

The Mandan City Commission met in regular session at 5:30 p.m. on March 21, 2023 in the Ed “Bosh” Froehlich Meeting Room at City Hall, Mandan, North Dakota. Mayor Helbling called the meeting to order.

A. ROLL CALL

1. *Roll Call of all City Commissioner.* Those present were Mayor Helbling and Commissioners Braun, Camisa, Olson, and Rohr. Department heads present were City Administrator Neubauer, Planner Stromme, Finance Director Welch, Assessor Markley, Building Official Singer, Public Works Director Bitz, Engineering Director Froseth, Human Resource Director Cullen, Police Chief Ziegler, Business Development & Communications Director Cermak, Fire Chief Nardello and City Attorney Oster.

2. *Recognize 2022-2023 Golden Shovel award winners.* Business Development & Communications Director Cermak presented the winner and runner up of the Golden Shovel Award. Vicky’s Sports Bar was the runner up and Mane Expressions was the winner.

3. *Introduction of new Public Works employees.* Public Works Director Bitz introduced two new Public Works employees, Rochelle Nelson and Jeremiah Cole.

B. ARRROVAL OF AGENDA

C. MINUTES

1. *Consider approval of the minutes from the March 7, 2023 Board of City Commission Regular Meeting.* Commissioner Camisa moved and Commissioner Rohr seconded to approve the minutes as presented. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

D. PUBLIC HEARING

1. *Consider Insufficiency of protests for the 2023 Street Improvement District project, #232.* Engineering Director Froseth gave a brief explanation of Street Improvement District project #232. Mayor Helbling opened the public hearing and invited the public to come forward to comment. Will Gardner (2100 14th Ave SE), Paul Prince (2101 14th Ave SE), Grant Zinke (2300 Eastview Pl), Travis Schmidt (2208 Eastview Pl SE), James Cepek (2404 14th Ave SE), Brian Beecher (2209 Eastview Pl SE), Gary Schultz (1401 5th Ave NE), Ben Gange (403 6th St NE), Julie Schirado Koss (2500 14th Ave SE), and Dean Hoff (2003 14th Ave SE) spoke against the special assessment district. A second and third invitation for comment was given. Hearing none, the public hearing was closed. Commissioner Rohr moved and Commissioner Olson seconded to approve the resolution determining insufficiency of protest for the 2023 Street Improvement District project, #232. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *Consider City-Initiated Amendment to Future Land Use and Transportation Plan.* Planner Stromme gave a brief explanation of the Amendment to the Future Land Use and Transportation Plan. Mayor Helbling opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing was closed. No action was needed as motion was made under Resolutions and Ordinance 3.

3. *Consider Preliminary Plat for Rock Prairie Estates Addition.* Planner Stromme gave a brief overview of the Preliminary Plat. Mayor Helbling opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing was closed. Commissioner Camisa moved and Commissioner Braun seconded to approve the preliminary plat for Rock Prairie Estates Addition. Commissioner

Rohr requested an amendment to the original motion by including items 1, 2, 6, and 10 from the Staff and Department Comments as requirements. Commissioner Camisa moved and Commissioner Braun seconded to amend the motion by adding items 1, 2, 6, and 10 from the Staff and Department Comments as requirements. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed. Vote on amended motion: Roll Call vote for amended original motion: Aye 5, No 0, Absent 0. The motion passed.

4. *Consider Preliminary Plat and PUD Amendment for Cove at Lakewood Addition.*

Planner Stromme gave a brief overview of the Preliminary Plat. Mayor Helbling opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing was closed. Commissioner Camisa moved and Commissioner Rohr seconded to approve the preliminary plat for Cove at Lakewood Addition. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

5. *Consider Preliminary Plat, Zone Change, Annexation and Special Use Permit for Evergreen Heights 4th Addition.* Planner Stromme gave a brief overview of Preliminary Plat, Zone Change, Annexation and Special Use Permit. Mayor Helbling opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing was closed. Commissioner Braun moved and Commissioner Camisa seconded to approve the preliminary plat and Special Use Permit for multi-use shops for Evergreen Heights 4th Addition. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

6. *Consider Preliminary Plat for Mandan Industrial Park 13th Addition.* Planner Stromme gave a brief overview of the Preliminary Plat. Mayor Helbling opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing was closed. Commissioner Braun moved and Commissioner Camisa seconded to approve the preliminary plat for Mandan Industrial Park 13th Addition contingent on the right of way vacation. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

E. BIDS

1. *Consider bids for the 2023 Street Improvement project, #232.* Engineering Director Froseth presented the bids. Commissioner Camisa moved and Commissioner Braun seconded to approve the Resolutions approving contract and contractor's bond for Street Improvement District No. 232 and award to Strata Corporation. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *Consider the bids for the 2023 Municipal Concrete Contract project.* Engineering Director Froseth presented the bid. Commissioner Rohr moved and Commissioner Camisa seconded to reject the low bid from Knife River for the 2023 Municipal Concrete Contract project, #2023-01 and rebid the project. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

F. CONSENT AGENDA

1. *Consider approval of monthly bills*

2. *Consider approval for the following budget amendments and transfers:*

i. *Finance Department*

ii. *Public Works Department*

- iii. *Fire Department*
- iv. *Planning Department*
- v. *Business Development & Communications*
- vi. *Engineering*
- vii. *Administration*
- viii. *Police Department*

- 3. *Consider approval of leave without pay.*
- 4. *Consider the following approved Gaming Site Authorization Amendments:*
 - i. *Cystic Fibrosis Association of North Dakota at Station West Bar & Grill*
 - ii. *Gilbert S. Furness Post 40 at Send It! 24/7 Cornhole*

Commissioner Braun moved and Commissioner Camisa seconded to approve the Consent Agenda item 1 through 4 including all sub items as presented. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

G. OLD BUSINESS

H. NEW BUSINESS

1. *Consider Renaissance Zone*

i. *Application for Purchase with Improvements of 107 6th Ave NW by Dr. Brittany Schauer.* Business Development & Communications Director Cermak presented the application. Commissioner Camisa moved and Commissioner Rohr seconded to approve the application for purchase with improvements of 107 6th Ave NW as a Renaissance Zone project to include the five-year 100% property tax exemption on the building as improved and the exemption contingent upon MARC approval. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

ii. *Consider Request for Extension of Rehabilitation of Primary Residence at 204 6th Ave NW by Aaron Axvig.* Business Development & Communications Director Cermak the request for extension. Commissioner Braun moved and Commissioner Camisa seconded to approve an extension for the completion of the Renaissance Zone project at 204 Sixth Ave NW through Oct. 31, 2023, for eligibility for approved tax exemptions. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *Consider approval to enter into negotiations with Lakewood Homeowners Association for land lease.* Administrator Neubauer explained the negotiations process. Commissioner Rohr moved and Commissioner Camisa seconded that Mayor Helbling, Administrator Neubauer, Attorney Oster, and other staff as needed begin negotiations with the Lakewood HOA regarding terms for lease of subject property. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

3. *Consider Issuance of Request for Qualifications for Zoning Rewrite Study.* Planner Stromme presented the Requests for Qualifications request. Commissioner Braun moved and Commissioner Camisa seconded to approve issuance of the request for quote for Zoning Rewrite Study. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

4. *Legislative update.* Administrator Neubauer gave an update on the state legislative session. No action required.

I. RESOLUTIONS AND ORDINANCES

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1. *First Consideration of Ordinance 1424, a PUD Amendment for Cove at Lakewood Addition.* Commissioner Camisa moved and Commissioner Rohr seconded to approve the first consideration of Ordinance 1424. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed
 2. *First consideration of 1423, an Annexation and Zone Change from A – Agriculture to R7 – Residential and CA – Commercial for Evergreen Heights 4th Addition.* Commissioner Rohr moved and Commissioner Camisa seconded to approve the first consideration of Ordinance 1423. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed
 3. *Consider approval of the resolution for the Land Use and Transportation Amendment* Commissioner Camisa moved and Commissioner Braun seconded to approve the resolution for the Land Use and Transportation Plan Amendment. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

J. OTHER BUSINESS

K. ADJOURNMENT

There being no other business to come before the Board, Commissioner Braun motioned and Commissioner Rohr seconded to adjourn the meeting at 8:08 p.m. The motion received unanimous approval of the members present.

/s/ James Neubauer

James Neubauer
City Administrator

/s/ Timothy Helbling

Timothy Helbling
Board of City Commissioners