

The Mandan City Commission met in regular session at 5:30 PM on July 1, 2025 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, Assistant Finance Director Schulz, Assessor Markley, Human Resource Director Berger, City Engineer Wigness, Assistant City Engineer McAdoo-Roesler, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Business Development & Communications Director Cermak, Communications Specialist Schmidt, CIS Manager Mischel, and Attorney Oster.

B. PRESENTATION OF THE COLORS

1. *Scout BSA Troop 425 & Cub Scout Pack 153*
. Scout BSA Troop 425 and Cub Scout Pack 153 presented the colors.

C. THE PLEDGE OF ALLEGIANCE

D. NATIONAL ANTHEM

1. *Lynn Zachmeier.* Lewis & Clark Elementary School para, Lynn Zachmeier, sang the National Anthem.

E. ANNOUNCEMENTS

1. *July 4 Festivities with Matt Schanandore, Mandan Progress Organization.* Mandan Progress Organization Director, Matt Schanandore, presented on July 4 activities.

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

G. MINUTES

1. *Consider approval of the following Board of City Commission meeting minutes:.*
 - a. *June 17, 2025 Regular Meeting.* Commissioner Heinsohn moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.
 - b. *June 24, 2025 Special Meeting.* Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.
 - c. *June 25, 2025 Fire Department Pinning Ceremony Quorum.* Commissioner Rohr moved and Commissioner Sjoberg seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

H. PUBLIC HEARING

I. BIDS

J. CONSENT AGENDA

1. *Consider the following Abatements:.* Commissioner Sjoberg moved and Commissioner Rohr seconded to approve consent agenda items 1-7 including all sub-items. Roll Call vote: Aye 5, Nay 0. The motion passed.
 - a. *2023-2025 Abatement applications for Geralyn Roehrich.*
 - b. *2023-2025 Abatement applications for Paul Rowe.*

2. Consider approval of the following appointments:
 - a. Marie Mott to the Parking Authority Board for a term through Dec. 31, 2029.
 - b. Allen Wilson to the Community Beautification Committee through Dec. 31, 2026.
 - c. Nick Renner to the Planning & Zoning Commission through Dec. 31, 2027.
3. Consider accepting award of Transportation Alternative Grant for 3rd Street SE Sidewalk Installation.
4. Consider accepting the alternative award of Transportation Alternative Grant for 1806 Pedestrian Trail Improvements.
5. Consider approval of the following special event permits:
 - a. Independence Day Parade, Art in the Park and 5K Race.
 - b. Lyons Heart Gravel Classic.
6. Consider approval of Returning Seasonal Employment policy and the associated budget amendment.
7. Consider approval of the Class A liquor license renewal for The Hide Away from July 1, 2025 to June 30, 2026.

K. OLD BUSINESS

1. Consider a Development Agreement for the Shores At Lakewood 2nd Addition. City Administrator, Jim Neubauer, presented on the Development Agreement. No action was taken. The item will be brought back at the July 15 City Commission Meeting

L. NEW BUSINESS

1. Consider the adoption of public comment policy. City Administrator, Jim Neubauer, presented. Commissioner Braun moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

M. RESOLUTIONS AND ORDINANCES

1. Second Consideration of Ordinance 1468 related to a Fireworks clarification. Fire Chief Bitz presented the item. Commissioner Braun moved and Commissioner Sjoberg seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

ORDINANCE NO. 1468

An Ordinance to Amend and Re-enact Chapter 56 of Section 10-2-10 of the Mandan Code of Ordinances Relating to Fireworks

Be it Ordained by the Board of City Commissioners as follows:

Sec. 10-2-10. – Amendments to International Fire Code.

Chapter 56 Explosives and Fireworks

Section 5601, is amended as follows:

Section 5601.1.3 Fireworks, is amended as follows:

Section 5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the city limits.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.

2. The use of fireworks for fireworks displays as allowed in Section 5608 is an exception to the prohibition of use of fireworks in the city, provided the requirements of sections 5601.2.3 and 5601.2.4 are met. The possession, use, discharge, or explosion of fireworks, as defined by § 23-15-01, N.D.C.C., not including bottle rockets, is permitted from the hours of 12:00 p.m. to 11:59 p.m. on July 3 and 4 of each year, and from the hours of 5:00 p.m. on December 31 to 1:00 a.m. on January 1 of each year.

Penalty:

1. Any person who violates the provisions of this section shall, upon conviction, be guilty of an ordinance violation, punishable by a fine of one hundred fifty dollars (\$150.00).
2. Any person cited for a violation of this section shall be deemed to be charged with a noncriminal offense and may utilize the same procedures for appearance, payment of statutory fee, posting and forfeiture of bond, waiver of hearing, or hearing as is provided for noncriminal traffic offenses pursuant to the provisions of Chapter 24 of the Mandan Municipal Code. Any person failing to appear at the time designated, after signing a promise to appear, without paying the statutory fee or posting and forfeiting bond is guilty of a Class B misdemeanor. Failure to appear without just cause at the hearing must also be deemed an admission of commission of the violation charged.

Section 5601.2.4 Financial responsibility, deleted in its entirety and replaced with:

Section 5601.2.4 Financial responsibility. The permittee shall furnish a bond or insurance in an amount deemed adequate by the board of city commissioners, but not less than two hundred and fifty thousand dollars (\$250,000.00) per individual or one million dollars (\$1,000,000.00) per occurrence, conditioned for the payment of all potential damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any act of the permittee, its agents, employees or subcontractors.

By: /s/ James Froelich

James Froelich, President, Board of City Commissioners

Attest: /s/ James Neubauer

James Neubauer, City Administrator

First Consideration: June 24, 2025

Second Consideration and Final Passage: July 1, 2025

N. OTHER BUSINESS

O. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- *July 15, 2025 at 5:30 p.m.*
- *August 5, 2025 at 5:30 p.m.*
- *August 19, 2025 at 5:30 p.m.*

P. ADJOURN There being no other business to come before the Board, the meeting adjourned at 05:59 PM.

/s/ James Neubauer
James Neubauer
City Administrator

/s/ James Froelich
James Froelich
Board of City Commissioners