

The Mandan City Commission met in regular session at 5:30 p.m. on October 17, 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, Human Resources Director Cullen, Engineering Director Wigness, Police Chief Ziegler, Building Official Singer, Public Works Director Bitz, Business Development & Communications Director Cermak, Planner Stromme and Assistant City Attorney Sand.

B. PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Recognition of Community Beautification Program property, 308 1st Ave NW.*

Communications Specialist Kari Schmidt stated that property owned by Jaden and Jessica Roller was nominated by a community member for structural maintenance or enhancements, overall aesthetic improvements and for its appealing, attention-getting seasonal or holiday display. The property owner was in attendance to accept a certificate.

2. *Law Enforcement Center Trunk or Treat, Oct. 31.* Police Chief Ziegler invited the public to the Law Enforcement Center Trunk or Treat on Oct. 31 from 4-6:30 p.m. The portion of 1st Ave NW, from 1st Street to 2nd Street will be closed off for the event.

D. ARRROVAL OF AGENDA

E. MINUTES

1. *Consider approval of the minutes from the October 3, 2023 Board of City Commission Regular Meeting.* Commissioner Camisa moved and Commissioner Braun seconded to approve the minutes as presented. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

F. PUBLIC HEARING

1. *Consider variance to Section 105-1-3 (4) of the City Code of Ordinances related to accessory buildings in the R7 – Residential zoning district for Lot 2 Replat of North Prairie Addition.*

Planner Stromme presented the variance request. Mayor Helbling opened the public hearing and invited the public to come forward to comment. Property owner Cheydon Gordon spoke on the ghost plat and concerns related to the 66 ft. easement. 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. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *Consider variance from Section 105-1-2 (1) and 105-3-17 (2) of the City Code of Ordinances related to structures excluded from height limits and MD – Industrial dimensional standards for Vertical Bridge Cell Tower.* Planner Stromme presented the variance request. Mayor Helbling opened the public hearing and invited the public to come forward to comment. Applicant representative Curt Walter with Vertical Bridge stated they are here to provide a business service and feels it’s a perfect location for the cell tower. 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. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

G. BIDS

H. CONSENT AGENDA

1. *Consider approval of monthly bills*
2. *Consider the issuance of a Class E Restaurant On Sale Beer & Liquor License to Ohms Café*
3. *Consider the following Abatement applications:*
 - i. *Wheelchair Exemption Abatements for Elizabeth Bergquist*
 - ii. *Missouri Valley Development LLC*
4. *Consider approval of a subscription to Cordico Shield Law Enforcement Wellness App*
5. *Consider approval of the following assessments:*
 - i. *Weed Cutting of 2023*
 - ii. *Health & Safety of 2023*
 - iii. *Sidewalks of 2023*
 - iv. *Delinquent Alarm System Accounts for 2023*
 - v. *Delinquent Utility Billing Accounts for 2023*
6. *Consider a 2024 Street Rehabilitation Engineering Task Order*
7. *Consider approval of North Dakota Department of Transportation Grant Applications*
8. *Consider Downtown Phase I Cost Participation Agreement*
9. *Consider amending the 2023 Utility Department budget*
10. *Consider a minor plat for Helblings 4th Addition*
11. *Consider Flex PACE letter of support for Shawn's Repair, LLC*
12. *Consider approval of a length of service and retirement awards policy*

Mayor Helbling asked that consent item 10 be pulled due to his direct interest in the item.

Commissioner Rohr moved and Commissioner Camisa seconded to approve the consent agenda items 1 through 9 and 11-12 including all sub items as presented. Roll Call vote: Aye 5, No 0, Absent 0. Planner Stromme presented consent agenda item 10. The motion passed.

Commissioner Rohr moved and Commissioner Olson seconded to approve consent agenda item 10. Roll Call vote: Aye 4, No 0, Absent 0 (Mayor Helbling abstained). The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider Northwest Trunk Sewer Introduction and Draft Development Agreement.* City Engineer Wigness presented on the Northwest Trunk Sewer introduction and draft development agreement. This was just an informational item, no action was required.
2. *Consider Raw Water Intake Change Orders.* Engineer Wigness presented on the Northwest raw water intake change orders. Laith Hintz with AE2S spoke on questions around the decommissioning of the old raw water intake system and the change order related to delaying the decommissioning. Commissioner Camisa moved and Commissioner Braun seconded to approve. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.
3. *Consider Memorial Highway East Storm Sewer Decision Document.* Engineer Wigness presented on the Memorial Highway East Storm Sewer decision document. HDR Engineering Project Manager Craig Mizera answered questions related to double pumping with the preferred

option. Commissioner Camisa moved and Commissioner Braun seconded to approve. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

K. RESOLUTIONS AND ORDINANCES

L. OTHER BUSINESS

M. ADJOURNMENT

There being no other business to come before the Board, Commissioner Camisa motioned and Commissioner Rohr seconded to adjourn the meeting at 6:25 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