

The Mandan City Commission met in regular session at 5:30 p.m. on July 18, 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, Finance Director Welch, Building Official Singer, Public Works Director Bitz, Engineering Director Froseth, Assessor Markley, Human Resource Director Cullen, Police Chief Zeigler, Business Development & Communications Director Cermak, Fire Chief Nardello, Planner Stromme and City Attorney Oster.

2. *Introduction of Officer Black and K9 Medve.*

B. ARRROVAL OF AGENDA

C. MINUTES

1. *Consider approval of the minutes from the July 11, 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 Zone Change from RM – Residential to MA – Industrial for Lot 9, Block 2, Hoovestal Subdivision.*

Director Froseth gave a brief overview of the zone change request. 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. Motion made under Resolutions and Ordinances No 1.

2. *Consider a variance to Section 105-3-13(6) of the City Code of Ordinances related to the CC – Commercial district front yard setback.*

Director Froseth gave a brief overview of the variance request. 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 variance from Section 105-3-13 (6) of the City Code of Ordinances related to the CC – Commercial front yard setback for Glass Concrete Construction.. 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 minor plat approval of Rockhaven Heights 2nd Addition.*

3. *Consider final plat approval of Evergreen Heights Fourth Addition.*

4. *Consider approval of Title VI/Nondiscrimination and ADA Plan.*

5. *Consider approval of the Fraud Policy and Acknowledgement.*

6. *Consider approval of the Workplace and Sexual Harassment Policy and Acknowledgement.*

7. *Consider approval of the following special event permits*

i. *Liberty Heights/MGAS Classic Car Show on September 19, 2023*

ii. *Parking Lot Party at Blackstone Tavern on September 9, 2023*

8. *Consider approval of hiring Barr Engineering for engineering help related to the Cemetery landslide and water concerns issues.*

Commissioner Braun moved and Commissioner Camisa seconded to approve the Consent Agenda item 1 through 8 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. *The Budget & Finance Committee to present the preliminary 2024 Budget to the City Commission for the Board's discussion and recommendations to the Committee.*

Director Welch gave an overview of the preliminary 2024 Budget. Commissioner Rohr moved and Commissioner Braun seconded to concur with the Budget & Finance Committee and to direct the Committee to place the preliminary 2024 Budget on the August 1, 2023, City Commission Agenda for the Board to consider the introduction and first consideration, and call for a public budget hearing of Ordinance No. 1430 adopting the 2024 Budget. Roll Call vote: Helbling: Yes, Camisa: No, Braun: Yes, Olson: Yes, Rohr: Yes. The motion passed.

2. *Consider approval of change orders for the Raw Water Intake project and a deduct in pay for the phase IA contract.*

Director Froseth gave brief overview of the change order and deduction of pay. Commissioner Camisa moved and Commissioner Rohr seconded to approve of the following change orders for the Raw Water Intake project: G-02 for Phase IA and G-05 for Phase II and for the assessment of \$100,000 in liquidated damages to ECI for late completion. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

3. *Consider the purchase of Lagoon Master equipment for the Wastewater Treatment Facility.*

Director Froseth gave a brief overview of the equipment. Commissioner Braun moved and Commissioner Rohr seconded to amend the 2023 budget to apply \$180K of utility reserve funds towards the purchase of the Lagoon Master system. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

Commissioner Rohr moved and Commissioner Camisa seconded to waive the competitive bid process for this item due to it being unique equipment. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

I. RESOLUTIONS AND ORDINANCES

1. *First Consideration of Ordinance 1428 related to a Zone Change from RM – Residential to MA - Industrial for Lot 9, Block 2, Hoovestall Subdivision.*

Discussion happened under Public Hearing No. 1. Commissioner Rohr moved and Commissioner Camisa seconded to approve the first consideration of Ordinance 1428. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *First Consideration of Ordinance 1429 related to Compensatory Leave.*

Director Cullen present Ordinance No. 1429. Commissioner Camisa moved and Commissioner Braun seconded to approve the first consideration of Ordinance 1429. 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 Rohr motioned and Commissioner Braun seconded to adjourn the meeting at 7:03 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