The Mandan City Commission met in regular session at 5:30 PM on September 17, 2024 in the Ed "Bosh" Froehlich Meeting Room at City Hall, Mandan, North Dakota. Mayor Froelich called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners*. Those present were Dennis Rohr, James Froelich, Craig Sjoberg, Ryan Heinsohn, Mike Braun. Department heads present were City Administrator Neubauer, Finance Director Welch, Engineering Director Wigness, Senior Real Property Appraiser Johnson, Deputy Police Chief Bier, Captain Haug, Building Official Singer, Fire Chief Bitz, Public Works Director O'Keefe, Business Development & Communications Director Cermak, Planner Stromme and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS Mayor Froelich announced that it is Free Fall Landfill Week and the landfill is open from 8 a.m. to 4:45 p.m. He also shared that this weekend is the ND Roughrider Cup at the rodeo arena.

D. APPROVAL OF AGENDA Commissioner Rohr moved and Commissioner Sjoberg seconded to approve. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

E. MINUTES

1. *Consider approval of the minutes of the September 3, 2024 Board of City Commissioners regular meeting*. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

F. PUBLIC HEARING

1. *Consider the Resolution Determining the Sufficiency of Protest for Street Improvement District No. 238*. Engineer Wigness presented the item. The protests were sufficient and the project will not move forward. Mayor Froelich opened the public hearing and invited the public to come forward to comment. Dave Sterna, Judy Schaff, Jim Keller, Tom Schoffstall, and Travis Stremer spoke against the project. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Sjoberg moved and Commissioner Rohr seconded to close the public hearing. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed. Commissioner Rohr moved and Commissioner Sjoberg seconded to approve the resolution determining that protest of Street Improvement District 238 is sufficient. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

2. *Public budget hearing scheduled at 6 p.m. for Ordinance No. 1452 adopting the 2025 Budget*. Finance Director Welch presented the item. Mayor Froelich opened the public hearing and invited the public to come forward to comment. Resident James Carroll came forward with concerns about the budget regarding the Airport, the 11 new full-time employees, and more. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Sjoberg moved and Commissioner Braun seconded to close the public hearing. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

3. *Consider a final plat and PUD Amendment for Shores at Lakewood 2nd Addition*. Planner Stromme presented the item. Mayor Froelich 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 closed. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve the final plat for Shores at Lakewood 2nd Addition contingent upon a development agreement. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

G. <u>BIDS</u>

H. <u>CONSENT AGENDA</u>

1. *Consider approval of monthly bills.*

2. *Consider approval for the Mandan Police Department to close the 200 block of 1st Ave NW on Thursday, October 31, 2024, from 3:30-6:30 p.m..*

3. *Consider approval of the special event permit for the National Good Neighbor Day celebration.*

4. *Consider the following Abatements:.*

a. *Pulkrabek Abatement.*

b. *Burke Abatement.*

c. *Hoff Abatement.*

5. *Consider request to close 24th Ave SE to make utility connections.*

6. *Consider cost share amendment for the Collins Reservoir Project.*

7. *Consider approval for the fire department to award a bid for source capture exhaust systems to MagneGrip.*

8. *Permission to dispose of obsolete vehicles .*

9. *Consider Minor Plat for Zueger Addition.*

10. *Consider gaming site authorization for the North Dakota Friends of the NRA State Fund Committee LLC.*

11. *Consider a lane closure request for Collins Avenue at Division Street.*

12. *Consider a Flex PACE letter of support for financing of a remodel and build-out for Midwest Rentals, Inc.*

13. *Consider the addition of paddle wheel to the Gaming Site Authorization for The Scapegoat Bar from Oct. 1, 2024 to June 30, 2025.*

14. *Consider a budget amendment for the Engineering Department to purchase a new vehicle .*

15. *Consider Minor Plat for Replat of Lot 1 and Lot 2, Block 2, Rockwood First Addition. .*
Commissioner Sjoberg requested items 6 and 8 be removed for disucssion. Commissioner Rohr moved and Commissioner Braun seconded to approve consent agenda items 1-5, 7, 9-15, including all sub-items, as presented. Roll Call vote: Aye 5, Nay 0 None, Absent 0. The motion passed. Engineer Wigness presented consent agenda item number 6 regarding the cost share amendment for the Collins Reservoir Project. Fire Chief Bitz presented consent agenda item number 8. Commissioner Rohr moved and

Commissioner Braun seconded to approve consent agenda items number 6 & 8. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider a Renaissance Zone residential rehabilitation application for 206 Sixth Ave NW*. Business Development & Communications Director Cermak presented the residential rehab application. Commissioner Rohr moved and Commissioner Sjoberg seconded to approve the residential rehabilitation application for 206 Sixth Ave NW by Heather Hoover as a Renaissance Zone project to include the five-year 100% property tax exemption on the entire value of the improved structure and the 100% five-year state income tax exemption. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

2. *Consider issuance of Special Use Permit and approval of a Minor Plat for Missouri Point Shop Condos*. Planner Stromme presented the item. Commissioner Rohr moved and Commissioner Heinsohn seconded to approve the minor plat and special use permit with the contingencies outlined by staff. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

3. *Considering entering into an Engineering Service Agreement with Moore & Barr Engineering for the Cemetry Geotechincal Evaluation Project*. Assistant City Engineer McAdoo-Roesler presented the item. Commissioner Heinsohn moved and Commissioner Braun seconded to approve the Engineering Service Agreement with Moore and Barr Engineering to complete work on the Cemetery Geotechnical Evaluation Project, and to amend the 2024 budget by $200,720 and the 2025 budget by $211,405 using the City's 1% sales tax fund. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

K. RESOLUTIONS AND ORDINANCES

1. *Second and final consideration of Ordinance No. 1452 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2025, and ending December 31, 2025, and making the annual tax levy for the year 2024.*. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve the second and final consideration of Ordinance No. 1452 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2025, and ending December 31, 2025, and making the annual tax levy for the year 2024. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

2. *Consider Resolution establishing Rates and Charges for Services from the Water & Sewer Utility Fund*. Commissioner Rohr moved and Commissioner Sjoberg seconded to approve the Resolution establishing rates and charges for services from the Water & Sewer Utility Fund. 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 item. Commissioner Braun moved and Commissioner Heinsohn seconded to approve the Resolution establishing rates and charges for services from the Solid Waste Utility Fund. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

4. *First Consideration of Ordinance 1454, a PUD (Planned Unit Development) Amendment for the Shores at Lakewood*. Planner Stromme presented the ordinance. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the first consideration of Ordinance 1454, contingent upon a development agreement.. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion passed.

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

October 1, 2024 at 5:30 p.m..

October 15, 2024 at 5:30 p.m..

November 5, 2024 at 5:30 p.m..

N. ADJOURN There being no other business to come before the Board, Commissioner Braun moved and Commissioner Sjoberg seconded to adjourn at 7:16 p.m. Roll Call vote: Aye 5, Nay 0, Absent 0. The motion received unanimous approval of all the members present.

/s/James Neubauer
James Neubauer
City Administrator

/s/James Froelich
James Froelich
President, Board of City Commissioners