

October 10, 2025

TO: Commissioners Gilbertson, Herzog, Jeske, Redmann, and President Zimmerman

FROM: Kevin Klipfel, Executive Director 

SUBJECT: October 16, 2025 Park Board Meeting Packet and Overview

Commissioners:

Enclosed you will find the packet of information and overview for the Park Board meeting on October 16, 2025 at 5:15 pm at the Tom Baker Meeting Room.

- Item 1.** Call Meeting to Order and Roll Call
- Item 2.** Pledge of Allegiance
- Item 3.** Approve Agenda
- Item 4.** Featured Partners and Programs – Bismarck Arts & Galleries Association
Executive Director Cherise Pfaff will appear before the board.
- Item 5.** City Arts and Culture Master Plan – Lauren Oster
A memo is included in your packet regarding this topic.
- Item 6.** Disposition of Bids - World War Memorial Building Roof Replacement
Jeff Ubl with Ubl Design Group will review this project. A memo is included in the packet.
- Item 7.** Authorization to Call for Bids – BPRD Administrative Office Lobby Renovation
Community Relations Manager Dana Schaar Jahner will review the information provided in the packet.
- Item 8.** Consent Agenda
A variety of items have been placed in a consent agenda. A consent agenda can be approved with one motion, or an item or items can be removed for additional discussion and separate action. Staff recommends approval of the following items:
- Consideration of September 11, 2025 Board Meeting Minutes – The Board meeting minutes are included.
 - Consideration of 2026 Matching Grant Application – A memo and the proposed grant application is provided in the packet.

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- Consideration of Agreements
 - Bismarck Gymnastics Academy Use Agreement – Please refer to the memo and proposed use agreement provided by Facilities and Programs Director Mike Wald.
 - Park Development Agreement for Silver Ranch 3 and 4 – Operations Director David Mayer has provided a memo and agreement for your review.
- Request Board Authorization to Apply for the following Grants – Please see the memos provided by Operations Director David Mayer regarding these requests.
 - Emerald Ash Borer Mitigation
 - USTA Northern Tennis Grant
- Request Board Authorization to Call for the following Bids – Please see the information provided in the packet for these items.
 - 2026 Maintenance Equipment
 - 2026 Fertilizer
- Request Board Authorization to Apply for Bank of North Dakota Infrastructure Loan – Finance Director Kathy Feist has provided information regarding the request.
- Request Board Authorization to Select Consultant and Call for Bids on the General Sibley Park Day Use Area Road Project – Operations Director David Mayer has provided a memo in the packet.

Item 9. Approval of Bills

Individuals or organizations who wish to appear before the Board on an existing agenda item will also make the request in writing or emailed, delivered to the Bismarck Parks and Recreation District office by 12:00 noon, 2 days prior to the regular monthly meeting of the Board of Park Commissioners.

Next Regular Board Meeting: November 20, 2025, at 5:15 pm in the Tom Baker Meeting Room

Full-Time and Full-Time Seasonal Employee Luncheon: November 18, 2025 at 11:30 am
at the Municipal Country Club



Community Development Department

MEETING: October 16, 2025

FROM: Lauren Oster, Planner, Bismarck Community Development Department

ITEM: Bismarck Arts and Culture Master Plan Update

REQUEST:

Receive an update on the Bismarck Arts and Culture Master Plan and provide final input.

BACKGROUND INFORMATION:

The City of Bismarck was awarded an Our Town grant from the National Endowment for the Arts in 2022 to create an Arts and Culture Master Plan for Bismarck. The effort to create this Plan stemmed from several factors including the City's 2019 Strategic Plan objective to create a vibrant local art community; a series of community arts conversations among artists, performers, culture bearers and arts administrators in 2022; and the creation of Bismarck's Together 2045 Comprehensive Plan in 2022 which included goals T8(a-d) related to arts and culture. The City identified several key project partners as part of this effort, one of which was Bismarck Parks and Recreation District.

Community engagement for this Plan occurred between late 2024 and early 2025 with drafting occurring after that. As part of the project's scope, staff are presenting the final draft of the Plan to the boards of the other Plan partners for final input. After presenting to the other Plan partners, the Plan will be finalized and provided to the City Commission for adoption.

More information on the Arts and Culture Master Plan, including a copy of the draft, can be found at <https://www.bismarcknd.gov/2474/Arts-and-Culture-Plan>.

RECOMMENDED CITY COMMISSION ACTION:

Receive an update on the Bismarck Arts and Culture Master Plan and provide feedback on the draft Plan.

STAFF CONTACT INFORMATION:

Daniel Nairn, AICP | Acting Community Development Director | 355-1854 | dnairn@bismarcknd.gov

Lauren Oster | Planner | 355-1846 | laoster@bismarcknd.gov

October 10, 2025

Bismarck Park Board Commissioners
Mr. Kevin Klipfel, Executive Director
Bismarck Parks and Recreation District
400 East Front Avenue
Bismarck, ND 58504

**RE: Bid Recommendation:
World War Memorial Building Reroofing**

Via: E-mail only.

Dear Bismarck Park Board Commissioners and Mr. Klipfel,

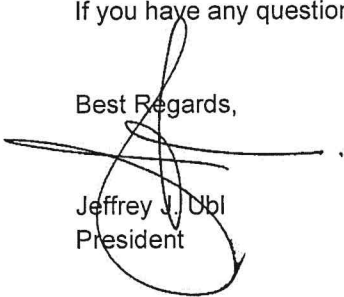
On Wednesday, October 1, at 11:00am the Bismarck Parks and Recreation District called for bids for the above-mentioned project.

At the time and place designated for the bids, the Bismarck Parks and Recreation District staff and Architect received **no bids** for the Project.

Considering that this is second bid attempt, my recommendation is to delay bidding a third time until February 2026 for the Spring of 2026 construction start.

If you have any questions regarding this bid process, please call me at 701-426-2544.

Best Regards,



Jeffrey J. Ubl
President

MEMO

DATE: October 6, 2025

TO: Commissioners Gilbertson, Herzog, Jeske, Redmann, President Zimmerman
Executive Director Kevin Klipfel

FROM: Dana Schaar Jahner, Community Relations Manager *dsj*

RE: Request to Call for Bids for BPRD Administrative Office Lobby Renovation

Renovation of the lobby and front desk space at the Bismarck Parks and Recreation District Administrative Office will provide improvements in multiple areas: 1) an accessible customer counter to meet ADA requirements, 2) a better customer experience with distinct larger service counters, 3) enhanced security for customer service representatives and other employees by limiting access to staff areas through all doors, and 4) improved workstations for customer service representatives.

Renovations will include building a permanent wall with three customer service counters (one accessible) and replacing the lobby flooring.

We request authorization to proceed with a request for bids for the BPRD Administrative Office Lobby Renovation. Please let me know if you have any questions. Thank you for your consideration of this request.

DRAFT

MINUTES OF THE BOARD OF PARK COMMISSIONERS

September 11, 2025

The Board of Park Commissioners held their regular meeting on September 11, 2025 in the Tom Baker meeting room of the City/County Building. President Zimmerman called the meeting to order at 5:15 pm. President Zimmerman asked for a moment of silence in remembrance of 9-11. The pledge of allegiance was said. Commissioners Gilbertson, Herzog, Jeske and Redmann were present.

Commissioner Gilbertson moved to approve the agenda as presented. Commissioner Redmann seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Herzog, Jeske, Redmann, and President Zimmerman. The nays being none, the motion carried.

Lynn Beiswanger, representing the Bismarck Marathon, appeared before the Board as the featured partners and program.

Finance Director Kathy Feist provided an overview of the proposed 2026 budget. President Zimmerman opened the public hearing on the 2026 budget. He asked three times for anyone opposed to or concerned with the budget to appear before the Board. The then asked three times for anyone in favor of the budget to appear before the Board. President Zimmerman closed the public hearing.

Commissioner Redmann moved to adjust the full-time employee merit increase from 3% to 4%. Commissioner Herzog seconded the motion, and the voting went as follows: Ayes: Commissioners Herzog and Redmann. Nays: Commissioners Gilbertson, Jeske and President Zimmerman. The motion failed.

Commissioner Jeske moved to adjust the full-time employee merit increase from 3% to 3.5%. Commissioner Redmann seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Herzog, Jeske, Redmann, and President Zimmerman. The nays being none, the motion carried.

Commissioner Gilbertson moved to approve the second reading of the 2026 budget and the mill levy. Commissioner Redmann seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Herzog, Redmann, Jeske and President Zimmerman. The nays being none, the motion carried.

Commissioner Jeske moved to adopt the 2026 operating budget with the approved change. Commissioner Herzog seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Herzog, Redmann, Jeske and President Zimmerman. The nays being none, the motion carried.

Commissioner Herzog left the meeting.

Susan Hazelett with Apex Engineering reviewed the one bid that was received for the Sertoma Park restroom improvement project. Commissioner Gilbertson moved to reject the bid received and authorized staff to continue to work with Apex Engineering to re-bid the project. Commissioner Redmann seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Herzog, Redmann, Jeske and President Zimmerman. The nays being none, the motion carried.

Operations Director David Mayer reviewed the proposed park development agreement for the William Blackstone Park which, if approved, would be located west of north Washington Street and north of 57th Avenue northwest. Commissioner Jeske moved to approve the park development agreement documents presented. Commissioner Gilbertson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Herzog, Redmann, Jeske and President Zimmerman. The nays being none, the motion carried.

Commissioner Gilbertson moved approval of the following consent agenda:

- Consideration of August 21, 2025 Board meeting minutes
- Request authorization to add Bolton & Menk to the approved list of engineering, architect and planning services

Commissioner Redmann seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Herzog, Redmann, Jeske and President Zimmerman. The nays being none, the motion carried.

Commissioner Jeske moved to approve bills for payment with checks 408324 to 408331 and 219537 to 219788 along with bank drafts DFT001607 to DFT001613, EFTs 3526 to 3566 and direct deposits 90956 to 91560. Commissioner Gilbertson seconded the motion, and the voting went as follows: Ayes: Commissioners Gilbertson, Herzog, Redmann, Jeske and President Zimmerman. The nays being none, the motion carried.

The next regular Board meeting will be held October 16, 2025, at 5:15 pm in the Tom Baker Meeting Room. The meeting was adjourned at 6:08 pm.

Let's Play!

DATE: October 6, 2025

TO: Commissioners Gilbertson, Herzog, Jeske, Redmann, and President Zimmerman
Kevin Klipfel, Executive Director

FROM: Mike Wald, Facilities and Programs Director 

RE: 2026 Matching Grant Application

The 2026 Matching Grant Application has been updated. Here is a summary of the application update and changes.

- Updated the Matching Grant Application dates.

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BISMARCK PARKS AND
RECREATION DISTRICT
Est. 1927

www.bisparks.org

Matching Grant Application 2026

FACILITIES • GROUNDS • EQUIPMENT

PURPOSE

The purpose of the **Matching Grant Program** is to encourage associations, organizations, clubs, or individuals to sponsor a project in a Bismarck Parks and Recreation District (BPRD) facility or park for the advancement of recreation opportunities in Bismarck.

INITIAL PROJECT REVIEW:

Prior to submission and deadline, Mike Wald, Facilities and Programs Director, must be contacted at 222-6455 to conduct an initial project review to make sure project meets minimum specifications.

RECOGNITION OF MATCHING GRANT:

The approved projects shall have a recognition plaque, dedication, or some other recognition signifying the project is part of the BPRD Matching Grant Program.

ADMINISTRATION AND ACCOUNTING:

Administration and accounting procedures will be determined by agreement with approved parties. All approved projects on BPRD property must follow BPRD purchasing guidelines, local ordinances, and state laws. Upon completion of the projects on BPRD property, BPRD will assume ownership of the improvement or equipment, unless other arrangements are agreed upon.

WHO CAN APPLY:

Associations, organizations, clubs, or individuals in the BPRD who are interested in applying for a grant to sponsor a project may apply. Projects must be facility improvements and may include the purchase of recreation equipment.

SCHOOL DISTRICT PROPERTY: Projects on school district property must have a letter of support from the school district's buildings and grounds supervisor and school principal.

APPLICATION OBTAINED AT:

BPRD Office, 400 East Front Avenue Bismarck, ND 58504. Applications will be available after January 1 of each year.

APPLICATION DEADLINES:

Application deadlines for 2026 are 5:00 pm on February 2 (Round 1) and June 1 (Round 2).

FUNDS AVAILABLE:

The Board of Park Commissioners shall determine how much, if any, will be available each budget year for matching funds and may change or make exceptions to the amount at any time. \$125,000 has been budgeted for 2026.

APPLICATION REVIEW/INTERVIEW:

After the deadline, a committee of staff and Commissioners will review all applications, conduct a short interview with applicants, and make recommendations to the Board of Park Commissioners at the February 19 and June 18 Park Board meetings.

**APPLICATION APPROVAL/
DENIAL:**

Letters will be sent to all applicants, indicating the approval or denial of grant money. For those approved, an agreement will be sent to the successful project sponsors, which states the provisions of the grant funds.

FUNDING:	Projects will be funded at no more than 50 percent of the total estimated cost, or up to a maximum of \$25,000, whichever is less. The Matching Grant Program provides a dollar-for-dollar match. The program does not consider matching funds for projects with in-kind expenses. The Board of Park Commissioners, at its discretion, may approve matching funds of over \$25,000.
PROJECT SPONSOR CERTIFICATION:	The project sponsor must certify that they have the necessary funds for their share of the total estimated project's cost.
GREATEST CONSIDERATION:	Projects that will receive the greatest consideration are as follows: • Projects that fit into the BPRD's strategic plan, mission and vision. • Projects that serve a wide variety of people or large number of people, rather than to projects serving a limited group. • Projects that can be used throughout the year -- more than one season. • Projects that have a developmental plan approved or reviewed by BPRD. • Projects that are on BPRD property. • Playground projects must comply with current playground standards and guidelines. Playgrounds that include a ramp with an accessible route will receive the highest consideration.
NO CONSIDERATION:	Projects that will NOT receive consideration for funding: • Projects on private property as fixed improvements that aren't open to the public. • Personnel, operations, consultants. • Projects that have begun before grant approval. • Projects that use in-kind expenses as a match for grant application. • No clothing or uniforms.
PROJECT COMPLETION:	The approved projects must be completed in the year they are awarded, unless approved by BPRD Facilities and Programs Director.

2026 MATCHING GRANT APPLICATION

APPLICATION DEADLINE: 5:00 PM ON FEBRUARY 2 AND JUNE 1

COMPLETE AND RETURN TO:

Bismarck Parks and Recreation District • Attn: Mike Wald
400 East Front Avenue • Bismarck, ND 58504 • (701) 222-6455
mwald@bisparks.org

1. DATE OF APPLICATION: _____

2. APPLICANT: _____

CONTACT PERSON: _____ IF SCHOOL, PRINCIPAL'S NAME: _____

ADDRESS: _____ CITY: _____

STATE: _____ Zip: _____ TELEPHONE NUMBER: (H) _____ (C) _____

EMAIL ADDRESS: _____

3. PROJECT TITLE: _____

4. ESTIMATED PROJECT START DATE: _____ COMPLETION DATE: _____

5. DESCRIPTION OF PROPOSED PROJECT (INCLUDE LOCATION AND SITE MAPS WHERE APPLICABLE):

6. JUSTIFICATION FOR PROJECT:

7. ESTIMATED NUMBER OF PEOPLE BENEFITED: _____

8. ESTIMATED AGE CATEGORIES BENEFITED: _____

9. TOTAL ESTIMATED PROJECT COST (INCLUDE ANY PRICE QUOTES OR COST ESTIMATES RECEIVED):

10. AMOUNT OF ASSISTANCE REQUESTED: _____

11. AMOUNT OF APPLICANT'S CONTRIBUTION: _____

12. OTHER SOURCES OF ASSISTANCE (NAME, TYPE, AMOUNT):

13. BY SIGNING OR TYPING MY NAME BELOW, I HEREBY CERTIFY THAT FUNDS IN THE AMOUNT OF \$ _____

(AT LEAST 50 PERCENT OF TOTAL ESTIMATED COSTS) ARE AVAILABLE FOR THE ABOVE STATED PROJECT.

SIGNATURE: _____

TITLE: _____

DATE: _____

PROJECT COST ESTIMATES

Attach any written cost estimates received from vendors or contractors, etc.

PROJECT ITEM	UNITS	ESTIMATED COST
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
TOTAL:		_____

APPLICATION CHECKLIST

☐ Initial project review with Facilities and Programs Director?

☐ Application completed?

☐ Project sponsor certification of funds available?

SCHOOL PROJECTS:

☐ Letter of approval from BPS Buildings and Grounds?

☐ Letter of approval from school principal?

DATE: October 6, 2025

TO: Commissioners Gilbertson, Herzog, Jeske, Redmann and President Zimmerman
Kevin Klipfel, Executive Director

FROM: Mike Wald, Facilities and Programs Director 

RE: Bismarck Gymnastics Academy Use Agreement for Capital Racquet and Fitness
Center Gymnastics Area

We have updated the agreement with the following proposed changes:

Use fee increase of \$0.25 per student for 2026 and an increase of \$0.50 per student for 2027.

- Dates in the agreement.
- Updated the language regarding Payment Election to reflect changes made to the payment process.

Staff recommends Board approval of the agreement as presented. Please let me know if you have questions.

**Bismarck Gymnastics Academy Use Agreement
For
Capital Racquet and Fitness Center Gymnastics Area**

1. **PARTIES:** The parties of this agreement are the Park District of the city of Bismarck, North Dakota (hereinafter Park District), Bismarck, North Dakota, and the Bismarck Gymnastics Academy, Inc, (hereinafter BGA).
2. **PURPOSE OF THIS AGREEMENT:** This agreement is to establish basic guidelines for the use of the Capital Racquet and Fitness Center (CRFC) by BGA for a public gymnastics program for boys and girls preschool through high school age groups, recreation and competitive.
3. **TERMS OF THIS AGREEMENT:** January 1, 2026 to December 31, 2027.
4. **USAGE FEE:** The BGA shall pay the Park District \$11.00 per student per session in 2026 and \$11.50 per student per session in 2027. Payment is due to BPRD 30 days after the start of each session. BGA will provide BPRD with a letter outlining the number of sessions and start dates on an annual basis.

A processing fee (currently 3.3075%, subject to change) will be added to any payments made with a credit card. Processing fees can be avoided by making payment by cash or paper check.

Payment Election: Initial option below that will be applicable to the term of this agreement.

____ Credit card payments – rental fee plus processing fee
____ Cash or paper check payment – rental fee

5. **FACILITY AND ASSIGNMENT:** BGA shall not rent the facility to the general public or other outside groups for other uses other than for uses that are a part of the BGA's program. BGA may not assign this agreement or the operation of the Academy without consent of the Park District. BGA will work in conjunction with Bismarck Public Schools to provide space for the high school gymnastics programs and open gym times.
6. **DESCRIPTION OF THE CRFC FACILITIES:** BGA may use the common areas (hallways or lobby area), locker rooms, floor, balcony in the facility, office, mezzanine, storage, restrooms and showers. BGA may also use the CRFC track and racquetball court #7 for practice, warm-up, and conditioning.

Utilization of additional space in Capital Racquet and Fitness Center must be scheduled with the Facility Specialist.

7. **ORDINANCES AND RULES:** BGA shall comply with all ordinances enacted by the Park District and all rules adopted by the Park Board concerning the use of the gymnastics area and the Capital Racquet and Fitness Center (see Exhibit A for current ordinances).
8. **CONCESSIONS:** The BGA has the authority to sell food and beverage concessions in the gymnastics area and retain proceeds. Soft drink beverages must be provided in compliance with the Park District exclusive soft drink provider. The Park District has control of all vending machines and will retain vending machine proceeds.
9. **MERCHANDISE:** General sales of equipment, clothing or other miscellaneous merchandise by BGA in the facility related to the operation of a gymnastics program are authorized by this agreement.
10. **SIGNS:** BGA may sell advertising signs in gymnastics area pursuant to guidelines established by the Park District. Signs cannot be sold to vendors that are in competition with the Park District's exclusive soft drink provider. Also, signs including alcoholic beverages or tobacco products are prohibited.

BGA will provide to the Park District 10% of advertising sales on an annual basis by May 31st. Along with this payment, BGA will submit a full list of all sold during the past year and the value of the advertisements.

11. **MAINTENANCE:** The Park District shall provide general janitorial services to the gymnastics area as follows – supply garbage bags and cleaning supplies, general cleaning of bathrooms/locker rooms, sweeping mezzanine, vacuuming hallways and cleaning glass. BGA shall be responsible for maintenance and care of all gymnastics equipment, including mats, floor carpet, and dusting of the facility office area and clean up after events.
12. **PROGRAM MANAGEMENT:** BGA shall be responsible for the overall management of the BGA program to include, but not be limited to:
 - a. Promotion and registration.
 - b. Hiring, training, and supervising paid and volunteer staff and judges.
 - c. Provide equipment for the program.
 - d. Provide supervision of BGA fans, coaches, judges and participants during BGA classes, meets or competitions.
 - e. Provide the program and facility schedule to the Park District on a session or season basis.
 - f. Provide to the Park District necessary information for publication of programs in the Winter, Spring/Summer, and Fall Activity Schedules.

The Park District will assist BGA in the operation of the BGA program to include, but not limited to:

- a. Provide the Park District office as a location to provide information about the BGA program.
 - b. Provide staff to attend monthly BGA meetings.
 - c. Provide a facility to hold BGA Board meetings and training sessions.
 - d. Provide parking and maintenance of lots at CRFC for participants, fans, judges, coaches and volunteers during BGA practices and scheduled meets.
 - e. Provide garbage service to facility.
 - f. Provide access to the storage area in CRFC.
 - g. Provide general to specific maintenance and repair to facility, parking lot (including snow removal), heating, ventilation and lighting. Additional removal of snow from front entry and sidewalk to be scheduled with Facility Specialist.
 - h. Provide space in Activity Schedule for promotion of the BGA program.
13. **ALTERATION AND IMPROVEMENTS:** Alterations and physical improvements or changes to the interior or exterior of the occupied space by BGA must be approved with written approval by Executive Director of Parks and Recreation or designee. The approval may include the Board of Park Commissioners dependent upon the size of improvement, cost and payment method.
14. **SCHEDULING:** The Park District's CRFC Facility Specialist is the contact person for scheduling of any activities at CRFC.
15. **INSURANCE:** BGA shall secure and keep in force during the term of the agreement a commercial general liability insurance policy in the amount of \$1,000,000 per person and \$2,000,000 per occurrence and shall name the Bismarck Parks and Recreation District as an additional insured. A current certificate of insurance must be provided to the Park District upon annual insurance renewal.
- BGA is also responsible to carry personal property insurance on equipment and supplies as a renter. The Park District will be responsible for general liability and structure insurance on the facility. BGA shall be responsible for insuring their contents owned, leased, or in possession while occupying the facility.
16. **INDEMNIFICATION AND HOLD HARMLESS:** BGA agrees that it will fully indemnify and hold harmless the Park District from all claims, actions, causes of actions, lawsuits, etc., which may arise as a result to the BGA's management and operation of the gymnastics program at the facility. This indemnification and hold harmless agreement includes, but is not limited to, an agreement to indemnify and hold the Park District harmless for all costs, expenses, damages, economic and non-economic losses as defined under North Dakota law, including attorney's fees, and any other consequences which may arise as a result of BGA's management and operation of the gymnastics program at the facility. It

is expressly understood that the BGA shall be responsible for full indemnification of the Park District and will hold the Park District harmless from any and all such claims.

17. NONDISCRIMINATION POLICY: The BGA shall not exclude anyone from participating in its program or deny anyone the benefits of its program, or otherwise subject anyone to discrimination on the basis of race, color, national origin, age, gender, or disability.
18. DEFAULT: If BGA fails to comply with the conditions of the agreement, the Park District may, at its option, serve a notice of default upon the BGA's agent or President. If the default is not cured within 30 days, the Park District, and its option, may terminate the agreement.
19. LIAISON COMMITTEE: The President of the Board of Park Commissioners, the President of BGA's board of directors, the Executive Director of Bismarck Parks and Recreation District, and a BGA staff representative or their designees shall be a liaison committee to periodically meet to discuss issues of mutual concern.
20. REVIEW OF THIS AGREEMENT: The parties agree to review this agreement annually. Any amendments to the agreement must be in writing, approved by the respective governing boards, and signed by representatives to the parties.

Dated this _____ day of _____, 2025

BISMARCK PARKS AND RECREATION DISTRICT

Mark Zimmerman, President
Board of Park Commissioners
Bismarck Parks and Recreation District

Dated this _____ day of _____, 2025

BISMARCK GYMNASTICS ACADEMY, INC.

Jade DeSmidt, President
Bismarck Gymnastics Academy

Ordinances of the Park District of the City of Bismarck
Approved by the Board of Park Commissioners on December 15, 2011
Revised June 18, 2015 and December 21, 2023

WHEREAS, the Park District of the City of Bismarck is a municipal subdivision organized pursuant to chapter 40-49 of the North Dakota Century Code ("N.D.C.C."); and

WHEREAS, Section 40-49-13, N.D.C.C., provides for the exercise of the powers of the Board of Park Commissioners by ordinance; and

WHEREAS, the Park District of the City of Bismarck has heretofore from time to time enacted ordinances pursuant to law and desires to amend and restate such ordinances.

NOW, THEREFORE, Be it enacted by the Board of Park Commissioners of the Park District of the City of Bismarck:

1. Authority

These ordinances are enacted pursuant to section 40-49-12, N.D.C.C., and shall be known and cited as the ordinances of the Park District of the City of Bismarck.

2. Existence of the Park District

The Park District of the City of Bismarck ("Park District") has been created in accordance with the laws of the State of North Dakota. The Park District includes all of the park territory within the City of Bismarck and such other areas as may be incorporated in the city limits in the future, and such other areas that have been acquired by the Park District or are managed by the Park District and areas that are acquired by or managed by the Park District in the future.

3. Repeal

All ordinances previously adopted by the Park District (Section 25-16 through 25-141, Appendix A of Code of Ordinances, City of Bismarck) are hereby repealed as of the date of enactment of these revised ordinances; however, such prior ordinances shall apply to any acts or offenses committed prior to the repeal.

4. Scope

The provisions hereof are enacted for the regulation of the use and care of the parks and trees of the Park District of the city by the public, and nothing herein contained shall operate to restrain or hinder the park commission of the Park District, or the individual members thereof, or the employees of such commission, in the performance of their official duties.

5. Disposition of offenses

A criminal or non-criminal offense as set forth in the City Code of the City of Bismarck shall be punished pursuant to City Code as determined by the municipal court. Any violations of the North Dakota Century Code shall be dealt with in the district courts of North Dakota pursuant to the laws of North Dakota. Any violations of Park District ordinances shall be punished by a fine not more than five-hundred dollars (\$500.00) pursuant to the maximum penalty set forth in section 40-49-12(3), N.D.C.C. The municipal court of the City of Bismarck shall have jurisdiction over all Park District ordinance violations.

6. Enforcement

The Police Department of the City of Bismarck is hereby authorized to enter onto and to enforce all of the Park District ordinances, all offenses and provisions as set forth in Title 3, Animal Control and Protection, and Title 6, Criminal Offenses, of the City of Bismarck Code of Ordinances, and state statutes in the parks under the operation and control of the Park District in the city. The Burleigh County Sheriff is hereby authorized to enter onto and to enforce all of the Park District ordinances and state statutes in the parks under the operation and control of the Park District that are located in Burleigh County outside the city limits. Park District employees or agents of the Park District are authorized to enforce violations of Park District ordinances.

7. Meetings of the Board

The Board of Park Commissioners shall meet the third Thursday of every month at 5:15 p.m. in the City/County Building at 221 North 5th Street, Bismarck, unless some other time or place shall be specifically fixed by the board.

8. Operation of vehicles

- (1) In addition to the provisions of this ordinance, Title 12, Traffic Ordinances, of the City of Bismarck Code of Ordinances, as amended, shall apply to all Park District property.

- (2) No person shall operate any motorized vehicle on any area within the parks other than the roads, driveways or parking lots provided for such purposes. The prohibitions of this subsection do not apply to medical mobility devices, or vehicles used by peace officers, emergency personnel, maintenance personnel or special event personnel in the performance of their official duties.

9. Prohibited Acts

- (1) All offenses and provisions as set forth in Title 3, Animal Control and Protection, and Title 6, Criminal Offenses, of the City of Bismarck Code of Ordinances, as amended, shall apply to all Park District property.
- (2) It shall be unlawful for any person using parks under the operation and control of the Park District to perform any of the following acts:
- a. Use of glass beverage containers or to break any glass object.
 - b. Consume or possess alcoholic beverages without first obtaining a beverage permit from the Park District.
 - c. Ride or lead horses except in the Horse Arena or other designated or approved area.
 - d. Build any fire for any purposes, except in such places as may be designated by the Park District.
 - e. Posting of posters and advertisements.
 - f. Maintain any refreshment stand, offer any article of any character for sale, or conduct any business for profit on Park District property without obtaining a permit from the Park District.
 - g. Knowingly carry or discharge any dangerous or concealed weapon, or any firearms, gun, air rifle, slingshot or other similar weapon at a school or school-sponsored event on school property or a publicly owned or operated building except for (1) the use of bow and arrow within a designated archery range or with a Special Herd Reduction Deer bow license or a special turkey bow license issued by the North Dakota Game and Fish Department in Bismarck and a trespass permit issued by the Bismarck Chief of Police or (2) the use of approved equipment, such as BB guns, in Park District approved classes. The exemptions identified in section 62.1-02-05(2), N.D.C.C. apply to this subsection.
 - h. Permit any animal to run at large. Dogs must be leashed except in the leash-free area of a dog park.
 - i. Fail to promptly clean up and dispose of the excrement of an animal for which you are responsible that is deposited upon park property.
 - j. Hunting, trapping or killing of animals or birds, except for the use of bow and arrow within a designated area with a Special Herd Reduction Deer Bow license or a special turkey bow license issued by the North Dakota Game and Fish Department in Bismarck and a trespass permit issued by the Bismarck Chief of Police.
 - k. Camp overnight in any parks except parks designated for overnight camping with a valid permit.
 - l. Enter upon any portion of a park which is temporarily or permanently closed to the public.
 - m. Bring in or dump, deposit or leave waste, garbage, refuse or other trash, except in proper receptacles where provided.
 - n. Deposit snow in any city park.
 - o. Violate posted or printed rules of the Park District.

10. Park Trees

The ordinances in Title 13, Trees and Vegetation, of the City of Bismarck Code of Ordinances, as amended, shall apply to all Park District property.

Approved by the Board of Park Commissioners: December 21, 2023

Published in The Bismarck Tribune: December 28, 2023

Effective: December 31, 2023

Let's Play!

TO: Commissioners Gilbertson, Herzog, Jeske, Redmann and President Zimmerman
Kevin Klipfel, Executive Director

FROM: David Mayer, Operations Director *DM*

DATE: October 8, 2025

RE: Consideration of Park Development Agreement

Commissioners and Executive Director Klipfel:

Staff requests consideration of the Park Development Agreement and all attachments for the Silver Ranch 3rd and 4th Additions. The agreement would help fund a new neighborhood park node and trail connection through the 3rd & 4th Additions of Silver Ranch.

Staff recommend approval of the park development agreement.

A nationally accredited park and recreation agency.

PARK DEVELOPMENT AGREEMENT
Neighborhood Park in Silver Ranch 3rd & 4th Additions

This Park Development Agreement (the "Agreement") is made and entered into this 3rd day of October, 2025, by and between **Investcore, Inc.**, address is 1601 North 12th Street, Suite 411 ("Developer"), and the **PARK DISTRICT OF THE CITY OF BISMARCK**, a park district under the laws of the State of North Dakota, 400 East Front Avenue, Bismarck, North Dakota 58504 ("Park District").

Preliminary Statement

The purpose of the neighborhood parks and open space policy is to maintain and enhance the high quality visual aesthetic of the community and to ensure that adequate usable neighborhood parks, open space and recreational facilities are provided for the existing and future residents of the City of Bismarck. Because new development within the City, or intended to be in the City, increases population and the demand for public services, it shall be the policy of the City of Bismarck that the owner and/or Landowners of major urban residential subdivision plats provide for neighborhood parks, playgrounds, open space and natural areas, and trails. The provision of such facilities in newly developed areas maintains the high quality of the life enjoyed by the citizens of the community by permitting the City to identify, obtain, continue, maintain and enhance its recreation and open space system.

Park District is the owner of a 5.7 acre, more or less, tract of real property (Park Area) and a 13.1 acre, more or less, tract of real property (Greenway) located in, or planned to be annexed to, the City of Bismarck, Burleigh County, North Dakota (the "Property"), specifically described below and delineated on the plat/survey as attached Exhibit A:

Park Area: Lot 20, Block 8 (5.7 acres) in Silver Ranch 3rd Addition
Greenway: Lot 6, Block 14 (13.1 acres) in Silver Ranch 3rd Addition

Developer is in the process of planning a residential development on the Developer's Property in which the Developer desires to include a neighborhood park of approximately 5.7 acres and a trail connection in the greenway on the Park District Property, the location being generally shown on Exhibit A. Developer's focus is to create a community with its own character and to provide residential development and recreational amenities for the support of the community and to promote ease of access in and around the community.

Park District desires to establish an additional neighborhood park in Bismarck and will design the 5.7-acre tract (the "Park Area") and trail connection ("greenway"), affect the construction of the park amenities, and manage the Park Area and Open Space Area, all pursuant to the terms and conditions of this Agreement and the rules and regulations established by the Board of Park Commissioners from time to time.

The Park Area and Greenway will play a vital role in this development by not only providing recreational amenities for this community and the surrounding area but also to provide the necessary connections throughout the development to other areas in Bismarck. To the extent appropriate and possible, all trails will ultimately connect to current and future Park District parks.

Agreement

NOW, THEREFORE, in consideration of the above preliminary statements, the terms and conditions of this Agreement, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Scope of Agreement. This Agreement shall not constitute a partnership or a joint venture by and between the Developer and the Park District. Neither party has a right or obligation to bind the other party to any course of action or commitment as it relates to the development of the Developer's Property, including the Park Area that is described herein. Each of the parties is an independent contractor and, although they will coordinate their efforts to develop the Park Area and Greenway, possibly to include elements of design, access and amenities, neither party is assuming any obligation of the other party.

2. Developer and Park District Obligations. Developer and Park District acknowledge that they will be responsible for the following amenities to be located on the Park District Property and the Park Area:

- a. Specific Neighborhood Park Amenities are described on Exhibit B and will be installed by the Park District and financed through a City of Bismarck special assessment improvement district with the costs for the Specific Park Amenities assessed against the benefitted Lot Owners Property as described in Exhibit A-2.
- b. Park District District-wide Amenities, if included, are described on Exhibit B and will be installed by the Park District and financed through a City of Bismarck special assessment improvement district with the costs for the Park District District-wide Amenities assessed against the benefitted Park District Property.
- c. The Developer shall provide the necessary easements for utilities for the Park Area.
- d. The Developer, at their sole cost and expense, shall provide the following with regard to the Park Area:
 - i. Prepare a complete boundary survey of the Park Area showing all rights-of-way, easements and any other physical burdens that may encumber the Park Area. The Developer shall cause the Park Area and Greenway to be staked so that it can be later identified by the Park District.
 - ii. The Developer will provide the Park District with copies of such tests, investigations and reports which may have been completed by the Developer including, but not limited to, any soil boring tests and results of environmental testing.
 - iii. To the best of its ability, the Developer shall provide the Park District with safe access to the Park Area and Greenway and such areas leading to the Park Area and Greenway.

4. Park Area Design. The Park District shall develop a design for the Park Area that provides park activities, such as walking trails, shelters and playgrounds. Attached on Exhibit A-1 is the parties' initial concept of the park design. As the Park District designs and plans the Park Amenities for the Park Area, it will provide the Developer with periodic reports.

5. Maintenance. In entering into this Agreement, the Park District contemplates it will maintain the Park Area within its normal park maintenance program and consistent with other parks within the Bismarck area. The Park District will be generally responsible for future maintenance of the Park Area, the trails leading to the Park Area and the equipment and the other Park Amenities in the Park Area. If the Developer and the Park District agree to coordinate access to other trails or parks or provide other amenities, any such other amenities agreed to by and between the Park District and the Developer may require a joint maintenance agreement.

6. Construction. The construction of the Park Amenities described in Section 3 and as shown on Exhibit B are intended to be completed after the infrastructure of the surrounding development is complete. Development of the park is dependent on the approval of a City of Bismarck special assessment improvement district.

7. Naming Rights. The Developer reserves the right to name the Park Area, pending BPRD Board of Park Commissioners approval.

8. General Provisions.

- a. This Agreement, together with the other surveys, plans and specifications that have been reviewed by the parties or will later be provided pursuant to this Agreement and the attachments hereto, contain the entire agreement among the parties respecting the matters herein set forth and supersede all prior discussions with respect to such matters. Notwithstanding the above, the parties acknowledge that this is a work in progress and development of the final design for the Park Area will be part of this Agreement.
- b. This Agreement shall be binding upon and inure to the benefit of all the parties and their respective successors and assigns.
- c. This Agreement shall be construed and enforced in accordance with the laws of the State of North Dakota.
- d. This Agreement may be modified only by a written document signed by all parties. A purported oral modification shall not be effective.
- e. The Developer shall hold the Park District harmless for any claim or injury to a person or property arising out of, or in the course of, its construction, design, and plan of the Park Area. In like manner, the Park District, once it acquires the Park Area and assumes maintenance responsibility, will hold the Developer harmless for claims arising out of its negligence in maintaining the Park Area.

DEVELOPER:

PARK DISTRICT:

THE PARK DISTRICT OF THE
CITY OF BISMARCK

By:

Chad Wachter - Pres.

Chad Wachter, Investcore, Inc.

By:

Its: President

By:

Its: Clerk

EXHIBIT A-1 Park & Greenway Plan



SILVER RANCH THIRD ADDITION

SILVER RANCH THIRD ADDITION

SILVER RANCH THIRD ADDITION



**SILVER RANCH 3RD & 4TH ADDITION
BISMARCK, NORTH DAKOTA**

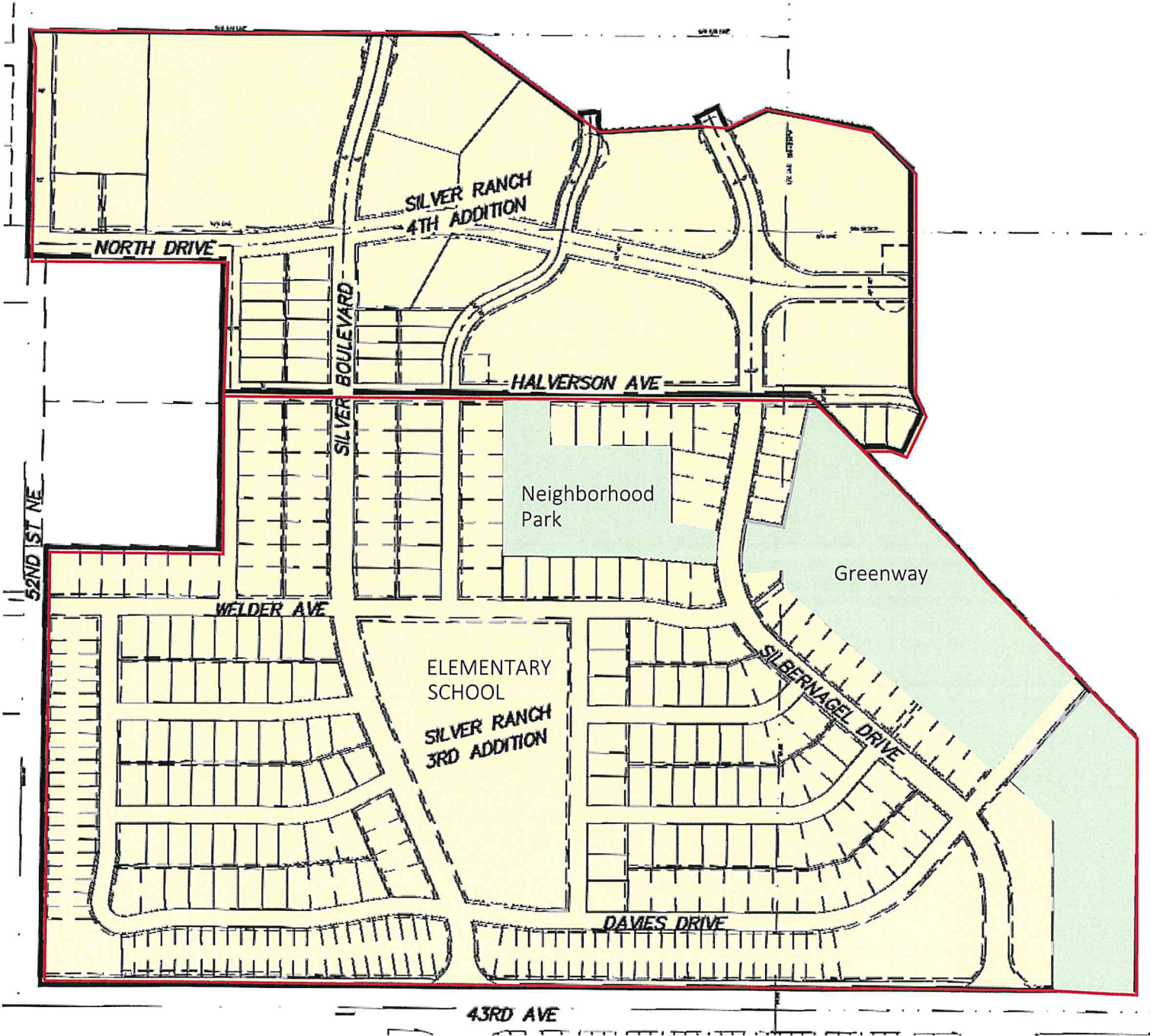


EXHIBIT B

Silver Ranch 3-4 Neighborhood Park & Greenway					
Preliminary Opinion of Cost					9/12/2025
Item	Description	Quantity	Unit	Unit Price	Total
1	Mobilization	1	EA	\$ 36,900.00	\$ 36,900.00
2	Contract Bond	1	EA	\$ 6,200.00	\$ 6,200.00
3	Irrigation	1	LS	\$ 55,000.00	\$ 55,000.00
4	Erosion Control, Permitting, St Water	1	LS	\$ 5,000.00	\$ 5,000.00
5	Earthwork, general grading, topsoil	1	LS	\$ 35,000.00	\$ 35,000.00
6	Asphalt Shared-use Trail - Park Area	11730	SF	\$ 5.00	\$ 58,650.00
7	Asphalt Shared-use Trail - Greenway	13980	SF	\$ 5.00	\$ 69,900.00
8	4" Concrete Sidewalk (Play Access Path)	2808	SF	\$ 7.00	\$ 19,656.00
9	Concrete Play Curb	300	LF	\$ 42.00	\$ 12,600.00
10	Concrete Play Ramps	1	LS	\$ 1,500.00	\$ 1,500.00
11	Engineered Wood Fiber Surfacing	1	LS	\$ 6,500.00	\$ 6,500.00
12	Play Structure	1	EA	\$ 60,000.00	\$ 60,000.00
13	Bench	3	EA	\$ 2,500.00	\$ 7,500.00
14	Picnic Tables	2	EA	\$ 2,500.00	\$ 5,000.00
15	Metal Shelter	1	EA	\$ 45,000.00	\$ 45,000.00
16	Interpretive Signs	3	EA	\$ 1,200.00	\$ 3,600.00
17	Coniferous Trees	23	EA	\$ 650.00	\$ 14,950.00
18	Shade Trees	16	EA	\$ 650.00	\$ 10,400.00
19	Lawn Seed	5.7	ACRE	\$ 5,000.00	\$ 28,500.00
Subtotal					\$ 481,856.00
10% Contingency					\$ 48,185.60
Consultant Fees (18%)					\$ 86,734.08
Total					\$ 616,775.68

Exhibit C – Petition for Park Improvements

PETITION FOR PARK IMPROVEMENTS
For lots zoned Residential

DATE: 10/3/2025

To the Honorable Board of City Commissioners
Bismarck, North Dakota

Commissioners:

The undersigned owners of the property liable to be assessed for the park/trail improvement respectfully petition your Honorable Board to have park improvements completed on (legal description of lots where park/trail is to be developed):

Park Area: Lot 20, Block 8 (5.7 acres) in Silver Ranch 3rd Addition
Greenway: Lot 6, Block 14 (13.1 acres) in Silver Ranch 3rd Addition

It is agreed that 100% of the costs of said park improvements shall be assessed to the benefited property according to Bismarck Parks and Recreation District's Basis of Special Assessment Policy.

PROPERTY DESCRIPTION

Lots 3-43, 48, Block 2
Lots 1-10, 13, 15-25 Block 3
Lots 1-9, 11-21, Block 4
Lots 1-9, 11-18, Block 5
Lots 1-7, 9-16, Block 6
Lots 1,8,12, 16-19, Block 7
Lots 1-7, 9, 16-25, Block 8
Lots 28, Block 10
Lots 4-25, Block 11
Lots 4-13, Block 13
Lots 2-5, 7-9, 11-14, Block 14
All in Silver Ranch
3rd Addition

Lots 1, Block 1
Lot 3, Block 3
Lot 6-12, Block 4
All in Silver Ranch
4th Addition

SIGNATURE and ADDRESS
(Property Owner)

Investcore, Inc.
1601 North 12th Street, Suite 411
Bismarck, ND 58503


Chad Wachter, President and CEO

For City Engineer Use Only

Approved by Gabe Schell, P.E.
City Engineer, Bismarck, ND

Date

TO: Commissioners Gilbertson, Herzog, Jeske, Redmann and President Zimmerman
Kevin Klipfel, Executive Director

FROM: David Mayer, Operations Director *DM*

DATE: October 7, 2025

RE: Request to Apply for Grant

Commissioners:

Staff proposes to work with the City Forestry Department to submit an Emerald Ash Borer (EAB) Mitigation grant application from the ND Forest Service for removal and replacement of Ash trees at Sertoma Park and Clem Kelley Complex. The trees will be replanted at a 1:1 ratio to be proactive about the loss of Ash trees in the parks and to provide for more diversity of species within the park. The match for the EAB grant is 80/20 and includes in-kind labor and supplies. No cash match is required.

Staff requests authorization to submit the above grant application.

TO: Commissioners Gilbertson, Herzog, Jeske, Redmann, and President Zimmerman
Kevin Klipfel, Executive Director

FROM: David Mayer, Operations Director *DM*

DATE: October 8, 2025

RE: Authorization to Apply for United States Tennis Association Northern Grant

Commissioners and Executive Director Klipfel:

Staff requests Board authorization to apply for the United States Tennis Association Northern tennis court amenities grant for improvements at the Tom O'Leary half court tennis hitting wall. The improvements would include replacing the asphalt surface with concrete, adding a fence and resurfacing. The maximum grant amount BPRD could receive would be \$60,000. If awarded the grant, the project would be completed in 2026. Please let me know if you have any questions.



**BISMARCK PARKS AND
RECREATION DISTRICT**
Est. 1927

Let's Play!

October 7, 2025

TO: Commissioners Gilbertson, Herzog, Jeske, Redmann, and President Zimmerman
Kevin Klipfel, Executive Director

FROM: Mike Wald, Facilities and Programs Director *mw*
Dave Mayer, Operations Director *DM*

RE: Request Authorization to Call for Bids for 2026 Equipment Purchases

Staff is requesting Board authorization to call for bids for a variety of maintenance equipment for the Park Operations and Facilities and Programs Divisions. Please let us know if you have any questions. Thank you for your consideration of this request.

A nationally accredited park and recreation agency.

Let's Play!

October 10, 2025

TO: Commissioners Gilbertson, Herzog, Jeske, Redmann, and President Zimmerman
Kevin Klilpfel, Executive Director

FROM: David Mayer, Operations Director 
Mike Wald, Facilities and Programs Director 

RE: Request Authorization for Call for 2026 Fertilizer Bids

Staff is requesting authorization to call for fertilizer bids for the 2026 season. The bids would include fertilizer for the golf courses as well as Park Operations areas (parks and sport complexes). Please let us know if you have any questions.

A nationally accredited park and recreation agency.



Memo

TO: Board of Park Commissioners
FROM: Kevin Klipfel, Executive Director 
Kathy Feist, Finance Director 
DATE: October 8, 2025
RE: Authorization to apply for Bank of North Dakota Infrastructure Loan

Staff is requesting authorization to apply for a loan up to \$5 million through the Bank of North Dakota Infrastructure Revolving Loan Fund. Park districts are eligible to apply for funding to improve parking lots that are required to service recreation and community facilities. Funding would allow improvements for the following parking lots:

- Clem Kelley Complex – west parking lot
- Clem Kelley Complex – east parking lot
- Dakota Zoo/Sertoma Park – shelter #8/parking expansion
- Pioneer Park
- VFW Sports Center

Requested Board action is to authorize staff to apply for a Bank of North Dakota Infrastructure Loan when the next application round opens in late October/early November.

To: Commissioners Gilbertson, Herzog, Jeske, Redmann and President Zimmerman
Kevin Klipfel, Executive Director

From: David Mayer, Operations Director *DM*

Date: October 7, 2025

Subject: Request to Select a Consultant and Call for Bids – Sibley Special Road Funds Project

Commissioners and Executive Director Klipfel:

Please consider this request to select a consultant and call for bids for the Special Road Funds (SRF) grant project for paving improvements at the day-use area of General Sibley Park & Campground.

The funding for the grant match is included in the 2026 Bismarck Parks and Recreation District (BPRD) budget.

Thank you for your consideration.