

The Mandan City Commission met in regular session at 5:30 p.m. on August 1, 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, Assessor Markley, Building Official Singer, Public Works Director Bitz, Engineering Director Froseth, Human Resource Director Cullen, Police Chief Zeigler, Business Development & Communications Director Cermak, Fire Chief Nardello, Planner Stromme and Assistant City Attorney Sand.

B. PLEDGE OF ALLEGIANCE

C. ARRROVAL OF AGENDA

1. *Police Chief Zeigler presented the Lexipol Bronze Award that the department received.*

D. MINUTES

1. *Consider approval of the minutes from the July 18, 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.

E. PUBLIC HEARING

F. BIDS

1. *Consider bids for the LED lights replacement project.*

Assistant City Engineer Wigness presented the bids. Commissioner Rohr moved and Commissioner Camisa seconded to reject the bid from SolarMax and rebid the project. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

G. CONSENT AGENDA

1. *Consider approval of the City of Mandan JAG and Lottery Grant application and Memorandum of Understanding to provide funding for the Dakota Child Advocacy Center*
2. *Consider approval of the following Special Event Permits:*
  - i. *Stage Stop Parking Lot Party from August 11, 2023 to August 12, 2023*
  - ii. *Walmart 10 Year Anniversary Celebration on September 9, 2023*
  - iii. *Midwest Flavor Fest from August 26, 2023 to August 27, 2023*
3. *Consider approving the contract with Barr Engineering for the hill slump and water concerns at the east side of the Cemetery.*
4. *Consider Minor Plat for Allmaras Addition*
5. *Consider approval of a Memorandum of Understanding between the Mandan Police Department and the Metro Area Narcotics Task Force*
6. *Consider approval of the following grant applications:*
  - i. *Lottery Grant for Metro Area Narcotics Task Force*
  - ii. *Sanford Hospital SANE Nurse Program Grant*
7. *Consider appointing Keith Winks to the Special Assessment Commission*

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Commissioner Camisa moved and Commissioner Braun seconded to approve the Consent Agenda item 1 through 7 including all sub items as presented. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

H. OLD BUSINESS

1. *Consider an agreement with MDU Resources to move the Memorial Highway power lines from overhead to underground.*

Director Froseth presented the agreement with MDU. Commissioner Braun moved and Commissioner Camisa seconded to approve the MDU Facilities Relocation Agreement. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *200 East Main Sidewalk Variances.*

Assistant City Engineer Wigness provided a brief explanation of the variance requests.

Commissioner Camisa moved and Commissioner Rohr seconded to deny the requested variance to section 115-10-3(13). Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

Commissioner Camisa moved and Commissioner Rohr seconded to approve the requested variance to section 115-10-4(4) with conditions A through G, as described in this agenda document. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

I. NEW BUSINESS

1. *Consider the Morton Mandan Public Library 2024 Budget*

Director Sandstrom presented the Library 2024 Budget. Commissioner Camisa moved and Commissioner Braun seconded to consider the Morton Mandan Public Library 2024 Budget as recommended by the Library Board of Trustees. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *Consider the Mandan Airport Authority 2024 Budget*

Chris Brown, Airport Authority Board Member, presented the Airport 2024 Budget.

Commissioner Braun moved and Commissioner Camisa seconded to consider the Mandan Airport Authority 2024 Budget as recommended by the Airport Authority Board. Roll Call vote: Olson: No, Braun: Yes, Camisa: Yes, Rohr: Yes, Helbling: Yes. The motion passed.

3. *Consider Retail Incentive application by Larkspur Daisy at 220 W Main St.*

Director Cermak presented the Retail Incentive application. Commissioner Camisa moved and Commissioner Olson seconded to approve \$750 as an incentive for Larkspur Daisy after the start of operations at 220 W Main St. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

4. *Consider the Urban Grant Program award letter from the NDDOT for the Downtown Street Improvement project, phase I.*

Director Froseth gave a brief overview of the Urban Grant Program. Commissioner Camisa moved and Commissioner Rohr seconded to accept the UGP for the Downtown Reconstruction Project, Phase I in the 2025 program year. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

5. *Consider a decision about the conflict with the WBI line for the 8th Avenue NW reconstruction project.*

Director Froseth presented the options for conflict resolution. Director Froseth stated that the cost of the pipeline relocation could be special assessed to WBI property. Commissioner Camisa moved and Commissioner Rohr seconded to proceed with option #3 to move the WBI gas line in

order to avoid conflict with this project and any future 8th Avenue project through 27th Street, authorize city staff to apply some Municipal Infrastructure Funds towards the project as they deem reasonable, and direct staff to continue negotiations with WBI for some kind of cost sharing. Mayor Helbling noted that the WBI property that lies within the assessment district should be allocated some of the costs. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

J. RESOLUTIONS AND ORDINANCES

1. *Consider the introduction and first consideration, and call for a public budget hearing of Ordinance No. 1430 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2024, and ending December 31, 2024, and making the annual tax levy for the year 2023.*

Director Welch presented the 2024 budget. Commissioner Rohr moved and Commissioner Braun seconded to approve the introduction and first consideration, and call for a public budget hearing of Ordinance No. 1430 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2024, and ending December 31, 2024, and making the annual tax levy for the year 2023. Roll Call vote: Camisa: No, Braun: Yes, Olson: Yes, Rohr: Yes, Helbling: Yes. The motion passed.

2. *Second and final consideration of Ordinance 1428, a zone change from RM –Residential to MA - Industrial for Lot 9, Block 2, Hoovestol Subdivision.*

Planner Stromme presented the second reading of Ordinance 1428. Commissioner Braun moved and Commissioner Camisa seconded to approve the second consideration of Ordinance No. 1428. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

3. *Second and final consideration of Ordinance 1429 related to Compensatory Leave.*

Director Cullen presented the second reading of Ordinance 1429. Commissioner Camisa moved and Commissioner Rohr seconded to approve the second consideration of Ordinance No. 1429. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

K. OTHER BUSINESS

L. ADJOURNMENT

There being no other business to come before the Board, Commissioner Camisa motioned and Commissioner Rohr seconded to adjourn the meeting at 6:59 p.m. The motion received unanimous approval of the members present.

/s/ James Neubauer

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James Neubauer  
City Administrator

/s/ Timothy Helbling

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Timothy Helbling  
Board of City Commissioners