
The Mandan City Commission met in regular session at 5:30 p.m. on January 6, 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 City Administrator Neubauer, Police Chief Bullinger, City Attorney Brown, Director of Public Works Wright, Business Development & Communications Director Huber, Planning & Engineering Director Froseth, Planner Decker, and Assessor Shaw. Absent were Finance Director Welch, Fire Chief Nardello, and Building Official Lalim.

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

E. PUBLIC HEARING:

F. BIDS:

G. CONSENT AGENDA

1. *Consider appointments to Mandan Community Beautification Committee.*
2. *Increasing the Animal Control Officer Position from Thirty-Five Hours, Three Quarter Time to Forty Hours, Full Time.*
3. *Consider \$500 budget amendment to the 2014 Street Department Capital Outlay budget.*
4. *Consider the following abatements/exemptions:*
 - i. *Correction – Change to reflect exempt status for land owned by Mandan Park District.*
 - ii. *Complete Reassessment – Value change on land – Michael Martin.*
 - iii. *Assessor Error – Missed 2-Year Tax exemption – Jamie & Carina Friesz.*
 - iv. *Correction to a 5-Year New & Expanding Business Property Tax Exemption – High Plains Apache.*
 - v. *Correction to a 5-Year New & Expanding Business Property Tax Exemption – Spence Koenig.*
 - vi. *Missed 5-Year Tax Exemption for Wind River Properties (WW Ranch) for 2013*
 - vii. *Complete Reassessment – reduction in Market value – Lloyd Motl.*

viii. *Correction – Assessing Error for Property Tax Exemption for Improvements to Commercial Building – Kevin Ressler.*

ix. *Complete Reassessment – Reduction in Market Value – Lorraine Carlson.*

5. *Consider approval of Change Order #8 for SID # 176 (Lakewood 6th and 7th).*

6. *Consider approval of Change Order #9 for SID # 176 (Lakewood 6th and 7th).*

Commissioner Laber moved to approve the Consent Agenda as presented excepting item No. 4 (i) *Correction – Change to reflect exempt status for land owned by Mandan Park District.* Commissioner Rohr 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.

No. 4(i): Correction – Change to reflect exempt status for land owned by Mandan Park District. Shirley Shaw, City Assessor, stated that the parcel that is in question was sub-platted last year. It was split into Auditor's Lot A of Lot 5 West Bay Estates 2nd Replat Addition lots 3-5 of Block 1. When the transfer and split were done the land value was not removed for the Park District. The Mandan Park District is an exempt status and is not required to pay property taxes. Commissioner Laber commented that she thought this was the area where the new YMCA will be and inquired if the YMCA will be Park District property or a private entity? City Administrator Neubauer stated that the Park District owns the property and that they have entered into a lease for the Sanford YMCA project.

Commissioner Laber moved to approve Consent Agenda item No. 4(i): *Correction – Change to reflect exempt status for land owned by Mandan Park District.* 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:

I. NEW BUSINESS:

1. *Introduction of new Police Officer Tricia Schmeichel.* Police Chief Bullinger introduced new Police Officer Tricia Schmeichel. She is a 2014 Law Enforcement graduate of the Law Enforcement Training Academy in Bismarck. She has successfully completed the field training program and she has been assigned to a uniform patrol position with the Mandan Police Department Patrol Division. Tricia has an Associate degree in Criminal Justice from BSC. She also just recently received a Bachelor's Degree from Minot State University in Criminal Justice with a minor in Psychology. Mayor Van Beek extended a welcome to Officer Schmeichel to her new position.

2. *Consider appointments to Planning and Zoning Commission.* Principal Planner Decker stated that there were two positions that expired on the Planning & Zoning Commission in 2014. Requests for applications were published and five responses were received. One response was from a resident in the extraterritorial area and that response was forwarded to the county who appoints persons to the extraterritorial area. Bill

Robinson, the current Planning & Zoning president expressed interest in being reappointed for another term. The applicants were invited to make statements of interest to serve on the P & Z Commission. The P & Z Commission conducted a ballot vote in December 2014 and now comes before this Board with recommendations to appoint Bill Robinson and Chris Breach to the P & Z Commission for 5 year terms commencing 1/1/15.

Commissioner Rohr moved to approve the appointments of Bill Robinson and Chris Breach to the Planning & Zoning Commission for 5 year terms commencing 1/1/15. 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 changes to sick leave accrual and addition of long term disability coverage.* Kevin Wilson, Human Resources, presented a request to consider amendments to the sick leave accrual buyback policy and to add a long term disability coverage plan to the City of Mandan benefit package. Mr. Wilson presented a power point presentation proposal outlining (1) Long Term Disability Coverage (2) Maximum Hour Accumulation Policy and (3) Sick Hour Buyback Policy. Highlights included:

- ~ Social Security and Disability facts and figures
- ~ Graphic of 2013 Federal Poverty Levels
- ~ What is a PDQ (Personal Disability Quotient)?
- ~ Factors that increase the risk of disability
- ~ Factors that decrease the risk of disability
- ~ Mandan employee sick pay average accrual balance
- ~ Proposed Sick Policy Bank A
- ~ Proposed Sick Policy Bank B
- ~ Proposed Eligible Employee 40% Sick Hour Payout
- ~ Proposed Long Term Disability Insurance Benefits
- ~ Disability Benefit Summary Proposal
- ~ Estimated Monthly LTD Cost of \$1,564.85 or \$12.62 per employee per month

Commissioner Laber inquired who would pay the \$15,000 per year. Mr. Wilson stated that the City of Mandan would pay the cost of the full premium and clarified that the only plan the City of Mandan has for the employees is the sick pay plan. The carrier is the group life carrier and it is within their proposal for a 2-year rate guarantee.

Commissioner Tibke moved to approve the suggested changes to the sick leave policy and to establish a long term disability policy as part of the City of Mandan's benefit package, and to have City Attorney Brown draft the necessary Ordinance amendments to implement the change. 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. *For information item Addendum No. 2 was issued this morning for the Mandan Wastewater Treatment Facility Interim Optimization project. Most notably, the addendum changes the bid date from Thursday, January 8th to Tuesday, January 13th.* Planning & Engineering Director Froseth stated this is an informational item wherein the City released Addendum No. 2 for the Wastewater Treatment Plant Optimization project. A project walkthrough occurred on 1/5/15 which typically occurs about a week before the bid date. Director Froseth stated that there were clarification questions that came up on this project that were taken care of. There is no cost impact to the project itself as a result of this clarification and this is also a notification to the Commission that the bid opening date was changed from January 8, 2015 to January 13, 2015. It is anticipated that this change will allow the bid results to come forward at the January 20, 2015 Commission meeting. This is an informational item and no action is required.

J. RESOLUTIONS AND ORDINANCES:

1. *Second Consideration and final passage of Ordinance 1196 to amend and re-enact Chapter 12-02 of the Mandan Code of Ordinances relating to a Class WB (Winery / Brewery) liquor license.* Commissioner Tibke moved to approve the Second Consideration and final passage of Ordinance 1196 to amend and re-enact Chapter 12-02 of the Mandan Code of Ordinances relating to a Class WB (Winery/Brewery) liquor license. 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.

K. OTHER BUSINESS:

There being no further actions to come before the Board of City Commissioners, Commissioner Rohr moved to adjourn the meeting at 5:59 p.m. Commissioner Tibke 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