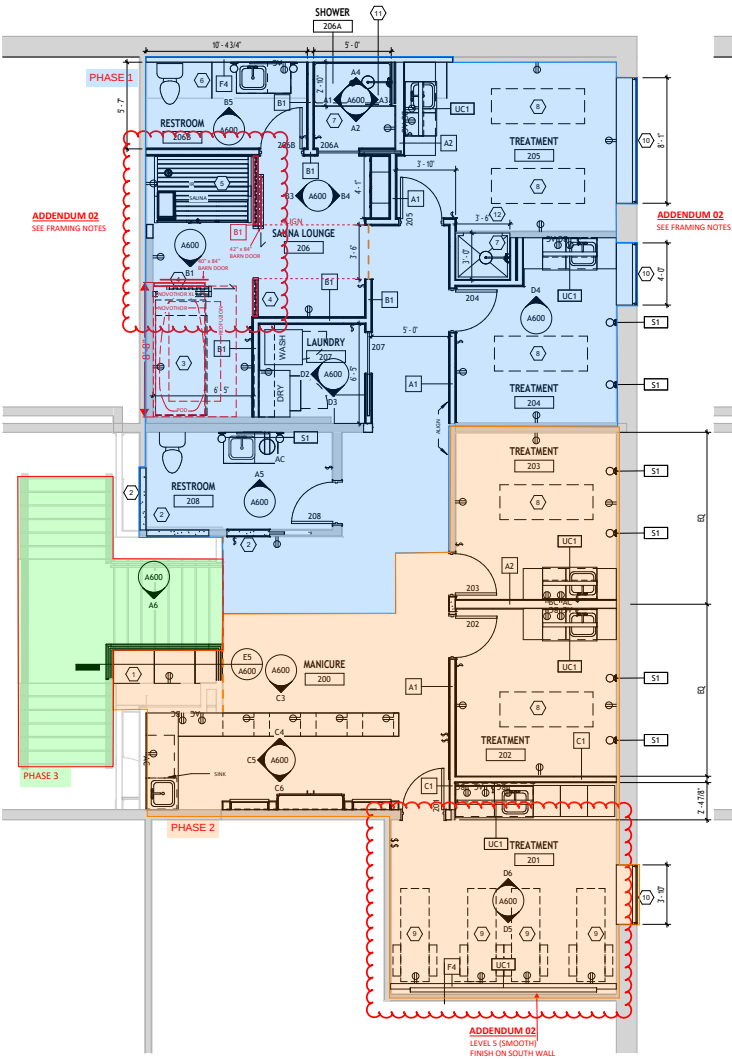
FLOOR AND CEILING PLANS

Project Number	25026
Date	12/10/2025
Drawn By	CMJ
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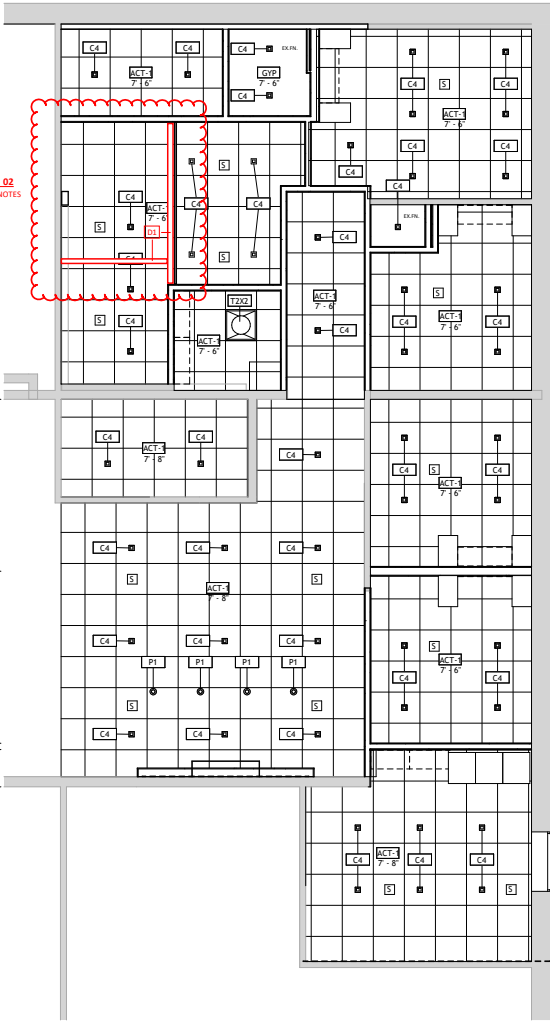
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No.	Description	Date

GLANCE SALON UPPER LEVEL RENOVATIONS

FLOOR AND CEILING PLANS

Project Number	25026
Date	12/10/2025
Drawn By	CMJ
Checked By	CMJ

A200

Scale 1/4" = 1'-0"



Engineering Department

DATE: April 28, 2026

FROM: Gabe Schell, City Engineer

ITEM: Street Improvement District SI 599

REQUEST:

Consider the request for a resolution receiving bids, ordering preparation of the Engineer's Statement and awarding the contract for Street Improvement District No. SI 599.

BACKGROUND INFORMATION:

Street Improvement District No. 599 consists of one (1) unit of new asphalt pavement, curb and gutter, and related work. The overall length of this project is approximately 375 lineal feet of new roadway on 15th Street north of 43rd Avenue which will complete the connection between Skyline Boulevard and 43rd Avenue.

The Engineering Report along with the district boundary map has been posted to the city website at www.bismarcknd.gov/streets.

Bids will be received on April 22, 2026. The engineer's estimate is \$228,968.55. The bid summary and project budget will be distributed prior to the commission meeting.

UNIT NO. 1 (68.8% petitioned)

15th Street - 43rd Avenue to 375 LF north of 43rd Avenue

Project Schedule

Receipt and Opening of Bids
Award of Bid
Project Completion

April 22, 2026
April 28, 2026
Fall 2027

RECOMMENDED CITY COMMISSION ACTION:

Approve resolutions receiving bids, ordering preparation of the Engineer's Statement and awarding contract for Street Improvement District SI 599.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

None



Administration Department

DATE: April 28, 2026

FROM: Douglas Wiles, Assistant City Administrator

ITEM: Strategic Plan Update

REQUEST:

Consider the request from the Administration Department to provide an update on the Strategic Plan.

STRATEGIC FOCUS AREA:

Engaged and Informed Community: As Bismarck continues to grow and evolve, effective communication must go beyond simply sharing information. It should build trust, bridge divides, and empower residents to actively shape the community's future. An engaged and informed community should view the City of Bismarck as a trusted partner and the City should, in turn, recognize its residents as essential partners in shaping a vibrant and responsive community.

Goal One: Expand and customize the City's communications channels and efforts to increase engagement and public trust.

BACKGROUND INFORMATION:

At the November 13, 2025, City Commission Meeting, the Commission approved the Final Draft of the updated Strategic Plan. During the presentation, the Commission was asked how it preferred to receive progress updates. Commissioners reached consensus to include quarterly progress reports within future Commission meeting packets.

As part of the Strategic Plan implementation, the City has launched a public dashboard on its website. This tool provides residents, partners, and stakeholders with timely, transparent updates on the projects and initiatives identified in the plan.

RECOMMENDED CITY COMMISSION ACTION:

Receive Strategic Plan update.

STAFF CONTACT INFORMATION:

Douglas Wiles, Assistant City Administrator, 701-355-1300, dwiles@bismarcknd.gov

ATTACHMENTS:

1. 4_22_2026_Commission Progress report



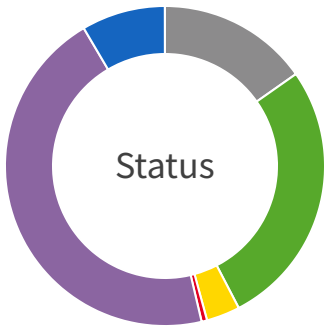
Commission Progress report

City of Bismarck Strategic Plan

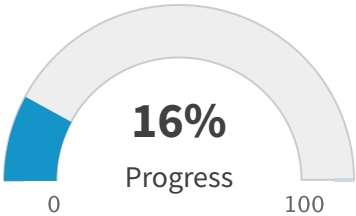
Current Reporting Date: Apr 01, 2026 - Jun 30, 2026

Report Created On: Apr 22, 2026

Overall Summary



	%
Status Pending	15
In Process	27
Some Disruption	3
Major Disruption	1
Upcoming	45
Completed	8



Executive Summary

Strategic Focus Area 1

Progress 30%

INFRASTRUCTURE AND DEVELOPMENT: The City of Bismarck recognizes that robust, resilient, and forward-thinking infrastructure is vital to the community’s well-being, economic vitality, and quality of life. As the city grows, it is critical to maintain facilities, systems, policies, and practices that meet current demands and anticipate future needs.

Owner: Douglas Wiles

Goal: 5

Task: 25



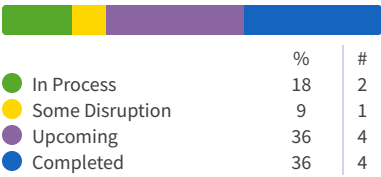
Goal 1.1

Progress 44%

Develop and maintain City facilities that effectively serve current needs and future needs of the community.

Owner: Douglas Wiles

Task: 11



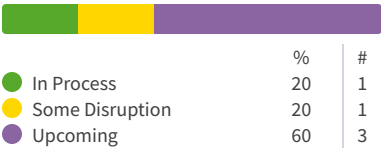
Goal 1.2

Progress 15%

Establish and implement sustainable funding strategies to support long-term infrastructure development and maintenance.

Owner: Douglas Wiles

Task: 5



Goal 1.3

Progress 100%

Prioritize infrastructure improvements using data-driven analysis to ensure effective allocation of resources.

Owner: Douglas Wiles

Task: 1



Goal 1.4

Progress 3%

Strengthen and expand regional partnerships to collaboratively address shared infrastructure challenges and opportunities.

Owner: Douglas Wiles

Task: 3



Goal 1.5

Progress 19%

Expand access to attainable housing by leveraging infrastructure improvements and supportive policy initiatives.

Owner: Douglas Wiles

Task: 5



Strategic Focus Area 2

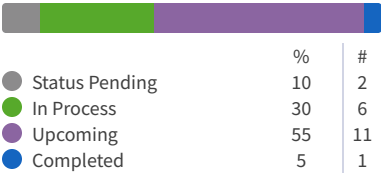
Progress 10%

ECONOMIC VITALITY: The City of Bismarck is building a vibrant, resilient economy that drives sustainable growth, expands local jobs, and attracts new investment. Through strong partnerships, modernized business processes, and forward-looking community planning, the city strengthens prosperity and enhances quality of life for all residents.

Owner: Douglas Wiles

Goal: 3

Task: 20



Goal 2.1

Progress 0%

Collaborate with economic development partners and industry experts to drive sustainable growth, attract investment, and expand local employment opportunities.

Owner: Douglas Wiles

Task: 1



Goal 2.2

Progress 50%

Simplify and modernize permitting, licensing, and administrative procedures to ensure they are efficient, transparent, and accessible for businesses of all sizes.

Owner: Douglas Wiles

Task: 2



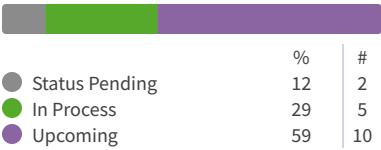
Goal 2.3

Progress 6%

Preserve and enhance Bismarck’s distinctive appeal and competitive edge as an attractive community by engaging in community-driven planning, strategic infrastructure investments, and partnerships between public and private sectors.

Owner: Douglas Wiles

Task: 17



Strategic Focus Area 3

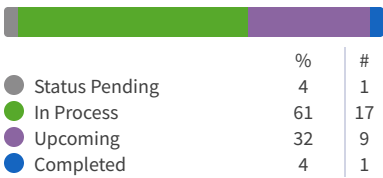
Progress 12%

SAFE AND HEALTHY COMMUNITY: The City of Bismarck is committed to fostering a safe, healthy, and inclusive community where all residents can thrive, emphasizing a comprehensive, collaborative, and innovative approach to public safety, health, and well-being.

Owner: Douglas Wiles

Goal: 4

Task: 28



Goal 3.1

Progress 10%

Expand and strengthen community-based services to support vulnerable populations.

Owner: Douglas Wiles

Task: 8



Goal 3.2

Progress 3%

Leverage technology and infrastructure to enhance public safety, strengthen emergency response capabilities, and support proactive community protection.

Owner: Douglas Wiles

Task: 3



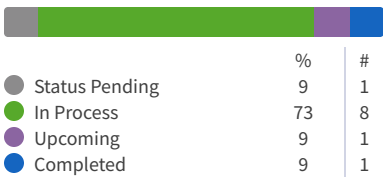
Goal 3.3

Progress 20%

Strengthen public health, emergency preparedness, and environmental safety to protect and promote community well-being.

Owner: Douglas Wiles

Task: 11



Goal 3.4

Progress 3%

Enhance Fire Emergency Response capabilities to ensure rapid, effective, and equitable service delivery across the community.

Owner: Douglas Wiles

Task: 6



Strategic Focus Area 4

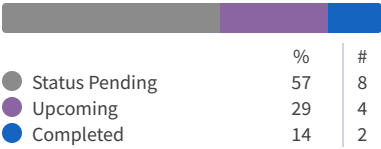
Progress 14%

EMERGING ISSUES: The City of Bismarck proactively adapts as technology, organizational policy, and public expectations evolve and accelerate, anticipating challenges and responding strategically.

Owner: Douglas Wiles

Goal: 3

Task: 14



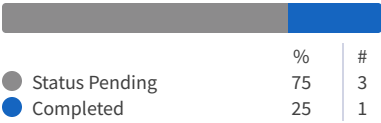
Goal 4.1

Progress 25%

Leverage Artificial Intelligence (AI) tools into day-to-day operations to simplify and streamline employee workflows.

Owner: Douglas Wiles

Task: 4



Goal 4.2

Progress 0%

Approve a Data Governance Policy that will define how all data for the organization is managed electronically.

Owner: Douglas Wiles

Task: 4



Goal 4.3

Progress 17%

Leverage the use of advanced technology in the field, office, and in customer facing applications to maximize the efficiency of public services.

Owner: Douglas Wiles

Task: 6



Strategic Focus Area 5

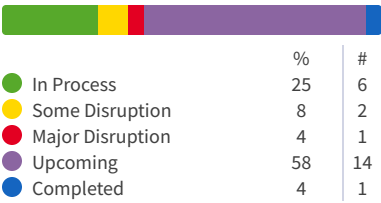
Progress 18%

ENGAGED AND INFORMED COMMUNITY: The City of Bismarck recognizes that effective communication must do more than share information—it builds trust, bridges divides, and empowers residents as essential partners in shaping a vibrant, responsive community.

Owner: Douglas Wiles

Goal: 3

Task: 24



Goal 5.1

Progress 27%

Expand and customize the City’s communications channels and efforts to increase engagement and public trust.

Owner: Douglas Wiles

Task: 10



Goal 5.2

Progress 5%

Develop a comprehensive external and internal organizational communications strategic plan.

Owner: Douglas Wiles

Task: 5



Goal 5.3

Progress 15%

Cultivate communications and engagement strategies that encourage civic pride and informed participation.

Owner: Douglas Wiles

Task: 9



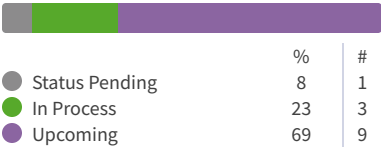
Strategic Focus Area 6

Progress 7%

DESIRABLE LIFESTYLE: The City of Bismarck is committed to a vibrant community where residents enjoy a high quality of life, enriched by cultural heritage, accessible amenities, and meaningful connections. This focus prioritizes well-designed public spaces, strong partnerships, and programs that engage people of all ages and backgrounds.

Owner: Douglas Wiles

Goal: 2 Task: 13

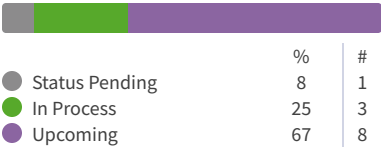


Goal 6.1 Progress 8%

Enhance the use of public and community spaces by fostering strategic partnerships, supporting thoughtful developing and expanding programming.

Owner: Douglas Wiles

Task: 12



Goal 6.2 Progress 0%

Celebrate and strengthen local heritage, culture, and arts to enrich community identity and quality of life.

Owner: Douglas Wiles

Task: 1



Strategic Focus Area 7

Progress 16%

ORGANIZATIONAL EXCELLENCE: The City of Bismarck is committed to organizational excellence through workforce investment, streamlined operations, and a culture of innovation and accountability—building a high-performing organization that meets community needs, adapts to future challenges, and delivers quality public services.

Owner: Douglas Wiles

Goal: 7

Task: 53



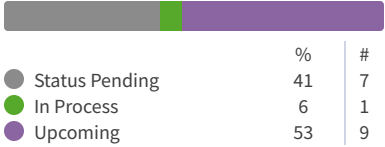
Goal 7.1

Progress 3%

Attract, develop, and retain a high-performing, diverse, and engaged public service workforce by fostering a supportive work environment that prioritizes employee well-being and professional growth.

Owner: Jason Tomanek

Task: 17



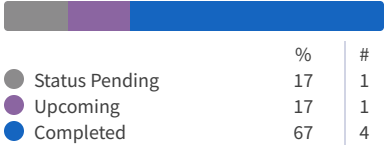
Goal 7.2

Progress 67%

Foster a diverse and supportive workplace culture that aligns with the values of the City of Bismarck.

Owner: Jason Tomanek

Task: 6



Goal 7.3

Progress 0%

Modernize and maintain a resilient, secure technology infrastructure that supports innovation, service delivery, and organizational growth.

Owner: Tandra Kraft

Task: 4



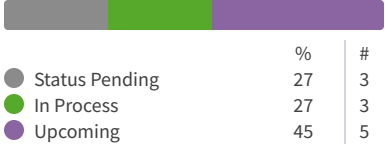
Goal 7.4

Progress 4%

Improve operational efficiency and effectiveness through streamlined processes, data-driven decision making and cross-department collaboration.

Owner: Douglas Wiles

Task: 11



Goal 7.5

Progress 4%

Enhance Bismarck Airport operations to improve efficiency, safety, and passenger experience.

Owner: Douglas Wiles

Task: 8



Goal 7.6

Progress 53%

Strengthen fiscal services to ensure transparency, accuracy, and effective financial management.

Owner: Eric Lund

Task: 6



Goal 7.7

Progress 0%

Improve coordination and service delivery through strategic partnerships with government and public sector partners.

Owner: Douglas Wiles

Task: 1

