
The Mandan City Commission met in regular session at 4:00 p.m. on November 18, 2014 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, Planning & Engineering Director Froseth, Planner Decker, Assessor Shaw, and Building Official Lalim. Absent: Business Development and Communications Director Huber.

2. *Employee Service Awards:* Mayor Van Beek extended a thank you to employees for their years of service and presented the following awards:

40 YEARS OF SERVICE:

John Charvat Firefighter

35 YEARS OF SERVICE:

Leatrice Miller Reference/Interlibrary Loan Assistant

Henry Hurst Street Maintenance Superintendent

30 YEARS OF SERVICE:

Karri Motl Senior Accounting Technician

25 YEARS OF SERVICE:

Scott Stromsodt Police Lieutenant

20 YEARS OF SERVICE:

Kelly Steckler Library Director

Cheryl Kroh Records Technician

Tim Meidinger Utility Operator I

Jim Jeromchek Firefighter

Steve Kilen Fire Captain

15 YEARS OF SERVICE:

Adam Mork Firefighter

10 YEARS OF SERVICE:

DeNae Kautzmann Municipal Judge

Jason Bier Police Lieutenant

Shane Weltikol Firefighter

Kevin Vetter Mechanic

5 YEARS OF SERVICE:

Larry Ripplinger Building & Grounds Worker

Matthew Hennessy Firefighter

Joshua Hoffer Firefighter

Jared Gregor Firefighter

Kayla Steinwand Library Page
Rick Widicker Police Officer

B. APPROVAL OF AGENDA: Commissioner Tibke 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. 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 regular meeting held November 4, 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 approval of monthly bills.* ADVANCED ENGINEERING SVC - 61,568.92; ALLIANCE CONCRETE LLC - 350.00; AMERICAN WATER WORKS ASS - 74.00; AT & T - 745.39; BISMARCK MAYOR'S COMMITTEE - 550.00; BJORND AHL/DAVID - 175.00; CULLEN/SHANNEN - 500.00; ECOLAB PEST ELIIMINATION - 149.04; EILER/CHAD J - 500.00; H. A. THOMPSON & SONS, I - 6,645.00; HARTZE CONSTRUCTION - 223.70; HUB INTERNATIONAL OF ND - 405.00; KADRMAS, LEE & JACKSON, - 3,450.36; KAPELLA/LUKE - 175.00; LAW ENFORCEMENT TRAINING - 800.00; MANDAN PARK BOARD - 1,000.00; MARINER CONSTRUCTION INC - 327,461.27; MCLEISH/NATHAN - 175.00; MIDWEST TESTING LAB INC - 1,686.25; MJM ENTERPRISES - 3,439.00; ND GUARANTY & TITLE CO - 275.00; ND STATE DEPT OF HEALTH - 320.00; NORTH DAKOTA WATER USERS - 145.00; OFFICE ADJUTANT GENERAL - 220.00; POST BOARD - 110.00; RENNER'S LAWN SPRINKLING - 1,150.00; ROSEN/BRANDON - 175.00; STARION BOND SERVICES - 3,524.42; THIRKETTLE CORPORATION - 70,117.42; THREEFOLD LLC - 900.00; UNCLAIMED PROPERTY DIVIS - 68.22; MONTANA-DAKOTA UTILITIES - 33,584.90; ADVANCED ENGINEERING SVC - 13,423.54; AT & T - 718.70; BALABAN LAW OFFICE - 1,500.00; BIS MAN DEVELOPMENT ASSO - 25,000.00; COMPANION LIFE - 10.00; DAKOTA MEDIA ACCESS - 8,332.25; EILER/CHAD J - 3,500.00; FORT DEARBORN LIFE - 475.21; GEORGE STROH TRUCKING IN - 1,350.00; GLASS/THOMAS J. - 1,500.00; HDR ENGINEERING, INC - 313.38; INTERSTATE ENGINEERING - 1,927.14; KELSCH KELSCH RUFF & KRA - 4,000.00; MANDAN PARK BOARD - 27,000.00; MIDWEST TESTING LAB INC - 2,836.75; ND PERS -

97,482.77; RAILROAD MANAGEMENT CO I - 160.78; SRF CONSULTING GROUP - 383.63; STARION BOND SERVICES - 1,741.16; TOMAN ENGINEERING CO - 74,043.86; ENGWICHT/MICHELLE - 211.17; WELLS FARGO COMMERCIAL C - 260,276.60; ABC SEPTIC - 1,125.00; ADVANCED ENGINEERING SVC - 818.10; AUDIOVISUAL INC. - 4,050.00; BAR BEE CARPET CLEANING - 329.00; BEEHLER/DEVON - 66.48; BIS-MDN TRANSIT BOARD - 1,099.12; BOERGER, LLC - 5,931.05; BRADY/TODD - 149.00; CBI BUSINESS SERVICES - 10,323.00; CHEMSEARCH - 390.14; COMPUTER PROFESS UNLIMIT - 89.00; COURINA/MELISSA - 99.50; CROWLEY FLECK PLLP - 4,500.00; CUSTER DISTRICT HEALTH U - 1,060.45; EILER/CHAD J - 4,500.00; ETHANOL PRODUCTS - 1,418.43; FETZER ELECTRIC, LLC - 10,799.22; FOUR SQUARE CONCRETE LLC - 8,311.35; INFORMATION TECHNOLOGY D - 949.66; INTERGOVERNMENTAL SHOP - 15,681.69; KOSTELECKY/EVE - 500.00; MANDAN AIRPORT AUTHORITY - 2,198.34; MANDAN MUNICIPAL COURT - 1,180.32; MANDAN PARK BOARD - 5,500.00; MISSOURI WEST WATER SYST - 76.17; MJM ENTERPRISES - 127.50; MORTON COUNTY AUDITOR - 3,170.88; MORTON COUNTY RECORDER - 38.00; MORTON MANDAN PUBLIC LIB - 17,189.59; MY GOV, LLC - 700.00; ND STATE BOARD OF LAW EX - 380.00; ND STATE DEPT OF HEALTH - 320.00; NORTHERN IMPROVEMENT CO - 837,164.96; ONE CALL CONCEPT INC - 344.30; ONSITE SERVICE SOLUTIONS - 737.90; PRESORT PLUS - 2,949.32; SCHEELS OF BISMARCK - 305.00; SCHNEIDER/ERYNN - 19.25; STECKLER/SCOTT - 42.25; TERNES/SCOTT - 250.00; VAULT1440, LLC - 1,875.00; WEHRI/RADEANNA - 200.00;

2. *Consider approval of liquor license for Birddog Brewing LLC at 1005 E. Main Street (within Main Street Liquor).*
3. *Consider for approval WCD No. 2 to Thirkettle Corporation for the Woodlands Estates Master Meter Installation and miscellaneous installation changes.*
4. *Consider approval for sale of obsolete audio visual equipment.*

Commissioner Rohr moved to approve the Consent Agenda as presented. 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.

H. OLD BUSINESS:

1. *Approval of Plans and Specifications and Advertisement for Bid for Street Improvement District No. 196, Mandan Industrial Park. (Resolution and Ordinances No. 3 and 4).* Planning & Engineering Director Froseth stated that on March 4, 2014, the City Commission approved the creation of Street Improvement District No. 196 and approved the Engineer's report and resolution of necessity for that district. On April 15, 2014, the Mandan City Commission approved the Resolution determining insufficiency for protest for that district. This project was put out for bids in May and no bids were received. A number of feedbacks were provided from potential bidders addressing various concerns. All those concerns have been addressed including the timing which is why the bid request comes before you now in order to get ahead of other projects that will come forward in the spring for contractors to bid on. Director Froseth stated that all property owners have

been invited to a meeting to discuss temporary access and put forward a plan that will work for them. The anticipated bid opening would be December 23, 2014; approval to award bid at the City Commission meeting on January 6, 2015; substantial completion of the project by October 31, 2015 and seal coat of asphalt paved streets by July 7, 2016.

I. NEW BUSINESS:

1. *Consider Growth Fund Committee recommendation for Storefront Improvement application at 1000 E Main St (Dairy Queen).* City Administrator Neubauer presented a request for a storefront improvement matching funds from Mike Wieland of Casecon Properties and MKDQ, Inc., dba Mandan Dairy Queen. Mr. Wieland is planning exterior improvements to the building in the amount of \$150,721 and he is seeking \$30,000 in matching funds, not to exceed 50% of actual expenditures. The Mandan Growth Fund and the Mandan Architectural Review Commission have both met and recommend approval of this amount. Administrator Neubauer provided photos of the project for review by the Commission. Mr. Wieland was present to answer any questions.

Commissioner Laber moved to approve the Storefront Improvement application at 1000 E Main St (Dairy Queen) at a 50% match rate to the actual investment for up to \$30,000 in matching funds to be provided as a forgivable loan upon project completion. 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.

2. *Consider Renaissance Zone Committee recommendations:* City Administrator Neubauer stated that these matters are related to the Mandan Dairy Queen:

(i) *Rehab of 1000 E Main St by Casecon Properties, Inc.*
Mike Wieland is planning a project on the interior of the building that will bring the total amount of the project to \$179,541. Administrator Neubauer explained how the Renaissance Zone Project and pertinent tax exemptions pertain to the applicant's request. The total exemption amount for the 5-year property tax exemption is estimated to be \$4,000 per year for a 5-year total of \$20,000. The state income tax exemption is estimated to be \$5,500 annually or \$27,500 for 5-year total. The Renaissance Zone Committee voted 6-0 for the exemption for Casecon Properties for rehabilitation of 1000 East Main Street as a Renaissance Zone project with a 5-year 100% property tax exemption and a 5-year 100% state income tax exemption.

(ii) *Lease of 1000 E Main St. by MKDQ, Inc. (dba Dairy Queen)* - this is a 5-year income tax exemption.

Commissioner Laber inquired if the ADA automatic door is part of the plan? City Administrator Neubauer stated the door will be installed on the east side of the building.

Commissioner Rohr moved to approve the application by Casecon Properties for rehabilitation of 1000 East Street as a Renaissance Zone project with the 5-year 100% property tax exemption and the 5-year 100% state income tax exemption. 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.

Commissioner Rohr moved to approve the application by MKDQ, Inc. for lease of space at 1000 East Main Street, a building being rehabilitated as a Renaissance Zone project, with a 100% 5-year 100% state income tax exemption. 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.

J. RESOLUTIONS AND ORDINANCES:

1. *Second consideration and final passage of Ordinance 1192 amending the language contained in Mandan Code of Ordinances relating to minor subdivision procedures.* Commissioner Tibke moved to approve the Second consideration and final passage of Ordinance 1192 amending the language contained in Mandan Code of Ordinances relating to minor subdivision procedures. 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 and final passage of Ordinance 1193 amending the language c contained in the Mandan Code of Ordinances relating to terms of office for members of the Planning and Zoning Commission and clarifying who can be appointed to the Planning and Zoning Commission by the mayor.* Commissioner Laber moved to approve the Second consideration and final passage of Ordinance 1193 amending the language c contained in the Mandan Code of Ordinances relating to terms of office for members of the Planning and Zoning Commission and clarifying who can be appointed to the Planning and Zoning Commission by the mayor. 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. *Resolution approving plans and specifications for Street Improvement District No. 196, Mandan Industrial Park.* Commissioner Rohr moved to approve the Resolution approving the Plans and Specifications for Street Improvement District No. 196, Project No. 2014-14, 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.

4. *Resolution approving advertisement for bid for Street Improvement District No. 196, Mandan Industrial Park.* Commissioner Rohr moved to approve the Resolution approving the Advertisement for Bid for Street Improvement District No. 196, Project No. 2014-14, 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.

K. OTHER BUSINESS

There being no further actions to come before the Board of City Commissioners, Commissioner Braun moved to adjourn the meeting at 4:26 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