
The Mandan City Commission met in regular session at 5:30 p.m. on January 15, 2013 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 Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, Engineering Project Manager Kim Fettig, and City Assessor Barta. Absent: City Attorney Brown.

MINUTES:

PUBLIC HEARING:

BIDS:

1. *Consider award of bids for replacement of outdoor warning system.* Fire Chief Nardello presented a request to consider the awarding of bids for the replacement of the outdoor warning system. The specifications and advertisement of bids were approved by the Board at the November 20, 2012 meeting. The bids were opened on January 7, 2013 and there were 5 bids received. The low bid was submitted by Federal Signal in the amount of \$110,216. There was one bid received that was \$216 lower than this bid; however, there were problems with the bid proposal so it did not meet the specifications. Nardello stated there are sufficient funds available in the budget to cover the cost. He provided a map of the area that will be included in the coverage with the updated siren alarm system which will cover over 95% of the City of Mandan. Chief Nardello recommended approval of awarding the bid to Federal Signal in the amount of \$110,216. He indicated that in addition to sirens, other warning systems that are in place include the Reverse 9-1-1 System in which approximately 8 phone lines are needed to put warnings out to the entire city. However, this is not enough time for a severe weather warning. Also there are the media, telephone apps, etc. available. Commissioner Rohr stated that police car sirens will also be used as a way of alerting citizens in areas that need additional siren coverage.

Commissioner Frank motioned to approve the award of bids for replacement of outdoor warning system to Federal Signal in the amount of \$110,216.

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.

CONSENT AGENDA:

1. *Consider approval of monthly bills.* WOODMANSEES INC - 287.10; MONTANA-DAKOTA UTILITIES - 8,687.06; ACME ELECTRIC - 277.99; ADVANCED ENGINEERING SVC - 8,513.74; AQUA-PURE INC. - 3,422.00; BASARABA EXCAVATING & DI - 100,038.16; BECC CORPORATION - 358.61; BERG'S 24 HOUR TOWING - 140.00; BIS-MAN CONVTN & VISITOR - 6,224.63; BISMARCK TRIBUNE-JEANS D - 19.00; BOILER INSPECTION PROGRA - 180.00; BORGEN/DANELL - 307.50; BOWERS EXCAVATING, LLC - 990.00;

BRIDGESTONE/FIRESTONE - 446.00; BULLINGER TREE SERVICE - 1,500.00; BUTLER MACHINERY COMPANY - 293,300.00; CITY AIR MECHANICAL INC - 857.00; DAKOTA AWARDS INC - 16.10; DAKOTA COMMUNICATION SVC - 5,195.37; DAKOTA FIRE STATION INC - 25.00; DAKOTA SUPPLY GROUP - 600.49; DAKOTA TOWING - 465.00; DIAMOND VOGEL PAINT CENT - 152.16; DIGITAL ALLY INC - 60.00; DIRECTMED - 257.26; DIRK PLUMBING & HEATING - 4,330.00; DYNATEST CONSULTING INC. - 6,403.85; ENTERPRISE FLEET MANAGEM - 516.86; ENTZEL TRUCKING - 440.00; ETHANOL PRODUCTS - 753.85; FARGO WATER EQUIPMENT CO - 170.11; FASTENAL COMPANY/THE - 116.67; FETZER ELECTRIC, LLC - 19,144.16; FIRESIDE OFFICE PRODUCTS - 0.00; FLEET SERVICE INC. - 761.29; GEORGE STROH TRUCKING IN - 1,540.00; GRAY OIL COMPANY - 295.80; GRAYMONT CAPITAL INC - 12,014.23; HACH COMPANY - 691.94; HAWKINS INC - 3,413.45; HIRSCH FLORIST INC. - 55.00; HOUSTON ENGINEERING, INC - 6,801.25; JERRY'S VACUUM CENTER IN - 32.00; KADRMAS, LEE & JACKSON, - 39,430.85; KO INVESTMENTS, LLC - 59,869.99; KUPPER CHEVROLET INC - 169.41; LILLIS ELECTRIC INC. - 200.70; LPT IMAGES - 125.00; MANDAN PARK BOARD - 1,300.00; MANDAN PROGRESS ORGANIZA - 500.00; MANDAN TIRE CENTER - 150.10; MG TRUST COMPANY, LLC - 300.00; MICHELS CORPORATION - 12.65; MISSOURI VALLEY PETROLEU - 16,395.23; MOODY'S INVESTORS SVC IN - 10,350.00; MORTON COUNTY AUDITOR - 241.59; MVTL LABORATORIES, INC - 56.00; NALCO CHEMICAL CO - 132.00; NDACO RESOURCES GROUP - 1,109.30; NELSON LEASING INC DBA - 600.03; NEWTON/SCOTT & ROMA - 375.00; NORTHERN IMPROVEMENT CO - 147,111.43; NORTHWESTERN EQUIPMENT I - 92.02; PIZZA RANCH - 175.87; PREBLE MEDICAL SERVICES - 53.00; PRESORT PLUS - 422.23; PRO FORMS - 41.70; PUREAIR FILTRATION - 11,374.00; QUALITY SERVICE - 55.00; ROUGH RIDER INDUSTRIES - 470.54; SRS CRISAFULLI - 233.93; STARION - 750.00; STEIN'S INC - 58.61; TRUENORTH STEEL, INC - 293.75; URS CORPORATION - 1,073.11; VERIZON WIRELESS SERVICE - 240.12; VISION TECHNOLOGY INC - 468.75; WASTE MANAGEMENT OF ND, - 2,484.54; WATER ENVIRONMENT FEDERA - 62.00; WE-SHIP-ETC.INC - 3.31; WEST DAKOTA UTILITY SERV - 978.94; WOODMANSEES INC - 324.17; ZANDER BODY SHOP INC - 1,791.64; ACME ELECTRIC - 83.99; AMERICAN WELDING SUPPLIE - 266.23; AT & T MOBILITY - 431.73; BILL BARTH FORD INC - 200.00; FASTENAL COMPANY/THE - 289.09; IGEAR - 41.00; KUPPER CHEVROLET INC - 188.85; PETTY CASH - 225.54; QUAM CONSTRUCTION CO INC - 700.00; SENSUS METERING SYSTEMS - 1,732.50; SPECIALTY AUTOMOTIVE - 244.45; MONTANA-DAKOTA UTILITIES - 48,070.28; CENTURYLINK - 5,879.51; AT & T - 637.31; AT & T MOBILITY - 18.47; BALABAN LAW OFFICE - 1,500.00; BASARABA EXCAVATING & DI - 2,696.21; CENTURYLINK - 147.41; COMPANION LIFE - 10.00; DAKOTA MEDIA ACCESS - 6,658.08; FORT DEARBORN LIFE - 500.37; GLASS/THOMAS J. - 1,500.00; KELSCH KELSCH RUFF & KRA - 4,000.00; ND PERS - 81,537.21; POSTMASTER - 2,300.00; TARGET BANK - 26.17; ACS - 4,232.36; ADVANCED BUSINESS METHOD - 160.96; AIRE MASTER OF ND - 70.00; AL FITTERER ARCHITECT PC - 15,000.00; AMERICAN WELDING SUPPLIE - 21.70; AMERIPRIDE LINEN & APPAR - 113.46;

ARMSTRONG SANIT & ROLL O - 39,372.11; ARROWHEAD CLEANERS & LAU - 693.00; BIS MAN DEVELOPMENT ASSO - 25,000.00; BIS-MAN AREA CHABR OF CO - 677.00; BIS-MDN TRANSIT BOARD - 29,951.75; BISMARCK TRIBUNE/THE - 10,689.90; BLACK BOX NETWORK SERVIC - 57.50; BOBCAT OF MANDAN INC - 1.63; BORDER STATES INDUSTRIES - 811.79; BOWERS EXCAVATING, LLC - 605.00; BROWN & SAENGER, INC. - 1,619.20; BROWN/MALCOLM H. - 4,500.00; BUTLER MACHINERY COMPANY - 112.96; CBI BUSINESS SERVICES - 6,718.75; CENEX- FUOC BISMARCK-MAN - 5.99; CITY OF BISMARCK - 1,610.75; CITY OF MANDAN - 286.00; COLE PAPERS INC - 337.91; COMPUTER PROFESS UNLIMIT - 83.00; CUSTER DISTRICT HEALTH U - 1,014.17; CUSTOM CAGE - 1,380.00; D & F TELEPHONE - 25.00; DAKOTA AWARDS INC - 10.00; DAKOTA COMMUNICATION SVC - 157.50; DAKOTA FOUR SEASONS INC - 75.00; DAKOTA STAFFING SOLUTION - 121.20; DAN'S SUPERMARKET - 60.50; DIGITAL ALLY INC - 119.00; DIRK PLUMBING & HEATING - 45,600.00; ELECTRONIC COMMUNCIATION - 127.50; ENTERPRISE SOLUTIONS INC - 552.50; FACTORY MOTOR PARTS COMP - 63.19; FASTENAL COMPANY/THE - 1.12; FEDERAL EXPRESS - 93.25; FETZER ELECTRIC, LLC - 679.60; FIRESIDE OFFICE PRODUCTS - 332.00; FUSION INTEGRATED TECHNO - 1,800.00; GEIGER SMALL ENGINE - 131.90; GEORGE STROH TRUCKING IN - 1,485.00; GLENN'S WELDING & TRAILER - 33.53; GRAND CENTRAL, INC. - 71.75; GRAY OIL COMPANY - 819.02; GREAT PLAINS TECHNOL SVCS - 689.00; HAWKINS INC - 1,120.00; HEDAHL'S OF MANDAN INC - 620.39; HOUSTON ENGINEERING, INC - 7,372.00; INFORMATION TECHNOLOGY D - 1,273.35; INTERGOVERNMENTAL SHOP - 17,002.14; INTERNTL CODE COUNCIL, I - 125.00; INTERSTATE ALL BATTERY C - 13.95; KADRMAS, LEE & JACKSON, - 16,439.50; KNIFE RIVER - 9,221.42; KOSTELECKY/EVE - 516.00; LIBERTY BUSINESS SYSTEM - 646.80; LILLIS ELECTRIC INC. - 1,370.00; MANDAN AIRPORT AUTHORITY - 59,903.85; MANDAN FIRE DEPARTMENT - 583.33; MANDAN MUNICIPAL COURT - 1,390.00; MANDAN PARK BOARD - 200.00; MANDAN TIRE CENTER - 40.79; MATHISON COMPANY - 241.21; MID-STATES ORGZD CRIME I - 200.00; MIDCONTINENT COMMUNICATI - 1,322.04; MISSOURI VALLEY PETROLEU - 1,033.74; MISSOURI WEST WATER SYST - 48.89; MORTON COUNTY TREASURER - 183,037.33; MORTON MANDAN PUBLIC LIB - 118,173.39; MVTL LABORATORIES, INC - 21.00; NAPA AUTO PARTS - 144.22; NAT'L FIRE PROTECTION AS - 1,020.00; ND BUILDING OFFICIALS AS - 750.00; ND FIRE CHIEFS ASSOCIATI - 20.00; ND NATIONAL GUARD - 9,977.91; ND TOURISM - 200.00; ND WATER COALITION - 1,000.00; ND YOUTH CORRECTIONAL CE - 1,273.50; NDAAO - 30.00; NDCIAAI - 20.00; NELSON LEASING INC DBA - 1,080.81; NORTHERN TROPHY & SILK S - 105.00; O'REILLY AUTOMOTIVE, INC - 24.48; ONE CALL CONCEPT INC - 128.75; PRAXAIR - 101.69; PREBLE MEDICAL SERVICES - 100.00; PRESORT PLUS - 267.68; PROTECTION SYSTEMS INC - 300.00; PUBLIC SAFETY CENTER, IN - 313.41; QUALITY SERVICE - 55.00; R AND F LDSCPNG & HAULIN - 1,330.00; RDO EQUIPMENT CO VERMEER - 109.22; RHI SUPPLY REFRIG. HEATI - 51.76; RICOH PRODUCTION PRINT S - 69.19; ROUGH RIDER INDUSTRIES - 320.40; RUNNING'S SUPPLY INC - 334.47; SANFORD BISMARCK - 625.30; SEVERIN, RINGSAK & MORRO - 240.00;

SPECIALTY AUTOMOTIVE - 624.79; SURE SHRED - 58.80; VERIZON WIRELESS SERVICE - 2,327.51; WASTE MANAGEMENT OF ND, - 23,477.59; WEHRI/RADEANNA - 585.00; WELLS FARGO REMITTANCE C - 8,258.97; WENTZ LANDSCAPE COMPANY - 8,213.00; WESCO DISTRIBUTION INC - 887.46; WITMER PUBLIC SAFETY GRO - 438.00. The Board approved of the monthly bills.

2. *Consider approval of the pledge of securities reports required by NDCC 21-04.* The Board approved of the pledge of securities reports required by NDCC 21-04.

3. *Consider authorization of advertisement for the public sale of a 1989 fire truck.* The Board approved of the authorization of advertisement for the public sale of a 1989 fire truck.

4. *Consider games of chance for Marauder Boosters at Midway Lanes on January 19, 2013.* The Board approved of games of chance for Marauder Boosters at Midway Lanes on January 19, 2013.

5. *Consider the annexation of a tract of land owned by Eddy Mitzel, being a portion of the SW ¼ of Section 2, Township 138N, Range 81W. (First consideration of ordinance #1141).* The Board approved of the annexation of a tract of land owned by Eddy Mitzel, being a portion of the SW ¼ of Section 2, Township 138N, Range 81W. (First consideration of ordinance #1141).

6. *Consider the annexation of a tract of land owned by Risto Mackovski, being Gov't Lot 2 of the NW ¼ of the NE ¼ and part of the SW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W. (First consideration of ordinance #1142).* The Board approved of the annexation of a tract of land owned by Risto Mackovski, being Gov't Lot 2 of the NW ¼ of the NE ¼ and part of the SW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W. (First consideration of ordinance #1142).

7. *Consider approving amended Engineer's Report and authorizing a call for bids on Water & Sewer Improvement District No. 60, Project 2012-21 (34th Avenue SE & Genoa Court SE)(Resolution No. 9).* The Board approved the amended Engineer's Report and authorizing a call for bids on Water & Sewer Improvement District No. 60, Project 2012-21 (34th Avenue SE & Genoa Court SE)(Resolution No. 9).

8. *Consider the following abatements:*

i. *Shirley Doll – Homestead Tax Credit Exemption*

ii. *Sharon Heinert – Homestead Tax Credit Exemption*

iii. *Joe Markel – Blind Exemption*

iv. *Gerald Serhienko – Disabled Veteran Exemption for 2011 & 2012*

v. *Maxine Nibbe – Reviewed Value – Flood Damage*

vi. *Anita Frohlich – Reviewed Value – Street Appraisal*

The Board approved of the abatements as listed.

Commissioner Tibke moved to approve the 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.

OLD BUSINESS:

1. Consider approving the amended Engineers Reports for Street Improvement District No. 163 Project # 2012-01, Storm Sewer Improvement District No. 32 Project # 2012-23, and Water & Sewer Improvement District No. 61 Project # 2012-24 (Sunset Drive NW)(Resolutions No. 6,7 and 8). Kim Fettig, Engineering Project Manager, reviewed with the Board a request to amend the Engineers Reports for Street Improvement District No. 163 Project # 2012-01, Storm Sewer Improvement District No. 32 Project # 2012-23, and Water & Sewer Improvement District No. 61 Project # 2012-24 (Sunset Drive NW)(Resolutions No. 6,7 and 8). Fettig stated that documentation has been provided to the Board members regarding this matter. The amendment is needed due to increasing costs since the original request was approved. Casey Einrem from Houston Engineering was present to answer questions regarding the project. He reviewed the context of the presentation held at the Public Hearing on Sunset Drive Reconstruction Project from 7th Street NW to 500' North of 15th Street NW, Project SU-1-988(033)044,PCN 18334. The area in the project was determined as to where the previous project ended on the Sunset Drive area. He explained that there was an overlay on the road as a temporary fix. He reviewed the phases of the project, environmental concerns, type of pavement options (concrete was the No. 1 option), street light options, parking and turn lanes, school crossing and the public option was at 14th Street NW and Sunset Drive. He explained that this project will take a full year to complete, which explains the increase in costs that have occurred.

Commissioner Frank commented that as this project moves forward it would be easier to train drivers and residents in that particular neighborhood to utilize three lanes or two lanes as soon as the construction stops rather than trying to institute it later on. Commissioner Rohr pointed out the importance of having a mechanism in place to have parked cars removed along that route so snow removal can occur when needed.

Commissioner Frank moved to approve amending the Engineers Reports for Street Improvement District No. 163 Project # 2012-01, Storm Sewer Improvement District No. 32 Project # 2012-23, and Water & Sewer Improvement District No. 61 Project # 2012-24 (Sunset Drive NW)(Resolutions No. 6,7 and 8). 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.

NEW BUSINESS:

1. Consider appointment to the Mandan Growth Fund. City Administrator Neubauer stated that there were four positions that expired on December 31, 2012. He stated that three of the members expressed interest in being appointed to serve another term. One position was advertised and there were 5 letters of interest received. The Mandan Growth Fund reviewed those interest letters and recommended that Don Boehm be appointed to the vacant position and that Tim Spilman, Dennis Friesz, and Michael J.B. Schaff all be appointed to serve another term.

Commissioner Frank stated that in 2010 there was a discussion on term lengths. She stated that there are at least four or more members who have served on the Growth Fund Committee for at least five terms which calculates out to 15 years serving on the committee. She recommended that term limits be discussed by the Commission. She suggested that an individual serve no more than two consecutive terms (in this case a 3-year term). After that the individual would be requested to step back so other individuals can apply. However an individual could come back at a later time to request an appointment after the next subsequent term would expire. For those that are currently serving, once their term expires they would have the opportunity to run for one additional term so that they are not cut off at this point because they have not been aware of it.

Commissioner Tibke stated that she agrees that term limits are a good idea and questioned if term limits should be set for Commissioners too? Commissioner Frank replied that she believes the public sets the Commission's term limits because they are voted in by the public and determine if they want a commissioner to serve one, two or more terms. City Administrator Neubauer stated that there have been many times wherein there has been no interest from the public to serve on some committees. He pointed out that there is a policy that outlines criteria of those members serving on the committee such as a representative from the downtown area, the industrial park area and also representation on the financial institution side. At the last MGF meeting it was discussed that if four members have termed out that they do have to reapply. They cannot just be reappointed by way of a mere request. He stated there have been discussions on how many terms individual members may serve. He stated that if there were to be limited terms, city ordinance and/or city policy will have to be reviewed before doing so because committee appointments may vary for respective committees.

Commissioner Frank replied that she believes that the Board allow for some opportunity for new members to come in, even if it's just to give some committee members a break. Neubauer stated that it would be a consideration to take the suggestions discussed tonight back to the Mandan Growth Fund, the Planning & Zoning Committee, etc. Commissioner Frank requested that staff come to the next meeting with an overview of the committees that operate with a volunteer group such as the MGF. Included would be information such as how long those members have served and to provide the Board with recommendations for term limits for the various committees.

Commissioner Frank motioned to appoint Don Boehm to the Mandan Growth Fund for a term ending December 31, 2015 and to reappoint Tim Spilman, Dennis Friesz, and Michael J.B. Schaff to serve three year terms. 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.

2. *Consider the creation of, approval of the engineer's report, approve the plans and specifications for, and approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition). (Resolutions No. 10).* Kim Fetting, Engineering Project Manager, presented a request for

the creation of, approval of the engineer's report, approve the plans and specifications for, and approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition). (Resolutions No. 10). The developer is requesting that the City allow special assessment of street costs to the benefiting properties in Meadows Sixth Addition. Fettig stated that there are 15 lots that would be special assessed. Fettig did not think any of the lots have been sold yet.

Commissioner Rohr moved to approve the creation of, approval of the engineer's report, approve the plans and specifications for and approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition). 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.

3. *Discussion regarding a "Public Communication" section to future City Commission Agenda's.* City Administrator Neubauer stated that there are times a resident is present in the audience at a meeting to bring a matter to the Commission's attention and there is no designated time for that resident to come forward to present their concern to the Board. Neubauer stated that there are Boards such as the Mandan School Board that allow for a "Public Communication" portion of the meeting designated for circumstances such as this. On each of the Agendas there is a notification that if an interested party wishes to speak on an item that pertains to the Agenda of the day, the party can voice their concern during that time and then leave the meeting if they choose to do so. That is the request being brought for consideration and eventually a policy with guidelines that would be drafted to align with the Public Communication portion of the meeting agenda.

Commissioner Tibke commented she is in favor of a policy such as this as it will provide a process for constituents to come forward to speak and they will know the procedure ahead of time. Commissioner Frank agreed with the recommendation and with Commissioner Tibke's comments. She recommended having a sign-in sheet be made available prior to the meeting of those interested in speaking, rather than the person contacting city staff to be listed on the printed agenda. She stated she would not like to see the constituent being limited to items on the Agenda but rather they be given the opportunity to bring items of concern that are within the jurisdiction of the City Commission. She would like the time limit set at 3 minutes which is customary throughout many other Board processes. Commissioner Rohr commented that he is in favor of the recommendation for a designated time for Public Communication to be included on the meeting agenda. However, he did not feel that a specific time limit would work for every situation. In the alternative he would like to be able to allow enough time for the constituent to present the case and if necessary, allow time for dialogue which could go over the 3-minute time limit. Mayor Van Beek commented that he also supports the recommendation and is in agreement with the suggestions presented.

Commissioner Frank moved to approve a "Public Communication" section to future City Commission Agendas, include a communication statement on each printed Agenda, and

to develop a Public Communication Policy. 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.

RESOLUTIONS & ORDINANCES:

1. *Consider second consideration and final passage of Ordinance No.1138 to change street name Douglas Lane SE to Verity Lane SE. –An Ordinance changing the name of certain street or parts thereof situated within the City of Mandan, Morton County, North Dakota.* Commissioner Frank moved to approve the second consideration and final passage of Ordinance No.1138 to change street name Douglas Lane SE to Verity Lane SE. –An Ordinance changing the name of certain street or parts thereof situated within the City of Mandan, Morton County, North Dakota. 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. *Consider second consideration and final passage of Ordinance No.1139 Zone Change for Riverwood Commercial Park 3rd Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map.* Commissioner Tibke moved to approve the second consideration and final passage of Ordinance No.1139 Zone Change for Riverwood Commercial Park 3rd Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map. 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.

3. *Consider first consideration of Ordinance 1141, An ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof (tract of land being a part of S2-T138N-R81W).* Commissioner Braun moved to approve the first consideration of Ordinance 1141, An ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof (tract of land being a part of S2-T138N-R81W). 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.

4. *Consider first consideration of Ordinance 1142, An ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof (tract of land being a part of S3-T138N-R81W).* Commissioner Braun moved to approve first consideration of Ordinance 1142, An ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof (tract of land being a part of S3-T138N-R81W). 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.

5. *Consider first consideration of Ordinance 1140, An Ordinance to Amend and Re-enact Section 12-02-04.1 (2) of the Mandan Code of Ordinances Relating to Winery or Brewery License.* Commissioner Frank moved to approve first consideration of Ordinance 1140, An Ordinance to Amend and Re-enact Section 12-02-04.1 (2) of the Mandan Code of Ordinances Relating to Winery or Brewery License. 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.

6. *Consider Resolution approving Amended Engineers Report for Street Improvement District No. 163 Project # 2012-01(Sunset Drive NW).* Commissioner Braun moved to approve Amending the Engineers Report for Street Improvement District No. 163 Project # 2012-01(Sunset Drive NW). 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.

7. *Consider Resolution approving Amended Engineers Report for Storm Sewer Improvement District No. 32 Project # 2012-23(Sunset Drive NW).* Commissioner Rohr moved to approve Amending the Engineers Report for Storm Sewer Improvement District No. 32 Project # 2012-23(Sunset Drive NW). 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.

8. *Consider Resolution approving Amended Engineers Report for Water & Sewer Improvement District No. 61 Project # 2012-24 (Sunset Drive NW).* Commissioner Braun moved to approve Amending the Engineers Report for Water & Sewer Improvement District No. 61 Project # 2012-24 (Sunset Drive NW). 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.

9. *Consider Resolution approving Amended Engineer's Report and Resolution Directing Advertisement for Bids for Water & Sewer Improvement District No. 60, Project 2012-21 (34th Avenue SE & Genoa Court SE).* Commissioner Tibke moved to approve Resolution approving Amended Engineer's Report and Resolution Directing Advertisement for Bids for Water & Sewer Improvement District No. 60, Project 2012-21 (34th Avenue SE & Genoa Court SE). Commissioner Frank seconded the motion. Roll call: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

10. *Consider Resolution Creating Street Improvement District No. 177, Resolution approving Engineer's Report, Resolution approving Plans and Specifications, Resolution Determining Sufficiency of forms of Petition, Waiver and consent to Assessment for Street Improvement District No. 177(Meadow's Sixth Addition).* Commissioner Rohr moved to approve the Resolution Creating Street Improvement District No. 177, Resolution approving Engineer's Report, Resolution approving Plans and Specifications, Resolution Determining Sufficiency of forms of Petition, Waiver and consent to Assessment for Street Improvement District No. 177(Meadow's Sixth Addition). 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.

OTHER BUSINESS:

1. Mayor Van Beek announced that the Mandan Progress Organization will be celebrating its 20th Anniversary on January 28, 2013 at the Seven Seas Conference Center. RSVP's are due by January 24th. For reservations call (701) 751-2983 or email khelmers@mandanprogress.org.

There being no further actions to come before the Board of City Commissioners, Commissioner Tibke moved to adjourn the meeting at 6:40 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