

The Mandan City Commission met in regular session at 5:30 p.m. on September 19, 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 Camisa, Rohr, Olson and Braun. Department heads present were City Administrator Neubauer, Finance Director Welch, Human Resource Director Cullen, Engineering Director Wigness, Police Chief Ziegler, Fire Chief Nardello, Building Official Singer, Public Works Director Bitz, Business Development & Communications Director Cermak and Planner Stromme.

B. PLEDGE OF ALLEGIANCE

Mayor Helbling opened the meeting after the pledge of allegiance by addressing recent business closures in Mandan. Mayor Helbling stated that it’s a tough losing three businesses at one time, but Mandan has had roughly 19 new businesses open so far this year. He listed many of the new businesses and encouraged those in attendance and watching to support local.

1. *Recognition of community Beautification Program property, 2904 Buckskin Rd SE.* Community Beautification Committee Chair Layn Mudder presented the nomination of 2904 Buckskin Rd SE to be recognized for landscape maintenance. The property owners were in attendance to accept the certificate of achievement.

C. ARRROVAL OF AGENDA

D. MINUTES

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

E. PUBLIC HEARING

1. *Public hearing scheduled at 6 p.m. to review and discuss the final 2024 Budget (see resolutions and ordinances #1).* Finance Director Welch presented the budget timeline and a brief overview of the proposed 2024 budget. 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.

2. *Consider Preliminary Plat for Cat Creek Subdivision (5:30 p.m.).* Planner Stromme presented the preliminary plat for Cat Creek Subdivision. 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 Rohr moved and Commissioner Camisa seconded to approve the preliminary plat for Cat Creek Addition. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

F. BIDS

G. CONSENT AGENDA

1. *Consider approval of monthly bills*
2. *Consider approval of a raffle permit for the Dean Salter Benefit Bowling Tournament at Midway Lanes on Oct. 15, 2023*
3. *Consider a 2023 budget amendment and adjustment to the 2024 budget to enter into a contract with CivicPlus for the CivicClerk agenda and meetings management solution*
4. *Consider special event permits for:*
 - i. *Morton Mandan Public Library’s National Good Neighbor Day on Sept. 28, 2023*
 - ii. *BisMan Bombshellz Zombie Crawl on Oct. 14, 2023*
5. *Consider a Final Plat for Schaff Estates 2nd Addition*
6. *Consider a Final Plat for Heck 2nd Addition*

7. *Consider the 8th Avenue NW Cost Participation Amendment*
8. *Consider approval of a Gaming Site Authorization for the North Dakota Friends of the NRA State Fund Committee, LLC for raffles beginning Aug 1, 2023 through November 4, 2023 at the Baymont Inn & Suites*
9. *Consider approval of a Gaming Site Authorization for the Mule Deer Foundation, Oct. 19, 2023 at the Mandan Moose Lodge 425*
10. *Consider amending the 2023 Forestry Department Budget to fund the City's portion of the North Dakota Forestry Service America the Beautiful Grant*
11. *Consider a grant award for the High Intensity Drug Trafficking Areas Program for the Metro Area Narcotics Task Force*

Commissioner Braun moved and Commissioner Camisa seconded to approve Consent Agenda items 1 through 11 including all sub items as presented. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

H. OLD BUSINESS

I. NEW BUSINESS

1. *Consider a Development Agreement for Cove at Lakewood Addition.* Planner Stromme presented the development agreement for the Cove at Lakewood Addition. Commissioner Braun moved and Commissioner Camisa seconded to approve. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.
2. *Consider 2024 health insurance recommendation.* HR Director Cullen presented the 2024 health insurance recommendation. Randy Johnson from Brown & Brown spoke on trends causing the increase in health insurance premiums and answered questions that arose. Commissioner Braun moved and Commissioner Camisa seconded to approve. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

J. RESOLUTIONS AND ORDINANCES

1. *Second and final consideration 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.* Finance Director Welch presented the item. Commissioner Camisa stated his continued objections to not hiring an additional firefighter. Commissioner Rohr moved and Commissioner Braun seconded to approve the second and final consideration 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: Aye 4 (Commissioners Rohr, Olson, Braun and Mayor Helbling), Nay 1 (Commissioner Camisa), Absent 0. The motion passed.
2. *Consider Resolution establishing Rates and Charges for Services from the Water & Sewer Utility Fund.* Finance Director Welch presented the resolution establishing rates and charges for services from the Water & Sewer Utility Fund. Commissioner Rohr moved and Commissioner Braun seconded to approve. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.
3. *Consider Resolution establishing Rates and Charges for Services from the Solid Waste Utility Fund.* Finance Director Welch presented the resolution establishing rates and charges for services from the Solid Waste Utility Fund. Public Works Director Bitz spoke on the changes in this fund related to the landfill charges. Commissioner Braun moved and Commissioner Camisa seconded to approve. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.
4. *Consider Resolution establishing Rates and Charges for services from the Cemetery Fund.* Public Works Director Bitz presented the resolution establishing rates and charges for services from the Cemetery Fund. Commissioner Braun moved and Commissioner Camisa seconded to approve. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.
5. *Second and final consideration of Ordinance 1432 to amend and re-enact Section 12-8-1 related to Tobacco Products, Definitions and enact Section 12-8-9 pertaining to Cigar Lounges and Resolution*

establishing fees for application and license. Planner Stromme presented the second and final consideration of Ordinance 1432. Resident and Mandan Health Coalition representative Greg Gallagher spoke on the options commission has to consider and concerns with ventilation. Bismarck resident Brent Winkleman and Mandan resident Daniel Sallinger spoke in favor of the ordinance. Heather Austin with Tobacco Free North Dakota, Mandan resident and North Dakota Public Health Association representative Sarah Weninger, and Mandan residents Sue Kahler and Susan Beehler spoke against the ordinance. Commissioner Braun questioned how to measure emissions of second hand smoke and carcinogens through ventilation. Commissioner Camisa moved and Commissioner Olson seconded to approve with an amendment to include licensed childcare facilities in Sec. 12-8-9 (d4). Roll Call vote: Aye 3 (Commissioners Camisa and Olson and Mayor Helbling), Nay 2 (Commissioners Braun and Rohr), Absent 0. The motion passed. Commissioner Camisa moved and Rohr seconded to approve the resolution establishing the application and issuance fees for cigar lounges. Roll Call Vote: Aye 5, Nay 0, Absent 0. The motion passed.

6. *First consideration of Ordinance 1433 to enact a new sub-section (h) to Section 2-4-3 relating to cooperative purchasing.* Attorney Oster presented the first consideration of Ordinance 1433.

Commissioner Camisa moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

K. OTHER BUSINESS

Mayor Helbling asked for a motion to appoint Business Development & Communications Director Cermak as the voting member for the City of Mandan to the Mandan Progress Organization Board of Directors. He was previously serving in the voting role. Commissioner Rohr moved and Commissioner Camisa seconded. Roll Call vote: Aye 5, Nay 0, Absent 0. Motion passed. Mayor Helbling recognized Mandan Fire Department and Marathon Refinery Fire staff who participated in the 9/11 Memorial Stairclimb at Starion Sports Complex. Public Works Director Bitz reminded residents that it is Free Fall Landfill Week.

L. ADJOURNMENT

There being no other business to come before the Board, Commissioner Camisa motioned and Commissioner Braun seconded to adjourn the meeting at 7:20 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