
The Mandan City Commission met in regular session at 5:30 p.m. on August 2, 2016 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. In the absence of Mayor Helbling, Vice-President Rohr called the meeting to order. Commissioners present were Rohr, Braun, Davis, and Laber. Department Heads present were Finance Director Welch, Deputy Police Chief Bier, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development & Communications Director Huber, Planning & Engineering Director Froseth, Planner Decker, Assessor Shaw, and Building Official Lalim. Absent: Mayor Helbling and Police Chief Ziegler.

B. APPROVAL OF AGENDA:

Commissioner Braun moved to approve the Agenda. Commissioner Laber seconded the motion. The motion received unanimous approval of the members present. The motion passed.

B. MINUTES:

C. PUBLIC HEARING:

D. BIDS:

E. CONSENT AGENDA

1. *Consider approval of Musicians Association games of chance at Dykshoorn Park on August 19, 2016.*
3. *Consider approval of Ad for bid for WTP high service pump and building improvements project.*

Commissioner Laber moved to approve the Consent Agenda items No 1 and No. 3 and remove No. 2 and No. 4 for discussion. Commissioner Braun seconded the motion. The motion received unanimous approval of the members present. The motion passed.

Consent Agenda Item No. 2. Consider out-of-state travel for business development director to attend International Economic Development Council annual conference. Commissioner Laber explained that this item has been budgeted for and is within Ms. Huber’s job scope to attend such conferences. She explained that this conference is for professionals that require certain educational credits and experience and to connect with others within the same field of work. This request is within the budget and within the needs of what the City of Mandan requires of the Business Development Director in order for her to fulfill her job requirements. Commissioner Davis asked for clarification as to whether all requests for travel come to the City Commission for pre-approval or if they are approved internally. City Attorney Brown stated that the policy has been that when a department schedules out-of-state travel for employees, as long as it has been budgeted for and has been approved, the actual approval of that request will take place on the Consent Agenda.

Commissioner Laber moved to approve out-of-state travel for the Business Development and Communications Director to attend International Economic Development Council annual conference. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Absent. The motion passed.

Consent Agenda Item No. 4. Consider creating/appointing a committee to review the current city ordinances regarding Off Highway Vehicles (OHVs) and make recommendations to city staff on potential changes and updates to city ordinance.

Commissioner Laber asked Deputy Chief Bier to present this request. Deputy Chief Bier came forward and stated that he is requesting the appointment of a committee to review and update the City's Off Highway Vehicle and Snowmobile ordinances and also to consider creating an ordinance for golf carts. He said the current ordinance is confusing and in some areas conflicting. At the present time there isn't an ordinance in place regarding golf carts being allowed on roadways. Over the years, residents have asked permission to use OHV's on the streets. A committee could explore some of these possibilities for use on roadways and look at safety, licensing and other topics pertaining to this issue. He recommended the committee include representation from the Police Department, the Engineering Department, the City Commission and, if interested, members of the public. The goal of the committee would be to bring recommended changes to the ordinances to city staff and then to the City Commission for approval. Commissioner Laber said that the recommendation for committee membership could include a member of the Mandan Police Department, a representative from the Engineering Department, Craig Ohlhauser, a Mandan resident and Karl Liepitz, an attorney who is on the Planning and Zoning Commission. She suggested leaving this discussion open for a couple days to see if there is interest from anyone else.

City Attorney Brown stated that the policy for establishing committees such as this has been to advertise via a notice on the City website. That would include a description of the committee that is going to be formed and then any interested person would be invited to apply. The City Commission will review the list of names and they would specifically appoint individuals; thus no appointments can be made at this meeting. Deputy Chief Bier will field any phone calls to answer questions about this new committee and he will start the process for advertising for interested parties to serve on the committee.

Commissioner Laber moved to approve the request to form a committee to review the Off Highway Vehicle Ordinances. Commissioner Davis seconded the motion. The motion received unanimous approval of the members present. The motion passed.

F. OLD BUSINESS:

G. NEW BUSINESS:

1. *Low Cost Corridor Improvements study presentation for information and adoption.* Planning & Engineering Director Froseth stated that the Metropolitan Planning Organization (MPO) selected this study to focus on certain corridors throughout the cities

of Mandan and Bismarck to come up with recommendations for primarily low cost ways to improve the function and safety of those corridors. The study also looked at heavy truck traffic observed on Main Street to see what alternatives are available to reduce the truck traffic on that street.

Rick Stoppelmoor, Project Lead and Associate Vice President of HDR Engineering Consultant Group presented the study's objectives and findings for consideration of the adoption of the plan. He provided a power point presentation, and started his presentation with Mandan's Main Street area, in particular the re-routing of the truck traffic. The study and public meetings started in August 2015. The MPO pays for 80% of the study through Federal Highway dollars while the local jurisdictions pay for the remaining 20%. Mandan's share of this approximately \$180,000 will come out to about \$21,000.

This document summarizes the results of the Mandan-Bismarck Corridor Improvement Study Final Report. The Bismarck-Mandan Metropolitan Planning Organization (MPO), the City of Mandan, and the City of Bismarck requested a transportation planning study be developed to evaluate 20 total corridors and a possible truck route within the Mandan and Bismarck city limits. Project oversight was provided by the North Dakota Department of Transportation (NDDOT), Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA). The corridors selected for this project were selected by the MPO and project entities. The corridors included in this study provide mobility for high volumes of traffic daily and are vital for connecting major activity centers. This transportation study evaluates the selected corridors and develops low-cost alternatives for each that will address both safety and operational concerns to help them function as the arterial roadways they are intended to be. The objective of the study was to develop low-cost solutions to aid in improving traffic operations, as well as enhancing safety by reducing crashes along each selected corridor.

A secondary objective was to determine the need for a truck route in the City of Mandan to alleviate heavy vehicle traffic along Main Street/Business I-94 between ND Highway 25 to Twin City Drive. The Mandan corridors are listed in order of highest priority (1) to lowest priority (11) below, with explanations of the improvements for:

1. Main Street /Business I-94 (ND Highway 25 to Twin City Drive)
2. Collins Avenue (Main Street to Oil Red Trail)
3. 3rd Street (ND Highway 6 to Memorial Highway)
4. Sunset Drive/6th Avenue NW (Main Street to Oil Red Trail)
5. ND Highway 1806 South (Main Street to 19th Street)
6. ND Highway 6 (Main Street to 19th Street NW)
7. Old Red Trail (Mandan Avenue to Sunset Drive)
8. Mandan Avenue/ND Highway 1806 (Main Street to Old Red Trail)
9. ND Highway 1806 North (Old Red Trail to 38th Street)
10. 19th Street (ND Highway 6 to ND Highway 1806)
11. Division Street (Sunset Avenue to 8th Avenue NE)

In conclusion, based on the safety analysis and the existing and forecasted LOS results, various recommended alternatives were developed for each corridor within the study

area. Some alternatives focus more on traffic operations and efficiency, while others are meant to mitigate safety concerns and crashes. Project stakeholders were included in the development of the preliminary alternatives and provided helpful insight. Utilizing various aspects of each of the proposed recommendations will be beneficial in improving traffic operations along each corridor and will also improve the overall safety at major intersections by reducing either the frequency of crashes or severity of crashes. Ultimately, these recommendations are intended to assist the corridors in functioning as the high-volume, high-mobility arterial roadways they should be. With regard to the truck route traffic study, with a significant reduction of truck traffic on Main Street imminent due to the relocation of the aggregate pit and asphalt plant west of Mandan, and the high cost of improving an alternative route for a small number of trucks, it was recommended to utilize the no-build alternative because that will subside in about 3-5 years and will no longer be the quickest route for trucks to use.

Commissioner Rohr extended a thank you to Mr. Stoppelmoor for his presentation. Commissioner Braun commented that if the City Commission approves this plan, it does not mean the City of Mandan is obligated to move forward with every part of that plan. Mr. Stoppelmoor concurred with Commissioner Braun's comment. Commissioner Rohr clarified that the City of Mandan is adopting a plan, not a project.

Commissioner Laber moved to approve the final report plan of the Mandan-Bismarck Corridor Improvements Study. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Absent. The motion passed.

H. RESOLUTIONS AND ORDINANCES:

1. *Second consideration of Ordinance No. 1245 creating and enacting Article 5, Chapter 18 of the Mandan Municipal Code related to abandoned, found, recovered and unclaimed property.* City Planner Decker stated this is the second consideration of this ordinance. This will update the code so that the Police Department has a defined regulation with regard to the objects they collect daily.

Commissioner Laber moved to approve the Second consideration of Ordinance No. 1245 creating and enacting Article 5, Chapter 18 of the Mandan Municipal Code related to abandoned, found, recovered and unclaimed property. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Absent. The motion passed.

I. OTHER BUSINESS:

1. Lawrence Edland, 1400 9th Avenue Northwest, Mandan, came forward and voiced concern about the water drainage that comes down 9th Avenue. He said that about 3 years ago they reconstructed when they were putting in new curb and gutter. At the end of his cul-de-sac between his home and Mitch Helbling's house, there used to be a dip. There is a 12 or 18 inch culvert there that collects the water that comes down 9th Avenue and goes down and out of Sunset Park. When they reconstructed they took the dip out

and replaced it with a panel over the top. It was not a good design but when they put the new one in it created an opening that allows for that water to come down there. That is 24 in. wide and 4 in. high. He said he told the engineer when they were putting it in: “That will never handle the water that comes down this cul-de-sac.” The water is now running along the side of Mitch’s house and water is going into Mr. Helbling’s basement. Mr. Edland has spoken with the engineer and suggested that rather than having a solid panel on top of the culvert, that it should be slotted or something to allow more water to drain. He said he has a video of water that runs there and how much runs between the houses. The opening cannot handle it. He mentioned that both he and his neighbors clean out the culvert at Sunset Park, and at the head, in the fall of the year. As far as safety concerns, it is better than it was. The water is getting worse and is eroding along his house and Mitch’s house.

Director Froseth stated he has visited these properties and went down to view the outlet of this particular storm sewer. He said he noticed it was about 70% plugged. He removed the debris. But since then, he has been told the problem still remains. He said he will check the inlet for its condition since all this has been done. Mr. Edland said he has cleaned the outlet twice already this summer. Commissioner Rohr stated that the engineering office will have to look at this problem and see what remedy is recommended to correct it.

There being no further actions to come before the Board of City Commissioners, Commissioner Braun moved to adjourn the meeting at 6:30 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/ Dennis Rohr

Dennis Rohr,
Vice-President, Board of City
Commissioners