

The Mandan City Commission met in regular session at 5:30 p.m. on June 20, 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, Building Official Singer, Public Works Director Bitz, Engineering Director Froseth, Human Resource Director Cullen, Police Chief Zeigler, Fire Chief Nardello and City Attorney Oster. Absent: Assessor Markley and Business Development and Communications Director Cermak.

Mayor Helbling extended a thank you to everyone who attended Buggies-N- Blues, along with the volunteers and sponsors of the event.

B. ARRROVAL OF AGENDA

C. MINUTES

1. *Consider approval of the minutes from the June 6, 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 Gateway Setback Variance and Minor Plat for Eastside Commercial Park 2nd Addition.* Planner Stromme presented the variance request and minor 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 of the variance request. Roll Call vote: Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *Consider Minor Plat, Special Use Permit and Zone Change for Hoovestal’s 4th Addition.* Planner Stromme presented the minor plat and zone change. 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 recommend approval of the minor plat for Hoovestal’s 4th Addition and Special Use Permit for multi-use shops. Roll Call vote: Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

3. *Consider Preliminary Plat of Schaff Estates 2nd Addition.* Planner Stromme presented 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 recommend approval of the preliminary plat for Schaff Estates 2nd Addition contingent upon Staff review of the existing use and potential future zone change request. Roll Call vote: Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

E. BIDS

F. CONSENT AGENDA

1. *Consider approval of monthly bills*

2. *Consider approval of the assessments for Weed Cutting of 2022B.*

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3. *Consider approval of the closure of 5th Avenue NE from 1st Street south through the alley*
 4. *Consider approval of a change order for additional storm sewer for the West Hills 5th Street project*
 5. *Consider approval of the following liquor license renewals for the license year from July 1, 2023 to June 30, 2024*

Class A

- i. *B&B Inc dba Broken Oar*
- ii. *Midway Lanes, Inc dba Midway Lanes*
- iii. *Stage Stop*
- iv. *Vicky's Sports Bar Inc*
- v. *Old Town Tavern Inc*
- vi. *J & C Investments Inc dba Powerhouse/501 Bar & Grill*
- vii. *Lonesome Dove Inc*
- viii. *Stryker Enterprises LLC dba Main Street Drive Thru Liquor*
- ix. *The Drink at Lakewood*
- x. *River Partners Inc. dba The Paddle Trap*
- xi. *Strawberry LLC*
- xii. *The Hide Away*
- xiii. *Send It! 24/7 Cornhole, Inc*
- xiv. *Bar Operators LLC dba Central Station*
- xv. *Whiskey Gypsi Inc dba Scapegoat Bar*
- xvi. *LC Bar Inc*

Class B

- xvii. *Mandan Moose Lodge #425*
- xviii. *Fraternal Order of Eagles #2451*

Class BWO

- xix. *GD Hooker LLC dba Black Lions*
- xx. *Ten Spot Lanes Inc.*
- xxi. *V3NU3 LLC*

Class C

- xxii. *Blackstone Ridge LLC dba Blackstone Tavern*
- xxiii. *BW-SS Inc dba Baymount Inn & Suites*

Class D

- xxiv. *Coborn's, Incorporated dba Captain Jack's #7049*
- xxv. *Walmart #2033*
- xxvi. *Bayside, LLC*

Class D1

- xxvii. *Miller & Holmes dba M&H Gas*
- xxviii. *Farmers Union Oil Company of Moorhead, MN dba PetroServe USA #78*
- xxix. *Farmers Union Oil Company of Moorhead, MN dba PetroServe USA #79*
- xxx. *Parkland USA Corporation dba Superpumper Inc #80238*

xxxi. *Parkland USA Corporation dba Superpumper #80152*

xxxii. *Parkland USA Corporation dba Superpumper #80141*

xxxiii. *Tri Energy Cooperative dba Tri Energy Cenex*

Class E

xxxiv. *Mandan Bennigan's Inc*

xxxv. *A&B Pizza Mandan Inc*

xxxvi. *Verhaeghe Enterprises LLC dba Station West Bar and Grill*

xxxvii. *Thomas & Moriarty's LLC*

xxxviii. *River Partners Inc. dba The Paddle Trap*

xxxix. *Old Ten Bar & Grill, LLC*

xl. *La Cantina ND LLC*

Class F

xli. *Rice Bowl LLC dba Rice Bowl Chinese Restaurant*

xl.ii. *Taqueria El Guerro LLC*

xl.iii. *Pit Masters LLC dba Dickey's Barbecue Pit LLC*

Class Special B

xliv. *Legendary Beverage LLC*

xlv. *Weber's Golf Shop dba Prairie West Golf Course*

xlvi. *Weber's Golf Shop dba Mandan Municipal Golf Course*

Class WB

xlvii. *Dialectic Brewing Company LLC dba Dialectic Brewing Company and Cider House*

xlviii. *Buffalo Commons Brewing Co LLC*

6. *Consider approval of the following special event permits:*

i. *Stage Stop Summer Parking Lot Party from June 30, 2023 to July 1, 2023*

ii. *Stage Stop 4th of July Street Dance on July 3, 2023*

iii. *Mandan Rodeo Days Chancey Williams Concert on June 30, 2023*

7. *Consider approval a gaming site authorization for the Mandan Touchdown Club from July 1, 2023 to June 30, 2024 at Dickey's Barbecue*

8. *Consider entering a lease with BEK Communications Cooperative for tower space at the Southside reservoir.*

Item 3 was removed for discussion.

Commissioner Camisa moved and Commissioner Rohr seconded to approve the Consent Agenda item 1 through 2 and item 4 through 8 including all sub items as presented. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

Commissioner Rohr moved and Commissioner Braun seconded to approve the closure of 5th Ave NE from 1st St SE through the alley for 4 days. Commissioner Rohr moved and Commissioner Braun seconded to amend the original motion to stipulate that the roadway be re-open by July 2nd, 2023. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

G. OLD BUSINESS

H. NEW BUSINESS

1. *Consider a driveway variance for 2008 Twin City Drive, 180 Health Solutions.*

Director Froseth presented the variance. Commissioner Braun moved and Commissioner Rohr seconded to approve the variance request from 2008 Twin City Drive based on all evaluation criteria (1-3) found within 105-1-12 being met and allow three driveways into the parcel.. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *Consider approval of the Memorial Highway project funding approach and the ND Department of Transportation Memorandum of Understanding for the project.* Director Froseth presented the Memorandum of Understandings and funding formula. Commissioner Camisa moved and Commissioner Rohr seconded to approve of the MOU with the NDDOT, dated April 24, 2023, for the Memorial Highway project. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed. Commissioner Camisa moved and Commissioner Braun seconded to approve the MOU with the NDDOT and the LHWRD regarding the shared pump station, dated May 23, 2023, for the Memorial Highway project. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed. Commissioner Rohr moved and Commissioner Camisa seconded to postpone this item until the July 11, 2023 regular meeting. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed. Commissioner Camisa moved and Commissioner Braun seconded to approve of the funding formula as presented for the Memorial Highway project. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

3. *Consider Development Agreement for Big Sky Estates 7th Addition.* Planner Stromme presented the Development Agreement. Commissioner Braun moved and Commissioner Camisa seconded to enter into a Development Agreement with Shorestone Solutions related to Big Sky Estates 7th Addition. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

4. *Consider Update and Decision Document for NDDOT Sunset Drive Interchange Project.* Planner Stromme presented the Decision Document. Commissioner Braun moved and Commissioner Camisa seconded to submit the decision document ranking the single-point urban interchange with traffic signals as the City's preferred alternative. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

5. *Consider selection of City Zoning Code Rewrite Consultant.* Planner Stromme gave a brief overview of the consultant selection. Commissioner Camisa moved and Commissioner Braun seconded to select Stantec for the Mandan Zoning Rewrite Study. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

I. RESOLUTIONS AND ORDINANCES

1. *Second and final consideration of Ordinance No. 1426 related to Retirement Plan.*

Director Cullen presented the second and final reading of Ordinance No. 1426. Commissioner Camisa moved and Commissioner Rohr seconded to approve the second and final reading of Ordinance No. 1426 related to Retirement Plan. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *First Consideration of Ordinance 1427, a Zone Change from RM – Residential to CB – Commercial for Hoovestals 4th Addition.* Planner Stromme presented the first reading of Ordinance No. 1427. Commissioner Camisa moved and Commissioner Rohr seconded to approve the first consideration of Ordinance 1427.

J. OTHER BUSINESS

K. ADJOURNMENT

There being no other business to come before the Board, Commissioner Braun motioned and Commissioner Camisa seconded to adjourn the meeting at 7:11 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