The Mandan City Commission met in regular session at 5:30 PM on October 15, 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, Mike Braun, James Froelich, Craig Sjoberg, Ryan Heinsohn. Department heads present were City Administrator Neubauer, Finance Director Welch, Assessor Markley, Human Resource Director Berger, Engineering Director Wigness, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Public Works Director O'Keefe, Business Development & Communications Director Cermak, Planner Stromme, Communications Specialist Schmidt and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *New Employee Introduction, Human Resource Generalist Cassidy Buchholz*. HR Director Berger introduced Human Resource Generalist Cassidy Buchholz. Buchholz started with the city three weeks ago.

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

E. MINUTES

1. *Consider approval of the following minutes of the Board of City Commissioners:* .

a. *Oct. 1, 2024 Regular Meeting*. Commissioner Sjoberg moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

b. *Oct. 3, 2024 Special Meeting*. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

F. PUBLIC HEARING

1. *Lots 5-7, Block 1, Twin City Industrial Sites Setback Variance*. Planner Stromme presented the setback variance request. 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 Rohr moved and Commissioner Braun seconded to approve the setback variance of twenty feet as presented for the project outlined in the report. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Consider Preliminary Plat and Zone Change from A - Agriculture to MA - Industrial for Mandan Industrial Park 14th 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 Braun moved and Commissioner Sjoberg seconded to approve the preliminary plat for Mandan Industrial Park 14th Addition. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider a request for a preliminary plat and a Exclusion/De-Annexation for Biwer Subdivision*. 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 Sjoberg moved and Commissioner Braun seconded to approve the preliminary plat for Biwer Subdivision. Roll Call vote: Aye 5, Nay 0. The motion passed.

4. *Consider a vacation of 5th Avenue SE and a minor plat to be named Helblings 7th Addition*. Planner Stromme presented the vacation request and minor plat. 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 Braun seconded to approve the minor plat of Helblings 7th Addition. Roll Call vote: Aye 5, Nay 0. The motion passed.

G. <u>BIDS</u>

H. <u>CONSENT AGENDA</u>

1. *Consider approval of monthly bills*.

2. *Consider approval of the following raffle permits:*.

a. *North Dakota Simmental Association*.

b. *Bismarck State College Mystic Athletic Club*.

3. *Consider proclaiming Nov. 1, 2024 as Extra Mile Day*.

4. *Consider a budget amendment to the 2025 street and utility departments' budgets*.

5. *Consider approval to accept FY2024 COPS hiring grant funding of $500,000.00 for four Police Officers*.

6. *Consider approval of 2023 and 2024 Abatements for Darin & Megan Helbling*.

7. *Consider approval to apply for 2024 America The Beautiful Program Development Grant*.

8. *Consider Minor Plat for Replat of Lots 15 & 16, Block 1, Shores At Lakewood Addition*.

9. *Consider approval of the 2024 Title VI/Nondiscrimination and ADA Plan*.

10. *Assessments for Weed Cutting of 2024, Health & Safety of 2024, Sidewalks of 2024, Delinquent Alarm System Accounts for 2024, and Delinquent Utility Billing Accounts for 2024*.

11. *Consider Minor Plat for Joseph Addition*. Commissioner Sjoberg moved and Commissioner Braun seconded to approve consent agenda items 1-11 including all sub items as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

I. <u>OLD BUSINESS</u>

J. <u>NEW BUSINESS</u>

1. *Consider Water and Sewer Improvement District 65 design agreement*. Engineer Wigness presented the design agreement. Commissioner Braun moved and Commissioner Heinsohn seconded to approve the engineer's report, enter into the engineering design agreement and apply for State Water Commission reconstruction funding. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Consider approval of the verification of 6 special assessment districts:*

i. Street Improvement District #222, 19th Street Trail
ii. Street Improvement District #224, Sunrise View Estates & Rockwood
iii. Street Improvement District #226, West Hills 5th Addition
iv. Street Improvement District #227, Heck Addition - new high school area
v. Street Improvement District #229, Shores at Lakewood

vi. Street Improvement District #232, 2023 Street Improvement Project. Engineer Wigness presented the item. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve the special assessments for certification on Street Improvement Districts #222, #224, #226, #227, #229, and #232. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider Financing Resolution for street improvement districts and warrants*. Assistant Finance Director Schulz presented the item. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the Financing Resolution for the following street improvement districts and warrants: Street Improvement District #222 (19th Street Trail, Phase II) Definitive Improvement Warrant, Series 2024A; Street Improvement District #232A (2023 Street Maintenance) Definitive Improvement Warrant, Series 2024B. Roll Call vote: Aye 5, Nay 0. The motion passed.

4. *Consider Refunding Improvement Bonds, Series 2024*. Finance Director Welch introduced John Lundby with Collier's Securities, LLC to present the result of the sale of bonds from earlier in the day on Oct. 15, 2024. The interest rate determined from the sale of the bonds is 3.48%. Moody's reaffirmed the City's existing credit rating of Aa3. Commissioner Sjoberg moved and Commissioner Braun seconded to approve the resolution creating the fund of an improvement district and authorizing the issuance of Improvement Warrants; and approve the resolution authorizing the issuance of $11,945,000 Refunding Improvement Bonds, Series 2024. Roll Call vote: Aye 5, Nay 0. The motion passed.

5. *Consider a letter of support for Big Sky Passenger Rail Authority and contribution to the Bismarck-Mandan Metropolitan Planning Organization (MPO) membership in the Rail Authority's Government Partners Program*. Planner Stromme presented the letter of support and the request to join the government partners program. Commissioner Heinsohn moved and Commissioner Rohr seconded to join the Big Sky Passenger Rail Authority Government Partners Program. Roll Call vote: Aye 5, Nay 0. The motion passed.

6. *Consider Approval of Construction Engineering Amendment for SID 231 – 8th Ave Reconstruction*. Engineer Wigness presented the construction engineering amendment. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the construction engineering amendment for the 8th Ave NW reconstruction project. Roll Call vote: Aye 5, Nay 0. The motion passed.

7. *Consider Approving and Sponsoring an Application for a 2027 Pedestrian Trail Project*. Engineer Wigness presented the item. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the application and sponsorship of the project, as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

K. RESOLUTIONS AND ORDINANCES

1. *First Consideration of Ordinance 1455, a rezone from A - Agriculture to MA - Industrial for Mandan Industrial Park 14th Addition*. Planner Stromme presented the ordinance. Commissioner Braun moved and Commissioner Heinsohn seconded to approve the first consideration of ordinance 1455. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *First Consideration of Ordinance 1456 related to the Exclusion/De-Annexation of 1.5 acres of land related to Biwer Subdivision*. Planner Stromme presented Ordinance 1456. Commissioner Sjoberg moved and Commissioner Braun seconded to approve the first consideration of Ordinance 1456. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider Resolution of Vacation for 5th Avenue SE (Helbling's 7th Addition)*. Planner

Stromme presented the resolution. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the right-of-way vacation. Roll Call vote: Aye 5, Nay 0. The motion passed.

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

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

November 19, 2024 at 5:30 p.m..

December 3, 2024 at 5:30 p.m..

N. ADJOURN There being no other business to come before the Board, the meeting adjourned at 6:29 p.m.

/s/James Neubauer
James Neubauer
City Administrator

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