Bismarck

MEETING OF THE BOARD OF CITY COMMISSIONERS

8/11/2026 - MINUTES

CALL TO ORDER

The Board of City Commissioners met on August 11, 2026, at 5:15 PM in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. Commissioners Connelly, Hull, Risch, Doll, and Mayor Schmitz were present.

FUTURE COMMISSION MEETINGS

August 25, 2026
September 8, 2026 & September 22, 2026
October 13, 2026 & October 27, 2026

MISSION STATEMENT
Together, we deliver exceptional public service.

MEETING OF THE BOARD OF CITY COMMISSION

1. **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. Sarah Kallhoff spoke on behalf of item 3.G and is in support of a ban on kratom and other synthetic derivatives.
      2. Lexi Gunderson spoke on behalf of item 3.G and is in support of a ban on kratom and other synthetic derivatives.
      3. Allison Smith, Director of Government Affairs for the Global Kratom Coalition, spoke on behalf of item 3.G and agrees there is a regional issue with kratom, policy should differentiate between traditional natural leaf products and dangerous, lab-created synthetic alternatives.

2. **CONSENT AGENDA**

Mayor Schmitz requested to pull item E.2 due to a conflict of interest.

Commissioner Hull requested to pull item G.5 due to a conflict of interest.

Commissioner Doll moved to approve the consent agenda removing items E.2 and G.5.

Commissioner Hull seconded the motion. M/C

Commissioner Doll moved to approve item E.2 as presented. Commissioner Hull seconded the motion. M/C. Mayor Schmitz abstained from voting.

Commissioner Connelly moved to approve item G.5. Mayor Schmitz seconded the motion. M/C. Commissioner Hull abstained from voting.

A. Consider approval of minutes

B. Consider approval of personnel actions

C. Consider approval of expenditures

Vouchers: 1133968-1134202

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

1. Change order to Weisz and Son’s contract for the outfall repair project.

2. Department of Homeland Security Law Enforcement Officer Reimbursement Grant application.

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

1. Introduction of and call for a public hearing to approve a non-exclusive right of way occupancy agreement with Metro Fibernet, LLC.

2. Encroachment and Waiver Agreement with Church of the Ascension.

3. Encroachment Agreement at 2513 E Main Ave.

4. Resolutions approving plans and specifications, directing the advertisement for bids, and receiving bids for Street Improvement District No. SI 601 and Sewer Improvement District No. SE 587.

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

1. Resolution directing special assessments to be levied.

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

1. Introduction of and call for a public hearing on Ordinance 6679, a zoning map amendment from the existing RM30 – Residential (RM-Residential Multi-Family) zoning district to the CX-Commercial Mixed-Use and RM-Residential Multi-Family zoning districts, and a preliminary subdivision plat titled Paradise Valley Third Addition, where the Planning and Zoning Commission recommends approval.

2. For the Bismarck-Mandan Metropolitan Planning Organization, on behalf of Bis-Man Transit, to decommission and dispose of four (4) Ford Econoline paratransit buses.

3. Addendum to the Advanced Traffic Analysis Center (ATAC) Master Agreement for Signalized Intersection Traffic & Pedestrian Data Collection in Bismarck.

4. Amendment to the Addendum to the Master Agreement with Advanced Traffic Analysis Center (ATAC) for Signalized Intersection Traffic & Pedestrian Data Collection in Mandan.

5. Passenger Rail Station Siting Study Contract.

3. **REGULAR AGENDA**

A. 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.

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

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

B. 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.

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

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

C. Public hearing on Ordinance 6678 to amend sections 5-01-01, 5-01-06, 5-01-07, 5-01-13, and 5-03-05, of the City of Bismarck Code of Ordinances Relating to Alcoholic Beverages and Civic Center Exception, and Repeal 5-01-20 Relating to Enclosed Booths and Access to Licensed Premises and 5-10-01 Relating to Sunday Opening of Grocery Stores.

Mayor Schmitz noted that the public hearing for this item would need to be extended to the next commission meeting due to complications with the public notice process.

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

Commissioner Connelly moved to extend the item to the August 25, 2026, City Commission meeting, and Commissioner Risch seconded. Upon a roll call vote, all voted aye. M/C.

D. Public hearing on the release of the access, watermain, sanitary sewer, stormwater, drainage, and utility easement on Lot 1 less the South 5 feet and all of Lot 2, Block 1, Tree Top Addition First Replat

Mayor Schmitz opened the public hearing.

- Landon Niemiller, a representative of Swenson, Hagen & Company, stood for any questions the commission had.
- Mark Hanson, owner of the project, gave clarification of the project.

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

E. Consider the request to receive an update on the Water Treatment Plant Expansion Project and approve funding sources.

Public Works Utility Operations Director, Michael Mart, provided an update on the Water Treatment Plant Expansion Project and wanted to discuss next steps for funding the project. Director Mart proposed applying for a Drinking Water State Revolving Fund (DWSRF) grant to fund the remaining balance of the project.

- Presentation

Commissioner Hull moved to approve the application and potential receipt of the DWSRF grant, and Commissioner Doll seconded. Upon a roll call vote, all voted aye. M/C.

F. Consider the request from the Finance Department to accept the 2025 Audit Results and the 2025 Annual Comprehensive Financial Report.

Finance Director, Ryan Skor, presented a summary of the 2025 Annual Comprehensive Financial Report (ACFR), Schedule of Expenditures of Federal Awards, and the 2025 audit results.

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

G. Consider the request by Commissioner Connelly to discuss the upcoming September 2, 2026 special legislative session and the topic of kratom.

Commissioner Connelly discussed the upcoming special legislative session to discuss the Governor's announcement of the banning of kratom. Commissioner Connelly asked the commission if it was their desire to take a formal position prior to the legislative session.

Mayor Schmitz commented that currently the City does not know the official position of the state, and therefore believes it is premature for the City to take a position and proposed possibly hosting a special City Commission meeting when more information comes from the State and at that time develop a formal position.

There was consensus among the Commission to wait until more information from the State is presented.

- Public Health Handout

H. Consider the request by Commissioner Connelly to discuss non-disclosure agreements relating to City of Bismarck staff and North Dakota open records laws.

Commissioner Connelly raised concerns regarding the use of non-disclosure agreements (NDAs) by public officials in other communities, prompting a review of how such agreements align with North Dakota open records laws.

City Attorney Julie Mees clarified that under state law (ND Century Code 44-04), all City records are public by default, with limited exceptions, such as confidential information, and affirmed that the City of Bismarck adheres to these legal requirements.

4. **OTHER BUSINESS**

A. Commissioner Risch discussed the public concern over Flock Cameras, and clarified that the City of Bismarck doesn't utilize Flock Cameras. Commissioner Risch clarified that there are some private businesses that use Flock Cameras.
B. Mayor Schmitz requested permission to form a task force to help the Engineering Department develop a proposal for a street utility fee. Mayor Schmitz also stated that he would like this committee to help develop a strategy for public engagement and education regarding the details of the future proposed street utility fee.
    - Commissioner Risch moved to approve the Mayor's request, and Commissioner Hull seconded. Upon a roll call vote, all voted aye. M/C.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 6:36 PM.