
The Mandan City Commission met in regular session at 5:30 p.m. on May 3, 2016 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Van Beek, Tibke, Rohr, Braun, and Laber. Department Heads present were Finance Director Welch, Police Chief Ziegler, City Attorney Brown, City Administrator Neubauer, Fire Chief Nardello, Business Development & Communications Director Huber, Planning & Engineering Director Froseth, Planner Decker, Assessor Shaw, and Building Official Lalim. Absent: Director of Public Works Wright.

B. APPROVAL OF AGENDA: Commissioner Laber 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 inviting 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 April 19, 2016 regular meeting and Board of Equalization meeting of April 19, 2016.*

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:

G. CONSENT AGENDA

1. *Consider for approval Lakewood Commercial Cove First Addition First Replat.*

2. *Consider Police Department requests for out-of-state travel for training:*

(i) National SWAT Conference in Louisville, KY – Aug. 14-20, 2016 for Lt. Pat Haug; (ii) PRW Advanced Sniper Scenarios training in Fairplay, CO – Nov. 3-6, 2016 for Police Officer David Raugust.

3. *Consider approval of road restrictions and detour for Armed Forces Day parade event planned for May 21st.* Commissioner Laber indicated that this sounded like a great idea. Her question was whether this event was definitely approved. Planning & Engineering Director Froseth stated there have been some contingencies on this event and meetings will be occurring with the organizers of the event. The City will review the plan before signing off on moving forward with the event which includes written authorization from the Highway Patrol Department related to blocking off the east bound Memorial Bridge as requested by the organizers. The second provision is a provision for the signage company to create the signs for the detours and road restrictions for this event. As of now, the City of Mandan is still waiting for those contingencies and barring those two items, the City is satisfied with the event plans. The organizer of the event was available to answer any questions.

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4. *Consider approval of MPO event road closures.*
 5. *Consider for approval for a Change Order for additional Storm Sewer work on the water main replacement project.*
 6. *Consider for approval final plat for Lakewood 8th Addition First Replat.*
 7. *Consider approval of a Special Sunday opening for the Mandan Moose on June 12, 2016.*

Commissioner Braun moved to approve the Consent Agenda as stated. 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.

H. OLD BUSINESS:

1. *Presentation by Mike Manstrom, Dougherty & Company LLC, regarding the financing proposal for the Mandan Sports Complex.* Mike Manstrom of Dougherty & Company LLC presented a status update on the sales tax issue as far as timing and the size of the bond issuance. He reported that the Joint Powers Agreement has been signed by the City of Mandan and the Park District. The attorneys are working on documentation and the official statement used to market bonds is near completion. When the documents are completed they will be forwarded to the rating agency to get a rating wherein it is anticipated that it will receive an “A” rating for this sales tax issue. It will be a revenue bond. The bond issue is broken into three separate pieces. Currently it is structured as a tax exempt series A - \$16,545,000. There is a taxable series A “T” taxable for \$1 million and there is a tax exempt series B for \$5 million. So, tax exempt A, taxable B and tax exempt B (again). It is structured that way to afford us an opportunity to price these bonds and establish an early redemption feature for series B tax exempt bond for \$5 million. The other two issues are structured as a 25-year maturity. We anticipate early pay down on both of the Series A and Series A taxable. But first, principal and interest payments will be made on the Series A bond.

In summary, the sales tax comes to the City; the City forwards the sales tax revenue to the Bank of North Dakota as escrow agent and trustee. Then the Park District on the construction will have to voucher out the funds. The funds are monitored by the trustee as they are passed through construction. Those funds will first go into the principal, interest payment account for the Series A bonds, the Series A taxable bonds and the Series B bonds. Once all the funds are in for the payments the left over sales tax on an annual basis. This is based on a 2015 sales tax collection which was based on 75%, \$1.9 million a year. This is using 2015 sales tax projections going forward. It is anticipated that the Series B bond, a \$5 million bond, will be paid off in 6-7 years. The taxable issue will be paid off in 3 years. The Series A bonds should be paid off in 15 years, the Series A taxable bonds in 3 years and the Series B tax exempt bonds in 5 years. All the bonds are anticipated to be paid off early. The 25 year maturity has been established. The total interest costs are estimated cost if the bonds are not redeemed early at \$37 million. If the bonds are paid off early as anticipated, it should be around \$28 million interest for a \$7 million cost savings to the City. This is an informational item wherein no action is required at this time.

I. NEW BUSINESS:

1. *Mandan Remediation Trust update on activities:* An update was provided by Dave Glatt, Section Chief for the North Dakota Department of Health provided a summary of the history of the diesel fuel spill. The spill was pretty significant with up to 5 feet of diesel fuel on top of the water table pretty much throughout the downtown area. Burlington Northern recovered between 500-600 thousand gallons of diesel fuel. The process wasn't really moving forward quickly enough. This resulted in a lawsuit against BNSF wherein \$23 million was awarded for remediation to clean up the contaminated materials. The cleanup started around 2006. A consulting firm, Leggette, Brashears & Graham (LBG) was hired to take an aggressive approach to the remediation process. The next phase is the shutdown system, expected to take a few years. Highlights of the project and shutdown phase include:

- The 281st meeting of the MRT was held on 5/3/16. Meetings are held monthly.
- The Remediation Trust Balance on March 31, 2016 was approximately \$6.5M.
- Annual Operating Costs = \$250-\$300k/year – decreasing as parts of system are de-commissioned.
- Installed a venting system, at minimal cost (less than \$3,000) for the Law Enforcement

Center as there were a few complaints of some odors in the maintenance room area.

- Through February 2016 the following volumes of contaminants have been removed:
 - Hydrocarbon and VOC vapors 237,387 lbs.
 - Methane 125,085 lbs.
 - Free phase (liquid) fuel 547, 643 lbs.
 - In-place bioremediation reduction 2,953,504 lbs.
- Decommissioning wells are generally monitored for a year or longer to see if any product returns. The plan is to go through a couple seasons of possible wet and dry weather cycles prior to recommending final closure.
- The area is recommended for decommissioning when all wells in that area are less than 1/10 of a foot of measurable product in the well for at least one year.
- MRT has allowed movement of wells or has decommissioned wells in the areas where redevelopment has occurred, such as Library Square I & II, Collins & Main, Mandan Place, American Bank Center (35 remediation wells previously closed).
- Recommend that during the summer 2016 decommissioning of all wells in Remote Manifold areas RM 1-2, RM 1-3, RM 1-4, RM 2-1, RM 2-2, RM 2-3, and RM 2-4 (70 remediation wells). Note: Many more individual wells meet criteria for closure, but will be kept in place until entire manifold area can be closed. Only the recovery wells are currently needed for active remediation.

Mayor Van Beek extended a thank you to the State Health Department for their assistance and lead in this project. Commissioner Tibke extended a thank you to Mr. Glatt for all the years of service and effort put forth to this project.

2. *Consider deadline extension for Trails West Street Improvement District.*

Planning and Engineering Director Froseth stated that this is a request to consider a deadline extension for the Trails West Street Improvement District. Director Froseth provided the following summary of this project. In the second week of April the developer of the Trails West subdivision brought in preliminary plans for the development of the subdivision in NW Mandan. What is different with this plan set is that the set includes water and sewer utility with the storm sewer and streets all within one plan set. The verbal request by the developer is to construct the water and sewer utility under a 3-way agreement, and to construct the streets and storm sewer by utilizing the special assessment method. The City has expressed to the developer to have two separate projects for consideration. The second main concern the Engineer's office has with this development request is that the project would take place adjacent to the Old Red Trail reconstruction project and could conflict with the contractor of that project if not carefully coordinated. The NDDOT administratively concurred with entering into agreement with the contractor, Veit & Company, for Old Red Trail on April 21, 2016. The City has not had a conversation with this contractor about concerns of a sizeable project directly adjacent to them going on at the same time. As expressed to the Trails West developer, the Old Red Trail reconstruction project would need to take priority for the City.

This project is not ready to be approved today because of the above concerns. Since it is not ready, it will miss the bid opening deadline of June 1, 2016 to be considered for improvement by the special assessment method. The Engineer's office would benefit from being allowed to have additional time to discuss the above concerns. The developer is interested in completing these street improvements in 2016 by special assessment method. In order to consider this request the deadline would need to be extended. The developer is aware that constructing by 3-way agreement does not subject them to this deadline, but they are still interested in the special assessment method at this time. This project consists of 750 feet of new road with some major storm sewer involved. A preliminary estimate for this total project is about \$400,000. Director Froseth recommended extending the SID deadline by one month in order to allow discussions to occur regarding the conflicts foreseen with the Old Red Trail project.

Commissioner Laber commented that with the Old Red Trail reconstruction going on, the City needs to make sure that that project is not impacted by this one. Director Froseth stated that there is a verbal agreement with the developer wherein they have indicated they are willing to work with the City to not impact the Old Red Trail project. They anticipate their project will still take place this year and still not impact the Old Red Trail project. He stated that will be outlined in a developer agreement which is the reason for the request to have an extension in this project.

Commissioner Laber moved to extend the bid opening deadline to July 1st, 2016 for SID

consideration. 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. *GIS project update and consideration of four-wheelers to collect survey data.* Planning and Engineering Director Froseth presented a request to use four-wheelers on streets to perform the data collection efforts for a project activity. He explained that AE2S has been working with the City of Mandan since entering into a contract last fall on this project. The first main activity was to survey of the approximate ten square block pilot area in downtown Mandan. Following the survey last fall, a meeting was held to discuss how the information looked for the City's future system and how it would look moving forward with the rest of the data collection. Those meetings ensured that the City and AE2S agreed on the same terms regarding data collection and AE2S has continued with data collection in the month of April. Director Froseth reviewed the other tasks that have been ongoing over the last several months. The use of four wheelers would improve efficiency of data collection in the areas outside the core central area of the city as infrastructure is more spread out. AE2S will benefit by using four-wheelers in those areas.

Commissioner Braun inquired as to who holds liability should an accident occur while using one of the four-wheelers during this project. Director Froseth replied that was not part of the discussion for this project. He stated that it is an assumption that AE2S would have insurance coverage should an accident occur. Commissioner Laber stated that generally businesses carry liability insurance to cover their employees. She requested that Director Froseth discuss that with AE2S to make sure there is sufficient coverage. She recommended that if the City does allow this, if there is a traffic incident, personal injury, or some irregularity causing a nuisance activity, then the use of the four-wheelers should cease and that the City Commission then be allowed to re-visit the matter. In the event there is any such incident, she recommended that the City Commission be notified and that the Police Chief and the City Engineer work together to cease the use of activity until discussions have occurred by the City Commission. Mayor Van Beek concurred with the foregoing recommendation provided by Commissioner Laber.

Commissioner Laber moved to approve allowing AE2S to use four-wheelers on Mandan City streets when collecting survey data for the City of Mandan's GIS project for so long as there are no traffic incidents or citizen concerns or complaints in which case the Police Chief and the Engineering Director will work together to cease that operation.

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.

4. *Presentation by Mike Manstrom, Dougherty & Company LLC, regarding the sale of \$5,030,000 Refunding Improvement Bonds of 2016, Series A. (See Resolutions #3).* Mike Manstrom, Dougherty & Company LLC, presented a request to award the negotiated sale of \$5,030,000 Refunding Improvement Bonds of 2016, Series A for the purpose of

refunding the City's Refunding Improvement Bonds of 2007, Series C, Refunding Improvement Bonds of 2007, Series D and Refunding Improvement Bonds of 2008, Series B. The combined three bonds will save the City approximately \$398,000. Mr. Manstrom explained that the refinancing of the old Bonds is necessary to take advantage of the lower interest rates with the sale of the new Bonds. The following special assessment districts are affected as a result of the refinancing:

- Storm Sewer #26
- Sanitary Sewer #30
- Sanitary Sewer #144
- Street #137-Area A
- Street #137-Area B
- Street #138-Area B
- Street #138-Area C
- Street #138-Area D
- Street #139
- Street #140
- Street #141-Area A
- Street #141-Area B
- Street #141-Area C
- Street #143
- Street #145
- Street #149-Area A
- Street #149-Area B
- Street #149-Area C
- Water and Sewer #48-Area A
- Water and Sewer #48-Area B
- Water and Sewer #50
- Water and Sewer #53
- Water and Sewer #54

The total Net Present Value Benefit (NPV) savings is estimated to be \$398,525 or 7.899%. This savings is net of the issuance costs. A common method to determine if the refunding is appropriate is that the savings, net of all issuance costs, should be at least 3% to 5% as a NPV percentage of the refunded bonds. The net savings from the refinancing will be passed on to the balances owed by the special assessment districts indicated above through lower interest rates effective May 25, 2016.

Finance Director Welch stated that the savings are passed on to the property owners of those districts that are represented through this refinancing process.

Mr. Manstrom mentioned that the City of Mandan once again reaffirmed its A1 rating by Moody's. He extended a thank-you to the City Administration and the numerous committee members to make the sales tax issue go forward and for getting the Joint Powers Agreement in place. He appreciated all the work that went into it.

5. *Consider Mandan Growth Fund Committee recommendation regarding an application for Flex PACE interest buy-down by SSWII, LLP (leased to Stockmen's Supply West).* Business Development and Communications Director Huber presented a

recommendation from the Mandan Growth Fund (MGF) Committee regarding an application for an interest buy-down by SSWII, LLP. The MGF Committee met on April 28, 2016 and reviewed the application for an interest buy down of permanent financing for an expansion project through the Bank of North Dakota (BND) Flex PACE program. The applicant is seeking the maximum buy down amount of \$153,846. The BND will provide 65% or \$100,000 of the amount, with the local community required to provide 35% or \$53,846. The buy-down is on a principal amount of approximately \$2 million. The total project financing is estimated at \$2,750,000. The project involves permanent financing for a new building to be constructed by SSWII, LLP and leased to Stockmen's Supply West. The business is located at 1716-40th Avenue Southeast. The project involves the purchase of 2.5 acres of property at 1440 Action Drive Southeast. SSWII, LLP, will be constructing a 28,500 sq. ft. building. Stockmen's Supply West has been in business in Mandan for 18 years. The business specializes in selling animal health and livestock supplies. The business currently has 8 full-time and 3 part-time employees. The expansion will include a veterinary clinic and increase sales of taxable merchandise wherein they may lease the space to another operator.

The Growth Fund balance as of March 31, 2016, for undesignated economic development projects is \$192,145.74. The buy-down will require a local match of \$53,846. The recommendation is for a structured as a loan, with an interest rate of 2% to begin accruing at the commencement of the loan. The loan would be for a maximum buy-down period of five (5) years and to be repaid within an equal period for a total maximum loan length of ten (10) years. The Lewis & Clark Regional Development Council (LCRDC) will administer and service the loan for the City of Mandan for a 1% origination fee and all hard costs to be paid by the borrower and a 1% servicing fee on payments collected after the buy-down period ends.

The MGF voted 5-0 (4 members were absent) to recommend approval of the interest buy-down with a local match of \$53,846 to be structured as a loan repayable within five (5) years after a maximum five-year buy-down period with a 2% interest rate and interest to begin accruing at the start of the loan. The buy-down is contingent upon approval of the lead lender and the Bank of North Dakota.

Guy Halvorson stated that there are currently 8 fulltime and 3 part-time employees and there will be at least 2 practitioners at the Veterinary Clinic and up to 5 support staff for the clinic. It is anticipated that 16 employees will be added by 2018.

Director Huber clarified that SSWII, is an "LLP" not an "LLC" – noting that the correct name is SSWII, LLP.

Commissioner Braun moved to approve the interest buy-down for SSWII, LLP, with the local match of \$53,846 to be structured as a loan with the term and rate as recommended. 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.

6. *Consider deeding Lot 31, Block 1, less Auditor's Lots A thru N of Lot 31, Borden Harbor 1st Subdivision to the City of Mandan (County Parcel # 65-0171681) to the Borden Harbor Owners Association.* City Attorney Brown stated that Borden Harbor was platted as a separate lot in the Borden Harbor subdivision years ago, (possibly in 1994). It was taxed as a separate lot and sometime before 2011 the taxes were not paid so it went back to the county. The county deeded it to the city without any knowledge by the City. Last fall, the Corp of Engineers asked the City what they are doing as far as management of the harbor, issuance of dock permits, Corps of Engineers regulations being complied with, etc. It was the city's opinion that it should not be involved. Subsequently, City Administrator Neubauer and counsel encouraged all abutting lot owners to the harbor to form an association to own and manage the harbor. The association now has sufficient members to function as an entity. Attorney Brown recommended deeding the Borden Harbor lot to the association owners of record. The deed runs to the Borden Harbor association. Steve Pine was present to answer any questions on behalf of the Borden Harbor Association.

Commissioner Braun moved to deed Lot 31, Block 1, less Auditor's Lots A thru N of Lot 31, Borden Harbor 1st Subdivision to the City of Mandan County Parcel #65-0171681 to the Borden Harbor Owners Association. 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.

J. RESOLUTIONS AND ORDINANCES:

1. *Second consideration of Ordinance No. 1237 amending and re-enacting Chapter 16, Article 4 of the Mandan Municipal Code related to the Emerald Ash Borer and Dutch Elm Disease.* Commissioner Tibke moved to approve the Second consideration of Ordinance No. 1237 amending and re-enacting Chapter 16, Article 4 of the Mandan Municipal Code related to the Emerald Ash Borer and Dutch Elm Disease. 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. *Second consideration of Ordinance No. 1238 creating PUD District 2016-01 for Lakewood 8th Addition First Replat.* Commissioner Tibke moved to approve the Second consideration of Ordinance No. 1238 creating PUD District 2016-01 for Lakewood 8th Addition First Replat. 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.

3. *Consider Resolution Awarding Sale of \$5,030,000 Refunding Improvement Bonds of 2016, Series A.* Commissioner Laber moved to approve the Resolution Awarding Sale of \$5,030,000 Refunding Improvement Bonds of 2016, Series A. 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.

K. OTHER BUSINESS:

1. *Consider options related to the possible transition of the Business Development & Communications Director position from contract to a civil service position.* City Administrator Neubauer presented an update on the matter previously discussed regarding the options related to the possible transition of the Business Development & Communications Director position from contractual position to a civil service position. He presented a 3-column spreadsheet “Comparison of the Bismarck Business Development Director & the Mandan Business Development & Communications Director” for review and discussion. He explained that a comparison was conducted with a similar Business Development position in the City of Bismarck (without the communications portion) to Mandan’s Business Development & Communications Director position and it was suggested that a combination of the two positions be used in the creation of either a permanent position or language that would be utilized in a new contract. Administrator Neubauer presented for consideration a suggested job description if the position is determined to be a permanent position and an updated contract to account for primary job functions (including a job description) if the contract is renewed.

Commissioner Laber stated that this position belongs as a civil service position due to the Mandan community needing a position such as this to promote Mandan’s businesses and organizations. She recommended discussing the establishment of the position as either a contract or civil service position and once that is determined, a salary could be discussed. Commissioner Braun concurred with Commissioner Laber’s recommendations and indicated this is a needed position for the City of Mandan. He had no opinion as to whether the position should remain a contract position or civil service position. Commissioner Rohr stated that it’s not unusual, in other areas, for this position to be contracted out. Sometimes they are contracted out if it is a shared position with other duties. Commissioner Tibke stated she is leaning towards it being a contractual position for flexibility. She suggested revisiting an Economic Development contract package as a whole. It could be revised as Director Huber is capable of expanding her roles under these positions. She recommended the position answer directly to the City Commission and allow for more flexibility in the contract(s) due to the shifting needs occurring within the City on an ongoing basis. This should be discussed during the upcoming working session wherein economic development is a topic for discussion while at the same time review the funds allotted to this position as well as to the Bismarck Mandan Development Association, to Mandan Progress Organization, etc. Commissioner Rohr agreed that a review of the economic development program should be completed due to the community economics constantly changing.

Commissioner Tibke suggested Director Huber provide input in order to assure the Commission addresses impact on funding. She suggested this matter be discussed at an upcoming working session that would include input from Director Huber about her position and where she sees changes that might be beneficial to the city and subsequently develop a contract to that effect. Administrator Neubauer stated that Director Huber’s contract was due to renew on February 1, 2016. Commissioner Laber suggested that we move forward with determining the position as a Civil Service position and then if it needs to be revised it would come back to the Commission for review. Mayor Van Beek commented that the position will continue to be accountable to the City staff and to the City Commission. Commissioner Tibke commented that the position should be accountable directly to the City Commission.

Director Huber stated that she understands that the expired contract states that she is accountable to the City Commission. She said she would welcome either a new contract or an appointment to a civil service position. However, she does not want to remain in limbo any longer. The expired contract read that it was negotiable and that duties could be changed as long as agreed to by both parties. She also mentioned that the annual performance evaluation has not been completed that is also part of that contract. Administrator Neubauer clarified that the performance appraisal was drafted in February and about that time discussions started to occur as to what to do with the whole economic package. The review and performance appraisal are ready.

Commissioner Laber moved to transition the Business Development & Communications Director from a contractual employee to that of a civil service position. Commissioner Tibke seconded the motion.

Commissioner Tibke inquired as to what flexibility there is when changing duties if agreed upon by both parties. Attorney Brown stated flexibility would be the same as with any employee. Changes in the contract will require approval of both parties. In a civil service position the employer has more control than it has with a contractual position. Administrator Neubauer stated that he and Director Huber worked on the job description together and also with the contract renewal. He explained that job descriptions are updated periodically as duties and responsibilities change from time to time for other city staff positions. Likewise, if this position were to remain under a contractual position and those duties and responsibilities would need to change to meet the needs of the city or community economic development areas, proposed changes to the job could come back to the City Commission for review at any time. Finance Director Welch commented that with his experience with HR personnel issues, an employee under civil service has certain due process rights available to that employee that may not be available to a contractual employee. That may be a significant difference. Commissioner Rohr stated that the due process is a fairness doctrine that is put in place as it is intended to be fair to the employee.

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

Commissioner Braun stated that the annual performance review for Director Huber that was to be done in February was his responsibility. He said that it was ready in February and then discussions began on pay and the 95 percentile and pulling the information together. He stated that he accepts full responsibility for not getting Director Huber's performance appraisal completed in a timely manner.

Mayor Van Beek moved to the discussion on Director Huber's wages. Administrator Neubauer stated that her current salary is at \$78,800. He explained that the most similar position within the City of Bismarck's Business Development position is at a Grade 30. Director Huber has 10 years of experience and has obtained a Certification as Economic Developer, in addition the communications portion of her job (which is not part of the Bismarck position). Administrator Neubauer explained that when creating a pay range for this position, a comparison was made with the Bismarck Development Director position. Commissioner Rohr stated that there has been a 36% pay increase since the start of this

position in 2006 to the current salary. The suggested pay increase is approximately 7% that would bring her salary to \$85,000. Commissioner Laber reminded the Commission that at the recent working session that it was recommended that the city employees will most likely not receive a pay increase this year due to budgetary concerns.

Administrator Neubauer explained that when salaries were evaluated and revised in 2013 most of the city staff at that time was brought up to the 95th percentile. This position was not re-graded at that time because it was part of an existing contract in place. Thus the request now for the larger percentage increase at this time to bring it in line to the 2015 salary levels.

Commissioner Braun motioned to move Director Huber’s salary to \$82,000. Commissioner Rohr seconded the motion. Commissioner Laber commented that a 3% increase would be \$2,370. If we do another adjustment and she needs an adjustment due to the City Commission’s comprehensive action to increase staff wages, she recommended that the Commission not give an increase greater than 3% and would like to see that when pay increases are given that they be given in an equal manner. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: No; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

Administrator Neubauer stated that the tentative date set for the working session for economic development is Friday, May 20, 2016 at noon.

Commissioner Laber extended a thank you to city staff for the City Wide Cleanup that occurred last Saturday. Mayor Van Beek reported that 171 volunteers collected 451 bags of litter. There were 10 different routes along interstate into Mandan that were cleaned up. Mayor Van Beek extended a thank you to the many organizations, businesses, residents and city staff that participated in Mandan’s 3rd Annual Cleanup Day.

Mayor Van Beek presented the trophy that was won by the City of Mandan in a competition against the City of Bismarck for “Wear Blue for Child Prevention Week”. The City of Mandan wore more blue than the City of Bismarck and won the 2016 trophy.

There being no further actions to come before the Board of City Commissioners, Commissioner Braun moved to adjourn the meeting at 6:57 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