



MEETING OF THE BOARD OF CITY COMMISSIONERS

5/12/2026 - MINUTES

CALL TO ORDER

The Board of City Commissioners met on May 12, 2026, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioners Connelly, Risch, Zenker, and Mayor Schmitz were present. Commissioner Cleary attended the meeting via Teams.

FUTURE COMMISSION MEETINGS

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. AWARD PRESENTATION

- A. Accept American Council of Engineering Companies (ACEC) Engineering Excellence Award with Apex Engineering Group for the South Washington Street reconstruction project.

Caleb Weisgerber and Derek Anderson, representatives of Apex Engineering, presented City Engineering with the American Council of Engineering Companies Award for the work that was performed on the South Washington Street Reconstruction Project from 2024.

2. PROCLAMATION

- A. National Public Works Week

Mayor Schmitz read a proclamation declaring May 17-23, 2026, as National Public Works Week.

3. PUBLIC COMMENT

- A. [Public Comment Policy](#): Restricted to items on the Consent Agenda, Regular Agenda, or the Prior City Commission Agenda, excluding public hearing items.

- A. Joe Hubbard with Ministry on the Margins spoke regarding Regular Agenda Item 5.E.

4. **CONSENT AGENDA**

Commissioner Connelly requested to have Item 4.D.2 be pulled for discussion.
Commissioner Cleary requested to have Item 4.F.1 removed from the Consent Agenda.
Commissioner Risch requested to have Item 4.J.2 be pulled for discussion.

Commissioner Zenker moved to approve the Consent agenda excluding items, 4.D.2, 4.F.1, and 4.J.2, and Commissioner Risch seconded. Upon a roll call vote, all voted aye. M/C.

Commissioner Connelly moved to deny item 4.D.2. Motion failed due to the lack of a second.

Commissioner Zenker moved to approve item 4.D.2 as presented and Commissioner Risch seconded.

Discussion:

- Commissioner Zenker stated that the Commission is sending the wrong message to the business community by continuing to pull the letters of support from the agenda. He supported local businesses using resources that are available so that they can be successful in the community.
- Commissioner Risch voiced that he does not think that the Commission should be picking and choosing what businesses receive available resources.
- Mayor Schmitz expressed that being consistent with approval of local projects will encourage economic development in the community.
- Commissioner Connelly commented that he supports projects seeking incentives when those businesses provide a service that is outweighed by the need or others providing support. Commissioner Connelly noted that when there is more need than support, he approves of those projects. But because a salon doesn't provide an unmet need, he can't support the request.

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

Commissioner Cleary commented that Bismarck-Burleigh would no longer be applying for the grant specified in item 4.F.1. No action was taken.

Commissioner Risch moved to approve item 4.J.1 as presented, and Commissioner Zenker seconded.

Discussion:

- Commissioner Risch commented on the work that had gone into the Land Development Code and encouraged citizens to review the plan and tune in to the next commission meeting for the public hearing on the approval. Commissioner Risch noted the significance of this project due to the dramatic changes to the City's zoning ordinances.

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

- A. Consider approval of minutes
- B. Consider approval of personnel actions
- C. Consider approval of expenditures

Vouchers: 1132205-1132498.

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

- 1. Gaming site authorization renewals.
- 2. Provide a letter of support to the North Dakota Opportunity Fund Loan Program for applicant Jab Investments.
- 3. Provide a letter of support to the North Dakota Opportunity Fund Loan Program for applicant Mystic, LLC.

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

- 1. Permission to award the Airport Building Service Worker Contract Bid to Sanda Enterprises, Inc. for a total of \$91,811.20 over three years.

- F. Consider the request for approval from the Bismarck-Burleigh Public Health Department for the following:

- 1. Permission to apply for the Rural Health Transformation Grant Community Gardens Project.

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

- 1. Close Edwards Avenue on the south side of the Bismarck State College MDU Resources Community Bowl on Saturday, June 13, 2026, from midnight to noon for the Medieval Rush event.

2. Encroachment Agreement with Sanford Bismarck at 721 E Rosser to place an Occupational Therapy trailer in a vacated alley.
 3. Accept ND Department of Transportation (NDDOT) Transportation Alternatives (TA) funding for the State Street Trail rehabilitation project.
 4. Resolutions for declaring petitions have been received, creating the district, ordering the preparation of the engineer's report, approving the engineer's report, and directing the preparation of the plans and specifications for Street Improvement District No. SI 600.
 5. Resolutions for declaring petitions have been received, creating the district, ordering the preparation of the engineer's report, approving the engineer's report, and directing the preparation of the plans and specifications for Street Improvement District No. SI 602.
- 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 Human Resources Department for the following:
1. Appoint City of Bismarck Chief of Police Jason Stugelmeyer to serve a two-year term on the Business Ethics Committee.
- J. Consider the request for approval from the Planning Department for the following:
1. Introduction of and call for a public hearing on Ordinance 6665, a zoning map amendment from the A – Agricultural and MA – Industrial zoning districts to the MA – Industrial zoning district, Ordinance 6666, an annexation, and JMAC Industrial Second Addition, a major subdivision final plat, where the Planning and Zoning Commission recommends approval.

2. Introduction of and call for a public hearing on Ordinance 6662 / Land Development Code, a repeal and replacement of Title 14 Zoning and Subdivision ordinance in the Bismarck City Code of Ordinances and Ordinance 6663 / new zoning map corresponding to the districts of the Land Development Code, where the Planning and Zoning Commission recommend approval.

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

1. Permission for the Bismarck Police Department (BPD) to coordinate and arrange the 2026 Annual Benefit Golf Tournament.
2. Permission to apply for the Bureau of Justice Assistance (BJA) 2025 Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) grant in partnership with Heartview Foundation and Ministry on the Margins.

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

1. Authorization to purchase additional Centrac's Mobility software licenses and renew licenses to support remote connectivity to traffic signal systems.
2. Permission to sell or dispose of City Assets at Public Sale.

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

1. Updated sewer backup policy based on North Dakota Insurance Reserve Fund (NDRF) Public Sewer Back-up and Water Main Break Coverage Endorsement.
2. Change Order No. 4 (CO4) with PKG Contracting, Inc. for GMP 5 at the Water Treatment Plant (WTP).
3. Amendment No. 10 with HDR Engineering, Inc. for the Water Treatment Plant (WTP) Expansion Project.

5. REGULAR AGENDA

E. Consider the request to receive an update on the Community Triage Center project.

Renae Moch, Director of Bismarck-Burleigh Public Health (BBPH), provided an update on the Community Triage Center project.

- [Presentation](#)

Commissioner Risch moved to authorize BBPH to continue serving as the Phase 2 convening organization and authorize BBPH to submit applicable grant applications, including the North Dakota Rural Health Transformation Program and Ensuring Safety Net Service Delivery application, to support technical assistance and implementation planning, and Commissioner Zenker seconded. Upon a roll call vote, all voted aye. M/C.

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.

Mayor Schmitz opened the public hearing.

- Rakesh Oza, a representative of Super 8, provided a short summary of the alcoholic services they will provide to their guests.

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

B. Consider the request to receive a presentation from the Chief of Police, JLG, and Roth Sheppard Architects related to the new police station outlining budget, progress, and next steps.

Jason Stugelmeyer, Police Chief, introduced Eric Hoffer from JLG Architects and Brian Berryhill from Roth Sheppard Planning, the two groups who will be designing the future Police Station. Mr. Berryhill and Mr. Hoffer presented information on the space needs studies that have been conducted and the request for approval of the preliminary budget for construction of the Police Department Headquarters.

- [Presentation](#)

Commissioner Risch moved to approve the preliminary space needs analysis, scope and preliminary budget of an estimated \$97,600,729 necessary to construct the new Police Department Headquarters, and Commissioner Zenker seconded. Upon a roll call vote, all voted aye.

C. Consider the request to receive the presentation of the City of Bismarck Annual Report.

Jason Tomanek, City Administrator, presented the City's inaugural Annual Report. The Annual Report was created with the help of two Bismarck State College students, Kerstin and Kayla Hilzendeger, as well as City staff. This report represents a significant step forward in our commitment to transparency, accountability, and clear communication with our residents. The Annual Report brings together key highlights, service-level achievements, and statistical insights from 16 City departments that collectively support the needs of our community. It showcases the dedicated work of our teams, illustrates the

value delivered through essential public services, and provides a comprehensive look at the City's progress over the past year. Through this report, our goal is to offer residents, partners, and stakeholders an accessible overview of the City's performance; celebrating accomplishments, acknowledging challenges, and reinforcing our ongoing commitment to responsive and effective service. We look forward to discussing this effort with you and continuing to build on this foundation in the years ahead.

- [2025 Annual Report](#)

The Commission received the report.

~~D. Consider the request from Bismarck-Mandan Convention & Visitors Bureau Executive Director, Sheri Grossman, to present the 2025 CVB Annual Report.~~

Item pulled from agenda due to a scheduling conflict.

F. Consider the recommendation from the Vision Fund Committee to support a Flex PACE program interest buy-down for 43 Land, LLC.

Noah Vroman, Business Development Coordinator for the Bismarck-Mandan Chamber EDC, provided a brief overview of the application by 43 Land, LLC and introduced the project applicants. Ben Woodside and Luke Moormann spoke as owners of the project. They presented the overall vision for a technology-driven, multi-sport training facility combining Shoot 360 basketball with flexible gym space for basketball, volleyball, and baseball. Mr. Woodside highlighted the community and economic benefits, addressed concerns about demand and competition, and outlined revenue streams such as memberships, camps, and rentals. Mr. Moormann focused on local programming and detailed planned offerings such as teams, camps, homeschool programs, and mental health-focused support. Mr. Moormann expressed confidence in the loan demand and day-to-day operations of the facility.

- [Shoot 360 Presentation](#)

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

Discussion:

- Commissioner Connelly stated that when it comes to these different types of funds, I often emphasize, um, unique to where they're not competing against other businesses. And I think that, um, certainly occupies or this occupies that space.

Upon a roll call vote, Commissioners Connelly, Cleary, Risch and Mayor Schmitz voted aye. Commissioner Zenker abstained from voting due to a conflict of interest. M/C.

G. Consider the request to receive a presentation on the City's comprehensive Procurement Policy.

Eric Lund, Acting Finance Director, and Josh Fern, City Procurement Officer, presented details about the City's newly established Procurement Policy.

- [Procurement Policy](#)

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

- H. Consider the request to receive bids and award contract for Street Light and Traffic Signal Project SV 88.

Gabe Schell, City Engineer, presented the bid results for Street Light and Traffic Signal Project SV 88 and recommended awarding the bid to the lowest bidder, Fetzer Electric, LLC, for \$199,500.00.

- [Bid Results](#)

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

- I. Consider the request to receive bids and award contract for Water Utility Project WU 153.

Gabe Schell, City Engineer, presented the bid results for Water Utility Project WU 153, and recommended awarding the bid to the lowest bidder, D.L. Barkie Construction, Inc. for \$88,500.00.

- [Bid results](#)

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

- J. Consider the request for a partial release of an existing easement within Lots 18 & 19, Block 4, Southbay Fifth Addition.

Gabe Schell, City Engineer, presented the request for the partial release of an existing easement within Lots 18 & 19, Block 4, Southbay Fifth Addition.

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

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

6. OTHER BUSINESS

- A. Mayor Schmitz asked Fire Chief Joel Boespflug to provide an update regarding the May 4th fire at an apartment complex on Lockport St. Chief Boespflug praised the professionalism of the firefighters and emphasized the strong teamwork among City departments and external partners. Police, Cencom, Public Works, Building Inspections, Emergency Management, Public Health, Metro Ambulance, Mandan Fire, and various aid organizations all contributed significantly to evacuation, firefighting support, logistics, resident care, and safety. The Chief thanked all agencies for their coordinated efforts and successful containment of the fire. Renae Moch, Bismarck Burleigh Public Health

(BBPH) Director, explained the role that BBPH played in providing services to those directly impacted by the fire.

- B. Commissioner Zenker reminded citizens of an upcoming meeting on the Extension of the Half-Cent Sales Tax for Road Construction Public Info Meeting at Public Works, 601 South 26th Street, from 4:00 PM to 7:00 PM.
- C. Commissioner Risch questions Commissioner Connelly about why Connelly publicly urged voters to reject a half-cent sales tax extension despite previously voting to place the measure on the ballot. Connelly explains that he did not support the measure itself but only supported allowing the public to vote on it. He expresses frustration that, in his view, citizen efforts to propose alternative ballot language were obstructed and that the city did not handle public input sincerely. Risch maintains that the Commission has already decided to put the measure on the ballot and that extensive public meetings have been held. Commissioner Connelly continued by saying that the City's handling of public comment sends the wrong message to the community, suggesting decisions are made before input is fully considered. Risch reiterates that the ballot decision is settled. Connelly closes by emphasizing the importance of civil discourse and public information regardless of how the vote turns out.
- D. Commissioner Risch thanked reporter Zach Weiland for his objective reporting as he attended his last meeting as a Bismarck Tribune Reporter. Connelly also compliments Weiland's work

ADJOURN

There being no further business to discuss, the meeting was adjourned at 7:31 PM.