
The Mandan City Commission met in regular session at 5:30 p.m. on April 1, 2014 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Van Beek, Tibke, Rohr, Frank and Braun. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Attorney Brown, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, Planning & Engineering Director Froseth, Planner Decker, and Building Official Lalim. Absent: City Administrator Neubauer, Assessor Shaw.

B. APPROVAL OF AGENDA: Commissioner Rohr motioned to approve the Agenda as presented. Commissioner Frank 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. A second announcement was made 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 March 18, 2014.* Commissioner Braun moved to approve the minutes as presented. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present. The motion passed.

E. PUBLIC HEARING:

F. BIDS:

1. *Consider award of Mandan Lift Station Central Alarm System bid contract to Edling Electric, Inc.* Director of Public Works Wright provided a brief background on this project stating that in August 2013 the City Commission rejected the bids received for a radio communications alarm system. The bids came in higher than the engineer’s estimate and subsequently City staff and Advanced Engineering staff reviewed the alternative designs changing the work for the scope of the project. A wireless communication alarm system was studied at that point and Verizon Wireless was considered. Based on that, a project was designed and two bids were received. Edling Electric submitted a bid for \$246, 800 and Integrated Process Solutions submitted a bid for \$253,638.19. The Engineer’s estimate was at \$217,600. After reviewing all the bids and proposals, Wright stated that it was felt that these were reasonable bids. He recommended accepting the bid proposed by Edling Electric.

Commissioner Rohr moved to approve the bid award to Edling Electric, Inc. in the amount of \$246,800 for the Mandan Lift Station Central Alarm System contingent upon the Department of Health’s approval.

Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

G. CONSENT AGENDA

1. *Consider approval of beer garden street dance application for Buggies-n-Blues, all Class Reunion, Wild West Grill Fest and Oktoberfest all for Mandan Progress Organization.*
2. *Consider approval of 2014 Police Budget Amendment of funds.*
3. *Consider approval of Missouri Valley Addition Replat.*
4. *Consider for approval Collins Substation final plat and request to annex remainder of property. (Res. & Ord. No. 2)*
5. *Consider approval of Site Authorization for Abate of ND at the Hideaway Bar from July 1, 2014 through June 30, 2015.*
6. *Consider the following proclamations: (i) Designating May 2, 2014 as Arbor Day in the City of Mandan. (ii) Designating the week of May 5-9, 2014 as project HOPE Week in Mandan, ND.*
7. *Consider budget amendment for purchase of utility tractor for Wastewater Treatment Plant.*
8. *Consider approval of out-of-state training/conferences for Business Development & Communications Director.*
9. *Consider Approval of Engineering Services Agreement for Wastewater Treatment Plant Optimization Project.*
10. *Consider games of chance for Lynn Freeman Independent Consultant for Cancer Benefit at Stage Stop on April 26, 2014.*

Commissioner Tibke moved to approve Consent Agenda as presented. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

H. OLD BUSINESS:

I. NEW BUSINESS:

1. *Consider approval of Resolution approving plans and specs and approval of Resolution directing advertisement for bids for Street Improvement District No. 194, Project 2014-12 (Developer's West Acres, Ventures and Crown Point). Planning & Engineering Director Froseth stated that on March 4, 2014, the City Commission approved of the creation of Street Improvement District No. 194 and approved the resolution of the Engineer's Report and resolution of necessity. The Engineering Department is requesting that the City move forward with approving the plans and specifications and approve the resolution directing Advertisement for Bids for this project. The project is scheduled for the 30-day protest period to end on April 8, 2014. The public hearing to determine the sufficiency of those protests would be held at the next City Commission meeting on April 15, 2014. If it is deemed there are insufficient protests for this project the bid opening is tentatively scheduled for April 29, 2014,*

pending approval of the plans and specs, which would be brought to the City Commission on May 6, 2014 for approval and award for the bids of this project. October 31, 2014 is the date set for substantial completion of the project.

Commissioner Tibke moved to approve the Resolution approving the plans and specs and approval of Resolution directing advertisement for bids for Street Improvement District No. 194, Project 2014-12. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Consider approval of Resolution approving plans and specs and approval of Resolution directing advertisement for bids for Street Improvement District No. 195, Project 2014-13 (Roughrider's).* Planning & Engineering Director Froseth stated that on March 4, 2014, the City Commission approved of the creation of Resolution directing advertisement for bids for Street Improvement District No. 195 and the Engineer's feasibility report and necessity for this area commonly known as Roughrider's Development in the northwest area of Mandan. The Engineer's Department with the City Commission's approval moved forward with hiring Wenck Associates to outline plans and specifications for the construction design. Based on the deterioration of the pavement it was recommended that a "Mine and Blend" project scope instead of the "Mill and Overlay" as previously proposed, be pursued. The "Mine and Blend" will be more expensive by approximately 30%. The Engineer's Department proposes that street lighting be removed from the project resulting in the new scope's estimate to be near the original project estimate with the street lighting. If the optional street lighting bid would be low enough, that could still be part of the project scope.

The Engineering Department is requesting to move forward by approving plans and specs and approving the resolution directing advertising for bids for this project. The cost for the mill and overlay construction costs would be approximately \$424,000 plus the street lighting project for a total cost of approximately \$586,000. Commissioner Frank asked whether, if the street lighting portion of the project is an option, who makes the determination if the option is acted upon and how that would play out? Planning & Engineering Director Froseth clarified that the mine and blend portion would cost a little less than the mill and overlay plus the street lighting brought forward previously. He stated that the Engineering Department would bring the option forward to the City Commission once the bids come back and at that point it would be decided if the street lighting option would be acted upon. Mayor Van Beek stressed the importance of considering all aspects of the project to make sure it is done right to avoid having to address the same problems coming back up in a couple years.

Commissioner Frank moved to approve the plans and specifications and the resolution directing advertisement for bids for Street Improvement District No. 195, Project 2014-13. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

J. RESOLUTIONS AND ORDINANCES:

1. *First consideration of Ordinance 1181 related to Shared Leave Policy.* Finance Director Welch stated that this Ordinance is a result of what was approved by the Board at the last meeting to have the city attorney prepare an ordinance regarding to the City shared leave policy providing for the sharing of annual and sick leave among City employees.

Commissioner Frank moved to approve the First consideration of Ordinance 1181 related to Shared Leave Policy. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *First consideration of Ordinance 1182 annexing Collins Substation property.* This is an action to annex the remainder of the site as petitioned by Montana Dakota Utilities and that Tesoro Refinery (seller of the property) has no objection to the request for annexation.

Commissioner Frank moved to approve the First consideration of Ordinance 1182 annexing Collins Substation property. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

K. OTHER BUSINESS

There being no further actions to come before the Board of City Commissioners, Commissioner Tibke moved to adjourn the meeting at 6:00 p.m. Commissioner Frank 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