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The Mandan City Commission met in regular session at 5:00 p.m. on January 20, 2015 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota.

Commissioners present were Van Beek, Tibke, Rohr, Laber, and Braun. Department Heads present were Finance Director Welch, Police Chief Bullinger, 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.

B. APPROVAL OF AGENDA: Commissioner Rohr 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. Mark Payne with Diamond Bend Apartments commented on an item on the Consent Agenda. He stated that due to the (bad) weather conditions and labor shortages from the fall of 2013 into the fall of 2014 there were delays in completing the project. He said it was also decided to limit the development to those 55 years and older into an independent-living development so modifications had to be made. Payne stated he believes the building project should be completed in July. 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 special meeting held on December 8, 2014 and regular meeting held December 16, 2014.* Commissioner Laber moved to approve the minutes as presented. Commissioner Tibke seconded the motion. The motion received unanimous approval of the members present. The motion passed.

E. PUBLIC HEARING:

F. BIDS:

1. *Consider bid opening results for Street Improvement District #196, Mandan Industrial Park.* Planning & Engineering Director Froseth stated that this Street Improvement Project #196 district and the Resolution of Necessity were approved in March 2014. No bids were received by the opening bid date of May 27<sup>th</sup>. Several concerns were received and addressed and some changes were made to the project bid documents in November 2014 and another bid opening was held on December 23, 2014.

The low bid was from Northern Improvement in the amount of \$4,155,661.20 for the base and \$3,930,477.70 for the alternate bid. The alternate bid was 27% over the final engineer’s estimate which is 129% over the original engineer’s estimate of the project cost of \$1,717,000. Therefore, it could not be accepted because it would need to be within 40% of the project for street improvement projects pursuant to N.D.C.C. In order

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to address some concerns of this project, consulting engineers have concluded that a reconstruction project is needed to address the subsurface and a mill and overlay would not be sufficient. The Engineering Department is going to be looking at other issues with the project and will not be bidding this out again this year. Director Froseth recommended waiting until the Old Red Trail Reconstruction Project is completed in approximately 2017 so there are not two major construction projects underway at the same time in the same area. Director Froseth stated that street patching will have to be done until the major construction starts. However, there is no formal estimate of costs on the patching repairs. He guesstimated that it would be roughly \$10,000 per year which would be paid for by the General Maintenance Fund.

Commissioner Rohr moved to reject all bids for Street Improvement District #196 Mandan Industrial Park. 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 bid opening results for Wastewater Treatment Facility Optimization project.* Planning & Engineering Director Froseth stated that the Wastewater Treatment Facility Optimization project includes rehabilitation of the existing pretreatment building and the expansion of blower capacity. There would also be modifications to the existing blower building and new ultra violet disinfection equipment and channel modifications, underground yard piping modifications and miscellaneous aeration improvements. All of these components are to be improved upon to ensure the efficiency and dependability of the operation. The project was identified in the 2012 Wastewater Collection System Master Plan, as a short-term need. Bids were opened on January 13, 2015 and 7 bids were received. The Engineer's Office recommends approval for this project as follows: the low bid for general construction including Alternates No. 1 and No. 2 from Swanberg Construction in the amount of \$2,399,000.00. The low bid for the mechanical part from Central Mechanical in the amount of \$424,000.00 and the low bid for the electrical part from Edling Electric including Alternate No. 1 for \$421,400.00. The bids received were \$900,000 under the Engineer's estimate and they are contingent on the North Dakota Department of Health review of and concurrence of the bids.

Commissioner Rohr motioned to approve the low bids and issue the Notice of Awards Contract No. 1 including Alternate No. 1 and No. 2, Contract No. 2 and Contract No. 3 including Alternate No. 1 to Swanberg Construction Inc., Central Mechanical Inc., and Edling Electric Inc., and contingent on the North Dakota Department of Health review of and concurrence of the bids. 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.

#### G. CONSENT AGENDA

1. *Consider approval of monthly bills.* KOSTELECKY/EVE - 21,966.59; ADVANCED ENGINEERING SVC - 21,393.12; BADLANDS ENVIR CONST INC - 234.25; BIS-MAN CONVNTN & VISITOR - 877.55; BISMARCK POLICE DEPARTME - 266.66; BUCKEY'S SALES & SERVICE - 2,400.00;

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BURLEIGH COUNTY SHERIFF - 2,815.05; CENTRAL DAKOTA FORENSIC - 80.00; DEROSIER/MATTHEW - 49.75; DOUGHERTY & COMPANY LLC - 1,500.00; EDLING ELECTRIC INC - 9,325.00; ELECTRIC PUMP INC - 55,000.00; ETHANOL PRODUCTS - 1,596.10; FETZER ELECTRIC, LLC - 19,906.19; GEORGE STROH TRUCKING IN - 825.00; HANSON/DOMINIC - 100.00; HDR ENGINEERING, INC - 637.81; HOUSTON ENGINEERING, INC - 2,743.50; HUB INTERNATIONAL OF ND - 40.00; INTEGRATED PROCESS SOLUT - 1,283.17; IPREO LLC - 760.00; KADRMAS, LEE & JACKSON, - 6,063.43; KNIFE RIVER - 23,318.94; KOSTELECKY/EVE - 500.00; MANDAN PARK BOARD - 3,500.00; MATRIX TRUST COMPANY - 300.00; MISSOURI VALLEY PETROLEU - 14,727.80; MOODY'S INVESTORS SVC IN - 11,700.00; MORTON COUNTY SHERIFF - 4,019.48; MUNICIPAL JUDGE'S ASSOCI - 50.00; ND HIGHWAY PATROL - 960.63; PETTY CASH - 190.10; PRESORT PLUS - 2,339.24; QUAM CONSTRUCTION CO INC - 5,750.00; SRF CONSULTING GROUP - 8.00; STARION BOND SERVICES - 900.00; TOMAN ENGINEERING CO - 4,697.50; WENCK ASSOCIATES, INC - 34,781.50; CROWLEY FLECK PLLP - 4,500.00; CUSTER DISTRICT HEALTH U - 1,060.45; HEPPER OLSON ARCHITETS - 1,496.25; MANDAN PARK BOARD - 500.00; MONTANA-DAKOTA UTILITIES - 41,382.26; KAT'S PAINTING PLUS - 1,267.00; KUPPER CHEVROLET INC - 24,806.00; ADVANCED ENGINEERING SVC - 75,227.32; AT & T - 757.04; BADLANDS ENVIR CONST INC - 220.88; BALABAN LAW OFFICE - 1,500.00; BUTLER MACHINERY COMPANY - 18,685.00; COMPANION LIFE - 10.00; DAKOTA MEDIA ACCESS - 8,332.25; ELECTRIC PUMP INC - 11,276.47; ETHANOL PRODUCTS - 994.47; FORT DEARBORN LIFE - 560.11; GERHARDT STORAGE - 780.00; GLASS/THOMAS J. - 1,500.00; GRAYMONT CAPITAL INC - 3,594.32; HUBB SYSTEMS, LLC - 5,634.50; INTERSTATE ENGINEERING - 2,562.00; KELSCH KELSCH RUFF & KRA - 4,000.00; MARKS HEATING & COOLING - 56.25; MISSOURI VALLEY PETROLEU - 11,692.04; ND PERS - 97,831.46; ND YOUTH CORRECTIONAL CE - 30.00; ONE CALL CONCEPT INC - 67.10; R K ELECTRIC - 2,092.50; KUPPER CHEVROLET INC - 16,867.50; WELLS FARGO COMMERCIAL C - 211,619.54; BIS-MAN MOBILE PHONE INC - 1,920.00; BIS-MDN TRANSIT BOARD - 29,062.14; BOBCAT OF MANDAN INC - 6,200.00; BOILER INSPECTION PROGRA - 450.00; BROWN/TARA - 223.50; CBI BUSINESS SERVICES - 5,099.64; CNA SURETY - 50.00; COLLECTION CENTER INC - 41.38; COMPUTER PROFESS UNLIMIT - 89.00; CROWLEY FLECK PLLP - 4,500.00; CUSTER DISTRICT HEALTH U - 1,075.00; D & F TELEPHONE - 45.00; EDLING ELECTRIC INC - 29,078.57; GOVERNMENT FINANCE OFCRS - 50.00; GRAYMONT CAPITAL INC - 11,077.47; HANSON/DOMINIC - 50.00; HUB INTERNATIONAL OF ND - 114,996.00; INFORMATION TECHNOLOGY D - 954.07; INTERGOVERNMENTAL SHOP - 9,321.03; INTERSTATE ENGINEERING - 1,447.32; IPREO LLC - 1,500.00; JLG ARCHITECTS - 9,000.00; KREFTING/KAHLOR - 51.84; MANDAN AIRPORT AUTHORITY - 58,124.51; MANDAN MUNICIPAL COURT - 1,020.00; MANDAN PARK BOARD - 500.00; MATTHEWS/YVETTE - 56.75; MISSOURI WEST WATER SYST - 65.44; MORTON COUNTY AUDITOR - 290,483.07; MORTON COUNTY RECORDER - 68.00; MORTON COUNTY TREASURER - 103,887.48; MORTON MANDAN PUBLIC LIB - 115,060.46; MUNICIPAL FINANCE OFFICE - 60.00; MY

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GOV, LLC - 700.00; ND BUILDING OFFICIALS AS - 720.00; ND CLERK'S OF COURT ASSO - 60.00; ND FIRE PREVENTION ASSOC - 25.00; ND FIREMENS ASSOCIATION - 35.00; ND LEAGUE OF CITIES - 11,037.00; ND RURAL WATER SYSTEM AS - 225.00; ND STATE DEPT OF HEALTH - 320.00; ND WATER COALITION - 1,000.00; PETERSON/DOROTHY - 600.00; PKG CONTRACTING INC - 104,843.70; POST BOARD - 45.00; PRESORT PLUS - 1,652.21; PRO FORMS - 42.29; RAZOR TRACKING - 400.00; SPRING CREST DRAPERY - 575.00; ST. ALEXIUS MEDICAL CENT - 604.50; THIRKETTLE CORPORATION - 81,350.23; THREEFOLD - 3,600.00; TWIN CITY ROOFING INC - 95,711.00; VAULT1440, LLC - 1,875.00; VOGELPOHL/STEVEN L - 9,599.37; WEHRI/RADEANNA - 200.00; 1ST CLASS PROPERTY MGNT - 13.12

2. Consider approval of the pledge of securities report required by NDCC 21-04.
3. Consider engineering service agreement amendment with AE2S for construction engineering services for Wastewater Facility Optimization Project.
4. Consider the following abatements/exemptions: (i) removed for discussion. (ii) Complete reassessment for 2014 – Deloris Palmer. (iii) Complete reassessment for 2014- Craig Withey.
5. Consider NDDOT agreements and easements relative to Main Street ADA Project 9-999(304), PCN 20268.
6. Consider request from the Finance Department to destroy old documents in accordance with the North Dakota Records Management Program.
7. Consider appointments to the MARC Commission.
8. Consider sale of City of Mandan property with an estimated value over \$1,000.
9. Consider request from Darlene Forderer, Utility Billing Coordinator, to carryover approximately 25 to 33 hours of annual leave for six months.
10. Consider Sunday Openings for Bar M Steakhouse LLC – Jan. 25<sup>th</sup>, Feb. 8<sup>th</sup>, and April 26, 2015.

Commissioner Laber moved to approve the Consent Agenda No. 1 through No. 10, excepting No. 4(i) 2-Yr. Exemption Extension for Diamond Bend Apartments, LLC. as presented. Commissioner Braun 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.

*Discussion:* No. 4 (i) 2-Yr. Exemption Extension for Diamond Bend Apartments, LLC. City Assessor Shaw explained that Mark Payne of Diamond Bend Apartments, LLC contacted the Assessing Office and was approved for 2-year tax exemption for a new or expanding business on 2/19/13. This exemption will soon expire according to the city policy. The building permit was issued on 10/4/13 and the project has to be completed by 2/19/15 or they will lose their exemption. The last inspection was on 9/2/14. Assessor Shaw stated that all inspections have passed. The Assessing Department is recommending denial of the extension for six-months because it has been determined that they have had adequate time to complete the structure. The circumstances explaining the reasons for the delay are not any greater than any other builder has had with regard to construction of their projects. She clarified that this type of exemption no longer exists under the City of Mandan policies. Mayor Van Beek concurred with the

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recommendation of the City Assessor indicating that the City should not have to be responsible for business's management practices.

Commissioner Laber moved to deny the request for the 2-year Property Tax Exemption Extension for new or expanding businesses for Diamond Bend Apartments, LLC.

Commissioner Braun 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.

#### H. OLD BUSINESS:

1. *Consider request from Police Officers to have City of Mandan join the ND PERS Law Enforcement Retirement Plan.* Officer Czapiewski, spokesperson for the Mandan police officers provided a brief summary of this matter that was brought forward at a previous meeting. He explained why the officers feel this plan would be good for the officers, for the police department and the city. The two main reasons for the request are: (1) Getting the older officers over 55 off shift work and into other areas; (2) Recruitment and retention of police officers to be competitive with surrounding communities. He explained that this plan is minimally unfunded and that it is a stable and safe plan. Officer Czapiewski reviewed the staffing levels for 2014. This is the 2<sup>nd</sup> highest turnover rate in the state. Commissioner Rohr concurred with the information provided by Officer Czapiewski regarding getting older officers over 55 off the streets for the benefit of the officers and the safety of the public. He also stated that he thinks this would do more for the retention of officers. He commented on the large turnover of employees in the police department over the last year stating that it is more important now than in previous years to prevent that from continuing because it is so detrimental to the department.

Commissioner Tibke mentioned that the purpose of this plan is to address predictability from defined benefits. So in summary, what the officers are proposing is that if they reach the age of 55 years and they choose to change careers, they could budget and depend on what will come every month. A defined contribution will depend on the market. That's the difference between a defined contribution plan and defined benefits. Commissioner Rohr pointed out that it will not cost any more to go to this plan. However, he requested information regarding the cost of the plan from Finance Director Welch.

Finance Director Welch stated that it is correct that the City currently contributes 10% into the pension plan for police and fire eligible employees. The state's requirement would be 9.07% so there would be no current increase in cost. The only potential increase would be if the market would decline and the legislature and the PERS Board would require a higher contribution not only from the city but also from the employees to make up the market difference. As far as long term fiscal impact this plan is well funded in comparison with the other defined benefit plans that the state offers. The state has control of this plan. The City has no control over the city contribution percentage or the employee contribution percentage if the city goes with this PERS plan.

Commissioner Laber stated that with a defined contribution plan, that plan is "yours" so 10% that the city puts in is actually a very large contribution towards "your" future

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retirement. Officer Czapiewski commented with regard to the discussion as to the defined contribution plan vs. the defined benefit plan and stated that the defined benefit plan is the preferred plan and will be better for them in the long run.

Commissioner Tibke stated that the 10% City and 4% match from the employee was arrived at by asking Finance Director Welch if the City was going to stay with a defined contribution and explore defined benefit depending on which way the older officers could pick staying in a defined contribution so that the City could replicate the age of retirement at 25 years, using the 14% for 25 years. The only difference is market. Market fluctuations. The City has to look at how we cannot predict the future and how the City contributes and how the state predicts it and then they let us know.

Chief Bullinger stated that for several years he has looked at retention and where the officers were going. It involved 3 components: salary, benefits/health insurance and retirement. Today, if you asked, people would say its retirement. It was very beneficial after the adoption and passage of the new salary scale that was implemented in 2013. But it didn't fix everything. There are still health benefits to deal with. In comparison, an officer starting in Bismarck, over a 7-year period of time, shows a difference of approximately \$10,000 to an officer employed in Mandan which equates out as \$2,180 in salary per year and over \$8,000 in health insurance premiums over the 7- year period. That scenario would be a retention matter and would not be fixed by any means.

Commissioner Tibke stated that the Budget Committee talked about healthcare as a critical component to this but it is also the most expensive. The City is looking into a plan with a budget sales tax or something of that nature, depending on how healthcare plays out into the future.

Mayor Van Beek commented that in a retirement plan defined contribution that if the market takes a dip you have to watch what you put in and you may take a step back. Everyone says that defined benefits can withstand that and the reason they can withstand that is because it puts more burden on the taxpayers and the City to pick up that downfall. Isn't that how those defined benefits withstand those slumps in the market? Finance Director Welch stated that he cannot speak for the ND PERS Investment Board but they do have a larger pool and they have a broader mix of investments that the City of Mandan has in its own plan. PERS probably have more options at their disposal for smoothing out those market losses than the City of Mandan has available.

Paul Leingang, Deputy Chief came forward to speak. He concurred with the overview of the retirement plan as presented by Officer Czapiewski. He mentioned that he has been with the police department since he was 17 years old and now at 51, retirement to him is not even on the radar because it "does not pencil out". He said that the PERS plan as presented is being considered as a supplemental plan by the officers so that once they turn 55 years they would have the option to move into another career if they so choose. He said paying for benefits has been a common thread of turnover at the police department for many years but that is not the only reason. There are many factors that affect hiring and retaining people, not just paying benefits. There are many options in

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this community for law enforcement to find employment and the only benefit they all have that Mandan Police Department does not have is the defined benefit plan. Deputy Leingang stated that he believes if the PERS program is passed it will have a positive impact on the department. However, if it is not adopted the department will have some negative consequences by way of unnecessary turnover of officers. He pointed out that the effort to bring this matter forward came from the rank and file officers. It is important to recognize that because that is their way of letting the City know what is important to them.

Commissioner Tibke moved to adopt the North Dakota Law Enforcement PERS Retirement System Plan. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: No\*; Commissioner Braun: No; Commissioner Van Beek: No\*\*.

\* Commissioner Laber said that because of the reasons she has stated previously with being very uncomfortable with making it only a defined benefit and no contribution component; she has to say no because she does not think this is 100% the right call.

\*\* Mayor Van Beek stated that at this point and time defined benefits locks the City into something that he doesn't know at this time that he can put onto the taxpayer's shoulders, so he has to say no.

The motion failed 3-2.

Commissioner Tibke moved to approve that the Commission appoint a Special Committee to discuss a hybrid version between the "yes's" and the "no's". She suggested the Special Committee include a City Commission member, the Finance Director, the Police Chief and a Police Officer of their choosing. 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.

I. NEW BUSINESS:

1. *Community marketing update about online video.* Business Development & Communications Director Huber provided an update on the Community Marketing Plan efforts. She explained that this is an online video that promotes Mandan as a place to do business. It includes testimonials from local entrepreneurs talking about their successful experiences in Mandan. The video will target individuals who are interested in starting or re-locating a business in Mandan as well as a tool for real estate agents and commercial lenders. It will be a combination of You-Tube, Facebook and also Google search advertising. The video was part of the community marketing activities and created under the direction of the Mandan Business Development and Communications Department and Mandan Tomorrow - Leadership, Pride and Image Committee. The video was released this month. Director Huber presented the video for viewing.

2. *Consider Growth Fund Committee recommendation for appointment of four positions for a 2015-2017 term.* City Administrator Neubauer stated that the Mandan Growth Fund Committee had four positions which terms expired on 12/31/14. A public announcement was published for individuals to come forward to fill the positions if interested. Five applications were received. The MGF met on 1/9/15 and conducted interviews with all five applicants. After review and discussion, the MGF recommended the reappointments of Mark Weide, Jeff Erickson and Rick Horn and a new appointment of Dan Anderson. The MGF strives to have representation from Downtown, Memorial Highway, Northwest (Industrial Park) and Financial Institutions.

Commissioner Laber moved to approve the reappointments of Mark Weide, Jeff Erickson and Rick Horn and a new appointment of Dan Anderson to the Mandan Growth Committee for terms ending 12/31/17 or until appointments are made to their positions. Commissioner Tibke 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 approval of TIP (Transportation Improvement Program) road project submittals.* Planning & Engineering Director Froseth stated that the engineering staff met with the Metropolitan Planning Organization (MPO) and Dept. of Transportation staff to discuss and prioritize funding requests for various roadway projects with focus on 2019, as the DOT likes to take a four-year outlook review of projects. Director Froseth provided information on the TIP Improvement Program projects that the City applied for in the year 2019. These projects are eligible for up to 80% federal funding with a 20% local match required. The priorities of the projects are:

> 2019 Urban Roads Applications:

- (i) Project L – Intersection of McKenzie Drive SE and 46<sup>th</sup> Avenue SE
- (ii) Project H – Reconstruction of 8<sup>th</sup> Avenue NW from Old Red Trail to 27<sup>th</sup> Street NW
- (iii) Project G – Extension of Sunset Drive NW
- (iv) Project I – Extension of Division Street east from 8<sup>th</sup> Avenue NE to Mandan Avenue
- (v) Project J – Extension of Division Street west from Sunset to Lohstreter
- (vi) Project K – Extension of 8<sup>th</sup> Avenue NW from 27<sup>th</sup> Street to 38<sup>th</sup> Street NW

> 2019 Urban Regional Applications - 80% funding from federal funding administered through the DOT with 10% from the state and 10% from a local match. The two projects are:

- (i) 1806 From Old Red Trail to 27<sup>th</sup> Street NW
- (ii) Memorial Highway, Phase 1 (Memorial Highway is considered a state highway and that is why it falls under this category) . The DOT and the MPO staff determined the plan for Memorial Highway reconstruction has a 3-phase approach with east Memorial Highway as Phase 1

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These are the applications sent in for 2019. The TIP Projects are in the TIP Program meaning that the DOT has allocated funds they are expected to receive from the Federal Highway Administration.

Commissioner Rohr moved to approve the 2015-2019 TIP (Transportation Improvement Program) road projects sent to the MPO for their consideration and to forward them to the ND Department of Transportation. 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.

4. *Consider Revisions to the 5-year Remodeling Exemptions on Existing Commercial and Residential Structures.* City Assessor Shaw stated that in 2014 the City of Mandan had adopted a resolution for the 5-year remodeling exemptions. The Assessing Department has reviewed the current policy for residential and commercial property and revisions have been identified to help streamline the process and focus. Assessor Shaw provided the state guidelines and noted they are also on the City of Mandan website and State of ND website. This exemption provides an incentive to property owners to invest private capital to remodel and rehabilitate private structures to prevent them from decay. It would be at the discretion of the City to grant the exemption. This would also provide an incentive to improve private properties that will improve employment numbers and enhance living conditions while preserving the property tax base. Bismarck, Fargo, West Fargo, Grand Forks, Jamestown and Minot were queried last year as to what their policies were for the requirements of the exemptions and it was found there was a varying degree of requirements. The Mandan Growth Fund Committee also reviewed the Commercial Policy at their January 9, 2015 meeting of which they approved the revisions with the inclusion of the words “or other insurable events” under the #5 item that is also referenced under flood, fire and tornado damages. The proposed policy has been reviewed by the City Assessor, the Economic Development Director, the Finance Director and the City Administrator.

The consensus was to make the following changes to the 5-year remodeling exemption:

- (i) The exemption will be for a maximum of three (3) years (currently at five (5) years).
- (ii) Additions to commercial properties could qualify for the exemption upon approval by the city commission if the project qualifies or meets the criteria requirements.
- (iii) The property owner must apply for the exemption and be approved with the Assessor Office once the completion of the reassessment is done and final approval made by the City Commission prior to the commencement of the improvement. Commencement of the improvement means the start of any remodeling, pouring of footings or foundation. The moving of dirt is not considered commencement of improvement.
- (iv) A permit must be issued prior to the commencement of the improvement.
- (v) The exemption will not be allowed for repairs due to flood, fire, or tornado damages or other insurable events.

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(vi) A property tax may be allowed one exemption per property per assessment year. The first remodeling exemption must be completed and expired prior to the approval of the second application for remodeling exemption. This would include Renaissance, store front improvement matching funds or new business exemptions.

The requirements would become effective with the Assessment Year 2015 upon approval of the City Commission.

Commissioner Laber moved to approve the revisions to the 5-year Remodeling Exemptions on Existing Commercial and Residential Structures. Commissioner Tibke 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.

5. *Introduction of Morton Mandan Public Library Assistant Director Sarah Warneke.* Kelly Steckler, Library Director, introduced Sarah Warneke, as the new Assistant Director at the Morton Mandan Public Library. She comes from Nebraska and received her Library of Science Degree from the University of Nebraska. She has many years of library experience and training. Mayor Van Beek welcomed Ms. Warneke to the Morton Mandan Public Library staff.

J. RESOLUTIONS AND ORDINANCES:

1. *Consider adoption of Ordinance 1197 modifying the requirements for sidewalks and driveway aprons.* Principal Planner Decker stated that there is a need to update and do a minor clean-up of the verbiage on ordinances so the application process is cleaner. Work in progress continues on municodes so this will be included into those revisions.

Commissioner Tibke moved for the first consideration for the adoption of Ordinance 1197 modifying the requirements for sidewalks and driveway aprons. Commissioner Braun 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. *Introduction and first consideration of Ordinance 1199, An Ordinance to Amend and Re-enact Chapter 4-07 of the Mandan Code of Ordinances Relating to Sick Leave.* City Administrator Neubauer stated this is a follow-up item from the last meeting wherein there was discussion on the implementation of two different sick leave banks, Bank A and Bank B and also to include a provision for long-term disability plan for City employees.

Commissioner Laber moved to approve the first consideration of Ordinance 1199, an Ordinance to amend and Re-enact Chapter 4-07 of the Mandan Code of Ordinances Relating to Sick Leave. Commissioner Braun 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.

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K. OTHER BUSINESS:

1. Mayor Van Beek provided a reminder that Monday, January 26, 2015, is the date set for the Mandan Progress Organization Annual Dinner at the Harvest Brazilian Grill. Tickets can be purchased at the MPO Office.
  
2. Commissioner Laber provided a reminder and encouraged attendance at the Public Info & Input Meeting regarding City Hall options that will be held on Tuesday, January 27, 2015, from 5:00 p.m. – 7:00 p.m. at Mandan City Hall.

There being no further actions to come before the Board of City Commissioners, Commissioner Rohr moved to adjourn the meeting at 6:35 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