

The Mandan City Commission met in regular session at 5:30 p.m. on November 4, 2014 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota.

A. ROLL CALL

1. *Roll call of all City Commissioners and Department Heads:*

Commissioners present were Van Beek, Rohr, Tibke, Braun and Laber. Department Heads present were City Administrator Neubauer, Planning & Engineering Director Froseth, Planner Decker, Finance Director Welch, Business Development Communications Director Huber, Police Chief Bullinger, City Attorney Brown, Fire Chief Nardello and Building Official Lalim. Absent: Director of Public Works Wright and Assessor Shaw.

B. APPROVAL OF AGENDA Commissioner Braun motioned to approve the Agenda as presented. Commissioner Laber seconded the motion. The motion received unanimous approval of the members present. The motion passed.

C. PUBLIC COMMUNICATIONS Mayor Van Beek invited anyone to come forward to address items on the Agenda excluding public hearings. A second announcement was made to come forward to speak for or against items on the Agenda. Hearing none, this portion of the Public Communications forum was closed.

D. MINUTES

1. *Consider approval of the following minutes from the Board of City Commission regular meeting held October 21, 2014 and the October 28, 2014, Joint Meeting w/Planning and Zoning.* Commissioner Rohr moved to approve the minutes as presented. Commissioner Laber seconded the motion. The motion received unanimous approval of the members present. The motion passed.

E. PUBLIC HEARING

F. BIDS

G. CONSENT AGENDA

1. *Consider for approval replat of Lots 3 & 4, Block 2, Meadows 7th Addition.*
2. *Consider for approval replat of Lot 11, Block 2, Meadow Ridge 3rd Addition.*
3. *Consider for approval plat of Auditors Lots in S12 T139 R82.*
4. *Consider closing Administrative offices day after Thanksgiving and day after Christmas.*
5. *Consider for approval of the loader lease option and adopt authorization resolution.*
6. *Consider change order for Street Improvement District 161, Project No. 2010-03 (Diane's).*

Commissioner Rohr moved to approve the Consent Agenda items No. 1 through 6 as presented. Commissioner Tibke seconded the motion and the amended motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

H. OLD BUSINESS

I. NEW BUSINESS

J. RESOLUTIONS AND ORDINANCES

1. *Second consideration for adopting Ordinance 1194 imposing a moratorium on approval of opioid treatment facility within the City.* Commissioner Tibke moved to approve the second consideration for adopting Ordinance 1194 imposing a moratorium on approval of opioid treatment facility within the City. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Consider for approval Ordinance 1192 revising the language contained in city code relating to minor subdivision procedures.* Principal Planner Decker stated this is a revision to the Code which makes it a less onerous process for minor adjustments to the platting including such things as lot splits and lot consolidations and lot line adjustments. Attorney Brown stated this should be the first consideration for this request.

Commissioner Laber moved to approve the first consideration of Ordinance 1192 revising the language contained in city code relating to minor subdivision procedures. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

3. *Consider adoption of ordinance 1193 amending the language contained in city code relating to terms of office for members of the Planning and Zoning Commission and clarifying who can be appointed to the Planning and Zoning Commission by the mayor.* Principal Planner Decker stated that the current language in the City Code related to term of office for members of the Planning and Zoning Committee does not specify a beginning date so it is recommended the beginning date be set for January 1. In addition, Planner Decker presented a recommendation to insert language that specifies that the mayor is not to serve as president of the Planning and Zoning Commission and that the mayor may appoint a member of the City Commission to the Planning and Zoning Commission. A revision also clarifies that the City Attorney and City Engineer shall serve as ex-officio non-voting members of the Planning and Zoning Commission.

Commissioner Laber moved to approve the first ordinance 1193 amending the language contained in City Code relating to terms of office for members of the Planning and Zoning Commission and clarifying who can be appointed to the Planning and Zoning Commission by the mayor. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

K. OTHER BUSINESS

1. Holiday Business Showcase is scheduled tonight, November 4, 2014, from

5:00 p.m. – 8:00 p.m. at the Harvest Brazilian Grill. Mayor Van Beek announced this shopping event is free and open to the public and he provided a list of participating businesses.

2. Mayor Van Beek reminded everyone that today is 2014 Voting Day.

There being no further actions to come before the Board of City Commissioners, Commissioner Rohr moved to adjourn the meeting at 5:40 p.m. Commissioner Laber seconded the motion. The motion received unanimous approval of the members present. The motion passed.

/s/ James Neubauer
James Neubauer
City Administrator

/s/ Arlyn Van Beek
Arlyn Van Beek, President
Board of City Commissioners