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The Mandan City Commission met in regular session at 5:30 p.m. on April 19, 2011 in the Ed “Bosh” Froehlich Room at City Hall. Commissioners present were Helbling, Tibke, Frank, Rohr, and Jackson. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, Engineering Project Manager Bechtel, and City Assessor Barta.

MINUTES: *Consider approval of the minutes for April 5, 2011, Regular Meeting of the Board of City Commissioners and April 14, 2011, Special Meeting of the Board of City Commissioners.* Commissioner Frank moved to approve the minutes as presented. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present.

PUBLIC HEARING:

BIDS:

CONSENT AGENDA:

1. *Consider approval of monthly bills.* The Board approved of the monthly bills as submitted.
2. *Consider approval of annual Liquor License, Special B Liquor Permit and Special Sunday Permit for Dacotah Speedway.* The Board approved of the annual Liquor License, Special B Liquor Permit and Special Sunday Permit for Dacotah Speedway.
3. *Consider approval of a site authorization for ABATE of North Dakota at the Hide-a-Way from July 1, 2011 through June 30, 2012.* The Board approved of the site authorization for ABATE of North Dakota at the Hide-a-Way from July 1, 2011 through June 30, 2012.
4. *Consider approval of the following site authorizations: (i) American Foundation for Wildlife at the Lakewood Bar & Grill from July 1, 2011 through June 30, 2012 and (ii) American Foundation for Wildlife at the Last Call Bar from July 1, 2011 through June 30, 2012.* The Board approved of the site authorizations as presented.
5. *Consider request from Business Development and Communications Office to amend 2011 budget.* The Board approved of the request from Business Development and Communications Office to amend the 2011 budget.
6. *Consider for approval the plans and specifications for and the execution of a 3-way agreement for the installation of water & sewer in Lakewood 6<sup>th</sup> Addition (Water & Sewer Imp Project #2011-05).* The Board approved of the plans and specifications for and the execution of a 3-way agreement for the installation of water & sewer in Lakewood 6<sup>th</sup> Addition (Water & Sewer Imp Project #2011-05).

Commissioner Rohr moved to approve the Consent Agenda as presented. Commissioner Tibke seconded the motion. The motion received unanimous approval of the members present.

OLD BUSINESS:

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NEW BUSINESS:

1. *Safety Committee Update.* Duane Friesz, Safety Chairman, provided a summary of the Safety Committee. He stated that the committee meets monthly. He acknowledged the members of the committee: Nancy Moser, Engineering Department; Mary Henderson, Library; Jay Gruebele, Police Department; Steve Himmelspach, Waste Water Plant; Brian Dirk, Public Works Dept; Jim Lawler, Airport; George Railsback, Assessing Dept; Eddy Olson, City Hall; Mary Himmelspach, Meter Dept; Gary Schmidt, Water Treatment Plant; Clayton Schaff, Fire Dept; and Kevin Wilson/Barb Stenberg, HR Department. Ben Sand of Workforce Safety has been instrumental in getting the Workforce Safety Program established and focused in the right direction. The goals of the Safety Committee are to provide a safe environment for employees and to reduce the number of accidents. In addition, by having a Safety Program in place, the city is entitled to a 20% discount on insurance premiums. Friesz reviewed various activities that have implemented requiring employee participation. In closing, Friesz presented each of the Commissioners with a safety vest in recognizing the efforts of promoting safety within the City.

2. *Consider entering into a Cost Participation and Maintenance Agreement with the NDDOT for the maintenance of Highway 1806 from 14<sup>th</sup> Street NW to city limits.* Engineering Project Manager Bechtel presented a request to enter into a cost participation and maintenance agreement with the NDDOT for the maintenance of Highway 1806 at the cost of approximately \$5,595. The funding would come from the City Sales Tax fund. He explained this would be a chip-seal project from 14<sup>th</sup> Street NW to about 11 miles north. The City of Mandan would be responsible for 10% of the costs for the project within city limits. He stated that the county is also responsible for a portion of the cost that lie within Morton County.

Commissioner Tibke moved to approve the entering into a Cost Participation and Maintenance Agreement with the NDDOT for the maintenance of Highway 1806 from 14<sup>th</sup> Street NW to city limits. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed. Commissioner Jackson seconded the motion.

3. *Consider the creation of Street Improvement District No. 166 Project # 2011-04. (Lakewood 6<sup>th</sup> Addition).* Engineering Project Manager Bechtel reviewed with the Board a petition received from LeeRoy Mitzel requesting the special assessment of the streets within Lakewood 6<sup>th</sup> Addition. The roads to be paved would be Oxbow Court SE and Oxbow Trail SE. He stated that these requests typically are standard projects and brought here for approval. Based upon discussions in attempts to lower the city's special assessment debt some options for this request are being provided. Bechtel noted that Bismarck has implemented a plan wherein funds are collected before the start of a project. Bechtel reviewed the three options: (1) Do nothing – do not create a district. That will force the entire cost of the project to the developer and the city will not have any assessment burden. (2) Create the district and special assess 100% of the costs to the benefiting lots (normal procedure); and (3) Create the district and follow the procedures

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set by Bismarck that would require the developer to prepay certain costs. Bechtel requested guidance from the Board as to the direction they wish to proceed in this matter.

Mayor Helbling commented that this item is one of the items on the Board Retreat list of topics to review and discuss. Commissioner Jackson inquired if a calculation has ever been done regarding how much of a savings there would be to the city if those costs were paid up front by the developer? Bechtel stated that calculations were roughly calculated in this project as a comparison as to what the City of Bismarck does. He guesstimated that an average savings would be approximately 25% in a project such as this and that different projects would vary.

Greg Welch, Finance Director, offered the following process when specials are assessed to projects. The City will sell bonds for a 15 year period and that would match the typical special assessment variable. The City's borrowing rate is @ 4% and an additional 1.5% is added in as allowed by law and that percentage is what is used to special assess the property owner's benefits from the assessment. Mayor Helbling stated that Bismarck is also requiring a bond from the developer to guarantee the cost of the installation. Mayor Helbling pointed out that the City has not had a huge default rate on special assessment projects on any developer-driven projects. Bechtel noted that he discussed this matter with LeeRoy Mitzel who commented that this subdivision is almost entirely sold. Bechtel stated that no decision has to be made at this meeting at this time.

Commissioner Tibke commented that discussions held at the retreat included balancing as well as reducing debt in respect to the City's debts. She stated that a plan should be in place in the near future for developers so that they know while making their business plan, they will know what costs they will incur. She stated her preference is to follow what Bismarck is doing in collecting up front costs and also to continue doing what has been done with street lights in the past. Commissioner Frank noted that an important factor to keep in mind is access to capital by a business owner and what that might be. Mayor Helbling commented that access to capital would be that they would use their own cash or a line of credit that would have to be obtained at their bank. He stated that his concern is the length of term that the City extends in these cases. Finance Director Welch stated that the bond consultants indicated that if the City would reduce its bonding period by five years, it could reduce its borrowing rate by 1%, which is significant. Commissioner Jackson stated that in his review of the debt service allocation, that we have a fair amount of debt. Not all of that is our street improvement districts. By his rough calculations, he would estimate that it would show a savings of \$10 million if a program such as this would have been implemented. Wherein the developer would be contributing approximately 25% of the cost and, over the long term, that would be a significant savings. At that, he agrees that the developer should be paying more of the up front costs.

Commissioner Jackson moved to table this discussion until the meeting resumes following the Board of Equalization Meeting. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present.

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Commissioner Tibke moved to recess the Board of City Commission meeting at 6:00 p.m. until after the Board of Equalization meeting concludes. Commissioner Jackson seconded the motion. The motion received unanimous approval of the members present.

The Mandan City Commission meeting reconvened at 6:12 p.m.

Mayor Helbling stated that there are several options before them to address the Street Improvement District No. 166 Project # 2011-04, (Lakewood 6<sup>th</sup> Addition). He stated his preference would be to shorten the term to ten (10) years. The developer or the homeowner would have an option to prepay the specials. Commissioner Jackson stated that his preference would be to require the developer to pay some of the costs up front pointing out that the developer is getting a benefit by building these lots and presumably there is an economic benefit to that individual. He stated that this is consistent with what other cities require and it will assist in reducing the long-term debt of the City of Mandan. Because of this, he feels the prepayment recommendation as outlined by Mr. Bechtel should be accepted. Mr. Bechtel recited the policy from the Policies and Procedures to Develop Subdivisions as followed by Bismarck: *Prepaid curb and gutter or utility charges may be met with a Bank Certificate of Deposit (CD) in the City's name and possession for 100% of the prepayment. The security will be held until the lots are built on by the developer, or sold to other builders and private individuals, or cashed for non-payment of yearly special assessment installments. A portion of the CDs may be returned to the owner upon partial completion of a subdivision or sold.* Bechtel proposed that the street lights be included within the initial costs and special assess them; not to the developer, but within the initial cost of the project. If not, it becomes a two part process with additional costs. Finance Director Welch explained how a Letter of Credit would impact the project from beginning to completion of the project.

LeeRoy Mitzel came forward and provided a clarification as to how many lots are available stating that there are only two non-water lots existing. There are many water lots with plans to move those this year. He expressed concern about being cautious about the special assessments in this development because assessments come over from Lakewood 1<sup>st</sup> and 2<sup>nd</sup> wherein this property is carrying some of the debt already.

Brian Eiseman from the Kadrmas, Lee and Jackson Engineering Firm, came forward to provide an explanation as to how the Bismarck prepayment process works stating that it is very similar to how Mandan does theirs. In both communities, the developer is required to entirely pay up front the grading, the water and sewer. Then it becomes another process if there is oversized sewer line and such. For curb and gutter, Bismarck requires a bond, CD and Letter of Credit put up by the developer not to install it, not to prepay for it, just as assurance. The City will still special assess that and as the lots are sold they will lease the Letter of Credit back to the developer. So it is still tacked onto the specials. It is just like an insurance policy. They do not require a Letter of Credit for the entire special assessment district. Regarding the street lights, Bismarck waits until 50% of the lots are sold before they create the special assessments to do the street lights.

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Mayor Helbling reviewed the options to resolve this, stating that a combination of options may be used indicating that this is not setting a precedence for these types of requests.

Rather they will be handled one by one until the Board is comfortable with the process.

The options for this project are:

- (1) Leave it as it is;
- (2) Ask for a prepayment
- (3) Shorten the term length (from 15 years to 10 years)

Commissioner Tibke recommended that a policy be developed that will warrant further discussion on this matter. She indicated she is leaning towards adapting what Bismarck has in place with the curb and gutter and street lights; in addition to accepting the suggestion from Finance Director Welch regarding the 1% reduction to 10 years. She recommended that until a policy is in place that this project be handled as has been done in the past, indicating that a policy be developed very soon in order to accommodate any future project requests that come before this Board.

Mayor Helbling recommended creating the street improvement for this project and subsequently handle the other issues at another time. Bechtel concurred that the district be created now which will allow Mitzel to move forward and that additional time be allowed to work on the other aspects of this matter.

Commissioner Jackson moved to approve the creation of Street Improvement District No. 166 Project # 2011-04. (Lakewood 6<sup>th</sup> Addition). Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present.

4. *Discussion related to possible contract with Retail Attractions Inc. and or Crossroads Communications, LLC.* Business Development and Communications Director Huber stated that at the Board's Retreat in October, 2010, there was discussion as to whether or not the city would take different approaches within its entire economic development plan. She acknowledged that the Bismarck Mandan Development Association (BMDA) which has as its primary focus the creation of new jobs and new wealth. They have also been helpful to the City in other categories including redevelopment of the downtown area and assisting us with our retail recruitment effort. In 2006, the City Commission held a public hearing asking citizens if they wanted to be more aggressive on retail recruitment and commercial development for the City and at that time the Business Development Director position was created. This is brought to our attention because retail growth has been hugely important to this area as is documented in the 2008 Household Survey as the No. 1 factor to improving Mandan. Businesses and citizens alike have voiced their opinions. Again in 2010, a survey of businesses indicated that the lack of retail was the No. 1 weakness for Mandan. From review of market statistics, there are significant retail gaps between the demand or the expenditures that originate from Mandan and Morton County as compared to the supply that is here. Huber stated that she is convinced that Mandan has retail potential but assistance is needed in addressing some of the categories that we are not able to get our arms around directly. Huber recommended that in addition to the efforts of the BMDA and the Business Development and Communications position, she would like to recommend the services of

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national retail recruitment experts to aid in the marketing and recruitment process for attracting national retail business to the City of Mandan. Huber provided the following breakdown of roles and responsibilities for Mandan economic development:

- Bismarck Mandan Development Association
  - Primary Sector focused for new jobs and wealth creation
  - Retail and service sector business retention visits
  - City Business Development & Communications Director
  - Local contact
  - Shepherd development projects within city departments
  - Manage local incentive programs
  - Maintain list of available properties
  - Communications with business community and residents
  - Recruitment and assistance to local, state, regional fronts
  - Community marketing
- Proposed National Retail Recruitment Consultant
  - Provide a demographic and trade area analysis
  - Provide national retail representation
  - Recruit retail targets

Huber stated she has looked at a number of firms that provide retail consulting services. She has found such a company named Retail Attractions, LLC, Owasso, Oklahoma, which has experience with rural communities in Oklahoma that are similar to those in North Dakota. A Project Proposal has been developed and received from Retail Attractions and is before the Board today for discussion and review. Retail Attractions will provide (i) A third-party unbiased assessment of the community; (ii) Assist with the development of two different trade areas to include one with those types of services in a convenient and short drive time and another for those in a broader area more destination orientation; (iii) They will provide insight as to Mandan's strengths in retail area development. The fiscal impact would be \$53,500 of which the funds could come from the economic portion of the Growth Fund which currently has a balance of \$230,000. This would be an allocation of dollars within the Growth Fund, not a request for new funds. The Project Proposal allows for a 60-day "out clause" if there were concerns brought forward by the Board. There is some urgency to the consideration for this proposal because there is an opportunity for representation by the consulting firm at the deal-making sessions offered in conjunction with the 2011 International Council of Shopping Centers' Global Retail Real Estate Convention being held in Las Vegas on May 22-25, 2011. Retail Attractions would need a commitment from the City of Mandan no later than April 25, 2011 to conduct a site visit and research and confirm the types of retail most feasible for Mandan.

Administrator Neubauer commented that Retail Attractions will have the capability to identify the needs for retail, where the locations are best suited to be located and they will make contact with those retail investors. He stated that realistically an opinion from a third-party is desirable and he is in support of recommending approval of the contract proposal received from Retail Attractions, LLC.

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Mayor Helbling commented that he is in favor of having a third-party review the data that Mandan has available and to provide insight as to what Mandan is in need of to enhance its retail and business community. Neubauer explained that the \$53,500 represents \$10,000 as the initial fee for the contract execution and that includes their travel time and costs to Mandan and to evaluate the community. The consultant fee is a per-month charge at the rate of \$3,500 for an 11-month period; in essence, it is a fee for a one-year contract. The \$5,000 is attributed to Mandy Vavrinack, a partner of Crossroads Communications, who would put together the demographic analysis, customized trade areas and one-sheet summary documents.

Commissioner Tibke stated that with the all work that has been done since she has been on the Commission since 2003, there should be a substantial amount of information and relationships available for this Retail Attractions to come up with recommendations to enhance the Mandan community. She stated she is in favor of pursuing this matter.

Commissioner Frank agreed with the motive and initiative that occurred in the past to enhance Mandan's business retail development. She stated her concerns as follows: (1) the city goes out and hires a consultant – they represent us at an event and we come back with interested retailers but we have problems with site development or we lack funds to seal a deal. We need to be in a position where there is accessibility of land and also that we know what costs will go over and above the \$53,500. (2) In their 2011 workplan, the BMDA has been requested to dedicate a fair amount of their time into Mandan retail and business development; (3) What has Bismarck seen as indicators to move forward and what did Mandan miss out on in order for the retailer to locate in Bismarck?

Commissioner Rohr commented that he would like to look closer at what BMDA has to offer and how effective they are in assisting Mandan in expanding or attracting retail development and business. He is of the opinion that Mandan has a lot of good and useful information available at this time.

Mayor Helbling commented that he believes there are opportunities to be had and then gave an example of the shortage of hotel rooms in both Bismarck and Mandan and questioned what can be done to accommodate visitors coming to the community? He stated he would approve that this project be funded by the Growth Fund that is supported and presented by Director Huber.

Commissioner Jackson asked what particular line items this money would be coming out of within the Growth Fund budget. Huber replied that within the MGF budget, there are four categories; in particular, the Economic Development Category that has unallocated funds available for businesses that apply for funding projects, this is where she would recommend these dollars be pulled from.

Commissioner Jackson questioned whether spending this money is better utilized through this agreement to Retail Attractions rather than using it towards an interest buy-down project? Huber stated that there would be \$180,000 left in the budget to designate towards those projects if necessary. Huber recommended the signing of the contract with

Retail Attractions for this project.

Commissioner Jackson inquired if there were any negotiations with Retail Attractions to reducing their rates? Director Huber replied that the first proposal was quoted at \$60,000 plus. Subsequently, Retail Attractions reviewed the programs that we currently have available and after that review they recognized that we have made quite a bit of progress with an economic development tool kit. We are in need of a gap analysis from Retail Attractions that indicates where customers flow and for what purposes - determined by Retail Attractions in order for the City to move forward. Huber stated that the initial contract has already been reduced by \$15,000.

Commissioner Jackson questioned the effectiveness of Retail Attractions. Huber replied that they offered to participate in conference calls with staff and some of the elected city leaders and that they are accustomed to working with cities in states with open meeting laws and records as we do, so written reports must be kept somewhat general to avoid revealing business sensitive information.

Retail Attractions has provided an example of a monthly report that is quite extensive and impressive and likened to the business reports that are provided to the City Commission.

Commissioner Jackson rephrased his question as to how successful Retail Attractions are? Huber replied that by reviewing the deliverables and types of retail successes they have had with other similar cities the size of Mandan, they will provide us with information that will fit. After that, evaluations will be based on progress and the success they have had with other retailers. Huber stated that in essence, it is a continuum.

Commissioner Jackson stated that within the contract there is similarity in terminology of job duties. How would you define your duties as the local Business Development Director? Huber replied that Retail Attractions will still need someone locally, to work within the community, to provide information and shepherd them through the project. Retail Attractions is a complimentary effort to everyone we are currently working with locally in order to be able to open those doors.

Commissioner Tibke commented that this contract outlines the obtaining of their expertise and their connections with national retail services. She pointed out that BMDA has stated their expertise is not in retail and they do not have the national connections. We are looking at the connections to that national retailer. BMDA is looking for retail development in Mandan – but they specialize in primary sector jobs and development which enriches the community.

Commissioner Rohr questioned whether any one has contacted retailers about Retail Attractions. Huber stated that she has contacted the communities, not retailers, because of the difficulty in getting through to the national retailers. She gave a summary of information received from the three communities that she has been in contact with.

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Commissioner Jackson summarized, in his opinion, that this request is one of moving funds from within an approved budget item, not linked to any particular line item, but that is typically used for interest rate buy-downs to essentially “get the rolodex” from this individual, Mr. Hayes, to do additional studies of the Mandan community.

Commissioner Tibke stated that from her perspective, it would be for the connections because of all the other activities that have occurred since 2003.

Commissioner Tibke moved to approve the proposed contracts with Retail Attractions, LLC for \$48,500; and with Crossroads Communications, LLC for \$5,000. The motion died for lack of a second.

Commissioner Rohr commented that he is not comfortable in making a decision without additional information and more of a consensus among the Board members. Even though Administrator Neubauer and Business Development and Communications Director Huber support a contract with Retail Attractions, Commissioner Rohr indicated it would be helpful to have Mr. Hayes present for questioning. Huber stated that a conference call with Rickey Hayes of Retail Attractions could be arranged with the Board at their convenience.

Commissioner Jackson asked Director Huber how much was left in her unallocated funds line item. She stated that within the Economic Development category the balance of funds available is approximately \$230,000. The amount of this project is \$53,500.

Commissioner Jackson motioned to remove \$88,500 from that particular line item; \$36,000 of which has to be specifically allocated at a later date by the Board of City Commissioners, \$55,000 of which can be used for the payment to Retail Attractions, LLC. The Motion was clarified assigning the allocations as follows: \$48,500 can be used for the payment to Retail Attractions, LLC and \$5,000 can be used for the payment to Crossroads Communications, LLC. Commissioner Tibke seconded the motion.

Commissioner Jackson provided the following explanation for the purpose of the motion: last year there was approximately \$36,000 that the taxpayers essentially did not have to spend, or the City Commission did not have to ask for their taxes for economic development. He stated that he believes the City should try to have a similar amount held over in 2011. The dollars are not being pulled entirely from the budget; it's that the Board will have to decide how to use it at a later date. In other words, there is an additional burden being put on the Business Development Office essentially saying that the \$36,000 doesn't exist anymore, so hypothetically that saves the taxpayers \$36,000 unless it is something that this Board truly feels is something that we should use it for. And, the other \$55,000 is applied towards the proposal.

Finance Director Welch commented that as a matter of budget policy, whatever dollars are left over, for example the Development Director's operations, those dollars automatically stay in the Mandan Growth Fund. They get shifted over to the Economic Development portion of the MGF and those dollars cannot be spent anyway unless they are authorized by the Board for expenditure. So by default, any dollars that come out of

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the economic development portion of the MGF would automatically have to come before the Board of City Commissioners for approval for any expenditure.

Commissioner Jackson asked Huber how much is left in the other line items of the MGF budget and if the Storefront Improvement has to come before the Commission and the restaurant and retail does not? Huber replied that \$60,000 has been set aside for the Restaurant and Retail Incentive Program but that would have to be applied for by application reviewed by the Growth Fund Committee and their recommendation would come before the City Commission for approval before any dollars would actually be expended. Discussion ensued regarding the roll-over of funds from year to year if there remains an excess in any given departmental budget. Finance Director Welch offered the possibility of transferring from the Economic Fund within the Growth Fund Budget to the General Fund, which would be appropriate for this project; thereby, none of the operating line items in the Development Office operations would have to be reduced.

Commissioner Jackson commented that what he is trying to accomplish here is that the money that was saved from 2010 to 2011 should be saved as well, or try to guarantee as much as possible, to the taxpayers that that money is going to be saved as well.

Commissioner Jackson amended the amendment to the motion made - that \$36,000 come out of the Mandan Growth Fund Economic Development allocation to be placed into the General Fund – not into the Mandan Growth Fund as the original motion stated.

Commissioner Tibke seconded the amendment to the motion.

Commissioner Frank commented that she is concerned that the City will not be prepared to offer the incentives that could come as a result of the project and with this motion there would be even less incentives available.

Mayor Helbling repeated the Amended Motion which is to take \$36,000 from the Business Development Office line item Growth Fund and place it into the General Fund. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: No; Commissioner Jackson: Yes; Commissioner Helbling: No. The motion passed.

Roll Call vote on the Original Motion: Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: No; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

#### RESOLUTIONS & ORDINANCES:

1. *Consider correction on second and final reading of Ordinance 1091 to implement changes to Ordinance 1013 relating to the Establishment of Downtown Core and Fringe Districts and establishment of zoning regulations for the DC Downtown Core District and DF Downtown Fringe District; and providing for Severability and an Effective Date.* Commissioner Jackson moved to approve the correction on second and final reading of Ordinance 1091 to implement changes to Ordinance 1013 relating to the Establishment of Downtown Core and Fringe Districts and establishment of zoning regulations for the DC Downtown Core District and DF Downtown Fringe District; and

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providing for Severability and an Effective Date. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

2. *Consider second and final reading of Ordinance No. 1092 an ordinance to amend and reenact sections 7-01-01 and 7-01-07 of the Mandan Code of Ordinances, relating to adoption of a Uniform Fire Code and amendments to the International Fire Code and to provide an effective date.* Commissioner Jackson moved to approve the second and final reading of Ordinance No. 1092 an ordinance to amend and reenact sections 7-01-01 and 7-01-07 of the Mandan Code of Ordinances, relating to adoption of a Uniform Fire Code and amendments to the International Fire Code and to provide an effective date. Commissioner Frank seconded the motion. Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

OTHER BUSINESS:

There being no further actions to come before the Board, Commissioner Tibke moved to adjourn the meeting at 8:02 p.m. Commissioner Frank seconded the motion. The motion received unanimous approval of the members present.

/s/ James Neubauer

James Neubauer,  
City Administrator

/s/ Timothy A. Helbling

Timothy A. Helbling,  
President, Board of City  
Commissioners