



Board of City Commissioners

July 14, 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.

CEREMONIAL SWEARING-IN

CALL TO ORDER

FUTURE COMMISSION MEETINGS

July 28, 2026
August 11, 2026 & August 25, 2026
September 8, 2026 & September 22, 2026

MISSION STATEMENT

Together, we deliver exceptional public service.

MEETING OF THE BOARD OF CITY COMMISSION

1. LEADERSHIP CODE OF CONDUCT

Leadership Code

2. COMMISSIONER ORIENTATION

Commissioner Orientation

3. PUBLIC COMMENT

4. 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. Apply for and receive a State Homeland Security Program Grant.
 - 2. Appoint Tyler Demars to the Dakota Media Access (DMA) Board of Directors, with a term to expire in 2030.
 - 3. Confirmation of appointed officers.
 - 4. Introduction of and public hearing on an application for a Class C-2 Hotel or Motel alcohol license by Jassi Bismarck 29 Corporation (dba) LaQuinta Inn & Suites at 2240 North 12th Street.
- E. Consider the request for approval from the Engineering Department for the following:
 - 1. Close 4th Street between Rosser Avenue and East A Avenue on Saturday, August 1, 2026, from 6:00 AM to 10:00 PM.
 - 2. Dedication and acceptance of access, water and sewer easements related to Elk Ridge Fourth Addition.
 - 3. Encroachment Agreement with Phat Brothers Bakery, Inc. for the sign overhanging on the right-of-way at 1129 E Bismarck Expressway.
 - 4. Resolution approving the resolution of necessity for Street Improvement District No. SI 603.
 - 5. Resolutions approving plans and specifications, directing the advertisement for bids, and receiving bids for Sewer Improvement District No. SE 588.
- F. Consider the request for approval from the Finance Department for the following:
 - 1. Applications for abatement.
 - 2. Introduction of and call for a public hearing for ordinance 6673 to create a special assessment district for annexed properties.

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

1. Introduction of and call for a public hearing on Ordinance 6674 to amend Sections 2-05-01, 2-05-02 and 6-09-04 of the City of Bismarck Code of Ordinances relating to Term of Office, Duties and Powers, and Fee Assessments for Funding Crime Victim and Witness Program.

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

1. 2025 Consolidated Annual Performance Evaluation Report (CAPER), which serves as a detailed report of the prior year's performance of the Community Development Block Grant (CDBG) program.
2. 2026 Annual Unified Planning Work Program (UPWP) Contract Amendment.
3. Introduction of and call for a public hearing on Ordinance 6675, an annexation of Block 2, Northern Sky Second Addition First Replat, which the Planning and Zoning Commission recommends approval.
4. Introduction of and call for a public hearing on Ordinance 6676, a zoning map amendment from the A – Agriculture and CG – Commercial zoning district to the CG – Commercial zoning district and major subdivision final plat titled Berg Acres Addition, which the Planning and Zoning Commission recommends approval.
5. Introduction of and call for a public hearing on Ordinance 6677, a zoning map amendment from the A – Agricultural and RT – Residential zoning districts to the RT – Residential zoning district, and major subdivision final plat titled DCN Addition, which the Planning and Zoning Commission recommends approval.
6. Meadow Valley Sixth Addition, a minor subdivision final plat, which the Planning and Zoning Commission recommends approval.
7. Vacate platted setback lines in Wachter's Fifth Addition.

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

1. Permission to accept a donation of \$7500 from Emmons-Logan Wind LLC for the Bismarck Police Department (BPD) Wellness Center.

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

1. Award the Construction of the Public Works Fuel Tank & Dispensers and related items project to O'Day Equipment, LLC in the amount of \$584,263.

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

1. Award architectural services for the Water Treatment Plant (WTP) Sludge Building Reproof Project to The Origin Group for \$24,750.00.
2. Water Treatment Plant (WTP) GMP7 Change Order No. 6 with PKG Contracting Inc. in the amount of -\$31,262.00 and a time extension to September 25, 2026.

5. REGULAR AGENDA

- A. Consider the request to provide a letter of support to the North Dakota Opportunity Fund Loan Program for applicant ERE Properties LLC.
- B. Consider the request to provide a letter of support to the North Dakota Opportunity Fund Loan Program for applicant JH Commercial LLC.
- C. Consider the request to provide a letter of support to the North Dakota Opportunity Fund Loan Program for applicant Zenker Enterprises.
- D. Public hearing on an application for a Class F-1 alcohol license by The Landing, LLC (dba) The Landing at 1700 River Road.
- E. Public hearing on a request for a new Class I-2: Complementary Alcohol license for North Nail and Lash, LLC (dba) North Nails at 4401 Coleman Street.
- F. Public hearing on Ordinance 6669, an annexation of Lot 45, Block 4, Silver Ranch Fifth Addition and the adjoining Davies Drive right-of-way.
- G. Public hearing on Ordinance 6672 to amend Chapter 7-02 Salary and Payroll and Chapter 7-03 of the City of Bismarck Code of Ordinances relating to Sales, Use, and Gross Receipts Tax.
- H. Consider the request to receive a presentation on the half-cent sales tax for roadways prioritization, funding strategy, and project selection.
- I. Consider the recommendation from Mayor Mike Schmitz for portfolio assignments and designation of Vice Chair of the Board of City Commissioners.

6. OTHER BUSINESS

ADJOURN

Leadership Code for Elected Officials

City of Bismarck

Adopted by the City Commission:

August 27, 2024



The Four R's of the City of Bismarck's Government Leadership:

- Roles
- Responsibilities
- Respect
- Representation



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The constant and consistent theme throughout the Leadership Code is "respect."

Commissioners are confronted with difficult decisions and tremendous stress in making those decisions that may impact thousands of lives. Despite these pressures, elected officials are called upon to always exhibit appropriate behavior. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Commissioners to do the right thing in even the most difficult situations.



Overview of Roles, Representation & Responsibilities

Supporting resources that define the roles and responsibilities of elected officials are the City of Bismarck Charter, Ordinances, and the North Dakota Century Code.

Mayor (President of the Board)

- The Executive Officer of the City of Bismarck is the Mayor. (Bis.Ord. 2-03-05(3))
- Acts as the official head of the City for all ceremonial purposes
- Chairs Commission meetings (Bis.Ord. 2-03-05(1))
- Recognized as spokesperson for the City
- Selects substitute for City representation when Mayor cannot attend (selection is subject to acceptance of request)
- Makes judgment calls on proclamations, Special Orders of the Day, etc.
- Recommends subcommittees as appropriate for Commission approval
- Serves as the liaison between the Commission and the City Administrator
- Leads the Commission into an effective, cohesive working representative body on behalf of the citizens
- Signs documents on behalf of the City

Serves as official delegate of the City to events and conferences

Vice President of the Commission

- Performs the duties of the Mayor if the Mayor is absent or unable (Bis.Ord. 2-03-06)
- Chairs Commission meetings at the request of the Mayor
- Represents the City at ceremonial functions at the request of the Mayor

Commissioners

All members of the City Commission, including the Mayor, have equal votes. No Commissioner has more power than any other Commissioner, and all should be treated with equal respect. City Commission members are elected at-large from within the boundaries of the City of Bismarck. It is the role of a commissioner to represent all residents of city.

All Commission members should:

- Fully participate in City Commission meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of Commission meetings and be familiar with issues on the agenda
- Schedule regular meetings with the department directors of their assigned portfolios
- Recognize their role as a governing body for City Government, directing management issues to the appropriate director or City Administrator for resolution



- Represent the City at ceremonial functions at the request of the Mayor
- Place activities and events on the Commission's activities calendar that invite official participation of all Commissioners. A list of the activities of individual Commissioner may also be submitted for public record at the option of the Commissioner.
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Bismarck government
- Provide contact information to City Hall in case an emergency or urgent situation arises while the Commissioner is out of town
- Demonstrate honesty and integrity in every action and statement
- Monitor Bismarck's progress in attaining its goals and objectives while pursuing its mission.
- Participate in scheduled activities to increase government effectiveness and review Commission procedures as it benefits the citizens and stakeholders of Bismarck.

Commission Chair

The Mayor will chair official meetings of the City Commission unless the Vice President of the Commission or another Commissioner is designated as Chair of a specific meeting.

- Maintains order, decorum, and the fair and equitable treatment of all speakers
- Keeps discussion and questions focused on specific agenda item under consideration
- Makes parliamentary rulings with advice, if requested, from the City Attorney who acts as an advisory parliamentarian. Chair rulings may be overturned if a Commissioner makes a motion as an individual and the majority of the Commission votes to overrule the Chair.

Policies & Protocol Related To Conduct

Ceremonial Events

Requests for a City representative at ceremonial events will be handled by City staff. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then City staff will determine if event organizers would like another representative from the Commission. If yes, then the Mayor will recommend which Commissioner (selection is subject to acceptance of request) should be asked to serve as a substitute. Invitations received at City Hall are presumed to be for official City representation. Invitations addressed to Commissioners at their homes are presumed to be for unofficial, personal consideration.

Correspondence Signatures

Commissioners do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Commission meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor unless the Mayor requests that another Commissioner or City staff sign the document(s). If



correspondence is addressed only to one Commissioner that Commissioner should check with staff on the best way to respond to the sender and to insure records retention rules are followed.

Endorsement of Candidates

Commissioners may endorse candidates for Commission seats or other elected offices but must state that it is their personal endorsement and not on behalf of the City of Bismarck. It is inappropriate to mention endorsements during Commission meetings or other official City meetings.

Non-agenda Items/Suspension of the Rules

During a designated period of the agenda (Public Comment), citizens, Commissioners, and staff may bring forth issues or questions that are on the meeting's agenda, excluding public hearing items. Each speaker may be limited to five minutes as determined by the Chair and should provide the item number on the agenda and their name for the record. In the event a non-agenda item is mentioned, the Chair should provide an appropriate contact for the individual, whether it is a portfolio holder or a staff, to address the concern so that it can be either resolved or all information briefed when it comes before the full Commission.

Public Meeting Hearing Protocol

The Chair has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run efficiently.

The applicant or appellant has the right to speak first. Speakers representing either pro or con points of view will be allowed to follow. The Chair may limit the presentation time to five minutes so multiple individuals are allowed to share their perspective. The applicant or appellant will be allowed to make closing comments. Yielding time does not apply to public hearings or public comment as the public is not a member of the legislative body nor are the time frames listed creating a debate under Robert's Rules of Order.

Commissioners will not express opinions until after the public hearing portion is closed, as their minds should not be decided until they have heard from the public who wish to comment. They may ask pertinent questions of the speaker or staff. If a Commissioner votes against a motion, the discussion after the motion is made or commentary prior to vote should explain the rationale so that the public can understand the minority opinion.

Main motions may be followed by amendments, followed by substitute motions. Any Commissioner can call for a point of order. Only Commissioners who voted on the prevailing side may make motions to reconsider, which must occur on the same day as the vote on the original motion. A motion to rescind can be made at any time prior to action occurring on the motion but has different requirements depending upon where and when the motion will be heard. Commissioners who desire to make the first motion on issues which they feel strongly about should discuss their intention with the Chair in advance of the Commission meeting.



Commission Conduct with One Another

Commissions are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office to represent, preserve and protect the community. In all cases, this common goal should be acknowledged even as Commission may agree to disagree on contentious issues.

In Public Meetings

- Use formal titles - The Commission should refer to one another formally during public meetings as Mayor, Chair or Commissioner followed by the individual's last name.
- Practice civility and decorum in discussions and debate – Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow Commissioners to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. Shouting, disrespectful language or physical actions that could be construed as threatening or damaging to someone's reputation will not be tolerated.
- Honor the role of the Chair in maintaining order - It is the responsibility of the Chair to keep the comments of Commissioners on track during public meetings. Commissioners should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
- Avoid personal comments that could offend other Commissioners - If a Commissioner is personally offended by the remarks of another Commissioner, the offended Commissioner should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Commissioner to justify or apologize for the language used. The Chair will maintain control of this discussion.
- Demonstrate effective problem-solving approaches - Commissioners have a public stage to show how individuals with disparate points of view can, if possible, find common ground and seek a compromise that benefits the community as a whole.

In Private Encounters

- Continue respectful behavior in private - The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

Be aware written notes, voicemail messages, and e-mail may be distributed without your permission - Technology allows all words written or said, to be distributed to the masses. All communication should be treated as public communication, subject to open records requests.

- Private conversations can have a public presence - Elected officials are always on display – their actions, mannerisms, and people around them that they may not know monitor language. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

Commission Conduct with City Staff

The primary responsibility of the Commission is the formulation and evaluation of policy. Routine matters concerning operational aspects of the City are to be delegated to the professional staff. Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Commission's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community. The City's organizational charts are established to provide the appropriate chain of command for interactions.

- **Treat all staff as professionals**
Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.
- **Limit contact to specific City staff**
To allow for City Directors to manage workflow in their departments, questions of City staff and/or requests for background information should be directed to the City Administrator, Finance Director, Public Works Directors, Chief of Police, City Attorney, or City Officers. When in doubt about what staff contact is appropriate, Commissioners should ask for direction from the City Administrator. This does not prohibit a commissioner from having conversation with City of Bismarck staff when they happened to meeting them in a causal setting. In fact, it should be encouraged to engage, just be respectful of their personal time. Materials supplied to a Commissioner in response to a request will be made available to all members of the Commission so that all have equal access to information. Commission members should develop a working relationship with the City Administrator wherein current issues, concerns and projects can be discussed comfortably and openly.
- **Do not disrupt City staff from their jobs**
Commissioners should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.
- **Never publicly criticize an individual employee**
Commission should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's supervisor. Comments about staff performance should be made to the appropriate City Officer (City Administrator, Finance Director, Chief of Police or Public Works Director/City Engineer) through printed correspondence or conversation.

- **Do not get involved in administrative functions**
Commissioners must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.
- **Check with City staff on correspondence before taking action**
Before sending correspondence, Commissioners should check with City staff to see if an official City response has already been sent or is in progress.
- **Do not attend “non-public” meetings with City staff unless requested by the Director**
While recognizing all City government business is considered open unless specifically excluded by North Dakota Century Code, even if the Commissioner does not say anything, the Commissioner’s presence implies support, shows partiality, intimidates staff, and hampers staff’s ability to do their job objectively.
- **Limit requests for staff support**
Routine administrative or clerical support will be provided to all Commissioners. City Administration staff collects mail for Commissioners. Mail collected by City Administration staff will be distributed to City Commission members at regular City Commission meetings unless a Commissioner requests other arrangements. Mail addressed to the Mayor is reviewed by the City Hall staff who will distribute items for follow-up. Requests for additional staff support – even in high priority or emergency situations -- should be made to the City Administrator, Finance Director, Chief of Police or Public Works Directors that is responsible for allocating City resources to maintain a professional, well-run City government.
- **Do not solicit political support from staff**
Commissioners should not solicit political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Commission Conduct with The Public

In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Commissioners toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- **Be welcoming to speakers and treat them with care and respect -**
Treat every person at the podium with respect.
- **Be fair and equitable in allocating public hearing time to individual speakers –**

The Chair will determine and announce limits on speakers at the start of the public hearing process if it appears there are numerous presenters on a topic, so all presenters have a chance to share their perspective. The Chair may institute a limit of three to five minutes. The Chair may ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Commission requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Chair reopens the public hearing for a limited and specific purpose.

- **Actively listen to the presenters**
- **Ask for clarification, but avoid debate and argument with the public**
Only the Chair – not individual Commissioners - can interrupt a speaker during a presentation. However, a Commissioner can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Commissioner finds disturbing. If speakers become flustered or defensive by Commission questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Commissioners to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Commissioners' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.
- **No personal attacks of any kind, under any circumstance**
Commissioners should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.
- **Follow parliamentary procedure in conducting public meetings**
The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. The Chair, subject to the appeal of the full Commission, makes final rulings on parliamentary procedure.

If a Commissioner speaks at a public meeting that is not their portfolio, they must clarify that they are speaking on behalf of themselves personally, not on behalf of the City Commission.

In Unofficial Settings

- **Make no promises on behalf of the Commission**
Commissioners will frequently be asked to explain a Commission action or to give their opinion about an issue as they meet and talk with constituents in the community. It is



appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Commission action, or to promise City staff will do something specific.

- **Make no personal comments about other Commissioners**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Commissioners, their opinions, and actions.

- **Respect portfolios**

If a member of the public contacts a Commission member outside of a noticed public meeting, the citizen should be referred to the portfolio holder for that topic unless a Commissioner is identified as potentially inhibiting resolution. In this instance, it should be referred to the Mayor unless they are the identified individual at which time, contact with the City Attorney as the Risk Manager should be initiated. If it impacts more than two portfolios, the Commission member should consult with the City Administrator or the City Attorney to refer the individual to the most appropriate portfolio holder, so that a quorum of the Commission is not contacted to result in a serial meeting.

- **A Commissioner's actions are always on display**

Commissioners are constantly observed by the community every day. Their behaviors and comments serve as models for proper deportment in the City of Bismarck. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Commissioners, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Commission Conduct with Other Public Agencies

- **Be clear about representing the city or personal interests**

The Mayor is the spokesperson for the City. If a Commissioner appears before another governmental agency, organization, or media to give a statement on an issue, the Commissioner must clearly state:

- 1) If their statement reflects personal opinion.
- 2) Whether this is the majority or minority opinion of the Commission. If the Commissioner is representing the City, the Commissioner must support and advocate the official City position on an issue, not a personal viewpoint.
- 3) If the Commissioner is representing another organization whose position is different from the City, the Commissioner should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest.

Commissioners should be clear about which organizations they represent and inform the Mayor and Commission of their involvement.

If the Commissioner is involved with a business that has dealings with the City, they must recuse themselves from any decisions or contact with City staff.

- **Correspondence also should be equally clear about representation**
City letterhead may be used when the Commissioner is representing the City and the City's official position. A copy of official correspondence should be given to the City Administration staff to be filed in the Commission Office as part of the permanent public record. It is best that City letterhead not be used for correspondence of Commissioners representing a personal point of view, or a dissenting point of view from an official Commission position. However, should Commissioners use City letterhead to express a personal opinion, the official City position must be stated clearly so the reader understands the difference between the official City position and the minor viewpoint of the Commissioner.

Commission Conduct With Other Boards and Commissions

The City has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the City Commission. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- **Clarify that you are attending as a member of the community, not as a Commission representative**
Commissioners may attend any Board or Commission meeting. However, they should be sensitive to the way their participation – especially if it is on behalf of an organization, individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by a Commissioner at a Board or Commission meeting should be clearly made as individual opinion and not a representation of the City Commission.
- **Limit contact with Board and Commissioners to questions of clarification**
It is inappropriate for a Commissioner to contact a Board or Commissioner to lobby on behalf of an individual, business, or developer. It is acceptable for Commission members to contact Board or Commissioners to clarify a position taken by the Board or Commission.
- **Boards and Commissions serve the citizens and stakeholders within the community, not individual Commissioners**
The City Commission appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Commission. Board members and Commissioners do not report to individual Commissioners, nor should Commissioners feel they have the power or right to threaten Board members and Commissioners with removal if they disagree about an issue. Appointment and reappointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."

- **Be respectful of diverse opinions**

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the City Commission with advice based on a full spectrum of concerns and perspectives. City Commissioners may have a closer working relationship with some individuals serving on Boards and Commissions but must be fair and respectful of all citizens serving on Boards and Commissions.

- **Keep political support away from public forums**

Board members and Commissioners may offer political support to a Commissioner, but not in a public forum while conducting official duties. Conversely, Commissioners may support Board and Commissioners who are running for office, but not in an official forum in their capacity as a Commissioner.

Commission Conduct with The Media

The media, for background and quotes, frequently contacts Commissioners.

- **The Mayor is the official spokesperson to represent the City's position.**

The Mayor is the designated representative of the Commission to present and speak on the official City of Bismarck position. If the media contacts an individual Commissioner, the Commissioner should be clear about whether their comments represent the official City position or a personal viewpoint. If a Commissioner was to indicate that they are stating an official City position they need to state that the Mayor delegated the sharing of information to them on the specific topic.

- **Choose words carefully and cautiously**

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

Conflicts of Interest & Personal Benefit

City Commissioners should declare a personal interest in any official actions and withdraw from participation in that action. If a law or policy permits a public servant to have such an interest, in seeking the opportunity to further that interest, or in furthering the interest if the opportunity is obtained, the Commissioner who has the personal interest shall comply fully with all procedures required under the applicable laws or policies, and shall not, under any circumstances, gain or attempt to gain any advantage by virtue of being in a public position.

- No City Commissioner shall accept or receive, directly or indirectly, from any person any personal benefit under circumstances in which it can be reasonably inferred that the benefit is intended to influence the Commissioner in the performance or nonperformance of any official duty or as a reward for any official action of the Commission member.

- No person, including any vendor, contractor, business, or board of the City shall offer or give any personal benefit to any Commissioner or any partner-in-interest of the Commissioner.
- No Commissioner nor partner-in-interest of that Commissioner shall solicit from any person, directly or indirectly, any personal benefit, regardless of value, or the promise of receiving a personal benefit in the future, for the Commissioner.
- No current or former Commissioner shall intentionally use or disclose information gained in the course of, or by reason of, his or her official position or activities in any way that could result in the receipt of any personal benefit for the Commissioner, for a partner-in-interest of that Commissioner, or for any other person, if the information or if the Commissioner has not been authorized to communicate it to the public.
- No Commissioner shall, in such capacity, participate in the discussion, debate, deliberation or vote, or otherwise take part in the decision making process on any agenda item before the City Commission in which the Commissioner or a partner-in-interest has a conflict of interest.

Sanctions

- **Public Disruption**
Members of the public who do not follow proper conduct after a warning in a public meeting may be barred from further testimony at that meeting or removed from the Commission Chambers.
- **Inappropriate Staff Behavior**
Commissioners should refer to the appropriate department director regarding staff who do not follow proper conduct in their dealings with Commissioners, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Commission Conduct with City Staff for more details on interaction with staff.)
- **Commissioners Behavior and Conduct**
City Commissioners who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Commission, lose seniority or committee/portfolio assignments, or have official travel restricted. Serious infractions of the Leadership Code could lead to other sanctions as deemed appropriate by Commission. Commissioners should point out to the offending Commissioner infractions of the Leadership Code. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Vice President of the Commission.

It is the responsibility of the Mayor to initiate action if a Commissioner's behavior may warrant sanction. If the Mayor takes no action, the alleged violation(s) can be brought up

with the full Commission in a public meeting. If violation of the Leadership Code is outside of the observed behaviors by the Mayor or Commissioners, the alleged violation should be referred to the Mayor. The Mayor should ask the City Attorney to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to the next appropriate action. These actions can include but are not limited to: discussing and counseling the individual on the violations; recommending sanction to the full Commission to consider in a public meeting; or forming a Commission ad hoc subcommittee to review the allegation; the investigation and its findings, as well as to recommend sanction options for Commission consideration. A video recording of the complaint hearing should be used for a Commission ad hoc subcommittee.

Checklist for Monitoring Conduct

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would people whose integrity and character I respect evaluate my conduct?
- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right? In line with my oath of represent the citizens of Bismarck?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?



Glossary of Terms

attitude The manner in which one shows one's dispositions, opinions, and feelings

behavior External appearance or action; manner of behaving; carriage of oneself

civility Politeness, consideration, courtesy

conduct The way one acts; personal behavior

courtesy Politeness connected with kindness

decorum Suitable; proper; good taste in behavior

manners A way of acting; a style, method, or form; the way in which things are done

point of order An interruption of a meeting to question whether rules or bylaws are being

broken, such as the speaker has strayed from the motion currently under consideration

point of personal privilege A challenge to a speaker to defend or apologize for comments that

a fellow Commissioner considers offensive

propriety Conforming to acceptable standards of behavior

protocol The courtesies that are established as proper and correct

respect The act of noticing with attention; holding in esteem; courteous regard



City Commissioner Orientation

Mission Statement

Together, we deliver exceptional public service.

Vision Statement

Bismarck is a dynamic community committed to an extraordinary quality of life.



Values

- **Service:** We are dedicated to delivering safe, responsive, reliable, and exceptional services.
- **Stewardship:** We manage resources ethically, responsibly, and sustainably.
- **Respect:** We treat all individuals with dignity, fairness, and civility.
- **Care:** We care about our work and the people we serve.
- **Innovation:** We embrace creativity and forward thinking to meet current and emerging needs.

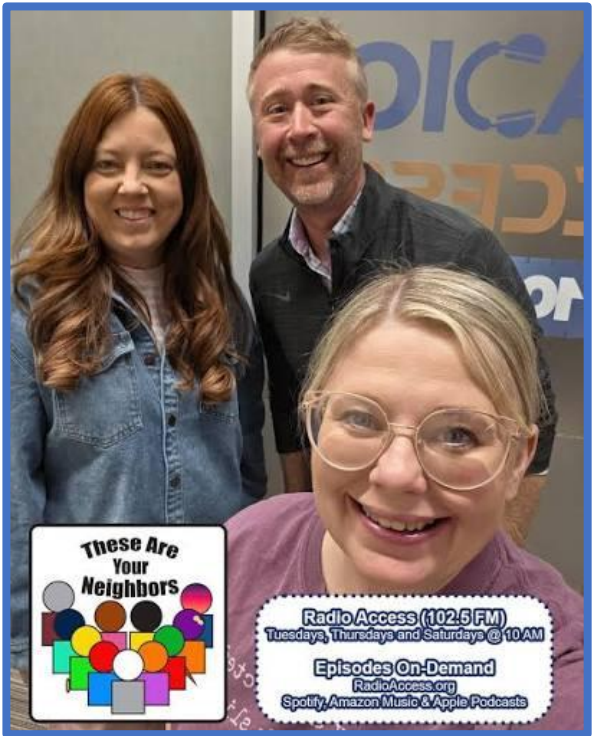
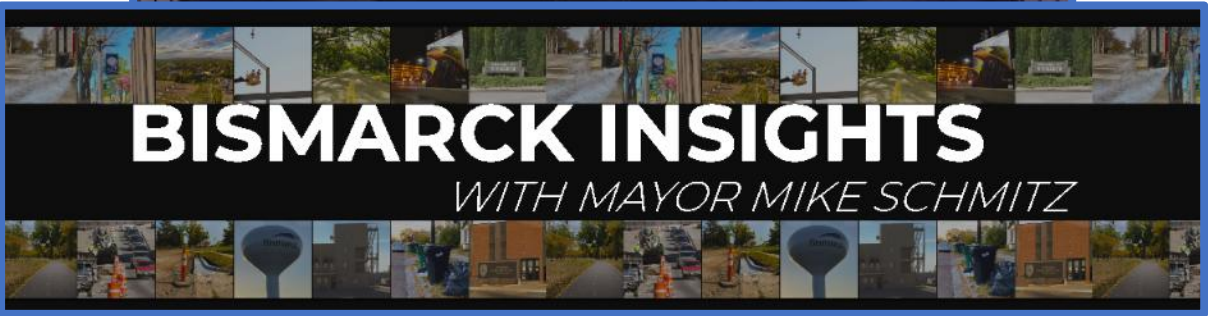


City of Bismarck Overview

- 17 Departments
- 650 Full-Time Employees
- 50 - 100 Part-Time Employees
- www.bismarcknd.gov
- Agenda & Meeting Management
- Commission Meetings
 - 5:15PM
 - 2nd & 4th Tuesday of Each Month
 - Tom Baker Meeting Room
 - Special Meetings As Needed
 - Dakota Media Access

Dakota Media Access

**RADIO
ACCESS**
102.5



Radio Access (102.5 FM)
Tuesdays, Thursdays and Saturdays @ 10 AM
Episodes On-Demand
RadioAccess.org
Spotify, Amazon Music & Apple Podcasts

Open Meetings

Meeting: A quorum of a governing body of a public entity discussing public business

- Does not include: chance or social gathering with no discussion of public business (and other exceptions)
- Includes a committee acting on authority delegated by the governing body

Quorum: One-half or more of the members of the governing body

Open Meetings

Public business vs. Ministerial/Administrative matters

- Public business: broad definition – all matters that relate or may foreseeably relate in any way to governmental functions or use of public funds
- Ministerial: requesting an item to be placed on the agenda, setting meeting date and time, etc.

Serial meeting: A series of smaller gatherings, where public business is discussed, which collectively constitute a quorum.

- Example: Citizen talks to Commissioner A and then to Commissioner B and then to Commissioner C and asks each commissioner to fund a project
- Example: Commissioner A talks to Commissioner B about supporting a policy change. At a different time, Commissioner A talks to Commissioner C about supporting the same policy change.

Court could void the actions that is a product of an illegal meeting

Open Meetings

Special meeting: Can only discuss the items on the published agenda.

- Agenda must be specific (no “catch-all” entries such as “old business”).

Executive Sessions: Must be specifically authorized by law

Most common reasons:

- Discussing exempt/confidential records
- Attorney consultation; and
- Negotiation strategy.

ND Office of the Attorney General Open Meetings Manual online

<https://attorneygeneral.nd.gov/wp-content/uploads/2024/04/Open-Meetings-Manual.pdf>

Ethics training: <https://bismarcknd.gov/DocumentCenter/View/44524/Item-10-PDF>

Video of ethics training: <https://dakotamediaaccess.net/CablecastPublicSite/show/9537?site=2> at 00:31:12

Open Meetings

In Practice

- All meetings must be publicly disclosed
- Do not discuss any City business with more than one other commissioner
- Do not use "Reply All"
- To avoid conflicts, feel free to refer citizens to Department Directors to discuss and resolve concerns or questions.

Open Records

- All records of governmental bodies (commissions) shall be public records, open and accessible for inspection during reasonable office hours.
- Records: Recorded information of any kind, which is in the possession of a public entity received or prepared for use in connection with public business or contains information relating to public business
 - Includes emails, voicemails, texts, notes, etc. regarding City business
 - Even if the information is on your personal or business email or phones
- Requester does not have to use a specific form or explain why they want the record
- Some exemptions – must be specifically provided by law
 - Confidential – disclosure is prohibited
 - Exempt – disclosure is discretionary



Open Records

Penalties

- Civil action
 - \$1,000 or actual damages, whichever is greater
 - Reasonable attorney's fees
 - No civil action if the violation is cured before the action is filed, and no person has been harmed by the delay
- Criminal violation – knowing violation could be a class A Misdemeanor

Person could be personally liable for noncompliance and the fees, without reimbursement from the City or insurance.

Use City of Bismarck (@bismarcknd.gov) email and save documents to City devices only.

<https://attorneygeneral.nd.gov/wp-content/uploads/2024/04/2023-Open-Records-Manual-April-2024.pdf>

Robert's Rules of Order

Chair controls the meeting and controls who speaks by “recognizing” members.

The members are the five Commissioners.

The commissioners, public, or staff may be allowed to address the commission, only as allowed by the Chair.

A best practice is to allow all those with a desire to provide information one opportunity before others provide additional remarks or comments.

Commissioner can withdraw an item on consent agenda for further discussion.

To withdraw a motion, the movant needs to ask if there is consensus to withdraw the motion, no need to withdraw second. This is usually easier than voting on an amendment and then the amended motion.



Administration

Directors

- Jason Tomanek- City Administrator
- Doug Wiles- Assistant City Administrator

Responsibilities

- Implement the policies and direction of the Board of City Commissioners
- Provides public information and media information services for the City.
- Emergency Management
- Answers questions on public finance, ordinances, and public records.
- Issues various permits and licenses.
- Provides technical and clerical support for City boards and commissions.
- Coordinates the City election with Burleigh County staff.



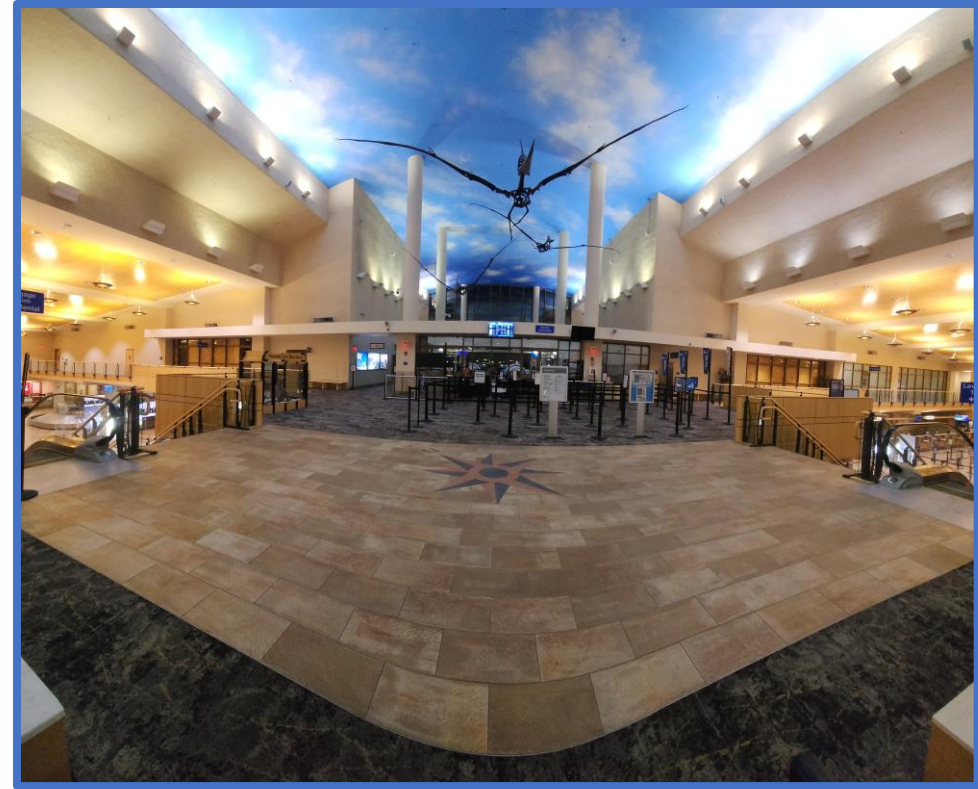


Director

- Gregory Haug – Airport Director

Introduction

The premier airport for central and western North Dakota, the Bismarck Airport offers direct service to seven destinations on four airlines, a clean and spacious terminal, kind and knowledgeable staff, two cafes, along with several other amenities that make your travel experience easy and enjoyable.



Building Inspections

Director

- Brady Blaskowski – Building Official

Responsibilities

- Building Inspections
 - Administers adopted ordinances related to development with the City of Bismarck and the Extra-Territorial Area (ETA)
 - Building Code and Zoning Code Enforcement
 - Permitting
 - Building & Site Plan Review
 - Building / Construction-related Inspections
 - Floodplain Management
 - Mechanical Contractor Licensing
 - Address Assignment for New Development



Central Dakota Communications - CenCom

Director

- Mike Dannenfelzer – Communications Director

Responsibilities

- Responding to 911 and non-emergency calls and providing dispatch for partner agencies.
- Maintaining state-of-the art public safety technology to help manage and deliver services.
- Maintaining a qualified, trained, and educated staff using all available resources.
- Delivering reliable, timely, and accurate information and services.
- Maintaining open communications with all response agencies and the public.
- Complying with federal, state, and local requirements.
- CenCom provides public safety communications for over 24 different first responder agencies.
- Partnership between the City of Bismarck, City of Mandan and Burleigh County.



Engineering

Director

- Gabe Schell, PE – City Engineer



Responsibilities

- Street resurfacing and reconstruction and new roadway paving projects
- Installation and repair of public sidewalks, driveway aprons, curbs, and gutter
- Installation and repair of water, sanitary sewer, and storm sewer facilities
- Installation of roadway lighting and traffic signals
- Provides guidance and information relating to:
 - Land development
 - Stormwater and flood plain management
 - Traffic matters including parking, street signs, road closures, and pavement markings
 - Water distribution, sanitary sewer collection, and transportation network master planning
 - Records of public infrastructure, including water, sewer, road, lighting, and service lines to private buildings

Finance

Director

- Ryan Skor

Responsibilities

- Assessing
 - Determines the value and classification of all real property for tax purposes
 - Processes all property tax exemptions and appeals
 - Provides information regarding real property to the public and other city departments
- Special Assessments
 - Collect payments
 - Spread special assessments levied for improvements to the City's infrastructure
 - Issue bonds for new improvements and special assessments
- Fiscal Services
 - Prepares the annual budget and capital improvement plan
 - Administers the City's financial management system, provide uniform accounting and report revenues, expenditures, and budgetary control
 - Prepares Annual Comprehensive Financial Report (ACFR)
 - Provides financial forecasting and analyses



Fire



Director

- Joel Boespflug – Fire Chief

Responsibilities

- Oversee the Adopt-a-Hydrant Program
- Burn restrictions/fire danger
- Emergency management
- Emergency medical response
- Fire code enforcement
- Fire incident reports
- Fire suppression



- Hazardous materials response
- High-angle and confined-space rescue
- Inspection survey
- Public fire education
- Smoking and home fire safety
- Structural collapse rescue
- Vehicle-accident extrication

Human Resources



Director

- Leanne Schmidt – Human Resources Director

Responsibilities

- Employment support
- Recruitment and hiring process
- Employee compensation and benefits
- Payroll
- Retirement / Pension
- Safety and loss prevention
- Worker's compensation
- Training



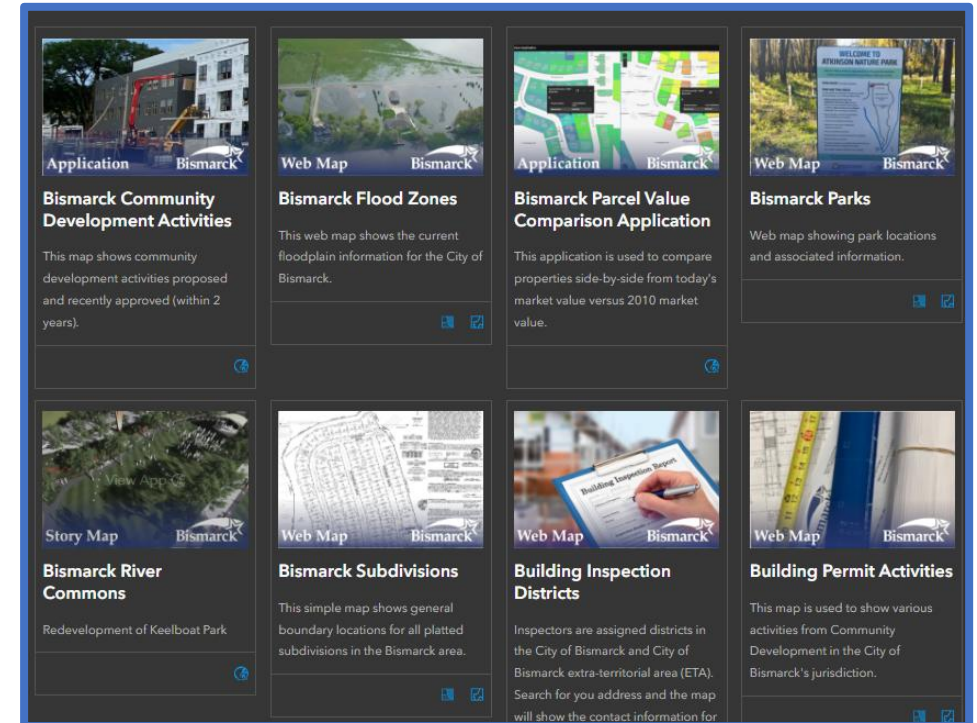
Information Technology & GIS (IT/GIS)

Director

- Tandra Kraft – IT/GIS Director

Responsibilities

- Evaluates new technology
- Implements new hardware and software programs
- Provides technical support services to the other City departments
- Maintains and supports City software, hardware, network, phone systems, and geographic information systems (GIS)
- Producing maps, graphs, tables, images, and applications using GIS data to support operational functions



Legal



Director

- Julie Mees – City Attorney

Responsibilities

- Represents all City elected and appointed officials, boards, and commissions on all civil legal matters pertaining to the City of Bismarck
- Represents the City government in its day-to-day operations
- Handles all risk management issues for the City
- Provides contract review and support for City departments
- Prosecutes violations of municipal ordinances
- Advises all departments in matters affecting City
- Handles all litigation, insurance and claims



Bismarck Veterans Memorial Public Library



Bismarck Veterans Memorial
Public Library

Director

- Christine Kujawa – Library Director

Responsibilities

- Providing free and open access to
 - Educational, informational, and cultural resources
 - Print and digital collections that reflect a wide range of viewpoints and ideas
 - Essential technology and connectivity
- Promoting literacy and fostering lifelong learning
- Creating opportunities for community engagement and enrichment
- Cultivating an inclusive, welcoming, and safe space for all
- Adapting to community needs to remain relevant and responsive
- Collaborating with community organizations to broaden the reach and impact of library services



Municipal Court

Judge

- Honorable Amanda Harris– Municipal Court Judge (Elected)

Director

- Nicole Hanson – Clerk of Court

Responsibilities

- The Municipal Judge is elected for a four-year term (Current term expires June 2028)
- The judge must be licensed to practice law
- The Clerk of Court is responsible for the administration of court records
- The staff provides information to assist the public in all cases filed in Municipal Court but cannot provide legal advice



Planning

Director

- Daniel Nairn, AICP – Planning Director

- **Responsibilities**

- Administering land use regulations for the City of Bismarck and its Extra Territorial Area (ETA).
- Coordinating the development review process for zoning changes, major and minor subdivision plats, annexations, special use permits, variances, lot modifications, plat modifications (right-of-way vacations, easement releases, street name changes), site plan review, and downtown design review.
- Administering HUD Grant Programs (CDBG and HOME) for the City.
- Administering Downtown Programs (Renaissance Zone and Downtown Design Review)
- Providing staff support to the City Planning and Zoning Commission, the Board of Adjustment, the Renaissance Zone Authority, and the Historic Preservation Commission.



Planning



Responsibilities

- Bismarck-Mandan Metropolitan Planning Organization
 - Provides a forum for public officials, citizens, and other interested groups of established policies and plans for effectively addressing various metropolitan transportation issues.
 - Develop and regularly update a Metropolitan Transportation Plan (MTP), a Transportation Improvement Program (TIP), and a Unified Planning Work Program (UPWP).
 - The MPO receives direction from the Technical Advisory Committee (TAC) and the Policy Board.

Police



Director

- Jason Stugelmeyer – Police Chief

Responsibilities

- Provides exceptional customer service through professional, well-trained, caring, and innovative employees working in partnership with the community.
- Foster an environment of honesty, trust, and mutual respect in which the Department and the community work together to resolve problems and promote public safety.
- Provide progressive leadership at all levels with a dedicated service orientation.
- Explore and utilize emerging technology in order to maximize efficiency and effectiveness of our operations.
- Strategically plan in order to anticipate enforcement challenges and prepare for the growth and expansion of our progressive community.



Public Health

Director

- Renae Moch – Public Health Director

Responsibilities

PREVENT

- Monitor community health needs, risks, and emerging public health issues
- Provide immunizations, chronic disease prevention, and early intervention services
- Use data, planning and quality improvement to guide decision-making

PROMOTE

- Provide health education, home visiting, public health nursing and prevention services
- Support healthy families, aging residents, and community well-being
- Coordinate partners around behavioral health, addiction, housing instability, and crisis response needs

PROTECT

- Prepare for and respond to infectious disease threats, outbreaks, and public health emergencies
- Conduct environmental health inspections, licensing, and public health protection services
- Support emergency response, community recovery and resident safety



Public Works – Service Operations



Director

- Steve Salwei, PE – Director of Service Operations

Responsibilities

- Fleet Services
 - Provide high quality maintenance support, roadside and emergency repairs, parts, supplies, fuel dispensing, and warehouse services.
 - Manages the motor pool and the City's fueling system which is used by all city departments.
 - Responsible for the repair and maintenance of snow removal equipment, Street maintenance equipment, refuse collection and disposal equipment, law enforcement and fire vehicles and equipment, as well as all the other equipment and vehicles used by the City of Bismarck.
- Forestry
 - Landscaping information
 - Planting, pruning, and removal of trees
 - Insects, diseases, and abiotic damage information
 - Urban forestry information
 - Community resources and programs



Public Works – Service Operations



Responsibilities - Continued

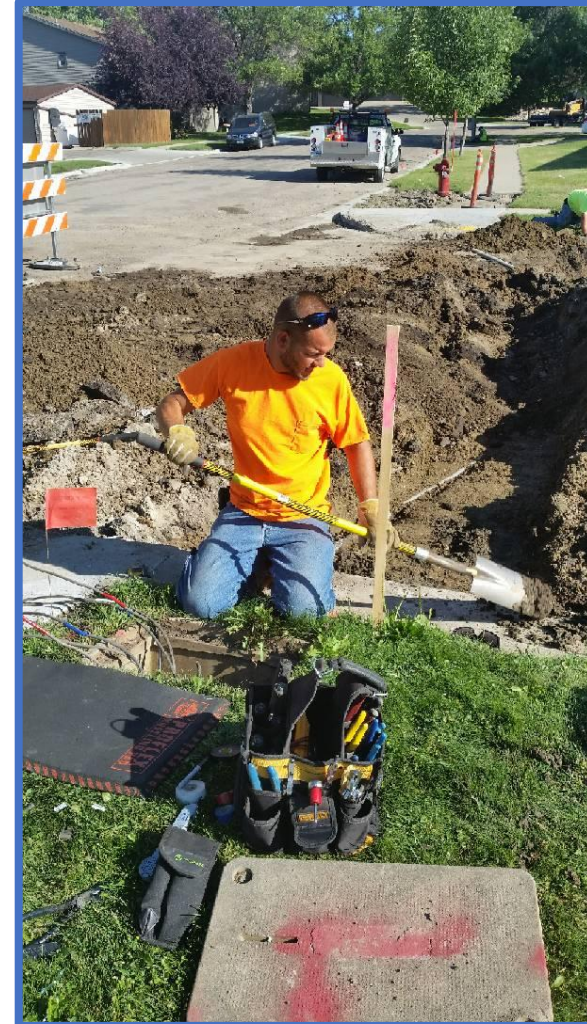
- Solid Waste Collection and Disposal
 - Responsible for the collection, management, and disposal of solid waste.
- Roads & Street Division
 - Chip sealing
 - Crack sealing
 - Pavement marking
 - Paving
 - Pothole patching
 - Rights-of-Way Mowing
 - Sign replacements
 - Snow removal
 - Street cleaning



Public Works – Service Operations

Responsibilities - Continued

- Street Light and Traffic Signal Maintenance
 - Traffic Signals
 - Street Lights
 - Outdoor Warning Sirens
- City Building Maintenance
 - Preventative maintenance and repairs of City-owned buildings and facilities



Public Works – Utility Operations



Director

- Michael Mart, PE – Director of Utility Operations

Responsibilities

- Water Treatment Plant
 - Collect and treat water from the Missouri River.
 - Supply water to South Central Regional Water District and the City of Lincoln
- Water Distribution
 - Maintain watermains, booster pump stations, underground water tanks, water towers, City-owned and private hydrants
- Sanitary Sewer Collection
 - Maintain sanitary sewer mains and lift stations
- Industrial Pretreatment Program
 - Industrial Pretreatment Ordinance



Public Works – Utility Operations

Responsibilities continued:

- Wastewater Treatment Plant
 - Collect and treat wastewater
- Stormwater Program
 - The City's stormwater system collects surface and subsurface drainage and carries it to the Missouri River and its tributaries that flow through the community.
- Utility Billing
 - Prepare monthly bills for over 23,000 customers for water, wastewater, stormwater, streetlights, recycling, and solid waste collection services.
- Bulk Water Fill Station
 - Provides the option for bulk water to contractors.



Budget 2027

- Budget Committee meetings began in March 2026
- July 23, 2024 – Preliminary 2025 Budget presented with recommendations to the Board of City Commissioners
- Special Board of City Commissioners meetings may be necessary prior to final adoption
- Final Adoption – October 10, 2024

Questions & Answers





MEETING OF THE BOARD OF CITY COMMISSIONERS

6/23/2026 - MINUTES

CALL TO ORDER

The Board of City Commissioners met on June 23, 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 Zenker were present. Mayor Schmitz attended the meeting via Teams.

FUTURE COMMISSION MEETINGS

July 14, 2026 & July 28, 2026
August 11, 2026 & August 25, 2026
September 8, 2026 & September 22, 2026

MISSION STATEMENT

Together, we deliver exceptional public service.

MEETING OF THE BOARD OF CITY COMMISSION

1. HUMANITARIAN AWARD PRESENTATIONS

Katie Houle, Sargianna Wutzke, and Thea Jorgensen presented the 2025 Humanitarian Awards to Century High School Peer to Peer, Megan Frankl-Mann, and Levi Engelstad.

2. 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.

1. Trevor Vannett thanked Commissioners Cleary and Zenker for their work and time on the City Commission. Mr. Vannett also thanked Kendra and the CHS Peer to Peer program.

3. CONSENT AGENDA

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

- A. Consider approval of minutes

B. Consider approval of personnel actions

C. Consider approval of expenditures

Vouchers: 1133001-1133276.

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

1. Introduction of and public hearing on an application for a Class F-1 alcohol license by The Landing, LLC (dba) The Landing at 1700 River Road.
2. Introduction of and call for a public hearing on a request for a new Class I-2: Complementary Alcohol license for North Nail and Lash, LLC (dba) North Nails at 4401 Coleman Street.
3. Extension for Black Diamond Acres Wedding and Events LLC to utilize their Class D Liquor License.
4. Gaming site authorization renewals.

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

1. Purchase of tables, modular desk, and office chairs using North Dakota State Bid.

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

1. Encroachment agreement with Bismarck Public School District No. 1 at 5210 Noble Drive for a digital monument sign.
2. Closure of Canary Avenue and Edwards Avenue on the west side of the MDU Resources Community Bowl on Saturday, July 4, 2026, from 8:00 AM - 11:30 PM.

3. Resolutions 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 Sewer Improvement District No. SE 588.
 4. Revised Project Budget for Street Improvement District SI 589.
 5. Resolution approving plans and specifications for Street Improvement District SI 590 and for Water Improvement District WA 334.
 6. Resolution receiving bids, ordering preparation of the Engineer's Statement and awarding the contract for Street Improvement District No. SI 600.
 7. Resolution receiving bids, ordering preparation of the Engineer's Statement and awarding the contract for Street Improvement District No. SI 602.
 8. Resolution 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 603.
 9. 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 604.
- G. Consider the request for approval from the Human Resources Department for the following:
1. Updated City of Bismarck Title VI Plan.
- H. Consider the request for approval from the Legal Department for the following:
1. Introduction of and call for a public hearing on Ordinance 6672 to amend Chapter 7-02 Salary and Payroll and Chapter 7-03 of the City of Bismarck Code of Ordinances relating to Sales, Use, and Gross Receipts Tax.

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

1. Permission to accept an Historic Preservation Fund grant award of \$37,800.
2. Permission to apply for a FY2026 Section 5307 grant.

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

1. Permanent easement acceptance for the Hay Creek Interceptor Project.
2. Assumption agreement and water service contract amendment with the City of Lincoln.

4. **REGULAR AGENDA**

A. Public Hearing on the request for a release of an existing Temporary Turnaround Easement within Lots 4 & 5, Block 4, Paradise Valley Addition and Lot 26, Block 2, Paradise Valley Second Addition.

Gabe Schell, City Engineer, presented information regarding a temporary turnaround easement for Paradise Valley Addition and Paradise Valley Second Addition.

Commissioner Cleary opened the public hearing. No public comment was received.

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

B. Public hearing on Ordinance 6670, a zoning map amendment from the A – Agricultural zoning district to the R10 – Residential and P – Public zoning district, and major subdivision final plat titled Boulder Ridge Eighth Addition.

Jenny Wollmuth, Senior Planner, presented information on Ordinance 6670, a zoning map amendment from the A – Agricultural zoning district to the R10 – Residential and P – Public zoning district, and major subdivision final plat titled Boulder Ridge Eighth Addition.

Commissioner Cleary opened the public hearing.

- Landon Niemiller, a representative of Swenson, Hagen & Company, presented further information on the project. Mr. Niemiller explained that the project aims to complete long-delayed infill work in Bismarck by adding a park, connecting a missing road segment, and creating a few sellable lots. Future development in the

nearby Boulder Ridge Ninth area is planned but delayed due to wetlands, drainage, and access challenges.

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

- C. Public hearing on a major subdivision final plat titled Clear Sky Second Addition and Ordinance 6671, a zoning map amendment from the R5 – Residential and A – Agricultural zoning districts to the R5 – Residential zoning district.

Jenny Wollmuth, Senior Planner, presented information on Ordinance 6671, a zoning map amendment from the R5 – Residential and A – Agricultural zoning districts to the R5 – Residential zoning district, and a major subdivision final plat titled Clear Sky Second Addition.

Commissioner Cleary opened the public hearing. No public comment was received.

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

- D. Consider the request to receive an update on the Half-Cent Sales Tax for Roadways.

Gabe Schell, City Engineer, provided an update on the Revised Project List for the recently passed Half-Cent Sales Tax for City Roadways. Engineer Schell outlined initial guidance for prioritizing projects funded by Bismarck's newly approved half-cent sales tax. As the new project list includes a wider mix of roadway types, including extensions, reconstructions, arterials, collectors, he emphasized the need for a structured evaluation framework rather than relying on simple condition-based decisions used in past programs. Engineer Schell proposed using a scoring matrix with criteria such as connectivity, traffic operations, safety, pedestrian/bike/transit benefits, and existing infrastructure needs. The scoring is meant to group projects rather than make precise rankings, with flexibility to adjust as community needs change. Engineer Schell will return in July with scored projects to help select projects for early implementation, along with discussion on the potential use of special assessments for roadway, water, and sewer extensions.

- [Presentation](#)

The general consensus of the Commission is for Engineering to move forward with the scoring rubric as presented.

- E. Receive a presentation from Will Satler with the Funatix Events relating to the second annual Red, White, & Boom 4th of July celebration at the MDU Resources Community Bowl.

Will Satler with Funatix Events provided an update on the upcoming second annual Red, White, & Boom 4th of July celebration at the MDU Resources Community Bowl. The gates will open at 6:00 PM with festivities running until about 11:00 PM. Mr. Satler highlighted events including a drone light show, fireworks show, and a performance by the Bismarck-Mandan Symphony Orchestra. Additional entertainment includes local artists, family activities, and over 14 food and drink vendors with complimentary water available. Mr. Satler noted that improvements to this year's event will include viewing screens and enhanced traffic control coordinated with City partners. Mr. Satler emphasized that the

event is free to the public and is a community collaboration supported by multiple local organizations, with attendance expected to exceed last year's 8,000 participants.

The Commission received the update.

5. COMMISSIONER SEND-OFF

Jason Tomanek, City Administrator, thanked Commissioners Cleary and Zenker for their years of service and highlighted major accomplishments from 2018 through 2026, including infrastructure projects, strategic planning efforts, public facility expansions, riverfront development, the land development code rewrite, and other key community initiatives. Administrator Tomanek presented plaques to the Commissioners to thank them for their time and work on the Commission.

- [Zenker and Cleary Send-Off](#)

6. OTHER BUSINESS

ADJOURN

There being no other business to discuss, the meeting was adjourned at 6:17 PM.

PERSONNEL ACTIONS FOR THE MEETING ON JULY 14, 2026

<u>Full-Time and Part-Time Appointments</u>	<u>Department</u>	<u>Status/Action</u>	<u>Date</u>
Bald Eagle, Westly – 911 Comm Specialist	CenCom	Full-Time	07/06/2026
Gerving, Jaxson – 911 Comm Specialist	CenCom	Full-Time	07/06/2026
Helm, Denita – 911 Comm Specialist	CenCom	Full-Time	07/06/2026
DiDonna, Matteo – Police Officer	Police	Full-Time	07/13/2026
Grey, Taylor – Heavy Equipment Operator	PW-Services	Full-Time	07/13/2026
Lee, James – Forestry Tech	PW-Services	Part-Time	07/08/2026
Snider, Robert – Heavy Equipment Operator	PW-Services	Full-Time	07/06/2026
<u>Separations</u>			
Crawford, James – Heavy Equipment Operator	PW-Services	Full-Time	06/08/2026
Vollmer, Shayla – Office Assistant II	PW-Services	Full-Time	06/26/2026
Lucas, Matthew – Water Plant Operator	PW-Utilities	Full-Time	06/22/2026
O'Brien, James – Water Plant Operator	PW-Utilities	Full-Time	06/08/2026
<u>Others</u>			
Lauer, Joshua – Forestry Tech I	PW-Services	Full-Time	06/21/2026
Swearingen, Anthony- Facilities Manger PW	PW-Services	Full-Time	06/21/2026



Administration Department

DATE: July 14, 2026

FROM: Douglas Wiles, Assistant City Administrator

ITEM: State Homeland Security Program Grant

REQUEST:

Apply for and receive a State Homeland Security Program Grant.

STRATEGIC FOCUS AREA:

Safe and Healthy Community: The City of Bismarck is committed to fostering a safe, healthy, and inclusive environment where all residents can thrive. The Safe and Healthy Community strategic focus area reflects a comprehensive approach to public safety, health, and well-being—grounded in collaboration, innovation, and proactive service delivery.

Goal Two: Leverage technology and infrastructure to strengthen public safety, improve emergency response, and support proactive community protection.

BACKGROUND INFORMATION:

The State Homeland Security Grant Program (SHSP) provides federal funding to help North Dakota state, local, and tribal governments prepare for and respond to acts of terrorism. This program is administered by the North Dakota Department of Emergency Services (NDDes). The SHSP supports the implementation of risk-driven, capabilities-based State Homeland Security Strategies to address capability targets. NDDes as the State Administrative Agency for North Dakota, distributes SHSP funds through sub-awards to other state, local and tribal government agencies. The agencies use funds to improve local and regional security efforts.

Emergency Management will be applying for this grant for general improvements to the Emergency Operations Center that will increase security and resiliency in operations.

RECOMMENDED CITY COMMISSION ACTION:

Approve the application for and receive a potential award from the State Homeland Security Grant Program.

STAFF CONTACT INFORMATION:

Gary Stockert, Emergency Manager, 701-255-5212, gstockert@bismarcknd.gov

ATTACHMENTS:

None



Administration Department

DATE: July 14, 2026

FROM: Douglas Wiles, Assistant City Administrator

ITEM: Dakota Media Access Board of Directors Appointment

REQUEST:

Appoint Tyler Demars to the Dakota Media Access (DMA) Board of Directors, with a term to expire in 2030.

BACKGROUND INFORMATION:

Dakota Media Access requests the appointment of Tyler Demars to serve on the DMA Board of Directors until 2030.

RECOMMENDED CITY COMMISSION ACTION:

Appoint Tyler Demars to the DMA Board of Directors, with a term to expire in 2030.

STAFF CONTACT INFORMATION:

Kalen Ost, Communications Specialist, kost@bismarcknd.gov

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

ATTACHMENTS:

1. DMA Board Member Appointment



July 7, 2026

Honorable Mayor Mike Schmitz
Bismarck City Commissioners
Bismarck City Hall
PO Box 5503
Bismarck, ND 58506-5503

Dear Mayor Schmitz and Bismarck City Commissioners:

Dakota Media Access (DMA) requests the following Bismarck resident be considered for appointment to serve on the DMA Board of Directors for a four-year term expiring July 2030.

Tyler Demars, ND SBDC Bismarck Center Director (new appointment to 2030)

Current DMA Board Members include:

Bismarck Appointees (terms expire):

Jack McDonald, Wheeler Wolf Attorneys (2026)
Robin Thorstenson, ND Dept. of Human Services (2028)
Rick Collin, Historian & Teacher (2028)
Dave Diebel, D&N Cinematics (2027)
Steve Koontz, Bismarck Public Schools (2027)
Amy Sisk, Robins Kaplan LLP (2030)
Michael Connelly, Bismarck City Commission Liaison
Kalen Ost, Communications Strategist, City of Bismarck (Advisory)

Mandan Appointees (terms expire):

Renée Murrish, Signature Events, Mandan Cares, ND Aviation Association (2028)
Jillian Lagasse, Capital Credit Union (2030)
Craig Sjoberg, Mandan City Commission Liaison
Kari Schmidt - Communications Specialist, City of Mandan (Advisory)

Thank you for your consideration.

Sincerely,

Jack McDonald, President
Tom Gerhardt, Executive Director

1101 E Front Avenue, Bismarck, ND 58504
701-258-8767 dakotamediaaccess.org



Administration Department

DATE: July 14, 2026

FROM: Jason Tomanek, City Administrator

ITEM: Appointment of Officers

REQUEST:

Confirmation of appointed officers.

BACKGROUND INFORMATION:

Pursuant to North Dakota Century Code § 40-15-05, at the first meeting after the qualification of commission members, the commission shall appoint the following officers:

- A treasurer - Finance Director Ryan Skor;
- An auditor - City Administrator Jason Tomanek;
- An attorney - City Attorney Julie Mees;
- One or more assessors - City Assessor Allison Jensen;
- A city health officer who shall be a physician: Dr. Jeffrey Hostetter (contracted January 1-December 31, 2026)
- A street commissioner - City Engineer portfolio holder as Street Commissioner;
- A chief of the fire department - Fire Chief Joel Boepsflug;
- A chief of police - Police Chief Jason Stugelmeyer;
- One or more police officers as currently employed;
- A city engineer - City Engineer Gabe Schell;
- A board of public works - Board of City Commission; and
- Such other officers or boards as the board of city commissioners may deem necessary.

RECOMMENDED CITY COMMISSION ACTION:

Approve as recommended.

STAFF CONTACT INFORMATION:

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

ATTACHMENTS:

None



Administration Department

DATE: July 14, 2026

FROM: Douglas Wiles, Assistant City Administrator

ITEM: Application for a new Class C-2 Hotel or Motel License

REQUEST:

Introduction of and public hearing on an application for a Class C-2 Hotel or Motel alcohol license by Jassi Bismarck 29 Corporation (dba) LaQuinta Inn & Suites at 2240 North 12th Street.

BACKGROUND INFORMATION:

Jassi Bismarck 29 Corporation (dba) LaQuinta Inn & Suites is applying for a class C-2 Hotel or Motel Alcoholic Beverages license at 2240 North 12th Street.

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:

Call for a public hearing on the Class C-2 Hotel or Motel alcohol license by Jassi Bismarck 29 Corporation (dba) LaQuinta Inn & Suites at 2240 North 12th Street.

STAFF CONTACT INFORMATION:

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

ATTACHMENTS:

1. LaQuinta Application



APPLICATION FOR RETAIL ALCOHOL BEVERAGE LICENSE

Phone: 701-355-1300 • Fax: 701-221-6470 • TDD 711
221 N 5th St • Bismarck, ND 58501
LAST REVISED: 4/17/2026

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

License Type: ☒ New Application ☐ Renewal ☐ Transfer ☐ Relocation				
Class A: Nationally Organized Fraternal Order or Club ☐ \$3,725	Class B-1: Operator of the Beverage Concession at the Airport Terminal Building ☐ \$675	Class B-2: Concession at the Bismarck Municipal Country Club ☐ \$675	Class B-3: Commercial passenger vessels on the Missouri River ☐ \$675	Class B-4: Sale of Beer & Wine at the Bismarck Event Center ☐ \$675
Class B-5: Sale of Alcoholic Beverages at Bismarck Parks & Recreation Locations ☐ \$675	Class B-6: Commercial Airline ☐ \$675	Class C-1: Hotel or Motel Full Service ☐ \$3,825	Class C-2: Hotel or Motel ☒ \$1,025	Class D: Sale at Retail of Alcoholic Beverages ☐ \$4,125
Class E: Sale at Retail of Beer Only ☐ \$825	Class F-1: Restaurant - Alcoholic Beverages ☐ \$3,525	Class F-2: Restaurant - Beer & Wine Only ☐ \$1,125	Class G: Catered Retail Alcoholic Beverages ☐ \$675	Class H-1: Domestic Winery ☐ \$825
Class H-2: Domestic Brewery ☐ \$825	Class H-3: Domestic Distillery ☐ \$825	Class I-1: Senior Living Community ☐ \$375	Class I-2: Complimentary ☐ \$375	

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: <u>Jassi Bismarck 29 corporation</u>		Date of Incorporation: <u>11/19/2025</u>	State Business ID Number: <u>41-2678978</u>
Doing Business As (DBA) Name, if Applicable: <u>Laquinza inn & suites</u>		If out of state corporation, is corporation registered in North Dakota? ☒ Yes ☐ No	
Location Address: <u>2240 N 12th St</u>	City: <u>Bismarck</u>	State: <u>ND</u>	Zip: <u>58501</u>
		Phone Number: <u>701-751-3313</u>	
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: <u>Amrishi Patel</u>	Phone Number:	Email Address:	
Mailing Address:	City: <u>Bismarck</u>	State: <u>ND</u>	Zip: <u>58501</u>

Manager's Name: <u>SINGH HARMEET JAWANDA</u>		Date of Birth: <u>1/1968</u>	Percentage of Ownership:
Driver's License Number:	State Issued: <u>MONTANA</u>	Gender: <u>MALE</u>	Race:
Home Address:	City: <u>GLENDALE</u>	State: <u>MONTANA</u>	Zip: <u>59330</u>
Occupation:	Phone Number:	Title:	Email Address:

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

Name: Amrith Patel		Date of Birth: 11/9/72	Percentage of Ownership: 100%
Driver's License Number:	State Issued: Illinois	Gender: M	Race:
Home Address:	City: Schaumburg	State: IL	Zip: 60194
Occupation:	Phone Number:	Title: owner	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:

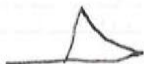
Name:		Date of Birth:	Percentage of Ownership:
Driver's License Number:	State Issued:	Gender:	Race:
Home Address:	City:	State:	Zip:
Occupation:	Phone Number:	Title:	Email Address:

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:
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:
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

06/10/2026
Date

Amrisha Patel

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 Public

My Commission Expires

Site Diagram Requirements:

- Site diagrams are to be submitted on a plain sheet of paper, 8½ x 11-inch size.
- The agency name shall be included on the diagram.
- The direction "North" shall be included on the diagram.
- The interior design of the licensed area shall be represented. This should include entrances, exits, interior doors, windows, tables, coolers, storage offices and room dividers.
- The diagram may be hand drawn, but it must be neat and reasonably accurate.
- If the licensed site is part of a larger complex, such as a restaurant, areas such as mixing, serving, and storage must be identified.

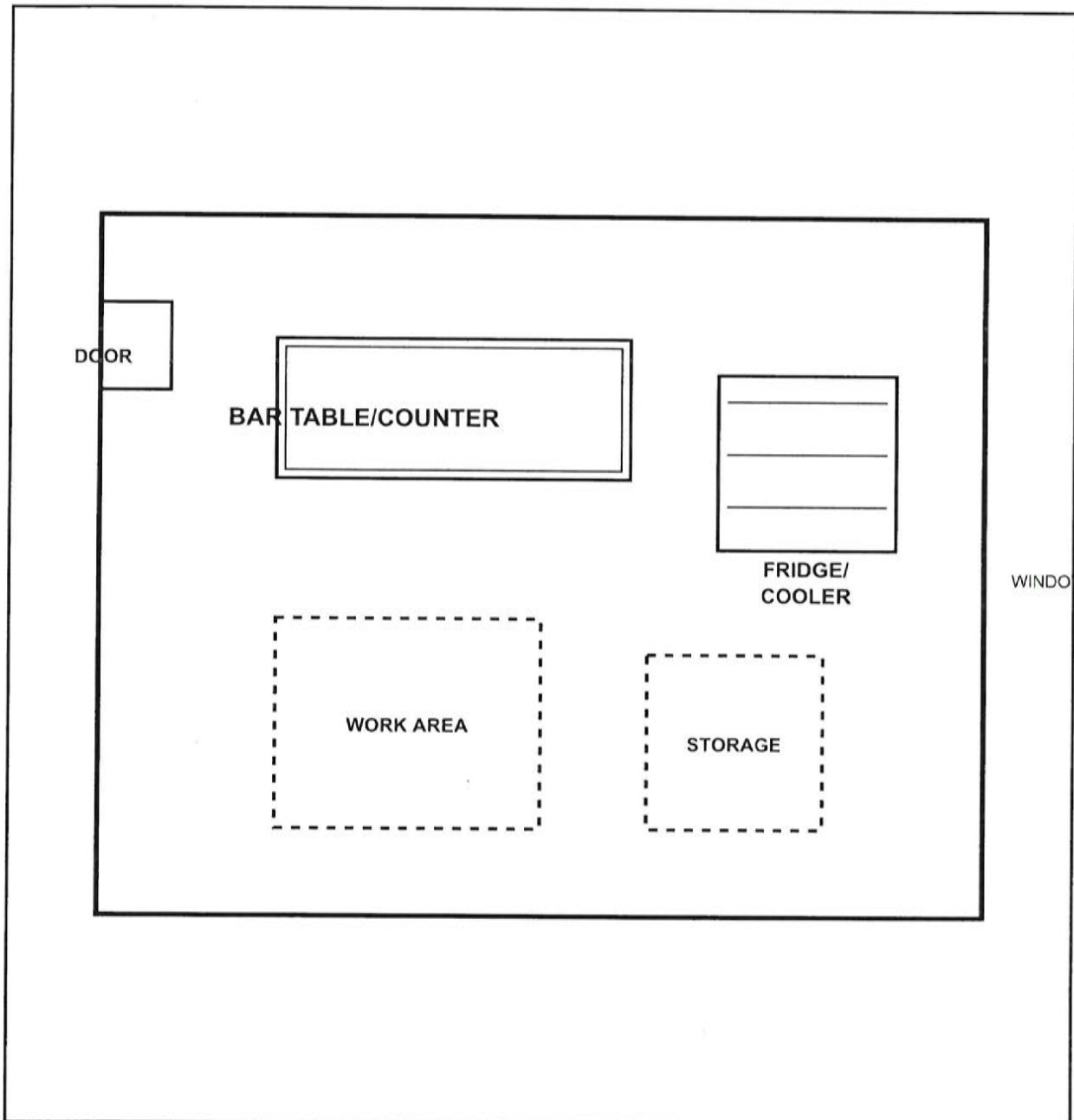
Site Diagram

Agency Name: _____

North



SITE DIAGRAM - BAR & COOLER LAYOUT



Legend:

- Solid Lines: Fixed structures and equipment
- - - Dashed Lines: Work and storage areas



Engineering Department

DATE: July 14, 2026

FROM: Gabe Schell, City Engineer

ITEM: Community Event Street Closure - Dakota Street Vault

REQUEST:

Close 4th Street between Rosser Avenue and East A Avenue on Saturday, August 1, 2026, from 6:00 AM to 10:00 PM.

BACKGROUND INFORMATION:

Century High School Track and Field plans to host an exhibition pole vault event. A special runway and mats will be set up. The purpose of the event is for community enrichment, awareness of the sport, and a USATF sanctioned event. Any donations received are planned to be used to purchase equipment for high school athletes, such as helmets and pole vault poles.

RECOMMENDED CITY COMMISSION ACTION:

Approve the closure of 4th Street between Rosser Avenue and East A Avenue on Saturday, August 1, 2026, from 6:00 AM to 10:00 PM.

STAFF CONTACT INFORMATION:

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

ATTACHMENTS:

1. Community Event Street Closure - Dakota Street Vault (redacted)



Application for a Community Event in the Public Right of Way

The City Commission may grant permits for certain types of community events or festivals to take place upon the public streets, sidewalks, squares, avenues, or alleys of the City.

The sponsor of the event or festival shall submit to City Administration this completed application for a permit at least 45 days prior to the opening of the community event or festival. A completed application will be considered by the City Commission.

Name of Event: Dakota Street Vault

Event Dates and Times: August 2nd, 2026 10am - 8pm

Requested Street Closure Dates and Times: August 1st 6am - 10pm (allow set up & breakdown)

Provide a location map with a layout of any street closures, on street parking utilization, impacts to sidewalks, emergency service access and vendor spaces.

Sponsoring Individual/Organization: Century High School Girls & Boys Track & Field

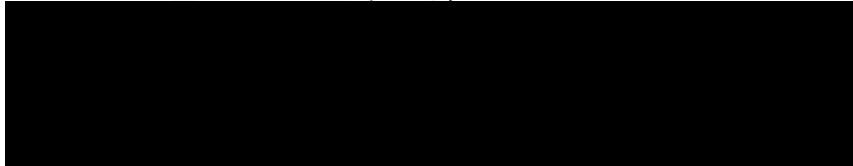
The purpose of the festival or event: Fundraising, Community enrichment, awareness of the sport, USATF Sanctioned event opportunity

The activities that will be held as part of the event: pole vault

Is the festival sponsored by a non-profit community service organization? n/a

If no, how does the event or festival constitute a community service? _____

Event Manager/Coordinator Contact Information: providing equipment for high school (student athletes - such as helmets, pole vault poles (more poles = more safety!))



Is Amplified Music Present: yes (If yes, Environmental Health Permit Required)

Is Alcohol Served: no (If yes, Police Department Permit Required)

Food Vendors will not be permitted in the public right of way unless they are in good standing with Bismarck-Burleigh Public Health Department – Environmental Health Division.

Final approval is required from Board of City Commissioners.

If approval is granted by the Board of City Commissioners, the applicant will be required to provide:

- Proof of liability insurance. Coverages to be \$2 million per occurrence and \$500,000 per person and add City of Bismarck to the policy as an additional insured with waiver of subrogation.
- Proof of food vendors being licensed and inspected by Bismarck-Burleigh Public Health Department - Environmental Health Division
- If alcohol is being served, a special event liquor permit is required.
- If amplified music is provided, a Noise Variance Permit issued from Bismarck-Burleigh Public Health Department - Environmental Health Division is required.
- Hire a professional signing contractor to install Type III barricades across the entire street width at the ends of the street closure area plus one Road Closed sign for each end of the street closure area.

Failure to meet these requirements may result in revoking the approval.

All questions regarding this application should be directed to the City of Bismarck Traffic Engineer. 701.355.1505

Code of City Ordinance

10-05.1-03. Community Events and Festivals. The City Commission may grant permits for certain types of community events or festivals to take place upon the public streets, sidewalks, squares, avenues, or alleys of the City.

1. The sponsor of the event or festival shall submit to City Administration a written application for a permit at least 45 days prior to the opening of the community event or festival for which a permit is desired. The application shall state:
 - a. The time, date and location of the festival or event. The applicant shall include a map of the proposed event showing the layout of booths, stalls or other attractions and including the specific location of any outdoor grilling activities;
 - b. The group, firm or individual by whom the festival or event will be sponsored;
 - c. The purpose of the festival or event;
 - d. The activities that will be held;
 - e. The streets requested to be closed. A drawing showing the requested street closures shall be included with the application.
2. A completed application will be considered by the City Commission.
3. In granting permits for community events and festivals, the City Commission shall consider the following:
 - a. The nature of the event or festival and how it can serve the community and its citizens;
 - b. The time period during which the event or festival will occur;
 - c. The location of the event or festival and whether the location inhibits the safe flow of traffic in the City;
 - d. Whether or not the location(s) proposed for cooking or grilling activities is appropriate considering area residents and businesses;
 - e. Whether the activities would be in compliance with other applicable laws;
 - f. Whether the event or festival is to benefit non-profit community service organizations. Commercial events or festivals which generate profit for the private sector, other than profit incidental to the festival or event which is made by persons other than the sponsor of the festival or event, shall be permitted only if the applicant submits evidence to the review committee that the event or festival constitutes a community service; and
 - g. The general health, safety and welfare of the participants in the event or festival and the citizens of the City.
 - h. The sponsor of the event or festival shall provide all cleaning services necessary to rid the festival area of all debris and litter created as a result of the event or festival.
 - i. The issuance of a permit to a sponsor shall authorize only that sponsor and participants specifically authorized by the sponsor to participate in that community event or festival without the restrictions imposed by this chapter.
 - j. Authorized participants in a community event or festival for which a permit has been issued shall not be required to obtain a city permit required by the provisions of this Chapter for the period during which the community event or festival takes place.

Location Map





Engineering Department

DATE: July 14, 2026

FROM: Gabe Schell, City Engineer

ITEM: Access, Water, Sewer easements related to Elk Ridge Fourth Addition

REQUEST:

Dedication and acceptance of access, water and sewer easements related to Elk Ridge Fourth Addition.

BACKGROUND INFORMATION:

The easements for the cul-de-sac turnarounds, water and sewer are proposed as part of Elk Ridge Fourth Addition in north Bismarck. The access easements are located at the terminus of a dead end roads to provide adequate turnaround areas primarily for emergency services vehicles. It is anticipated the access easements will include a temporary cul-de-sac and will be released in the future with subsequent platting and extension of the roadways and buried utilities.

RECOMMENDED CITY COMMISSION ACTION:

Approval of the dedication and acceptance of access turnaround, water and sewer easements related to Elk Ridge Fourth Addition.

STAFF CONTACT INFORMATION:

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

ATTACHMENTS:

1. Elk Ridge 4th Easements

ACCESS, WATERMAIN, & SANITARY SEWER EASEMENT

This dedication of an Access, Watermain, & Sanitary Sewer easement is made this _____ day of _____, 2026, between **SECTION 18 LAND, LLC** whose address is 555 Highway 1804 NE, Bismarck, ND, Grantor and the **City of Bismarck**, a municipal corporation, whose post office address is 221 North 5th St., Bismarck, North Dakota 58506-5503, Grantee.

1. 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, Grantor grants to the City of Bismarck, Grantee, its successors and assigns, an exclusive easement to run with the land at all times hereafter to construct, operate, maintain, and repair watermain, sanitary sewer, curb, gutter, and paving facilities under or upon the real property hereinafter described below. Grantee shall have the right to ingress and egress across real property of Grantor for the purpose herein granted.
2. The real property for the Access, Watermain, and Sanitary Sewer easement herein dedicated, granted and reserved is owned by the Grantor and is described as follows:

ALL THAT PART OF THE SW 1/4 OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA LYING WITHIN 61' OF A RADIUS POINT ON THE EASTERN RIGHT OF WAY LINE OF CLAIRMONT LOOP THAT IS AN ARC LENGTH OF 78.97 FEET NORTHWESTERLY OF THE WEST MOST CORNER OF LOT 1, BLOCK 2 OF ELK RIDGE FOURTH ADDITION, LESS ALL THAT PORTION WITHIN SAID ELK RIDGE FOURTH ADDITION, CONTAINING 5,500 SF, MORE OR LESS.

AND

ALL THAT PART OF THE SW 1/4 OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA BEING 40' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE NORTHWESTERN TERMINUS OF THE CENTERLINE OF CLAIRMONT ROAD RIGHT-OF-WAY WITHIN ELK RIDGE FOURTH ADDITION; THENCE NORTH 44 DEGREES 37 MINUTES 42 SECONDS WEST ON THE EXTENSION OF SAID CENTERLINE, A DISTANCE OF 61.00 FEET TO THE END POINT OF SAID EASEMENT, EXTENDING OR SHORTENING THE SIDELINES TO INTERSECT THE NORTHWEST LINE OF SAID ELK RIDGE FOURTH ADDITION, AND ALL THAT PART OF SAID SE 1/4 LYING WITHIN A 61' RADIUS OF THE ENDPOINT OF ABOVE SAID CENTERLINE, CONTAINING 12,067 SF, MORE OR LESS.

Descriptions prepared by Landon Niemiller; Swenson, Hagen & Co. P.C.; 3002 Airway Ave, Bismarck, ND 58504.

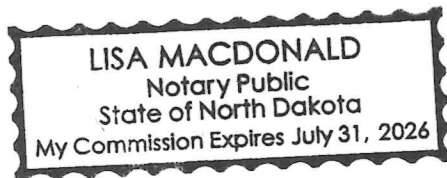
3. The Grantee is responsible for the installation, operation, and maintenance of improvements or facilities constructed or installed pursuant to this easement according to applicable development policies.
4. The term of this easement herein reserved is ninety-nine (99) years, beginning upon execution in 2026 and ending in 2125.

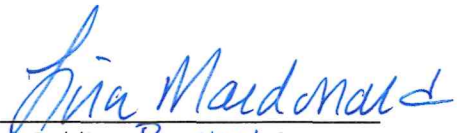
IN WITNESS WHEREOF, the Grantors have hereto fixed their signatures this the 18th day of June, 2026.

STATE OF North Dakota)
COUNTY OF Burleigh) SS


RON KNUTSON, PARTNER
SECTION 18 LAND, LLC
555 HIGHWAY 1804 NE
BISMARCK, ND 58503

On this 18th day of June, 2026, before me appeared RON KNUTSON of SECTION 18 LAND, LLC, known to me to be the person that is described in and that he executed the foregoing instrument, and acknowledged that he executed the same.




Notary Public, Burleigh County, ND
My Commission Expires: _____

Acceptance by City of Bismarck:

MICHAEL T. SCHMITZ, PRESIDENT
BOARD OF CITY COMMISSIONERS

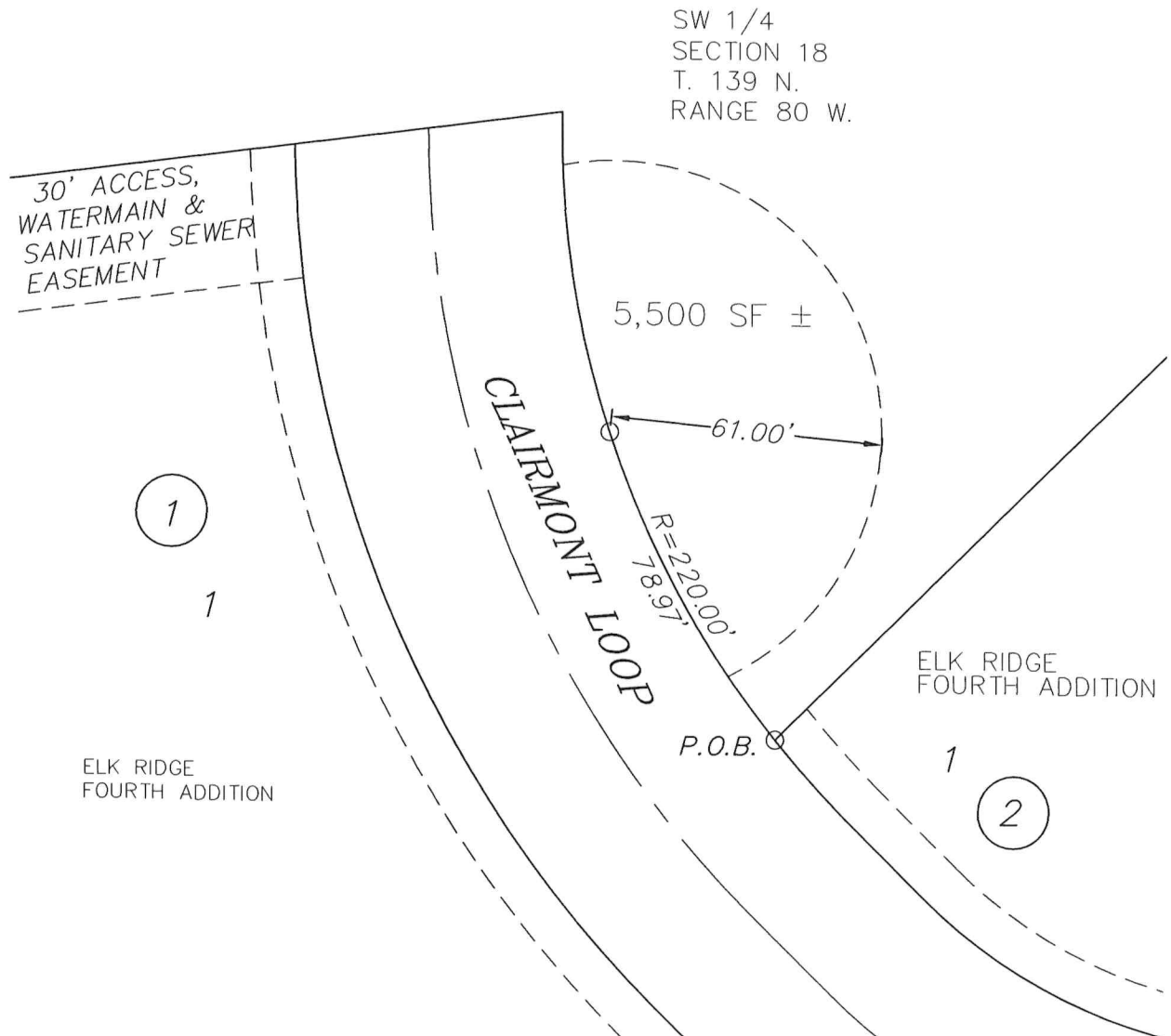
Attest: _____
JASON TOMANEK
CITY ADMINISTRATOR

STATE OF NORTH DAKOTA)
) SS
COUNTY OF BURLEIGH)

On this ____ day of _____, 2026, before me appeared MICHAEL T. SCHMITZ, President of the Board of City Commissioners, and JASON TOMANEK, City Administrator, known to me to be the persons who are described in, and who executed the within and foregoing instrument and who severally acknowledged to me that they executed the same.

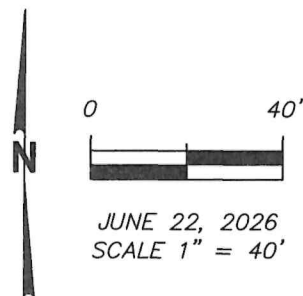
Notary Public, Burleigh County, ND
My Commission expires: _____

ACCESS, WATERMAIN & SANITARY SEWER EASEMENT EXHIBIT



ACCESS, WATERMAIN, AND SANITARY SEWER EASEMENT

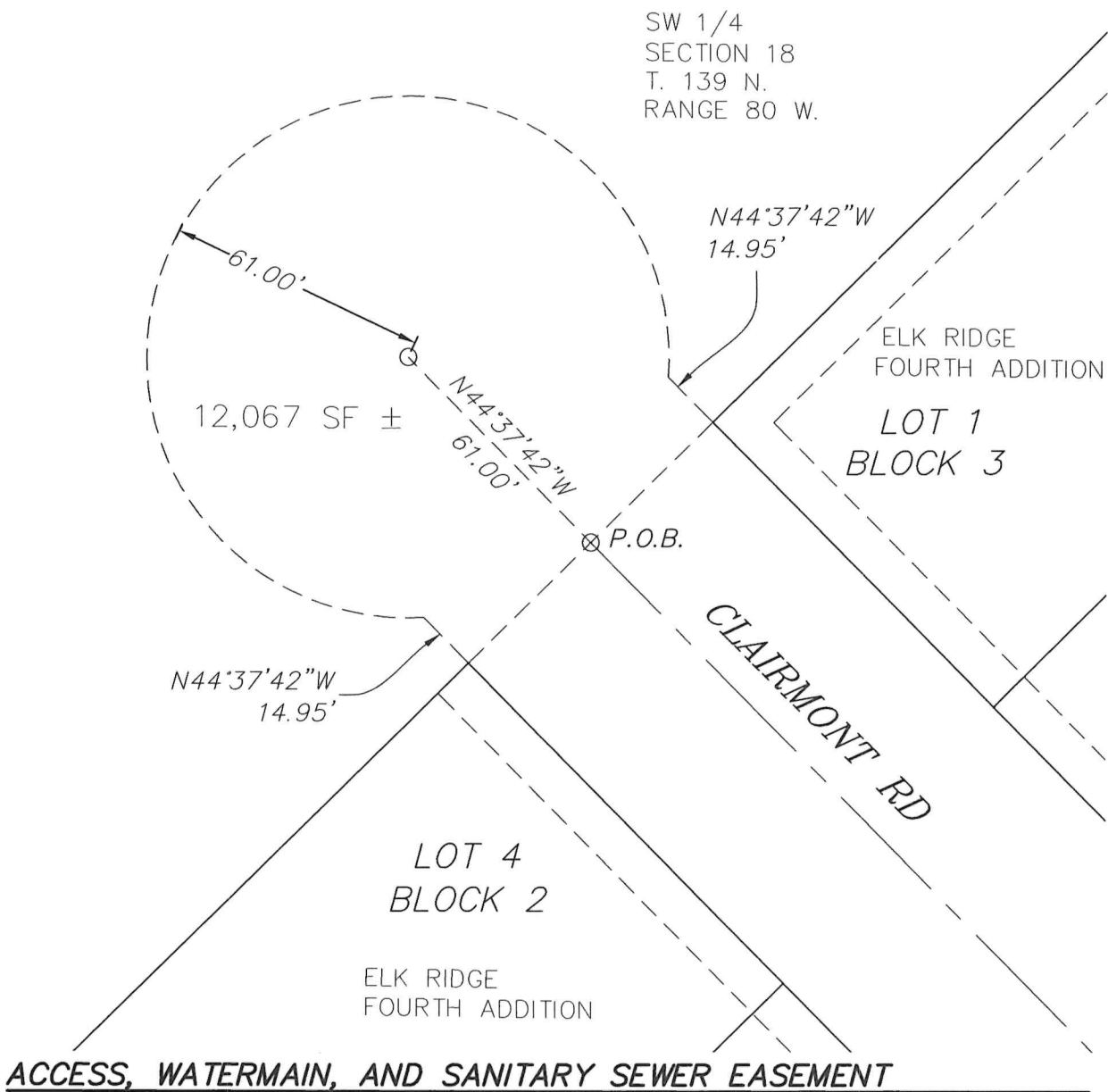
ALL THAT PART OF THE SW 1/4 OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA LYING WITHIN 61' OF A RADIUS POINT ON THE EASTERN RIGHT OF WAY LINE OF CLAIRMONT LOOP THAT IS AN ARC LENGTH OF 78.97 FEET NORTHWESTERLY OF THE WEST MOST CORNER OF LOT 1, BLOCK 2 OF ELK RIDGE FOURTH ADDITION, LESS ALL THAT PORTION WITHIN SAID ELK RIDGE FOURTH ADDITION, CONTAINING 5,500 SF, MORE OR LESS.





SWENSON, HAGEN & COMPANY P.C.
3002 Airway Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223-2600
Fax (701) 223-2606
Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management

ACCESS, WATERMAIN & SANITARY SEWER
EASEMENT EXHIBIT



ACCESS, WATERMAIN, AND SANITARY SEWER EASEMENT

ALL THAT PART OF THE SW 1/4 OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA BEING 40' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE NORTHWESTERN TERMINUS OF THE CENTERLINE OF CLAIRMONT ROAD RIGHT-OF-WAY WITHIN ELK RIDGE FOURTH ADDITION; THENCE NORTH 44 DEGREES 37 MINUTES 42 SECONDS WEST ON THE EXTENSION OF SAID CENTERLINE, A DISTANCE OF 61.00 FEET TO THE END POINT OF SAID EASEMENT, EXTENDING OR SHORTENING THE SIDELINES TO INTERSECT THE NORTHWEST LINE OF SAID ELK RIDGE FOURTH ADDITION, AND ALL THAT PART OF SAID SE 1/4 LYING WITHIN A 61' RADIUS OF THE ENDPOINT OF ABOVE SAID CENTERLINE, CONTAINING 12,067 SF, MORE OR LESS.



JUNE 22, 2026
SCALE 1" = 40'

SWENSON, HAGEN & COMPANY P.C.
3002 Airway Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management



Engineering Department

DATE: July 14, 2026

FROM: Gabe Schell, City Engineer

ITEM: Encroachment Agreement

REQUEST:

Encroachment Agreement with Phat Brothers Bakery, Inc. for the sign overhanging on the right-of-way at 1129 E Bismarck Expressway.

BACKGROUND INFORMATION:

Phat Brothers Bakery Inc, is requesting an encroachment agreement to change the face of a box sign that currently overhangs the right-of-way at 1129 E Bismarck Expressway. The Encroachment Committee has reviewed and recommends approval of the attached agreement with a term of 1-year, continuing yearly thereafter.

RECOMMENDED CITY COMMISSION ACTION:

Approve encroachment agreement with Phat Brothers Bakery Inc. for the sign overhanging the right-of-way.

STAFF CONTACT INFORMATION:

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

ATTACHMENTS:

1. Encroachment Agreement and Waiver - 1129 E Bismarck Expressway
2. Encroachment Exhibit - 1129 E Bismarck Expressway

ENCROACHMENT AGREEMENT AND WAIVER

The City of Bismarck (City) hereby grants Phat Brothers Bakery Inc. (Grantee) the right to install and maintain a privately owned box sign (Encroachment) located within Lot 1 Block 2 Wachter's 17th Addition, 1129 E Bismarck Expressway, City of Bismarck, Burleigh County, North Dakota.

The sign foundation is located entirely on the Grantee's property; however, a portion of the sign cabinet extends into the vertical airspace of the public right-of-way of Bismarck Expressway, as depicted in exhibits on file with the City of Bismarck Engineering Department. This encroachment is subject to the following conditions:

1. The Grantee shall comply with all rules regarding maintenance of the Encroachment in the right-of-way as set by the City Engineer.
2. The term of this grant shall be for one (1) year and shall continue thereafter from year to year. The City may terminate this Agreement upon thirty (30) days written notice after the initial one-year term. Notwithstanding the foregoing, the City may terminate this Agreement immediately if the Encroachment creates a public safety hazard, interferes with public improvements, or is otherwise determined by the City to be inconsistent with public use of the right-of-way.
3. The Grantee acknowledges that the Encroachment was installed without prior authorization from the City and constitutes an existing encroachment within the public right-of-way. By entering into this Agreement, the Grantee accepts full responsibility for

the Encroachment and assumes all obligations, costs, liabilities, maintenance responsibilities, and corrective actions associated with its continued existence, regardless of whether such obligations arise before or after the execution of this Agreement.

4. Upon termination of this Agreement, abandonment of the Encroachment, or upon written request by the City, the Grantee shall, at its sole expense, remove the Encroachment and restore the affected right-of-way to a condition acceptable to the City.
5. 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 Encroachment over 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 Encroachment, but not limited to, damages arising from damage to the Encroachment, loss of business, or other personal injury or property damage resulting from damage to the Encroachment by the City, its assigns or other franchised utilities.
6. 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 Encroachment 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 Encroachment over the right-of-way. The Grantee agrees that, after the installation of the Encroachment, the Grantee will restore the City's right-of-way or street to its original condition.
7. If the City determines that maintenance, reconstruction, utility work, or other public improvements require access to the area occupied by the Encroachment, the Grantee shall, upon written notice from the City, temporarily protect, relocate, modify, or remove the Encroachment at the Grantee's sole expense.
8. This Encroachment Agreement and Waiver and the covenants, agreements, and restrictions contained herein, shall run with the land benefitted and burdened hereunder.

The Grantee shall provide notice of this Agreement to any purchaser, transferee, or successor in interest of the property prior to transfer of ownership.

9. This Agreement constitutes a revocable license only and shall not be construed as granting any ownership interest, leasehold interest, easement, or other property right in the public right-of-way.

GRANTEE NAME

By: _____

_____ Date

Print: _____

Title: _____

STATE OF _____)
COUNTY OF _____) SS.

On this _____ day of _____, 20____, before me personally appeared
_____ known to me to be the _____
of _____, 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, Board of City Commissioners

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 of the City of Bismarck described in and who executed the within instrument, and acknowledged to me that they executed the same.

Notary Public
My commission expires:

STATE OF _____)
) SS.
COUNTY OF _____)

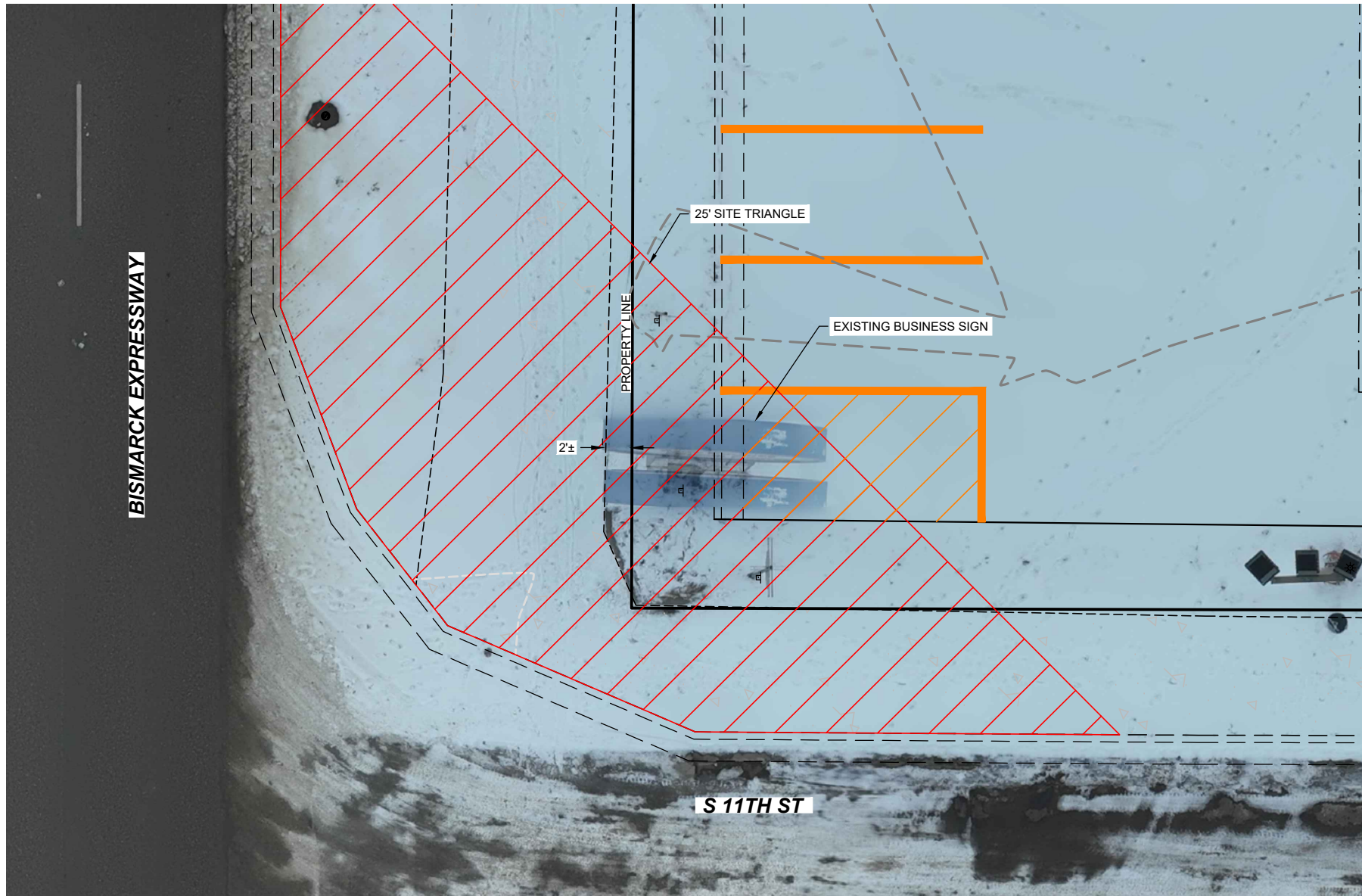
On this _____ day of _____, 20__, before me personally appeared Jason Tomanek, known to me to be the City Administrator of the City of Bismarck described in who executed the within instrument, and acknowledged to me that they executed the same.

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 Board of City Commissioners of the City of Bismarck described in and who executed the within instrument, and acknowledged to me that they executed the same.

Notary Public
My commission expires:



NOTE: DATE OF AERIAL
PHOTO: 12/02/2025

TOMAN ENGINEERING
501 1st Street NW, Mandan, ND 58554
Ph: 701-663-6483 * www.tomanengineering.com



SIGN LOCATION EXHIBIT
PHAT BROTHERS BAKERY, INC
1129 E. BISMARCK EXPRESSWAY

PROJECT:

SHEET NUMBER

1

OF 1 SHEETS

SCALE: 1" = 10'



Engineering Department

DATE: July 14, 2026

FROM: Gabe Schell, City Engineer

ITEM: Street Improvement District SI 603

REQUEST:

Resolution approving the resolution of necessity for Street Improvement District No. SI 603.

BACKGROUND INFORMATION:

Street Improvement District No. 603 consists of one unit of street maintenance. Street maintenance would include areas of milling & overlaying, curb and gutter repair, curb extensions, drainage improvements, concrete pavement repair, new sidewalk, ADA ramp improvements, roadway and pedestrian LED lighting, landscaping, bike racks, benches, pavement markings, transit improvements, signal removal and related items.

This project was selected for funding through the Urban Grant Program through the NDDOT and will be partially funded with federal grants. The Urban Grant Program will fund the project with 80.93% federal funds to a maximum amount of \$1,610,000. The remaining costs will be the City of Bismarck's responsibility and will be funded through this special assessment district.

The Engineering Report has been posted to the city website at www.bismarcknd.gov/streets. Letters will be sent to property owners notifying them of this project along with their estimated special assessment cost and their right to protest this improvement per NDCC Chapter 40-22.

Unit 1

3rd Street – Front Avenue to 180' North of Front Avenue
5th Street – Bowen Avenue to 255' North of Front Avenue
Front Avenue – Mandan Street to 9th Street
Sweet Avenue – 5th Street to 135' West of 5th Street

Project Schedule

Letters to Property Owners Sent:	July 20, 2026
Protest Period Ends:	August 20, 2026
Public Reading of Sufficiency of Protest:	August 25, 2026
Authorization to Advertise	September 8, 2026
Receipt and Opening of Bids (NDDOT)	November 20, 2026
Award of Bid	December 15, 2026

Project Completion

Fall 2028

RECOMMENDED CITY COMMISSION ACTION:

Approve the resolution of necessity for Street Improvement District No. SI 603

STAFF CONTACT INFORMATION:

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

ATTACHMENTS:

None



Engineering Department

DATE: July 14, 2026

FROM: Gabe Schell, City Engineer

ITEM: Sewer Improvement District SE 588

REQUEST:

Resolutions approving plans and specifications, directing the advertisement for bids, and receiving bids for Sewer Improvement District No. SE 588.

BACKGROUND INFORMATION:

Sewer Improvement District No. 588 consists of one unit of new storm sewer and related work. Unit 1 includes approximately 1,700 LF of new storm sewer ranging from 15" to 30" in size and related appurtenances in Paradise Valley and Paradise Valley Second Additions. As per the master planned stormwater for this development, the boundary of SE 588 will encompass all properties within the Additions, as all properties benefit from all storm improvements.

The engineer's report and boundary map for the district have been posted to the city website at www.bismarcknd.gov/streets.

Project Schedule

Authorization to Advertise

Receipt and Opening of Bids

Award of Bid

Project Completion

July 14, 2026

August 4, 2026

August 11, 2026

Fall 2026

RECOMMENDED CITY COMMISSION ACTION:

Approve resolutions approving plans and specifications, directing the advertisement for bids, and receiving bids for Sewer Improvement District No. SE 588.

STAFF CONTACT INFORMATION:

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

ATTACHMENTS:

None



Finance Department

DATE: July 14, 2026

FROM: Eric Lund, Acting Finance Director

ITEM: Applications for Abatement

REQUEST:

Applications for abatement.

BACKGROUND INFORMATION:

Market value reductions due to errors in the property description.

Application for Abatement for 2024 & 2025

Property Owner - Gary & Linda Haider

Property Address - 561 Cottonwood Loop

Property ID - 1172-003-055

RECOMMENDED CITY COMMISSION ACTION:

The Assessing Division recommends approval of the applications for abatement as presented.

STAFF CONTACT INFORMATION:

Allison Jensen, City Assessor, 701-355-1621, ajensen@bismarcknd.gov

ATTACHMENTS:

1. Abatements

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____

City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached. _____

Dated _____, _____

County Auditor

Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor

Date

Application For Abatement
Or Refund Of Taxes

Name of Applicant Gary & Linda Thider

County Auditor's File No. 26-247

Date Application Was Filed
With The County Auditor 6/3/26

Date County Auditor Mailed
Application to Township
Clerk or City Auditor
(must be within five business days of filing date)

Mark Spionskowski

CR

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District #1

County of BURLEIGH

Property I.D. No. 1172-003-055

Name HAIDER, GARY R & LINDA L

Telephone No. _____

Address 561 COTTONWOOD LOOP, BISMARCK, ND 58504-7412

Legal description of the property involved in this application:

COTTONWOOD LAKE 4TH Block: 3 LOT 12 & UNDIVIDED INTEREST IN LOT 32 BLOCK 1

Total true and full value of the property described above for the year 2025 is:

Land	\$ 98,000
------	-----------

Improvements \$ 475,700

Total	\$ 573.700
-------	------------

(1)

Total true and full value of the property described above for the year 2025 should be:

Land	\$ 98,000
------	-----------

Improvements \$ 414,900

Total \$ 512,900

(2)

The difference of \$ 60,800.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☒ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☐ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain)

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$_____ Date of purchase: _____

Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____

Was there personal property involved in the purchase price? yes/no Estimated value: \$

2. Has the property been offered for sale on the open market? . If yes, how long?
yes/no

Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no

Market value estimate: \$_____

Appraisal was made by whom? _____

4. The applicant's estimate of market value of the property involved in this application is \$_____

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that the true and full value be adjusted as recommended.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant), _____

Date _____

Signature of Applicant

Date _____

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of _____

On _____, _____, the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____

City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approved/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application in whole or in part for the following reason(s). Written explanation of the rationale for the decision must be attached. _____

Dated _____, _____

County Auditor

Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest?
				yes/no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of County Commissioner are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

County Auditor

Date

**Application For Abatement
Or Refund Of Taxes**

Name of Applicant Gary Linda Thider

County Auditor's File No. 26-248

Date Application Was Filed
With The County Auditor 6/3/26

Date County Auditor Mailed
Application to Township
Clerk or City Auditor _____
(must be within five business days of filing date)

Marta Spenshouslin
CR



Finance Department

DATE: July 14, 2026

FROM: Ryan Skor

ITEM: Ordinance 6673

REQUEST:

Introduction of and call for a public hearing for ordinance 6673 to create a special assessment district for annexed properties.

BACKGROUND INFORMATION:

Sections 40-23-17 through 40-23-21 of the North Dakota Century Code allows assessments on annexed property that previously benefited from the infrastructure constructed before the parcels were annexed. Ordinance 6673 relates to park improvement charges to be assessed to benefiting property that were outside the city limits at the time of construction.

RECOMMENDED CITY COMMISSION ACTION:

Approval of the introduction and call for a public hearing on Ordinance 6673.

STAFF CONTACT INFORMATION:

Eric Lund, Acting Finance Director, 701-355-1601, elund@bismarcknd.gov

ATTACHMENTS:

None