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The Mandan City Commission met in regular session at 5:00 p.m. on February 16, 2016 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota.

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

B. APPROVAL OF AGENDA: Commissioner Rohr moved to approve the Agenda. Commissioner Braun seconded the motion. The motion received unanimous approval of the members present. The motion passed.

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

D. MINUTES:

1. *Consider approval of the following minutes from the Board of City Commission of February 2, 2016 regular meeting.* Commissioner Laber 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 bid and approving Resolution Approving Contract and Contractor’s Bond for Street Improvement District No. 202, Project 2015-13 (Lakewood 8<sup>th</sup> Addition).* Planning & Engineering Director Froseth stated that three bids were received on February 2, 2016, and Northern Improvement Co. was the low bidder in the amount of \$1,029,900.80. The bid was 22% lower than the engineer’s estimate of \$1,320,517.50. He noted that the estimate given to the Commission in December 2015 was for \$1,254,325, but that was revised due to some larger storm sewer components being needed. These were addressed per an addendum filed. (This was reflected in the most recent estimate.) It was recommended to award the bid to Northern Improvement.

Commissioner Braun moved to approve the bid award to Northern Improvement Company as the low bidder of Street Improvement District No. 202, Project 2015-13 (Lakewood 8<sup>th</sup> Addition) in the amount of \$1,029,900.80 and approve the Resolution Approving Contract and Contractor’s Bond. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

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**G. CONSENT AGENDA**

1. *Consider approval of monthly bills.* ADVANCED ENGINEERING SVC - 5,238.57; BANK OF NORTH DAKOTA - 112,433.96; BIS MAN DEVELOPMENT ASSO - 25,000.00; BIS-MAN CONV TN & VISITOR - 4,369.61; BIS-MAN MOBILE PHONE INC - 8,400.00; CENTRAL DAKOTA FORENSIC - 80.00; CENTURYLINK - 215.80; DAKOTA'S BEST COFFEE - 38.00; GEFFRE/RON - 129.00; GOLDADE/MARCI - 132.80; INFORMATION TECHNOLOGY D - 903.44; KADRMAS, LEE & JACKSON, - 5,999.01; MANDAN PARK BOARD - 283,294.55; MANDAN PROGRESS ORGANIZA - 26,023.72; MARCO - 80.36; MILLER/CASEY - 6,063.14; ND MUNICIPAL JUDGES ASSN - 50.00; PRESORT PLUS - 2,420.29; SCHWEITZER TREE SERVICE - 1,800.00; SURE SHRED - 137.25; TYLER TECHNOLOGIES, INC - 222.44; VAULT1440, LLC - 1,875.00; VOGELPOHL/STEVEN L - 10,026.54; WELLS FARGO BANK - 11,737.25; POST BOARD - 45.00; MORTON COUNTY SHERIFF - 98,464.58; MONTANA-DAKOTA UTILITIES - 39,561.37; ADVANCED ENGINEERING SVC - 29,941.74; AT & T - 714.54; BALABAN LAW OFFICE - 1,500.00; BOB'S CUSTOM SERVICES - 800.00; COMPANION LIFE - 10.00; DAKOTA MEDIA ACCESS - 9,704.00; DIRECTMED - 151.91; EDLING ELECTRIC INC - 38,841.20; ETHANOL PRODUCTS - 1,773.14; FAST FORWARD SERVICES, L - 167.50; FETZER ELECTRIC, LLC - 477.46; FORT DEARBORN LIFE - 1,740.97; GLASS/THOMAS J. - 1,500.00; GULLICKSON/DARYN - 383.40; KELSCH KELSCH RUFF & KRA - 4,000.00; MID-STATES ORGZD CRIME I - 200.00; MORTON COUNTY AUDITOR - 3,020.31; ND BUILDING OFFICIALS AS - 845.00; ND PERS - 109,108.57; ND YOUTH CORRECTIONAL CE - 744.50; ONSITE SERVICE SOLUTIONS - 570.50; POST BOARD - 135.00; THREEFOLD - 7,635.00; VANGUARD APPRAISALS, INC - 9,875.00; WENCK ASSOCIATES, INC - 1,638.30; MESSIAH LUTHERAN CHURCH - 5,255.66; WELLS FARGO COMMERCIAL C - 150,605.58; ADVANCED ENGINEERING SVC - 26,380.83; ARMSTRONG SANIT & ROLL O - 82,844.55; BANK OF NORTH DAKOTA - 394,375.01; BANK OF NORTH DAKOTA - 750.00; BIS-MDN TRANSIT BOARD - 26,121.64; BLACK BOX NETWORK SERVIC - 656.25; BORDER STATES ELECTRIC - 2,876.89; CBI BUSINESS SERVICES - 7,634.16; CENTRAL MECHANICAL INC - 53,775.00; COMPUTER PROFESS UNLIMIT - 93.00; CONNECTING POINT COMPUTE - 28,350.00; CROWLEY FLECK PLLP - 4,500.00; CUSTER DISTRICT HEALTH U - 1,075.00; EDLING ELECTRIC INC - 37,874.00; ETHANOL PRODUCTS - 753.71; FETZER ELECTRIC, LLC - 225.00; HDR ENGINEERING, INC - 2,121.23; INFORMATION TECHNOLOGY D - 988.30; INTERGOVERNMENTAL SHOP - 5,986.60; INTERSTATE ENGINEERING - 1,676.73; KADRMAS, LEE & JACKSON, - 37,040.23; LEINGANG SIDING & WINDOW - 5,900.00; MANDAN AIRPORT AUTHORITY - 52,243.38; MANDAN MUNICIPAL COURT - 1,101.00; MIDSTATES EQUIPMENT & SU - 13,482.11; MISSOURI WEST WATER SYST - 43.12; MORTON COUNTY AUDITOR - 270,023.90; MORTON COUNTY RECORDER - 13.00; MORTON MANDAN PUBLIC LIB - 106,426.44; MUNICIPAL CODE CORPORATI - 648.00; MUNICIPAL FINANCE OFFICE - 30.00; MY GOV, LLC - 1,050.00; ND CHIEFS ASSOCIATION - 70.00; ND CLERK'S OF COURT ASSO - 60.00; ND DEPT OF TRANSPORTATIO - 17,172.69; ONE CALL CONCEPT INC - 28.80; PRAIRIE

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VINYL REPAIR - 45.00; PRESORT PLUS - 1,758.69; RAILROAD MANAGEMENT CO I - 353.72; RAZOR TRACKING - 790.00; ROUGH RIDER INDUSTRIES - 4,081.53; STANTEC CONSULTING SERVI - 6,031.08; TABS CHOIR BOOSTER MSH - 10.00; WEHRI/RADEANNA - 200.00; WENCK ASSOCIATES, INC - 1,638.30

2. *Consider the approval of plans and specifications, Engineer's Report and authorize the call for bids for the 2016 Municipal Sidewalk Improvement Project 2016-05.*
3. *Consider approval of a Disabled Veteran's Credit Abatement for 2015 for Brian Clouston.*
4. *Consider approval of out-of-state conference and trade show representation for Business Development & Communications Director.*
5. *Consider request from Darlene Forderer, Utility Billing Coordinator, to carryover 16.86 hours of annual leave for six months.*
6. *Consider approval of contract with Skeels for emergency generator at southside booster station.*
7. *Consider for approval plat of Aman Addition.*
8. *Consider the request from the Finance Department to dispose old records in accordance with the North Dakota Records Management Program.*

Commissioner Braun moved to approve the Consent Agenda as presented.

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

#### H. OLD BUSINESS:

##### I. NEW BUSINESS:

1. *Consider approval of Mandan's share of statewide road condition study in cooperation with the NDDOT and NDLC.* Planning & Engineering Director Froseth stated that the City of Mandan was invited by the North Dakota League of Cities (NDLC) to discuss the need for an effort to survey and study urban roads that are eligible for state and federal funds. The concern brought forward by the NDLC was because some cities lost out on state funding outside the Transportation Improvement Program (TIP) funding sources during the 2015 legislative session, (of which the counties received funding). The reason given why the cities did not receive the funding was due to the fact that there wasn't a way to compare needs from city to city for the additional funds like there was for the counties which had that study done and ready by the 2015 Legislative session. This survey & study's goal is to correct that problem by uniformly surveying and doing a study of statewide urban road needs for the 2017 session. Director Froseth explained that the additional funds may not be guaranteed. But if the City does not participate in these efforts, it would be very unlikely the City would be eligible for any additional state road funds should they be identified, (any outside of our usual TIP funding).

In addition to the possibility of being eligible for gaining additional funds, this study provides an opportunity for the Engineering Department to get valuable up-to-date information about the road conditions at a reasonable cost to the City. This study is

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separate from the road study done in 2012 which was conducted by the Metropolitan Planning Organization (MPO). He also explained that this will give the state “one” statewide study to determine urban road needs rather than taking the information from several jurisdictional studies. It will cost the City of Mandan approximately \$4,800 to \$6,100. Director Froseth recommended participating in this survey and study. It is unknown at this time as to what funds may become available if they were to be awarded under this survey and study.

Commissioner Rohr moved to approve of participation in the Urban Transportation Needs Study. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Braun: Yes; Commissioner Laber: Yes; Commissioner Van Beek: Yes. The motion passed.

J. RESOLUTIONS AND ORDINANCES:

K. OTHER BUSINESS:

1. *Disposal of Records:* Commissioner Rohr asked whether the request from the Finance Department to dispose of old records in accordance with the North Dakota Records Management Program includes both paper and electronic records? Finance Director Welch explained that the majority of the City records are paper records, but many of those records are being transferred to electronic records. As time goes on, those electronic records will become of age when they can be disposed of in accordance with the State’s retention policies and procedures. Regarding outdated or no longer functional electronic recordkeeping records, Finance Director Welch stated that the City has some older Microsoft Word document programs that contain City records which have been upgraded to become compatible with current software platforms. This has been done by utilizing IT abilities to move those older versions so that they could now be read. The Records Management Coordinator should be able to assure the older versions are transferred over to the newer software when needed.

There being no further actions to come before the Board of City Commissioners, Commissioner Braun moved to adjourn the meeting at 5:13 p.m. Commissioner Rohr 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