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The Mandan City Commission met in regular session at 5:30 p.m. on December 21, 2010 in the Ed “Bosh” Froehlich Room at City Hall. Commissioners present were Helbling, Tibke, Rohr, Frank, 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 Director Huber, Engineering Project Manager Bechtel, and City Assessor Barta.

MINUTES: Consider approval of the minutes for December 7, 2010, Regular Meeting and December 8, 2010 Special Meeting Working Session- meetings of the Board of City Commissioners. Commissioner Frank moved to approve the minutes as presented. Commissioner Jackson 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 presented.
2. Consider the re-appointment of Rick Zander and appointment of Mr. Jerome Gangl as new member to the Mandan Architectural Review Commission (MARC). The Board approved of the re-appointment of Rick Zander and the appointment of Mr. Jerome Gangl as a new member to the Mandan Architectural Review Commission (MARC).
3. Consider approval of amendment to the Mandan Police Department 2011 Budget (Equipment Reserve Account.) The Board approved of the amendment to the Mandan Police Department 2011 Budget (Equipment Reserve Account.)
4. Consider approval of Lakewood 6<sup>th</sup> Addition Zone Change. (First reading of Ordinance 1088.) The Board approved of the Lakewood 6<sup>th</sup> Addition Zone Change. (First reading of Ordinance 1088.)
5. Consider approval of Auditor Lot 2 of Lot E of Section 29, Township 139, Range 81 Zone Change. (First reading of Ordinance 1089). The Board approved of the Auditor Lot 2 of Lot E of Section 29, Township 139, Range 81 Zone Change. (First reading of Ordinance 1089).
6. Consider the following abatements: (i) Mike & Kari Hatzenbuhler – Re-assessment; (ii) Durick-Hill – New Construction; (iii) Segovia – New Construction. The Board approved of the abatements as presented.
7. Consider change order relating to time/contract amount on the one million gallon reservoir demolition for Southside pump station. The Board approved of the change order relating to time/contract amount on the one million gallon reservoir demolition for Southside pump station.

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

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OLD BUSINESS:NEW BUSINESS:

~~1. — Consider Growth Fund Committee recommendations for Storefront Improvement application at 114 E Main — Jim Sullivan.~~ This item was removed from the Agenda.

2. Consider Growth Fund Committee recommendation for 2011 Storefront Improvement Application funding and rounds. Business Development Director Huber presented a request on behalf of the MGF for 2011 Storefront Improvement Application funding and rounds. A total of \$87,896 was available in 2010. Of that \$87,896 the amount of \$50,000 for projects had been approved for storefront applications. However, \$20,000 has since been “returned” to the fund, thus leaving a balance of \$57,896 to roll over into 2011. The MGF Committee unanimously voted to roll over any unspent or unallocated Storefront Improvement Program funds from 2010 to 2011 and to establish application rounds for 2011 with deadlines of February 1, May 2, August 1 and November 1.

Commissioner Frank moved to approve the MGF Committee’s recommendations to roll over any unspent or unallocated Storefront Improvement Program funds from 2010 to 2011 and to establish application rounds for 2011 with application deadlines in 2011 of February 1, May 2, August 1 and November 1. Commissioner Rohr seconded the motion.

Commissioner Jackson inquired of Mr. Welch what would happen to the funds if they were not rolled over. Finance Director Welch replied that the funds would stay within the MGF however they would not be allocated to Storefront Improvement Project. The funds could then possibly be used for economic grants or loans. Commissioner Frank encouraged anyone who may be interested in improving their current business storefront or opening a new business in Mandan to consider applying for this program. Roll call vote: Commissioner Rohr: Yes, Commissioner Tibke: Yes; Commissioner Jackson: Yes; Commissioner Frank: Yes; Mayor Helbling: Yes. The motion carried.

~~3. — Consider Renaissance Zone Committee recommendation on application by Perry and Bonnie Schlosser for new construction at 604 First Street NW.~~ This item was removed from the Agenda.

4. Bismarck-Mandan Development Association activity update. The 3<sup>rd</sup> and final report for 2010 was presented with a summary of what has transpired since the inception of the project:

- Project planning began in 2008 and was implemented in 2009
- Annual updates have been provided by BMDA
- Mandan City officials and BMDA have worked together on the project
- Results have been presented on a regular basis to the Board of Commissioners
- Work Plan entailed five different areas:
  - Communication between the City and BMDA
  - Development sites were identified

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- A Business Program and Marketing Program was presented
  - Business Retention and Expansion plans were presented
  - The Mandan Tomorrow Plan was unfolded

In summary, the 2011 work plan is currently being developed. The full 2010 report will be provided in March 2011. There is a pending legislative action to get the Community Tax Credit in place and there is work in progress to create an investment pool. Within Bismarck-Mandan, all the retail and service sectors are finding the workforce to meet their needs despite the nation-wide unemployment problem. Examples were provided of how BMDA has been instrumental in assisting businesses to expand over the last three years. There is a lot of opportunity for retail in the Bismarck-Mandan communities that include the following areas: one located along I-94; one along Bismarck Expressway; and one by the Water Park – in which one could develop a 30 acre type of development. There are ample smaller type spaces that are available today that can be re-done and redeveloped for the businesses. There are 9 or 10 franchises-entrepreneur's that are looking to invest (such as restaurants; hardware stores etc.). These projects require the cooperation of both the BMDA and Development Office to make these things happen in order to enhance the effectiveness of the success of the projects.

#### RESOLUTIONS & ORDINANCES:

1. *Consider first reading of Ordinance No. 1088 Zone Change for Lakewood 6<sup>th</sup> Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Municipal Code relating to District Boundaries and Zoning Map.* Commissioner Jackson moved to approve the first reading of Ordinance No. 1088 Zone Change for Lakewood 6<sup>th</sup> Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Municipal Code relating to District Boundaries and Zoning Map. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present.

2. *Consider first reading of Ordinance No. 1089 Zone Change for Auditor Lot 2 of Lot E – An ordinance to amend and reenact section 21-03-02 of the Mandan Municipal Code relating to District Boundaries and Zoning Map.* Commissioner Jackson moved to approve the first reading of Ordinance No. 1089 Zone Change for Auditor Lot 2 of Lot E – An ordinance to amend and reenact section 21-03-02 of the Mandan Municipal Code relating to District Boundaries and Zoning Map. Commissioner Frank seconded the motion. The motion received unanimous approval of the members present.

3. *Consider Resolution Authorizing Issuance of \$109,611.18 Street Improvement District No. 160 Definitive Improvement Warrant.* Commissioner Jackson moved to approve the Resolution Authorizing Issuance of \$109,611.18 Street Improvement District No. 160 Definitive Improvement Warrant. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes, Commissioner Tibke: Yes; Commissioner Jackson: Yes; Commissioner Frank: Yes; Mayor Helbling: Yes. The motion carried. *(A copy of the resolution is on file open for public inspection during regular working hours in the Office of the City Administrator.)*

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4. *Consider Resolution Authorizing Issuance of \$159,187.42 Sidewalk, Curb and Gutter Warrant of 2010.* Commissioner Frank moved to approve the Resolution Authorizing Issuance of \$159,187.42 Sidewalk, Curb and Gutter Warrant of 2010. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes, Commissioner Tibke: Yes; Commissioner Jackson: Yes; Commissioner Frank: Yes; Mayor Helbling: Yes. The motion carried. *(A copy of the resolution is on file open for public inspection during regular working hours in the Office of the City Administrator.)*

OTHER BUSINESS:

1. Mayor Helbling reminded everyone that the Mandan Progress Organization has “Mandan Bucks” available in order to encourage the community to shop in Mandan during the holiday season.

There being no further actions to come before the Board, the meeting adjourned at 6:08 p.m.

/s/ James Neubauer

James Neubauer,  
City Administrator

/s/ Timothy A. Helbling

Timothy A. Helbling,  
President, Board of City  
Commissioners