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The Mandan City Commission met in regular session at 5:30 p.m. on July 12, 2012 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 Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, and Engineering Project Manager Bechtel. Absent: City Assessor Barta.

MINUTES: *Consider approval of the minutes for June 19, 2012 regular meeting and minutes of the June 26, 2012, special meeting.* Commissioner Tibke moved to approve the minutes of the June 19, 2012 regular meeting and the minutes of the June 26, 2012, special meeting. 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.

PUBLIC HEARING:

1. *Public Hearing to consider the vacation of the Acteva Addition Plat.* Engineering Project Manager Bechtel reviewed with the Board a request from Michael Schmitz, managing partner of Acteva, LLC, who made a request to vacate the Acteva Additional plat on file with the City of Mandan. The plat was approved on August 22, 2011. Bechtel stated that the project fell through, thus the vacation is not going to move forward so the public hearing has been pulled. The zoning in that area was correct for that plat and it can be re-platted or re-zoned at any time in the future.

Mayor Van Beek announced this is a public hearing and invited the public to come forward to comment. Seeing and hearing none, this portion of the public hearing was closed.

Engineering Project Manager Bechtel provided a clarification that there was an ad in the newspaper for the vacation of a street that was pulled due to a clerical error. That item does not appear on the Agenda because it was an error but it was in the newspaper.

CONSENT AGENDA:

1. *Consider for approval the application for beer garden and street dance event.* The Board approved of the application for beer garden and street dance event.
2. *Consider for approval the final replat of part of Lot 2 Block 1, Lakewood 1<sup>st</sup> Addition.* The Board approved of the final replat of part of Lot 2 Block 1, Lakewood 1<sup>st</sup> Addition.
3. *Consider for approval the final plat of Keidel’s South Heart Terrace 2<sup>nd</sup> Addition.* The Board approved of the final plat of Keidel’s South Heart Terrace 2<sup>nd</sup> Addition.
4. *Consider for approval the final plat of Lark Commercial Park 4<sup>th</sup> Addition.* The Board approved of the final plat of Lark Commercial Park 4<sup>th</sup> Addition.
5. *Consider for approval the final plat of Heart Ridge 2<sup>nd</sup> Addition.* The Board approved of the final plat of Heart Ridge 2<sup>nd</sup> Addition.

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6. *Consider approval of the pledge of securities reports as required by NDCC 21-04.* The Board approved of the pledge of securities reports as required by NDCC 21-04.
  7. *Consider Acceptance of Grant from Dept. of Human Services for the Enforcement of Underage Drinking, Contract #2012-1.* The Board approved of Acceptance of the Grant from Dept. of Human Services for the Enforcement of Underage Drinking, Contract #2012-1.
  8. *Consider games of chance for Find, Inc. (DBA-Fire Academy ND) at Fire Academy headquarters July 15, 2012-September 15, 2012.* The Board approved of games of chance for Find, Inc. (DBA-Fire Academy ND) at Fire Academy headquarters July 15, 2012-September 15, 2012.
  9. *Consider games of chance for ND Angus Association at Seven Seas Motel July 15, 2012 to November 17, 2012.* The Board approved of games of chance for ND Angus Association at Seven Seas Motel July 15, 2012 to November 17, 2012.

Commissioner Rohr moved to approve the Consent Agenda items No. 1 through 9 as presented. 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.

RESOLUTIONS & ORDINANCES:

1. *Consider second consideration and final passage of Ordinance No.1124 Zone Change for Heart Ridge 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 Frank moved to approve the second consideration and final passage of Ordinance No.1124 Zone Change for Heart Ridge 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.
2. *Consider resolution to vacate Acteva Addition plat.* Commissioner Tibke moved to vacate the plat of Acteva Addition in its entirety. 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.

OTHER BUSINESS:

There being no further actions to come before the Board of City Commissioners, Commissioner Tibke moved to adjourn the meeting at 5:38 p.m. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present.

/s/ James Neubauer

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James Neubauer,  
City Administrator

/s/ Arlyn Van Beek

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Arlyn Van Beek,  
President, Board of City  
Commissioners