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The Mandan City Commission met in regular session at 5:30 p.m. on November 21, 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 Resource Director Cullen, 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

C. ANNOUNCEMENTS

1. *Introduction of new employees.* Public Works Director introduced three new heavy equipment operators for the Street Department: James Peterson, Nate Eckroth and Derek Berger.

D. ARRROVAL OF AGENDA

E. MINUTES

1. *Consider approval of the minutes from the November 7, 2023 Board of City Commission Regular Meeting.* Commissioner Camisa moved and Commissioner Rohr seconded to approve the minutes as presented. Roll Call vote: Aye 4, Nay 0, Absent 1 (Braun). The motion passed.

F. PUBLIC HEARING

1. *Consider variance to Section 105-4-1 of the City Code of Ordinances related to the A-Agriculture zoning district for Lot 1, Block 1, Rockhaven Heights 2<sup>nd</sup> Subdivision.* Planner Stromme presented 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 request. Roll Call vote: Aye 4, No 0, Absent 1 (Braun). The motion passed.

2. *Consider preliminary plat of Meadow Ridge 5<sup>th</sup> 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 Rohr moved and Commissioner Camisa seconded to approve the preliminary plat contingent on building and fire code compliance. Roll Call vote: Aye 4, No 0, Absent 1 (Braun). The motion passed.

3. *Consider Zone Change from MB – Industrial to MA – Industrial for Riverwood Commercial Park 4<sup>th</sup> Addition (See Resolutions and Ordinances No. 2).* Planner Stromme presented the 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. See Resolution & Ordinance No. 2 for action.

4. *Consider Zone Change from Ag – Agriculture to CB – Commercial for Schaff Estates 2<sup>nd</sup> Addition (See Resolutions and Ordinances No. 3).* Planner Stromme presented the 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. See Resolution & Ordinance No. 3 for action.

G. BIDS

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## H. CONSENT AGENDA

1. *Consider approval of monthly bills*
2. *Consider approval of two grant applications for Marathon's Community Investment Program:*
  - i. *Green Space Improvement Project*
  - ii. *Street Pole Banner Project*
3. *Consider acceptance of the 2024 Lottery Grant Award for Metro Area Narcotics Task Force*
4. *Consider purchasing a Caterpillar 140 All-Wheel Drive Motor Grader*
5. *Consider acceptance of a Back the Blue grant awarded to the Mandan Police Department*
6. *Consider opting out of Multidistrict Litigation Cases Related to PFAS*
7. *Consider proclaiming November 25, 2023 Small Business Saturday*

Commissioner Camisa moved and Commissioner Rohr seconded to approve the consent agenda item 1 through 4, 6 and 7, including all sub items as presented. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed. Commissioner Rohr pulled Consent Agenda item 5. Police Chief Ziegler presented the request for acceptance of a Back the Blue grant. Commissioner Rohr moved and Commissioner Camisa seconded to approve consent agenda item 5. Roll Call vote: Aye 5, No 0, Absent 0.

## I. OLD BUSINESS

## J. NEW BUSINESS

1. *Consider Mandan Growth Fund committee appointments.* Business Development & Communications Director Cermak presented Mandan Growth Fund Committee recommendations for four terms beginning January 1, 2024 through December 31, 2026. Commissioner Camisa moved and Commissioner Braun seconded to approve. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.
2. *Consider Storefront Improvement Application at 204 3<sup>rd</sup> Ave NW by Dental Associates.* Business Development & Communications Director Cermak presented the storefront improvement application for 204 3<sup>rd</sup> Ave NW by Dental Associates. Commissioner Camisa moved and Commissioner Braun seconded to approve. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.
3. *Consider sale of City-owned lot East ½ of Vacated 14<sup>th</sup> Avenue NE.* Planner Stromme presented the offer to purchase the city-owned property at the east half of vacated 14<sup>th</sup> Ave NE. 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

1. *Introduction and First Consideration of Ordinance Nos. 1434-1437:*
  - i. *Ord. 1434 Updates City ordinance Chapter 18 (various criminal law provisions)*
  - ii. *Ord. 1435 Updates City ordinance Chapter 24 (traffic and vehicle provisions)*
  - iii. *Ord. 1436 Bicycling or riding an animal while under the influence of alcohol or drugs, as well as multipassenger bicycles*
  - iv. *Ord. 1437 Updates Mandan Municipal Code Section 24-16-2(2) relating to speed in a construction zone.* Police Chief Ziegler presented Ordinance Nos. 1434-1437. Commissioner Camisa moved and Commissioner Rohr seconded to approve the introduction and first consideration of Ordinance Nos. 1434-1437 as presented. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.
2. *First Consideration of Ordinance 1438 related to a Zone Change from MB – Industrial to MA –*

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*Industrial for Riverwood Commercial Park 4<sup>th</sup> Addition.* Planner Stromme presented Ordinance No. 1438. Commissioner Camisa moved and Commissioner Rohr seconded to approve the introduction and first consideration of Ordinance No. 1438 as presented. Roll Call vote: Aye 4, No 0, Absent 1. (Braun). The motion passed.

3. *First Consideration of Ordinance 1439 related to a Zone Change A – Agriculture to CB – Commercial for Schaff Estates 2<sup>nd</sup> Addition.* Planner Stromme presented Ordinance No. 1439. Commissioner Rohr moved and Commissioner Camisa seconded to approve the introduction and first consideration of Ordinance No. 1439 as presented contingent on a development agreement. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

L. OTHER BUSINESS

N. ADJOURNMENT

There being no other business to come before the Board, Commissioner Camisa motioned and Commissioner Rohr seconded to adjourn the meeting at 6:05 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