

The Mandan City Commission met in regular session at 5:30 p.m. on December 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 Braun, Camisa, Olson, and Rohr. Department heads present were City Administrator Neubauer, Assessor Markley, Engineering Director Wigness, Police Chief Ziegler, Fire Chief/Public Works Director Bitz, Business Development & Communications Director Cermak, Planner Stromme, and City Attorney Oster.

B. PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Introduction of new employees.* Assistant Finance Director Schulz introduced Senior Accounting Technician Lisa Schobinger. Police Chief Ziegler introduced Police Officers Christopher Sager, Tyler Seilinger, Luis Munoz, Alyssa McCulley, and Brandon Long; as well as Evidence Technician Heather Krell (and K-9 service dog Autumn) and Code Enforcement Officer Nathan Muri.

D. ARRROVAL OF AGENDA

E. MINUTES

1. *Consider approval of the minutes from the December 5, 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.

F. PUBLIC HEARING

1. *Consider an amendment to the Future Land Use Plan and a Zone Change from MC – Industrial to CB – Commercial with restrictions for Auditor’s Lot F less Auditor’s Lot 1 of F in the NW ¼ Section 22, Township 139N, Range 81W (See Resolutions and Ordinances No. 1).* Planner Stromme presented the amendment to the future land use plan and 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.

G. BIDS

1. *Consider 8th Avenue NW Bid Results.* City Engineer Wigness presented the bid results. Commissioner Camisa moved and Commissioner Olson seconded to award the low bid. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

H. CONSENT AGENDA

1. *Consider approval of monthly bills*
2. *Consider approval of the Inmate Housing Agreement at the Burleigh Morton Detention Center*
3. *Consider transfer of Opioid Settlement Funds to Western Plains Public Health*
4. *Consider acceptance of Marathon Community Investment Program Grant Award from the application completed by Mandan Police Department to fund Brinc (LEMUR 2) drones*
5. *Consider approval of a gaming site authorization for the Mule Deer Foundation on February 10, 2024 at Baymont Inn & Suites*
6. *Consider a correction to the approved Retail Incentive for Larkspur Daisy*
7. *Consider scheduling a public hearing to vacate a portion of Oxbow Trail SE in Lakewood 6<sup>th</sup> Addition*
8. *Consider Gaming site authorization and rental agreement for the Minndak RMEF Inc, at the Mandan Eagles Club*
9. *Consider a contract with Vanguard Appraisals, Inc. for Assessing Website*
10. *Consider a Task Order for the Collins Reservoir Design Engineering*
11. *Consider a Task Order for the Water Treatment Plant Phase III Engineering*

12. *Consider sole source bid for audio visual equipment replacements for the Ed “Bosh” Froehlich Meeting Room*

Commissioner Camisa moved and Commissioner Braun seconded to approve the consent agenda item 1 and 3 through 12 including all sub items as presented. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed. Commissioner Camisa pulled consent item 2 to ask questions. Police Chief Ziegler talked about the increase in the inmate housing contract and trends across the state. Commissioner Camisa moved and Commissioner Braun seconded to approve consent agenda item 2 as presented. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider the following committee appointments:*

a. *Renee Murrish to serve on the Parking Authority.*

b. *James Gustafson & Kristi Kraft to serve on the Renaissance Zone Committee.* Business

c. *Layn Mudder, Luci Snowden and Micaela Ranisate to serve on the Community Beautification Committee.* Police Chief Ziegler presented the recommendation from the Parking Authority, Business Development & Communications Director Cermak presented the recommendation from the Renaissance Zone Committee and Community Beautification Committee Chair Layn Mudder presented the recommendation from the Community Beautification Committee. Commissioner Braun moved and Commissioner Camisa seconded to approve New Business items 1a, 1b, and 1c as presented. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

2. *Consider recommended moratorium from a Zoning Audit Review.* Planner Stromme presented the recommendation for a moratorium. Commissioners Rohr and Camisa and Mayor Helbling felt a two-year moratorium was a long time, and would prefer to see it revisited in 12 months. Planner Stromme explained the intent is to adopt all the zoning ordinance changes at once, versus in chunks to avoid changes needing to be made as the zoning re-write process continues. This was just a discussion item. No action was needed.

3. *Discussion related to the process for citizens to get their names on a ballot (See Resolution & Ordinance No. 3).* Mayor Helbling stated that he has heard that getting over 300 signatures seems to keep people from running for elected positions. The City of Fargo allows citizens to pay \$100 or collect signatures to get their names on the ballot. Discussion was held. Consensus was to reduce the number of signatures required for a citizen to get their name on a ballot to 125. *See Resolution & Ordinance No. 3 for action.*

4. *Consider Resolutions for 2024 Mandan Street Rehabilitation Project.* City Engineer Wigness presented on the resolutions for the 2024 Mandan Street Rehabilitation project. Commissioner Camisa moved and Commissioner Rohr seconded to approve the resolution creating the district, approve the engineer’s report, approve the feasibility report and approve the resolution of necessity for Street Improvement District No. 235, Project. No 2024-02. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed. Commissioner Camisa moved to approve the dedication of Prairie Dog funds towards the project at a rate of 20% of reconstruction work. Commissioner Rohr seconded. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

K. RESOLUTIONS AND ORDINANCES

1. *First Consideration of Ordinance 1440 related to a Zone Change MC – Industrial to CB – Commercial and a Resolution for the amendment to the Future Land Use Plan for Auditor’s Lot F less Auditor’s Lot 1 of F in the NW ¼ Section 22, Township 139N, Range 81W.* Planner Stromme presented Ordinance 1440 and the resolution amending the Future Land Use and Transportation Plan.

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

2. *Resolution amending rate table for Planning and Zoning Development Review Applications.*

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Planner Stromme presented the amended rate table for Planning and Zoning Development Review applications. Commissioner Camisa moved and Commissioner Braun seconded to approve the resolution setting rates for 2024 Planning and Zoning Development Review Applications. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

3. *Introduction and First Consideration of Ordinance No. 1441 relating to governing body and elections.* Commissioner Braun moved and Commissioner Camisa seconded to approve the introduction and first consideration of Ordinance No. 1441 with the following change: requiring only 125 qualified signatures. Roll Call vote: Aye 5, No 0, Absent 0. The motion passed.

L. OTHER BUSINESS

Mayor Helbling introduced the new Fire Chief, Mitch Bitz. In the interim he will continue to oversee Public Works until a new director is hired. Mayor Helbling also thanked the public for their support of the Mandan Holiday Lights on Main and wished everyone a Merry Christmas and a Happy New Year.

N. ADJOURNMENT

There being no other business to come before the Board, Commissioner Camisa motioned and Commissioner Rohr seconded to adjourn the meeting at 7:08 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