



**AGENDA
CITY COMMISSION
MAY 19, 2026
ED "BOSH" FROEHLICH MEETING ROOM
MANDAN CITY HALL
5:30 PM
WWW.CITYOFMANDAN.COM**

The public may access the LIVE meeting at:

Watch & Listen

Government Access (Midcontinent) cable channels 2 & 602 HD Streaming LIVE at: tinyURL.com/FreeTV-602 and on Roku or Apple TV

Dial: +1 312 626 6799

Listen

Radio Access 102.5 FM
RadioAccess.org

Web: <https://us02web.zoom.us/j/86194865186>

A. ROLL CALL

1. Roll call of all City Commissioners

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Construction Project Updates*
2. Announce Aliyah Leingang as a scholarship recipient from the Bismarck Mandan Mayors Committee for People with Disabilities
3. Fire Department Public Information Meeting — June 1, 2026 at 6 p.m.
4. Touch A Truck 2026 Event Overview
5. Community Clean-Up Month

D. PUBLIC COMMENT

E. APPROVAL OF AGENDA

F. MINUTES

1. Consider approval of the May 5, 2026 Board of City Commission Meeting Minutes

G. PUBLIC HEARING

1. Consider a preliminary plat for Lakewood Commercial Park 7th Addition

2. Consider a preliminary plat and zone change for School District 8th Addition

H. BIDS

1. Consider bids for the 2026 Striping Project 2026-21 (*Documentation forthcoming*)

I. CONSENT AGENDA

1. Consider approval of the following Gaming Site Authorizations:
 - a. ~~American Legion Post 91 at Send it 24/7 from July 1, 2026 to June 30, 2027~~
 - b. Fort Abraham Lincoln at Lonesome Dove from July 1, 2026 to June 30, 2027
 - c. Fort Abraham Lincoln at Midway Lanes from July 1, 2026 to June 30, 2027
 - d. Fort Abraham Lincoln at The Paddle Trap from July 1, 2026 to June 30, 2027
 - e. Mandan Moose Lodge #425 at Social Quarters from July 1, 2026 to June 30, 2027
 - f. Mandan Touchdown Club at Starion Sports Complex from August 1, 2026 to December 1, 2026
 - g. Mandan Touchdown Club at BSCL (Big Stick Cigar), LLC from July 1, 2026 to June 30, 2027
 - h. Mandan Touchdown Club at Dickey's Barbecue Pit from July 1, 2026 to June 30, 2027
2. Consider approval of the new Class C and E liquor license applications effective July 1, 2026
3. Consider approval of the Class A, B, Special B, D, D1, E, F, ~~H~~, WB liquor license renewal applications effective July 1, 2026
4. Consider the appointment of Jillian Lagasse to the Dakota Media Access Board of Directors
5. Consider a minor plat for Bryan Subdivision
6. Consider approval of monthly bills
7. Consider approval of the 2026 Missouri River Recreational Boating Safety (RBS) grant agreement

8. Consider approval of Retroactive Retirement Plan Eligibility Amendment and Trustee Updates

9. *Consider Mandan Progress Organization Event Grant Applications*

J. OLD BUSINESS

K. NEW BUSINESS

1. Presentation of the 2025 Annual Statistical Report

L. RESOLUTIONS AND ORDINANCES

1. To approve the first consideration of Ordinance 1486 to amend and re-enact Article 2, Chapter 8 of the Mandan Code of Ordinances relating to alarm systems

M. OTHER BUSINESS

N. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- - Tuesday, June 2, 2026, at 5:30 p.m.
 - Tuesday, June 16, 2026, at 5:30 p.m.
 - Tuesday, July 7, 2026, at 5:30 p.m.

O. ADJOURN

The Mandan City Commission met in regular session at 5:30 PM on May 5, 2026 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, Assistant Finance Director Schulz, Human Resource Director Berger, City Engineer Wigness, Assistant City Engineer McAdoo-Roesler, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Public Works Director O'Keefe, Wastewater Treatment Plant Superintendent Malsam, Business Development & Communications Director Cermak, Communications Specialist Schmidt, CIS Manager Mischel, Administrative Assistant Newman, and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Notice of Fire Department Sales Tax Initiative Public Information Meeting.* Fire Chief Bitz presented.
2. *Construction Updates.* City Engineer Wigness presented.
3. *Touch A Truck - May 16, 2026.* Mandan Progress Organization Assistant Executive Director Triston Kosek presented.
4. *Public Works Open House - May 21, 2026.* Public Works Director O'Keefe presented.
5. *Community Clean-Up Month.* Communications Specialist Schmidt presented.
6. *Arbor Day Recognition.* City Administrator Neubauer presented. Commissioners from fifty years ago—Mayor Malcolm H. Brown, Commissioners Edward R. Froehlich, Caroline M. Lutkat, Joe Schaaf, and B.J. Silbernagel were recognized.

D. PUBLIC COMMENT There were no public comments received prior to the start of the meeting.

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

F. MINUTES

1. *Consider approval of the April 21, 2026 Board of City Commission Meeting Minutes.* Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Consider approval of the April 29, 2026 quorum of city commissioners minutes.* Commissioner Heinsohn moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

G. PUBLIC HEARING

1. *Consider a setback variance for Lot 6, Block 1, Nicola 2nd Addition.* Building Official Singer presented. 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 Sjoberg seconded to approve the requested variance of the front yard setback in the Residential Mobile Home Subdivision District for Lot 6, Block 1, Nicola 2nd

Addition from a minimum of 15' to a minimum of 12'. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Consider a final plat for Eighteen Eighty Four Addition.* Building Official Singer presented. 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 Eighteen Eighty Four Addition. Roll Call vote: Aye 5, Nay 0. The motion passed.

H. BIDS

I. CONSENT AGENDA Commissioner Heinsohn moved and Commissioner Rohr seconded to approve the Consent Agenda, including all sub-items. Roll Call vote: Aye 5, Nay 0. The motion passed.

1. *Consider Abatements.*

a. *Consider 2024 & 2025 Veterans Credit Abatements for Seth Patara.*

2. *Consider revision to the Capital Assets Policy.*

3. *Consider approval of the following Gaming Site Authorizations:.*

a. *Adding raffles to New Salem Civic Club at Bennigan's for July 1, 2026 to June 30, 2027.*

b. *Mandan Baseball Club, Inc. at Silver Dollar Bar from July 1, 2026 to June 30, 2027.*

c. *Mandan Baseball Club, Inc. at Seven Seas from July 1, 2026 to June 30, 2027.*

d. *Mandan Baseball Club, Inc. at The Drink from July 1, 2026 to June 30, 2027.*

e. *Mandan Baseball Club, Inc. at the Broken Oar from July 1, 2026 to June 30, 2027.*

f. *Matpac Wrestling Club, Inc. at Stage Stop from July 1, 2026 to June 30, 2027.*

g. *Matpac Wrestling Club, Inc. at Last Call Bar from July 1, 2026 to June 30, 2027.*

h. *Matpac Wrestling Club, Inc. at Old Town Tavern from July 1, 2026 to June 30, 2027.*

i. *Matpac Wrestling Club, Inc. at The Scapegoat Bar from July 1, 2026 to June 30, 2027.*

j. *North Dakota Cowboy Hall of Fame at La Cantina from July 1, 2026 to June 30, 2027.*

4. *Consider approval of the following liquor license applications:.*

a. *Melissa and Brady Wolf from July 1, 2026, to June 30, 2027.*

b. *New Class A liquor License for the Silver Dollar Bar.*

5. *Consider approval of the special event permit for Buggies and Blues.*

6. *Consider allowing staff to enter into negotiations for an agreement with ICON Architectural Group for design services related to Morton Mandan Public Library's Tourism Makerspace Hub.*

7. *Assessments for Weed Cutting of 2025B, Health & Safety of 2025B, Sidewalks of 2025B, and Snow Removal of 2026.*

J. OLD BUSINESS

K. NEW BUSINESS

1. *Consider Waste Water Treatment Plant Project consultant selection.* City Engineer Wigness presented. Commissioner Sjoberg moved and Commissioner Rohr seconded to select AE2S as the design

consultant for the Waste Water Treatment Plant project and authorize the Engineering department to enter contract negotiations. Roll Call vote: Aye 5, Nay 0. The motion passed.

L. RESOLUTIONS AND ORDINANCES

M. OTHER BUSINESS

N. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- *Tuesday, May 19, 2026 at 5:30 p.m.*
- *Tuesday, June 2, 2026 at 5:30 p.m.*
- *Tuesday, June 16, 2026 at 5:50 p.m.*

O. ADJOURN There being no other business to come before the Board, the meeting was adjourned at 6:05 p.m.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 11, 2026
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Dave Wiosna
SUBJECT: Consider a preliminary plat for Lakewood Commercial Park 7th Addition

STATEMENT/PURPOSE:

Consider a preliminary plat for Lakewood Commercial Park 7th Addition

BACKGROUND/ALTERNATIVES:

Requested Preliminary Plat

Background

This is the preliminary plat for the Lakewood Commercial Park 7th Addition, located in Lots 1B & 4, Block 1, Lakewood Commercial, Lots 2 & 3, Block 1, Koch's Lakewood Villas and Lot 2, Block 1, Koch's Lakewood Villas 2nd Addition, all located in Section 6, T138N R80W, 5th PM, Morton County, ND, within city limits. The applicant proposes to combine Lot 1B, Block 1, Lakewood Commercial and Lot 1, Block 1, Koch's Lakewood Villas 2nd Addition and to replat the remaining lots. The applicant wishes to subdivide in order to develop vacant land and convey additional space to current landowners.

Preliminary Plat Details

Total Area: 2.9 acres (124,449 square feet) to be platted into Lot 1 (81,430 square feet), Lot 2 (5,844 square feet), Lot 3 (8,226 square feet), Lot 4 (8,227 square feet), Lot 5 (8,223 square feet), and Lot 6 (12,501 square feet), all Block 1.

Configuration

Six lots, all within Block 1. Lot 1 occupies over 60% of the plat area and contains a large low-lying area occupying the east 1/3. A 15' utility easement runs along the backs of Lots 3, 4, 5, and 6. An additional 7' utility easement runs along the south boundary of Lot 6.

Access

Access to lots 3, 4, 5, and 6 is via Nash Lane. Access to Lot 2 is via Shoal Loop SE. Lot 1 is to be accessed from 40th Ave SE.

Adjacent Properties Zoning, Land Use and Future Land Use

This property and all surrounding properties are zoned CB - Commercial. The Future Land Use Plan designates this property as High Density Residential.

Staff Comments

- The preliminary plat appears to protect access to existing and proposed lots.
- Lot 1 has a large retention pond area, making that portion of the lot unlikely to be developed.

Findings of Fact Preliminary Plat

- All technical requirements for consideration of a preliminary plat have been met;
- The proposed subdivision would likely not have substantial effects on the safety and circulation of public roadways in the vicinity, and therefore no traffic impact study is required;
- The proposed plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision for projects identified in City masterplans;
- The City of Mandan and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision at the time of development.
- The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
- The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
- The proposed subdivision is consistent with the Comprehensive Plan, the Future Land Use Plan, and other plans and studies, policies and accepted planning practice;
- The proposed subdivision would not adversely affect the public health, safety and general welfare.

Public Outreach and Application Details

This item has been published in the Mandan News as required. An application and fee was received on March 27, 2026. Letters to ninety-six adjacent property owners were sent on April 9, 2026.

ATTACHMENTS:

1. Applications redacted
2. Lakewood Comm. Pk 7th prelim updated 4-7-26
3. Preliminary Plat
4. Lakewood Comm. Pk. 7th Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

There has been minimal staff time into reviewing the proposed development.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

Planning & Zoning Commission and staff recommend approval of the Preliminary Plat for Lakewood Commercial Park 7th Addition.

SUGGESTED MOTION:

I move to approve the preliminary plat for Lakewood Commercial Park 7th Addition.

CITY OF MANDAN			
Development Review Application			
<input type="checkbox"/>	Minor Plat (\$300)	<input type="checkbox"/>	Zone Change (\$600)
<input checked="" type="checkbox"/>	Preliminary Plat up to 20 acres (\$450)	<input type="checkbox"/>	Planned Unit Development (\$700)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$500)	<input type="checkbox"/>	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Final Plat up to 20 lots (\$450)	<input type="checkbox"/>	Vacation (\$500)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$600)	<input type="checkbox"/>	Variance (\$400)
<input type="checkbox"/>	Final Plat more than 40 lots (\$750)	<input type="checkbox"/>	Special Use Permit (\$450)
<input type="checkbox"/>	Annexation (\$450)	<input type="checkbox"/>	Stormwater submittal (\$300)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	<input type="checkbox"/>	Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/>	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	<input type="checkbox"/>	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)			
Subdividing to allow the development of vacant land, and convey additional space to neighboring property owners.			

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen & Co			Name Steve & Erica Mittleider		
Address [REDACTED]			Address [REDACTED]		
City	State	Zip	City	State	Zip
Bismarck	ND	58504	Mandan	ND	58554
email [REDACTED]			email [REDACTED]		
Phone [REDACTED]		Fax [REDACTED]	Phone [REDACTED]		Fax [REDACTED]
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/>	City	<input type="checkbox"/>	ETA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Address				Legal Description			
2510 40th Ave SE				Multiple lots/subdivisions			
Current Use				Proposed Use			
Vacant/ Twins Homes/4-Plex				LAKELWOOD COMMERCIAL PARK 7th			
Proposed Use				Section 6		Township 138	
Shop condos/twin homes/4-Plex				Range 80			
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
3.5 ac +/-							

Print Name		Signature		Date	
<i>Steven Mittleider</i>		<i>Steven Mittleider</i>		<i>3-24-26</i>	
<i>Erica Mittleider</i>		<i>Erica Mittleider</i>		<i>3-24-26</i>	
Office Use Only					
Date Received:		Initials: <i>YM</i>	Fees Paid: <i>\$ 450</i>	Date: <i>3-27-2026</i>	
Notice in paper		Mailed to neighbors		P&Z meeting	
<input type="checkbox"/>	Approved	Approved with conditions:			
<input type="checkbox"/>	Denied				

CITY OF MANDAN	
Development Review Application	
<input type="checkbox"/>	Minor Plat (\$300)
<input checked="" type="checkbox"/>	Preliminary Plat up to 20 acres (\$450)
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<input type="checkbox"/>	Stormwater submittal (\$300)
<input type="checkbox"/>	Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/>	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)	
Subdividing to allow the development of vacant land, and convey additional space to neighboring property owners.	

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen & Co			Name THOMAS & JUDE BURAU		
Address [Redacted]			Address [Redacted]		
City Bismarck	State ND	Zip 58504	City Mandan	State ND	Zip 58554
email [Redacted]			email [Redacted]		
Phone [Redacted]		Fax [Redacted]	Phone [Redacted]		Fax [Redacted]
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/>	City	<input type="checkbox"/>	ETA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Address				Legal Description			
2510 40th Ave SE				Multiple lots/subdivisions			
Current Use							
Vacant/Twins Homes/4-Plex							
Proposed Use							
Shop condos/twin homes/4-Plex				Section 6	Township 138	Range 80	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
3.5 ac +/-							

Print Name Thomas & Jude Burau	Signature <i>Thomas F. Swenson</i>	Date 3/19/2026
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Office Use Only			
Date Received:	Initials: YM	Fees Paid: \$ 450	Date 3-27-2026
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

CITY OF MANDAN			
Development Review Application			
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Subdividing to allow the development of vacant land, and convey additional space to neighboring property owners.			

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen & Co			Name LARRY & REBECCA MAGSTADT		
Address [REDACTED]			Address [REDACTED]		
City Bismarck	State ND	Zip 58504	City Mandan	State ND	Zip 58554
Phone [REDACTED]			Phone [REDACTED]		
Fax [REDACTED]			Fax [REDACTED]		
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/>	City	ETA	New	CB	TBD	TBD	
Property Address				Legal Description			
2510 40th Ave SE				Multiple lots/subdivisions			
Current Use				Proposed Use			
Vacant/ Twins Homes/4-Plex				Shop condos/twin homes/4-Plex			
Section 6		Township 138		Range 80			
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		
3.5 ac +/-							

Print Name <i>Larry L. Magstadt</i>	Signature <i>[Signature]</i>	Date <i>3/24/26</i>
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Subdividing to allow the development of vacant land, and convey additional space to neighboring property owners.	

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen & Co			Name DEAN MORAST LIVING TRUST		
Address [REDACTED]			Address [REDACTED]		
City Bismarck	State ND	Zip 58504	City Mandan	State ND	Zip 58554
email [REDACTED]			email [REDACTED]		
Phone [REDACTED]		Fax [REDACTED]	Phone [REDACTED]		Fax [REDACTED]
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/>	City	ETA	New	CB	TBD	TBD	
Property Address				Legal Description			
2510 40th Ave SE				Multiple lots/subdivisions			
Current Use				[REDACTED]			
Vacant/Twins Homes/4-Plex				[REDACTED]			
Proposed Use				[REDACTED]			
Shop condos/twin homes/4-Plex				Section 6	Township 138	Range 80	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
3.5 ac +/-							

Print Name <i>Dean Morast</i>	Signature <i>Dean Morast</i>	Date <i>3-19-2026</i>
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Office Use Only			
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Subdividing to allow the development of vacant land, and convey additional space to neighboring property owners.	

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen & Co			Name CARLA & RONALD TOSO		
Address [REDACTED]			Address [REDACTED]		
City Bismarck	State ND	Zip 58504	City Mandan	State ND	Zip 58554
email [REDACTED]			email [REDACTED]		
Phone [REDACTED]		Fax [REDACTED]	Phone [REDACTED]		Fax [REDACTED]
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/>	City	ETA	New	Addition	CB	FBD Lakewood Commercial Park	
Property Address					Legal Description		
2510 40th Ave SE					Multiple lots/subdivisions		
Current Use							
Vacant/ Twins Homes/4-Plex							
Proposed Use							
Shop condos/twin homes/4-Plex					Section 6	Township 138	Range 80
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		
3.5 ac +/-							

7th

Print Name <i>Ronald K. Toso</i>	Signature <i>Ronald K. Toso</i>	Date <i>3-20-26</i>
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Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: <i>\$450</i>	Date: <i>3-27-2026</i>
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

CITY OF MANDAN	
Development Review Application	
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<input checked="" type="checkbox"/>	Preliminary Plat up to 20 acres (\$450)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$500)
<input type="checkbox"/>	Final Plat up to 20 lots (\$450)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$600)
<input type="checkbox"/>	Final Plat more than 40 lots (\$750)
<input type="checkbox"/>	Annexation (\$450)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)
<input type="checkbox"/>	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)
	Zone Change (\$600)
	Planned Unit Development (\$700)
	Land Use and Transportation Plan Amendment (\$1,000)
	Vacation (\$500)
	Variance (\$400)
	Special Use Permit (\$450)
	Stormwater submittal (\$300)
	Stormwater 2 nd & subsequent resubmittal (\$50)
	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)	
Subdividing to allow the development of vacant land, and convey additional space to neighboring property owners.	

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen & Co			Name CHARLES & MARY WEIAND		
Address [REDACTED]			Address [REDACTED]		
City Bismarck	State ND	Zip 58504	City Mandan	State ND	Zip 58554
email [REDACTED]			email [REDACTED]		
Phone [REDACTED]		Fax [REDACTED]	Phone [REDACTED]		Fax [REDACTED]
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/>	City	<input type="checkbox"/>	ETA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	New	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	Addition	CB		TBD	
Property Address 2510 40th Ave SE				Legal Description Multiple lots/subdivisions			
Current Use Vacant/Twins Homes/4-Plex							
Proposed Use Shop condos/twin homes/4-Plex				Section 6		Township 138	
				Range 80			
Parcel Size 3.5 ac +/-	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	

Print Name CHARLES L. WEIAND	Signature 	Date 3-19-20
--	---	------------------------

Office Use Only			
Date Received:	Initials: nm	Fees Paid: \$ 450	Date 3-20-2020
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

LAKWOOD COMMERCIAL PARK 7TH ADDITION

BEING LOTS 1B & LOT 4 BLOCK 1 LAKEWOOD COMMERCIAL,
 LOTS 2 & 3 BLOCK 1 KOCH'S LAKEWOOD VILLAS, AND LOT 2
 BLOCK 1 KOCH'S LAKEWOOD VILLAS 2ND ADDITION

MANDAN, MORTON COUNTY, NORTH DAKOTA

PRELIMINARY PLAT

2.9 ACRES
 EXISTING ZONING: CB

6 LOTS, 1 BLOCK

OWNERS:

STEVE & ERICA MITTLEIDER

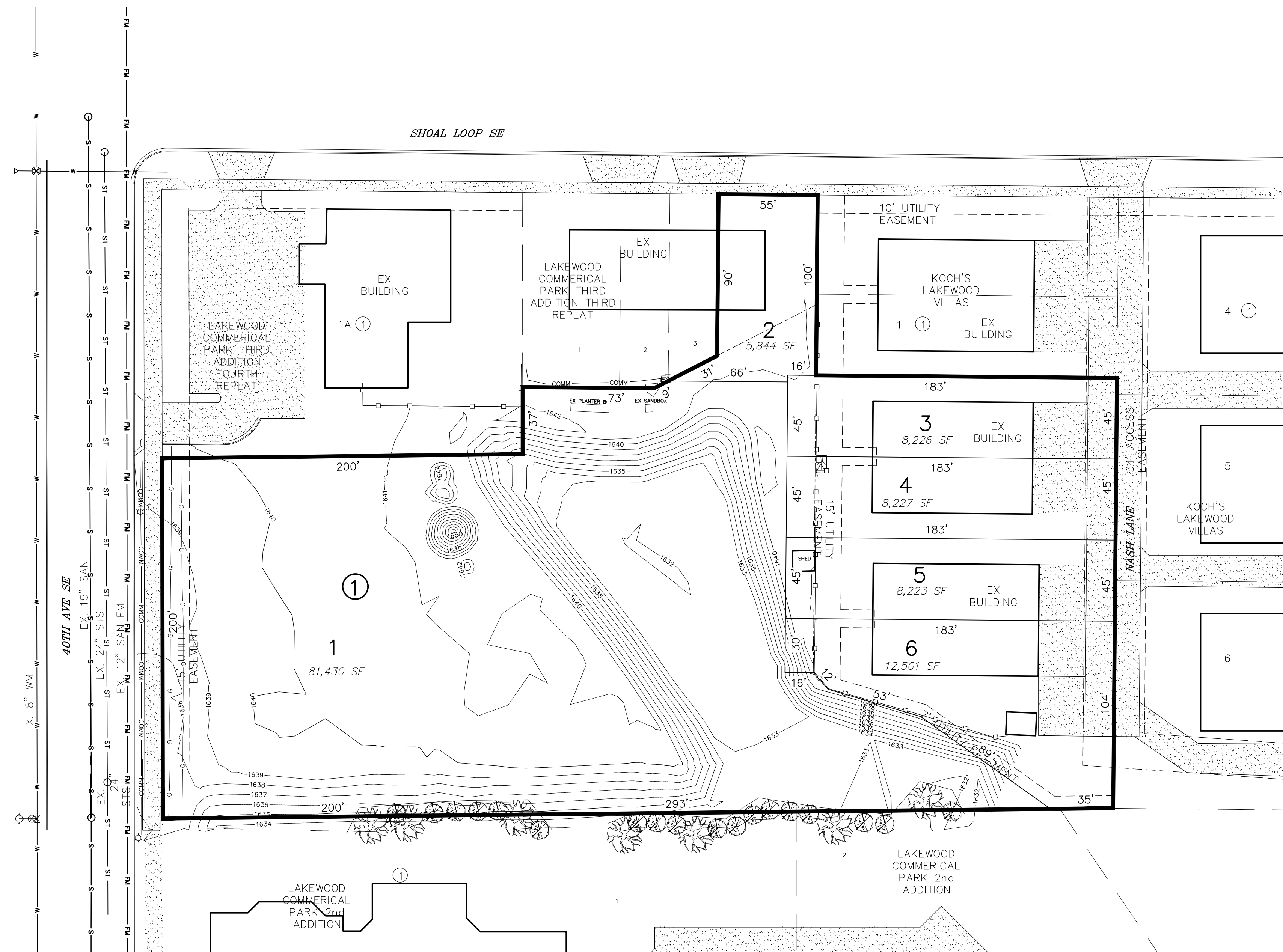
LARRY & REBECCA MAGSTADT

THOMAS & JUDE BURAU

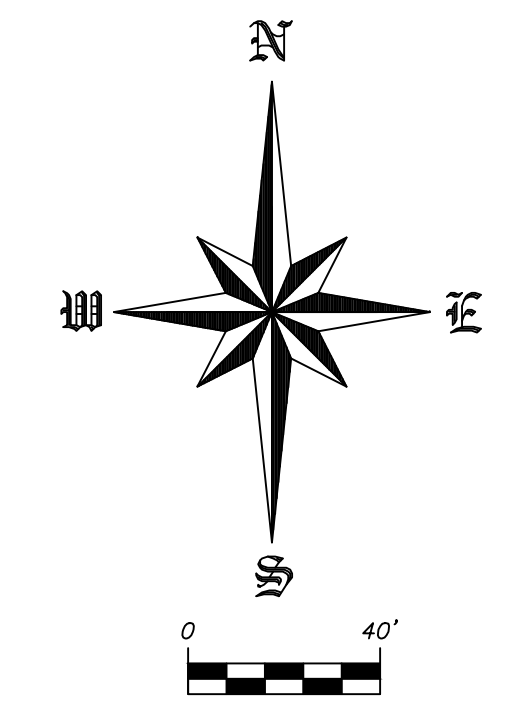
DEAN MORAST LIVING TRUST

CHARLES & MARY WEIAND

RONALD & CARLA TOSO



- LOT LINES BEING REMOVED
- OFF-SITE LOT LINES
- EASEMENT LINES
- o-o-o- FENCE
- CURB
- CONCRETE



SCALE - 1" = 40'
 VERTICAL DATUM: NAVD 88
 MARCH 27, 2026

SWENSON, HAGEN & COMPANY P.C.

3002 Airway Avenue
 Bismarck, North Dakota 58504
 shcng@swensonhagen.com
 Phone (701) 223-2600
 Fax (701) 223-2606

Surveying
 Hydrology
 Land Planning
 Civil Engineering
 Landscape & Site Design
 Construction Management

LAKWOOD COMMERCIAL PARK 7TH ADDITION

BEING A REPLAT OF LOT 1B BLOCK 1 LAKEWOOD COMMERCIAL PARK THIRD ADDITION FOURTH REPLAT, LOTS 1 & 2 BLOCK 1 KOCH'S LAKEWOOD VILLAS 2ND ADDITION, LOT 4 BLOCK 1 LAKEWOOD COMMERCIAL PRK THIRD ADDITION THIRD REPLAT, AND LOTS 2 & 3 BLOCK 1 KOCH'S LAKEWOOD VILLAS

MANDAN, MORTON COUNTY, NORTH DAKOTA

PRELIMINARY PLAT

2.9 ACRES
EXISTING ZONING: CB

6 LOTS, 1 BLOCK

OWNERS:

STEVE & ERICA MITTLEIDER

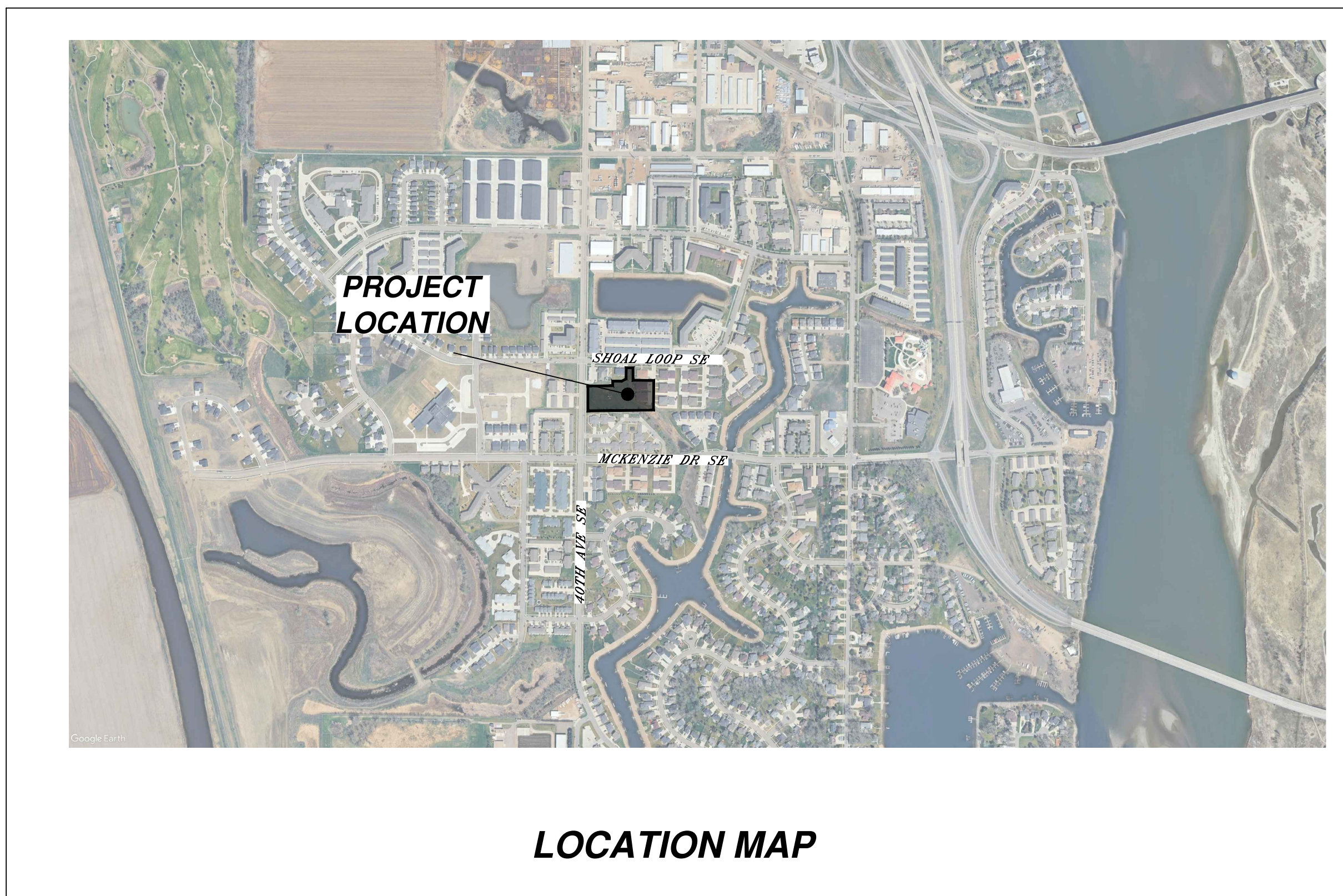
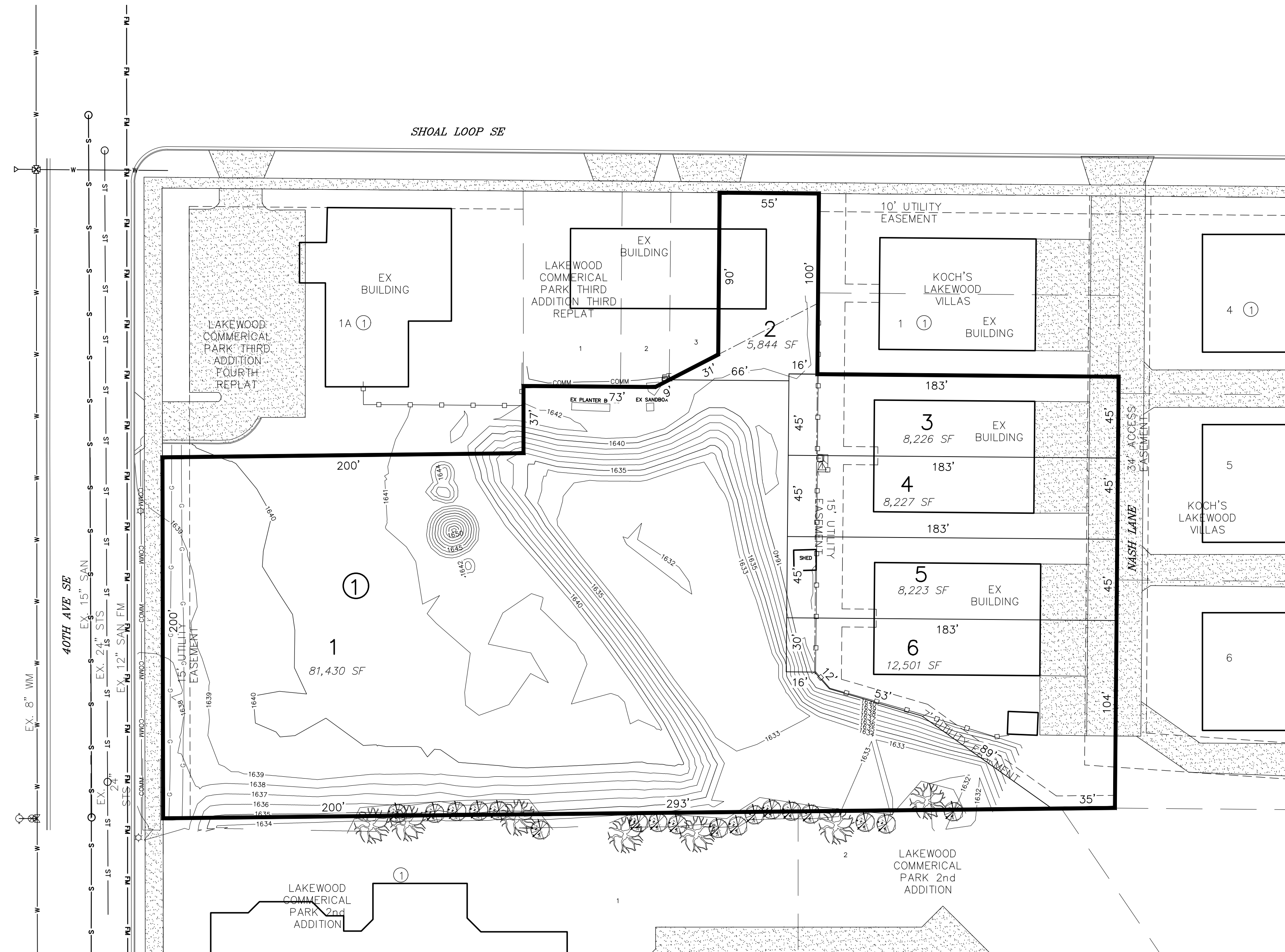
LARRY & REBECCA MAGSTADT

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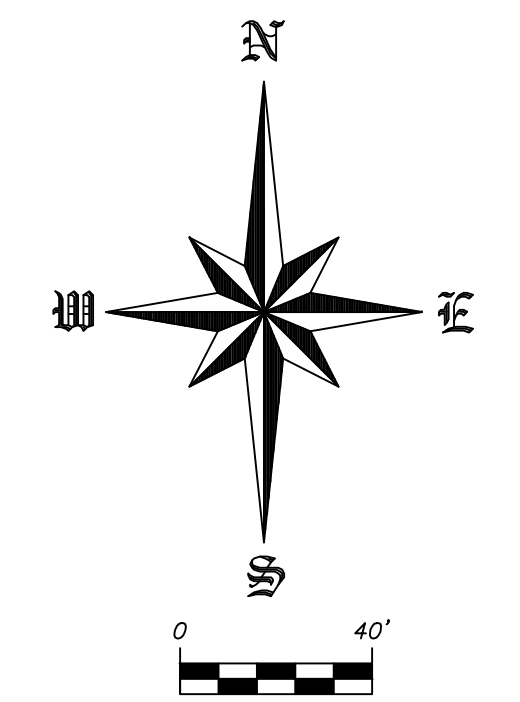
DEAN MORAST LIVING TRUST

CHARLES & MARY WEIAND

RONALD & CARLA TOSO



- LOT LINES BEING REMOVED
- - - OFF-SITE LOT LINES
- - - EASEMENT LINES
- - - FENCE
- - - CURB
- - - CONCRETE



SCALE - 1" = 40'
VERTICAL DATUM: NAVD 88
MARCH 27, 2026

SWENSON, HAGEN & COMPANY P.C.
 3002 Airway Avenue
 Bismarck, North Dakota 58504
 Phone (701) 223-2600
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 shc@swensonhagen.com

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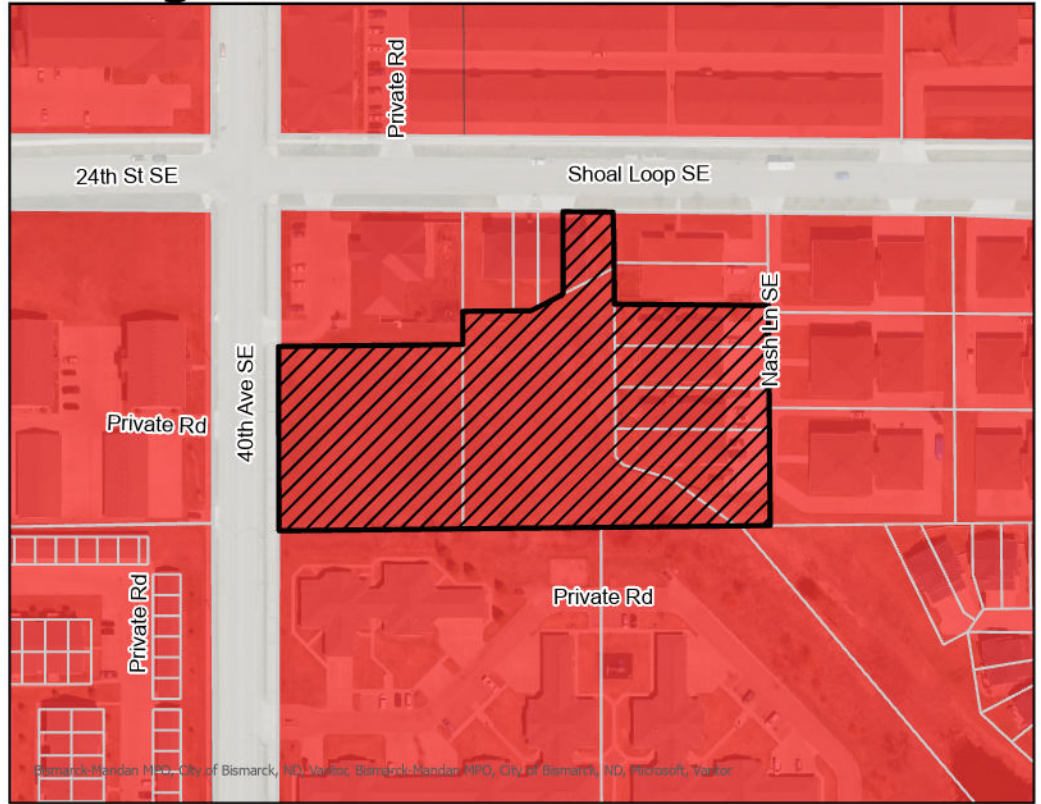
Zoning and Future Land Use Reference Map

Lakewood Commercial Park 7th

Zoning

Zoning Map Key

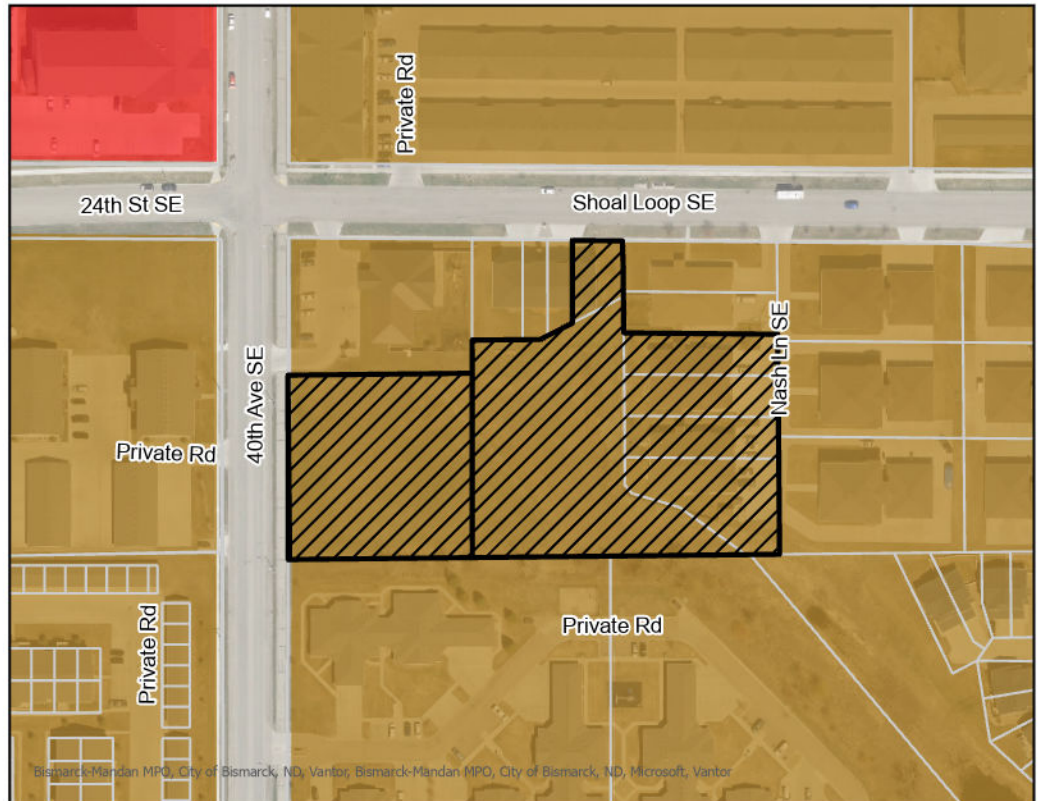
- | | |
|---|---|
| Agriculture - City of Mandan | MC - Heavy Commercial/Light Industrial Restricted |
| Agriculture - Morton County | MD - Heavy Commercial/Heavy Industrial Restricted |
| CA - Neighborhood Commercial | MHS - Trailer Park |
| CB - Business Commercial | PUD - Planned Unit Development |
| CC - Commercial/Light Industrial Transition | R3.2 - Residential Single & Two Family |
| DC - Downtown Core | R7 - Residential Single Family |
| DF - Downtown Fringe | RH - Residential Mobile Home Park |
| Industrial - Morton County | RM - Residential Multi-family Dwellings |
| LSMHS - Trailer Park Subdivision | RMH - Residential Mobile Home Subdivision |
| MA - Heavy Commercial/Light Industrial | Residential - County Residential Zoning |
| MB - Heavy Commercial/Heavy Industrial | ROW - Right-of-Way |
| Proposed Site | |



Future Land Use Plan

Future Land Use Plan Key

- Rural Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Industrial
- Public/Semi-Public
- Public Land
- Park
- Greenways
- Open Space
- Open Water
- Proposed Site





City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 11, 2026
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Dave Wiosna
SUBJECT: Consider a preliminary plat and zone change for School District 8th Addition

STATEMENT/PURPOSE:

Consider a preliminary plat and zone change for School District 8th Addition

BACKGROUND/ALTERNATIVES:

Requested Preliminary Plat **Background**

This plat was brought before the April 27 meeting of the Planning and Zoning Commission which recommended approval conditional on inclusion of a roundabout. Planning staff noted that the plat deviated from the 2023 Mandan High School Placemaking Plan, which provided for an extension of 8th St NW. However, the applicant noted that this plat is mostly intended to "clean up" the property prior to transfer from School District to other developers, who may further subdivide or otherwise alter the platted area in future. The applicant also worked with planning staff to determine appropriate zoning for Lots 1 & 2, Block 1; Lot 1, Block 2; and Lot 1, Block 3.

This is the preliminary plat for School District 8th Addition, currently Lots 1 to 5, Block 2, School District First Addition Replat, located in the NE1/4 of Section 28, T139N R81W, 5th PM, Morton County, ND, within city limits.

Preliminary Plat Details

Total Area: 27.84 acres to be platted into 4 blocks with a total of 8 lots.

Configuration

The applicant proposes to create 4 blocks, which will preserve the existing ASA and Brave Center. Block 1 contains 3 lots, block 2 contains 1 lot, block 3 contains 3 lots, and block 4 contains 1 lot.

Access

Access is provided by proposed 9th St NW and 9th Ave NW, dividing the plat into roughly four quadrants. The east side of the plat, including lots 2 & 3, block 3, abut Sunset Dr, 6th Ave NW, 8th St NW, and 8th Ave NW.

Proposed rights-of-way are approximately 66 feet in width for 9th Ave NW and 9th St NW.

Requested Zone Change

Requested zone change is from Agriculture and CA – Commercial Districts to the following:

R7 – Single-Family Residential for Lot 3, Block 1, and Lot 1, Block 4

R3.2 – Two-Family Residential for Lot 3, Block 3

CA – Commercial for Lot 2, Block 3

CC - Commercial for Lots 1 & 2, Block 1; Lot 1, Block 2; and Lot 1, Block 3

Adjacent Properties Zoning, Land Use and Future Land Use

Adjacent property to the north is Agriculture, to the west and south are zoned R7 - Single-Family Residential; to the east is CA - Commercial, R3.2 - Two Family Residential, and RM - Multi Family Residential.

The Future Land Use Plan designates the property as Park on the north side of the property and Public/Semi-Public on the south portion.

Staff Comments

- The requested zone change for Lots 1 & 2, Block 1, Lot 1, Block 3, and Lot 1, Block 2 to CC – Commercial/Light Industrial Transition is to allow for uses in the public recreation use group, which allows for parks and other public recreation facilities. The applicant did not want to use RM zoning, which also allows public recreation facilities, as they wanted to avoid potential multi-family development.
- Lot 2 of Block 3 is proposed to be zoned CA and is intended for commercial use.
- The applicant has addressed concerns with right of way and preservation of a

roundabout.

Findings of Fact **Preliminary Plat**

1. All technical requirements for consideration of a preliminary plat have been met;
2. The proposed subdivision would likely not have substantial effects on the safety and circulation of public roadways in the vicinity, and therefore no traffic impact study is required;
3. The proposed plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision for projects identified in City masterplans;
4. The City of Mandan and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision at the time of development.
5. The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed subdivision is consistent with the Comprehensive Plan and generally consistent with the Future Land Use Plan.
8. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Findings of Fact **Zone Change**

1. Fulfills the goals, objectives, and policies of the future land use plan; and
2. Fulfills the goals, objectives, and policies of other plans as may be adopted by the city.

Public Outreach and Application Details

This item has been published in the Mandan News as required. An application and fee were received on March 27, 2026. Letters were sent to 161 adjacent property owners on April 30, 2026.

ATTACHMENTS:

1. Applications_Redacted

2. Preliminary Plat
3. Proposed Zoning Map Updated 4-15-26
4. Ordinance 1485
5. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

There has been significant staff time reviewing the proposed development.

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

Planning & Zoning Commission and staff recommend approval of the preliminary plat and zone change for School District 8th Addition, contingent upon inclusion of a roundabout.

SUGGESTED MOTION:

Approve: I move to approve the preliminary plat and zone change for School District 8th Addition, contingent upon the inclusion of a roundabout

CITY OF MANDAN	
Development Review Application	
<input type="checkbox"/> Minor Plat (\$300)	<input checked="" type="checkbox"/> Zone Change (\$600)
<input type="checkbox"/> Preliminary Plat up to 20 acres (\$450)	<input type="checkbox"/> Planned Unit Development (\$700)
<input checked="" type="checkbox"/> Preliminary Plat more than 20 acres (\$500)	<input type="checkbox"/> Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/> Final Plat up to 20 lots (\$450)	<input type="checkbox"/> Vacation (\$500)
<input type="checkbox"/> Final Plat 21 to 40 lots (\$600)	<input type="checkbox"/> Variance (\$400)
<input type="checkbox"/> Final Plat more than 40 lots (\$750)	<input type="checkbox"/> Special Use Permit (\$450)
<input type="checkbox"/> Annexation (\$450)	<input type="checkbox"/> Stormwater submittal (\$300)
<input type="checkbox"/> Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	<input type="checkbox"/> Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/> Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	<input type="checkbox"/> Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)	
Plat to re-configure lots, dedicate right of way and vacate right of way and easements.	

Engineer/Surveyor			Property Owner or Applicant		
Name Mark Isaacs - ILSE Inc			Name Mandan School District #1		
Address [REDACTED]			Address [REDACTED]		
City	State	Zip	City	State	Zip
Mandan	ND	58554	Mandan	ND	58554
email			email		
[REDACTED]			[REDACTED]		
Phone		Fax	Phone		Fax
[REDACTED]		[REDACTED]	[REDACTED]		[REDACTED]
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/> City	<input type="checkbox"/> ETA	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Addition	R7 & CA		School District 8th Addition	
Property Address				Legal Description			
905 8th Avenue, Mandan, ND 58554				School District 1st Addition			
Current Use				Proposed Use			
Vacant and Sports Building				Lots 1 to 5, Block 2 & Part of Northeast Quarter			
Unknown				Section 28	Township 139	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
27.76 Acres	NA	NA	NA	NA		NA	

Print Name <i>Ryan Lagasse</i>	Signature <i>[Signature]</i>	Date <i>3/27/26</i>
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Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: <i>\$1100</i>	Date: <i>3-27-2026</i>
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

CITY OF MANDAN		
Development Review Application		
<input type="checkbox"/> Minor Plat (\$300)	<input checked="" type="checkbox"/>	Zone Change (\$600)
<input type="checkbox"/> Preliminary Plat up to 20 acres (\$450)		Planned Unit Development (\$700)
<input checked="" type="checkbox"/> Preliminary Plat more than 20 acres (\$500)		Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/> Final Plat up to 20 lots (\$450)		Vacation (\$500)
<input type="checkbox"/> Final Plat 21 to 40 lots (\$600)		Variance (\$400)
<input type="checkbox"/> Final Plat more than 40 lots (\$750)		Special Use Permit (\$450)
<input type="checkbox"/> Annexation (\$450)		Stormwater submittal (\$300)
<input type="checkbox"/> Masterplanned Subdivision (not accepted without preliminary plat) (\$250)		Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/> Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)		Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)		
Plat to re-configure lots, dedicate right of way and vacate right of way and easements.		

Engineer/Surveyor			Property Owner or Applicant		
Name Mark Isaacs - ILSE Inc			Name Mandan Park District		
Address [REDACTED]			Address [REDACTED]		
City	State	Zip	City	State	Zip
Mandan	ND	58554	Mandan	ND	58554
email [REDACTED]			email [REDACTED]		
Phone		Fax	Phone		Fax
[REDACTED]		[REDACTED]	[REDACTED]		[REDACTED]
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/> City	ETA	<input checked="" type="checkbox"/> New	<input checked="" type="checkbox"/> Addition	R7 & CA		School District 8th Addition	
Property Address				Legal Description			
905 8th Avenue, Mandan, ND 58554				School District 1st Addition			
Current Use							
Vacant and Sports Building				Lots 1 to 5, Block 2 & Part of Northeast Quarter			
Proposed Use							
Unknown				Section 28	Township 139	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
27.76 Acres	NA	NA	NA	NA		NA	

<i>Cole Hyl</i> Print Name	 Signature	3-27-26 Date
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Office Use Only			
Date Received:	Initials: ym	Fees Paid: \$1100	Date 3-27-2026
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

CITY OF MANDAN		
Development Review Application		
<input type="checkbox"/> Minor Plat (\$300)	<input checked="" type="checkbox"/>	Zone Change (\$600)
Preliminary Plat up to 20 acres (\$450)		Planned Unit Development (\$700)
<input checked="" type="checkbox"/> Preliminary Plat more than 20 acres (\$500)		Land Use and Transportation Plan Amendment (\$1,000)
Final Plat up to 20 lots (\$450)		Vacation (\$500)
Final Plat 21 to 40 lots (\$600)		Variance (\$400)
Final Plat more than 40 lots (\$750)		Special Use Permit (\$450)
Annexation (\$450)		Stormwater submittal (\$300)
Masterplanned Subdivision (not accepted without preliminary plat) (\$250)		Stormwater 2 nd & subsequent resubmittal (\$50)
Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)		Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)		
Plat to re-configure lots, dedicate right of way and vacate right of way and easements.		

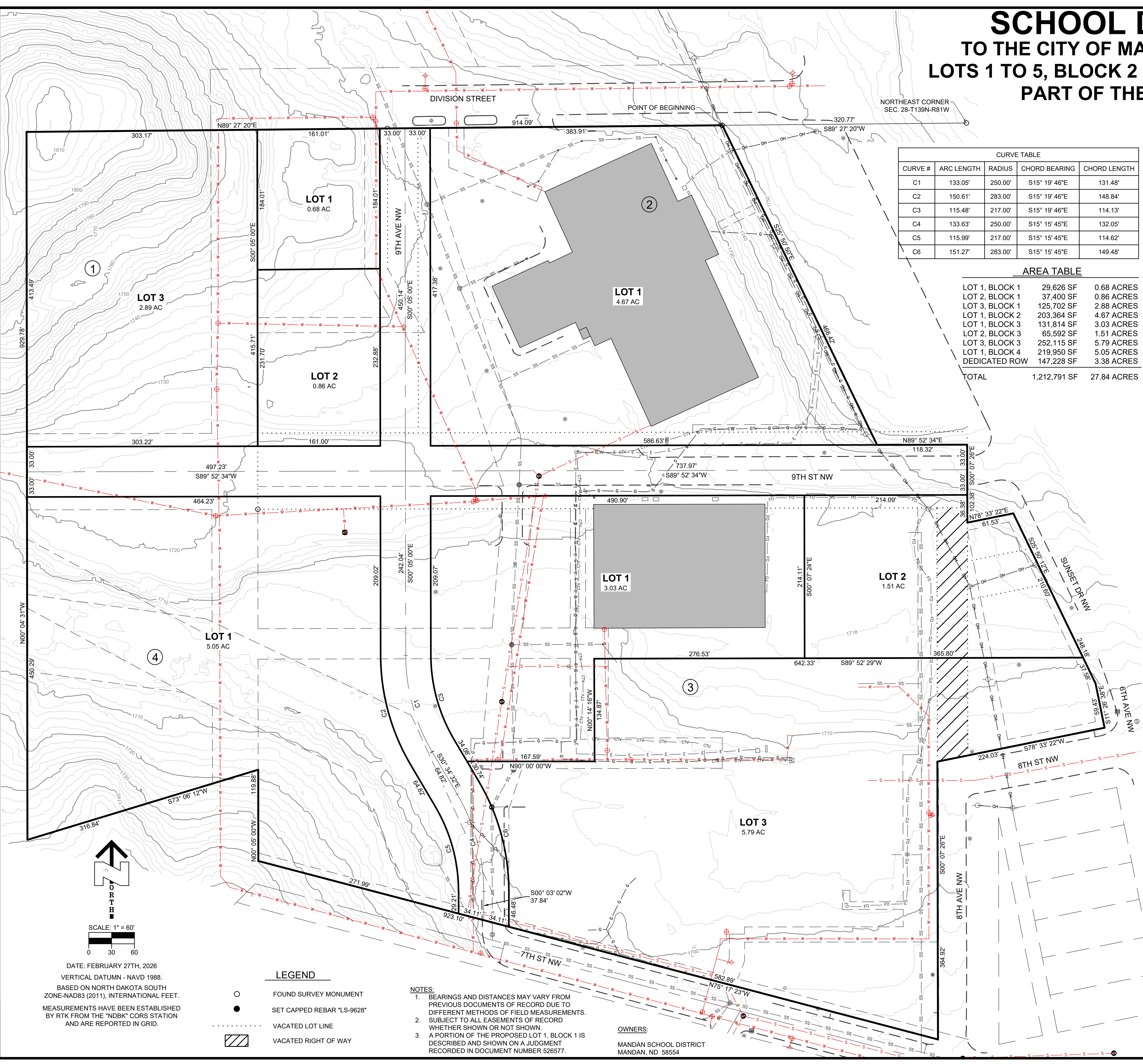
Engineer/Surveyor			Property Owner or Applicant		
Name Mark Isaacs - ILSE Inc			Name City of Mandan		
Address [REDACTED]			Address [REDACTED]		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email [REDACTED]			email [REDACTED]		
Phone [REDACTED]		Fax [REDACTED]	Phone [REDACTED]		Fax [REDACTED]
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Location		Type		Existing Zone	Proposed Zone	Project Name
<input checked="" type="checkbox"/> City	ETA	<input checked="" type="checkbox"/> New	<input checked="" type="checkbox"/> Addition	R7 & CA		School District 8th Addition
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Unknown				Section 28	Township 139	Range 81
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking	
27.76 Acres	NA	NA	NA	NA	NA	

Print Name <i>Jim Neubauer</i>	Signature <i>Jim Neubauer</i>	Date <i>3/27/26</i>
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Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: <i>\$1100</i>	Date: <i>3-27-2026</i>
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

SCHOOL DISTRICT 8TH ADDITION TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA LOTS 1 TO 5, BLOCK 2 IN SCHOOL DISTRICT FIRST ADDITION REPLAT PART OF THE NE 1/4 IN SECTION 28, T139N, R81W



PROPERTY DESCRIPTION

ALL OF LOTS 1 TO 5, BLOCK 2 IN SCHOOL DISTRICT FIRST ADDITION REPLAT IN THE CITY OF MANDAN, NORTH DAKOTA, AND BEING A PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 89° 27' 20" WEST A DISTANCE OF 320.77 FEET TO THE NORTHEAST CORNER OF LOT 3 BLOCK 2 IN SCHOOL DISTRICT FIRST ADDITION REPLAT, BEING THE POINT OF BEGINNING; THENCE SOUTH 25° 50' 50" EAST A DISTANCE OF 466.42 FEET; THENCE NORTH 89° 52' 34" EAST A DISTANCE OF 118.32 FEET; THENCE SOUTH 00° 07' 28" EAST A DISTANCE OF 102.38 FEET; THENCE NORTH 78° 33' 22" EAST A DISTANCE OF 61.53 FEET; THENCE SOUTH 25° 50' 12" EAST A DISTANCE OF 248.18 FEET; THENCE SOUTH 11° 26' 38" EAST A DISTANCE OF 59.43 FEET; THENCE SOUTH 78° 33' 22" WEST A DISTANCE OF 224.03 FEET TO THE WEST RIGHT OF WAY LINE OF 8TH AVENUE NW; THENCE SOUTH 00° 07' 26" EAST ON SAID WEST LINE A DISTANCE OF 364.92 FEET TO THE NORTH RIGHT OF WAY LINE OF 7TH STREET NW; THENCE NORTH 75° 17' 23" WEST ON SAID NORTH LINE A DISTANCE OF 923.10 FEET; THENCE NORTH 00° 05' 00" WEST A DISTANCE OF 119.88 FEET; THENCE SOUTH 73° 06' 12" WEST A DISTANCE OF 316.84 FEET; THENCE NORTH 00° 04' 31" WEST A DISTANCE OF 929.78 FEET; THENCE NORTH 89° 27' 20" EAST A DISTANCE OF 914.09 FEET TO THE POINT OF BEGINNING, CONTAINING 27.84 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS OF RECORD.

CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	133.05'	250.00'	S15° 19' 46"E	131.48'
C2	150.61'	283.00'	S15° 19' 46"E	148.84'
C3	115.48'	217.00'	S15° 19' 46"E	114.13'
C4	133.63'	250.00'	S15° 15' 45"E	132.05'
C5	115.99'	217.00'	S15° 15' 45"E	114.62'
C6	151.27'	283.00'	S15° 15' 45"E	149.48'

AREA TABLE		
LOT 1, BLOCK 1	29,626 SF	0.68 ACRES
LOT 2, BLOCK 1	37,400 SF	0.86 ACRES
LOT 3, BLOCK 1	125,702 SF	2.88 ACRES
LOT 1, BLOCK 2	203,364 SF	4.67 ACRES
LOT 1, BLOCK 3	131,814 SF	3.03 ACRES
LOT 2, BLOCK 3	65,592 SF	1.51 ACRES
LOT 3, BLOCK 3	252,115 SF	5.79 ACRES
LOT 1, BLOCK 4	219,950 SF	5.05 ACRES
DEDICATED ROW	147,228 SF	3.38 ACRES
TOTAL	1,212,791 SF	27.84 ACRES

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, A NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 9628, HEREBY CERTIFY THAT I HAVE CAUSED TO BE A SURVEYED BY MY FORCES UNDER MY SUPERVISION THE PROPERTY DESCRIBED HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAT; FURTHER, THAT DISTANCES INDICATED HEREON ARE IN FEET AND HUNDREDTHS OF FEET THEREOF, AND BEARINGS ARE INDICATED IN QUADRANTS AND DEGREES, MINUTES, AND SECONDS THEREOF; FURTHER, THAT SAID PLAT DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK R. ISAACS, RLS 9628

OWNER'S CERTIFICATE OF DEDICATION

I, THE UNDERSIGNED, BEING SOLE OWNER OF THE LAND PLATTED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATERLINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER SUCH STREETS, ALLEYS OR OTHER PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN HEREON OR NOT, TO PUBLIC USE FOREVER. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LANDS FOR WATER, SEWER, GAS, ELECTRICITY, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THESE CERTAIN STRIPS OF LAND DESIGNATION AS "UTILITY EASEMENT".

RYAN LAGASSE - BUSINESS MANAGER
MANDAN SCHOOL DISTRICT #1

COLE HIGLIN - MANDAN PARK DISTRICT

STATE OF _____
COUNTY OF _____ } SS

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

PLANNING COMMISSION APPROVAL

THE SUBDIVISION SHOWN HEREON HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MANDAN ON THIS _____ DAY OF _____, 20____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF MANDAN, AND REGULATIONS ADOPTED BY THE PLANNING COMMISSION OF SAID CITY, IN WITNESS WHEREOF ARE SET THE HANDS OF THE CHAIRMAN AND THE SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA.

BILL ROBINSON - CHAIRMAN

NANCY MOSER - SECRETARY

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MANDAN, HAS ACCEPTED THE DEDICATION OF ALL PARKS AND PUBLIC GROUNDS SHOWN HEREON, FURTHERMORE, SAID BOARD OF CITY COMMISSIONERS HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS SHOWN HEREON AS AN AMENDMENT TO THE MASTER STREET PLAN OF THE CITY OF MANDAN, THE FOREGOING ACTION BY THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, HAS TAKEN BY RESOLUTION APPROVED THE _____ DAY OF _____, 20____.

JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD
OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVES "SCHOOL DISTRICT 8TH ADDITION" OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

DATE: FEBRUARY 27TH, 2026
VERTICAL DATUM - NAVD 1988.
BASED ON NORTH DAKOTA SOUTH ZONE-NAD83 (2011), INTERNATIONAL FEET.
MEASUREMENTS HAVE BEEN ESTABLISHED BY RTK FROM THE "NOBK" CORS STATION AND ARE REPORTED IN GRID.

- LEGEND**
- FOUND SURVEY MONUMENT
 - SET CAPPED REBAR "LS-9628"
 - VACATED LOT LINE
 - ▨ VACATED RIGHT OF WAY

- NOTES:**
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS. SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
 - A PORTION OF THE PROPOSED LOT 1, BLOCK 1 IS DESCRIBED AND SHOWN ON A JUDGMENT RECORDED IN DOCUMENT NUMBER 526577.

OWNERS:
MANDAN SCHOOL DISTRICT
MANDAN, ND 58554

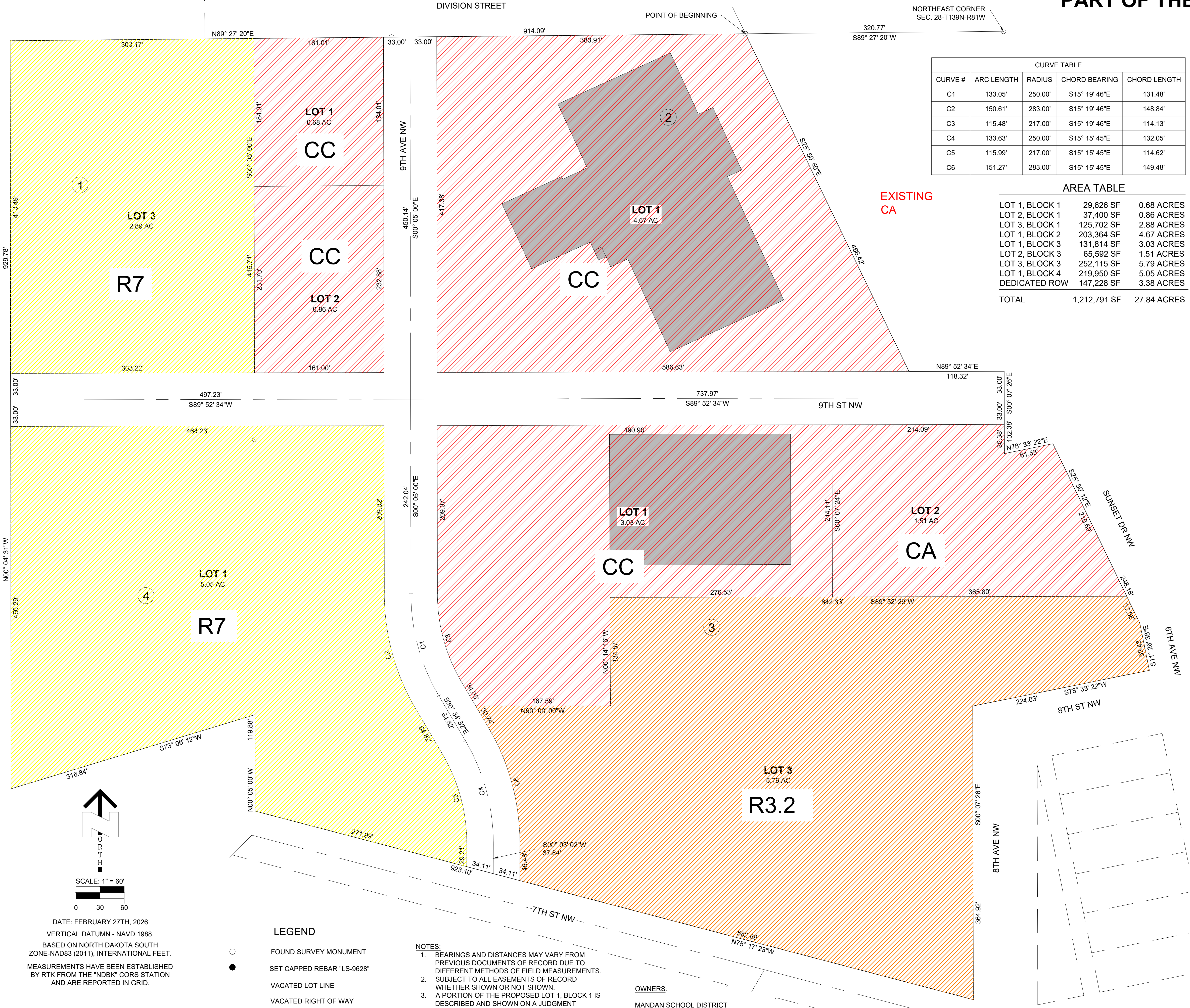
SCHOOL DISTRICT 8TH ADDITION
LOTS 1 TO 5, BLOCK 2
IN SCHOOL DISTRICT 1ST
ADDITION REPLAT
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1 JOB NUMBER: 25111
SCALE: 1" = 60' DWG REVISION DATES
DRAWN BY: MRI - -
DWG DATE: 2/27/26 - -
DWG NAME: 25111 Plat.dwg

**Independent
Land
Surveying &
Engineering**

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-653-5184
Cell: 701-595-2079
mark@ilsurveynd.com

SCHOOL DISTRICT 8TH ADDITION TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA LOTS 1 TO 5, BLOCK 2 IN SCHOOL DISTRICT FIRST ADDITION REPLAT PART OF THE NE 1/4 IN SECTION 28, T139N, R81W



CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	133.05'	250.00'	S15° 19' 46"E	131.48'
C2	150.61'	283.00'	S15° 19' 46"E	148.84'
C3	115.48'	217.00'	S15° 19' 46"E	114.13'
C4	133.63'	250.00'	S15° 15' 45"E	132.05'
C5	115.99'	217.00'	S15° 15' 45"E	114.62'
C6	151.27'	283.00'	S15° 15' 45"E	149.48'

AREA TABLE		
LOT 1, BLOCK 1	29,626 SF	0.68 ACRES
LOT 2, BLOCK 1	37,400 SF	0.86 ACRES
LOT 3, BLOCK 1	125,702 SF	2.88 ACRES
LOT 1, BLOCK 2	203,364 SF	4.67 ACRES
LOT 1, BLOCK 3	131,814 SF	3.03 ACRES
LOT 2, BLOCK 3	65,592 SF	1.51 ACRES
LOT 3, BLOCK 3	252,115 SF	5.79 ACRES
LOT 1, BLOCK 4	219,950 SF	5.05 ACRES
DEDICATED ROW	147,228 SF	3.38 ACRES
TOTAL	1,212,791 SF	27.84 ACRES

PROPERTY DESCRIPTION

ALL OF LOTS 1 TO 5, BLOCK 2 IN SCHOOL DISTRICT FIRST ADDITION REPLAT IN THE CITY OF MANDAN, NORTH DAKOTA, AND BEING A PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 89° 27' 20" WEST A DISTANCE OF 320.77 FEET TO THE NORTHEAST CORNER OF LOT 3 BLOCK 2 IN SCHOOL DISTRICT FIRST ADDITION REPLAT, BEING THE POINT OF BEGINNING; THENCE SOUTH 25° 50' 50" EAST A DISTANCE OF 466.42 FEET; THENCE NORTH 89° 52' 34" EAST A DISTANCE OF 118.32 FEET; THENCE SOUTH 00° 07' 28" EAST A DISTANCE OF 102.38 FEET; THENCE NORTH 78° 33' 22" EAST A DISTANCE OF 61.53 FEET; THENCE SOUTH 25° 50' 12" EAST A DISTANCE OF 248.18 FEET; THENCE SOUTH 11° 26' 38" EAST A DISTANCE OF 59.43 FEET; THENCE SOUTH 78° 33' 22" WEST A DISTANCE OF 224.03 FEET TO THE WEST RIGHT OF WAY LINE OF 8TH AVENUE NW; THENCE SOUTH 00° 07' 26" EAST ON SAID WEST LINE A DISTANCE OF 364.92 FEET TO THE NORTH RIGHT OF WAY LINE OF 7TH STREET NW; THENCE NORTH 75° 17' 23" WEST ON SAID NORTH LINE A DISTANCE OF 923.10 FEET; THENCE NORTH 00° 05' 00" WEST A DISTANCE OF 119.88 FEET; THENCE SOUTH 73° 06' 12" WEST A DISTANCE OF 316.84 FEET; THENCE NORTH 00° 04' 31" WEST A DISTANCE OF 929.78 FEET; THENCE NORTH 89° 27' 20" EAST A DISTANCE OF 914.09 FEET TO THE POINT OF BEGINNING, CONTAINING 27.84 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS OF RECORD.

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, A NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 9628, HEREBY CERTIFY THAT I HAVE CAUSED TO BE A SURVEYED BY MY FORCES UNDER MY SUPERVISION THE PROPERTY DESCRIBED HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAT; FURTHER, THAT DISTANCES INDICATED HEREON ARE IN FEET AND HUNDREDTHS OF FEET THEREOF, AND BEARINGS ARE INDICATED IN QUADRANTS AND DEGREES, MINUTES, AND SECONDS THEREOF; FURTHER, THAT SAID PLAT DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARK R. ISAACS, RLS 9628

OWNER'S CERTIFICATE OF DEDICATION

I, THE UNDERSIGNED, BEING SOLE OWNER OF THE LAND PLATTED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATERLINES, SIDEWALKS, AND OTHER IMPROVEMENTS ON OR UNDER SUCH STREETS, ALLEYS OR OTHER PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN HEREON OR NOT, TO PUBLIC USE FOREVER. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LANDS FOR WATER, SEWER, GAS, ELECTRICITY, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THESE CERTAIN STRIPS OF LAND DESIGNATION AS "UTILITY EASEMENT".

RYAN LAGASSE - BUSINESS MANAGER

COLE HIGLIN - MANDAN PARK DISTRICT

STATE OF _____

COUNTY OF _____ } SS

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

PLANNING COMMISSION APPROVAL

THE SUBDIVISION SHOWN HEREON HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MANDAN ON THIS _____ DAY OF _____, 20____, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF MANDAN, AND REGULATIONS ADOPTED BY THE PLANNING COMMISSION OF SAID CITY, IN WITNESS WHEREOF ARE SET THE HANDS OF THE CHAIRMAN AND THE SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA.

BILL ROBINSON - CHAIRMAN

NANCY MOSER - SECRETARY

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JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA. HEREBY APPROVES "SCHOOL DISTRICT 8TH ADDITION" OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

- LEGEND**
- FOUND SURVEY MONUMENT
 - SET CAPPED REBAR "LS-9628"
 - VACATED LOT LINE
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OWNERS:
MANDAN SCHOOL DISTRICT
MANDAN, ND 58554

DATE: FEBRUARY 27TH, 2026
VERTICAL DATUM - NAVD 1988.
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SCHOOL DISTRICT 8TH ADDITION LOTS 1 TO 5, BLOCK 2 IN SCHOOL DISTRICT 1ST ADDITION REPLAT MANDAN, NORTH DAKOTA		
SHEET: 1 OF 1 SCALE: 1" = 60' DRAWN BY: MRI DWG DATE: 2/27/26 DWG NAME: 25111 Proposed Zoning Map.dwg	JOB NUMBER: 25111 DWG REVISION DATES: - 4215 Old Red Trail NW Mandan, ND 58554 Phone: 701-663-5184 Cell: 701-595-2079 mark@ilsurveynd.com	

ORDINANCE NO. 1485

AN ORDINANCE TO AMEND AND REENACT SECTION 105-2-2 OF THE MANDAN CODE OF ORDINANCES RELATING TO DISTRICT BOUNDARIES AND ZONING MAP OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA.

WHEREAS, The Mandan Land Use and Transportation Plan designates the subject property as Public and Park land; and

WHEREAS, Adjacent properties to the north and south is zoned R7 – Residential Single Family and Agriculture, to the east zoned R3.2 – Two-Family Residential; and to the west is R7; and

BE IT ORDAINED By the Board of City Commissioners of the City of Mandan, Morton County, North Dakota, as follows:

SECTION 1. ZONING AMENDMENT. Section 105-2-2 of the Mandan Code of Ordinances is amended to read as follows:

SCHOOL DISTRICT 8TH ADDITION IN SECTION 28, TOWNSHIP 139N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

SAID TRACT OF LAND CONTAINING 27.84 ACRES, MORE OR LESS.

- shall be removed from the Agriculture and CA – Commercial Districts and shall be included in the following:

R7 – Single-Family Residential for Lot 3, Block 1, and Lot 1, Block 4

R3.2 – Two-Family Residential for Lot 3, Block 3

CA – Commercial for Lot 2, Block 3

CC - Commercial for Lots 1 & 2, Block 1; Lot 1, Block 2; and Lot 1, Block 3

SECTION 2. RE-ENACTMENT. Section 105-2-2 of the Mandan Code of Ordinances is hereby re-enacted as amended. The city planner is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

James Froelich, President
Board of City Commissioners

Attest:

Jim Neubauer
City Administrator

Planning and Zoning Commission: April 27, 2026
First Consideration: May 19, 2026
Second Consideration and Final Passage: June 2, 2026



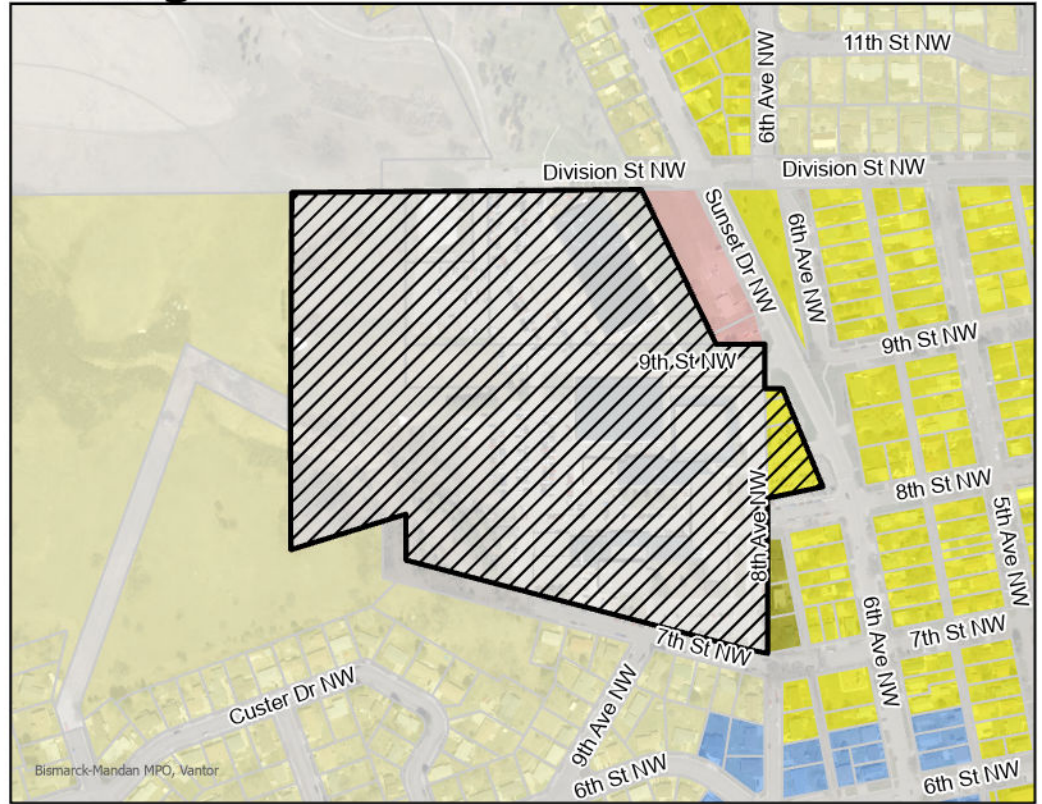
Zoning and Future Land Use Reference Map

School District 8th

Zoning

Zoning Map Key

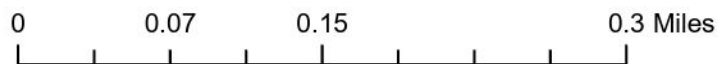
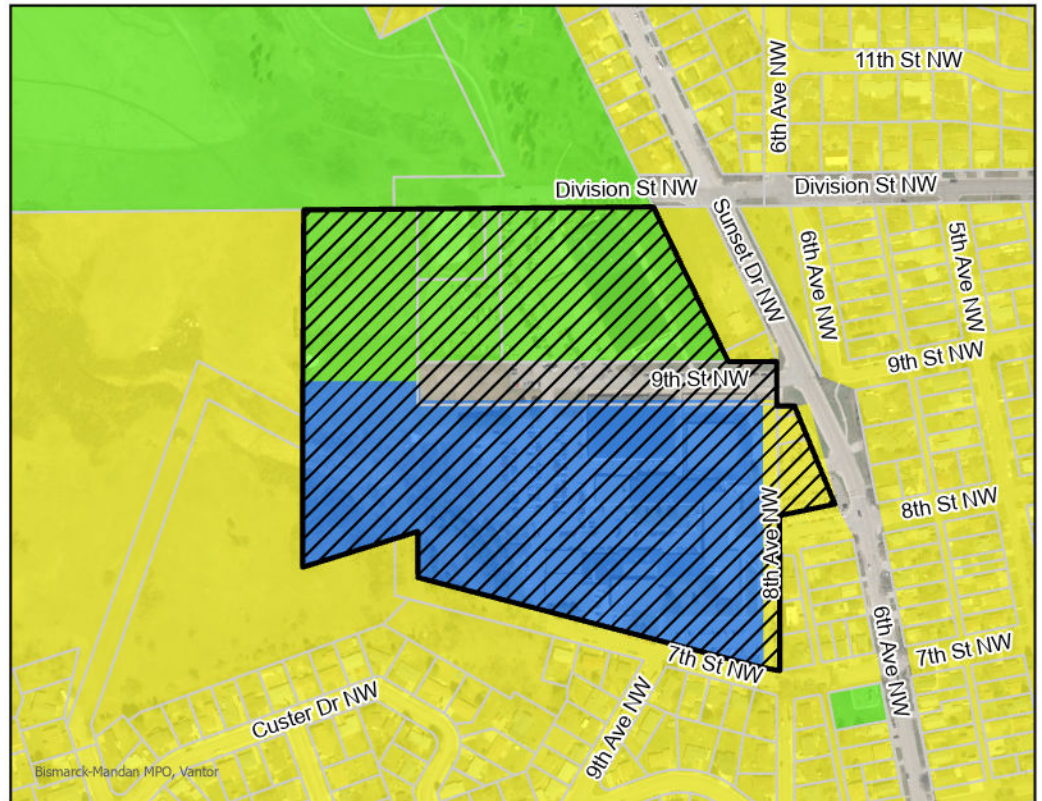
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light Industrial
- MB - Heavy Commercial/Heavy Industrial
- MC - Heavy Commercial/Light Industrial Restricted
- MD - Heavy Commercial/Heavy Industrial Restricted
- MHS - Trailer Park
- PUD - Planned Unit Development
- R3.2 - Residential Single & Two Family
- R7 - Residential Single Family
- RH - Residential Mobile Home Park
- RM - Residential Multi-family Dwellings
- RMH - Residential Mobile Home Subdivision
- Residential - County Residential Zoning
- ROW - Right-of-Way
- Proposed Site



Future Land Use Plan

Future Land Use Plan Key

- Rural Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Industrial
- Public/Semi-Public
- Public Land
- Park
- Greenways
- Open Space
- Open Water
- Proposed Site





City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 12, 2026
SUBMITTING DEPARTMENT: Engineering Department
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Riley McAdoo-Roesler, Assistant City Engineer
SUBJECT: Consider the bids for the 2026 Striping Project 2026-21

STATEMENT/PURPOSE:

To consider bids and possibly award a contract for the 2026 striping project

BACKGROUND/ALTERNATIVES:

The Public Works and the Engineering team have been working closely to develop a plan to address striping needs in Mandan. This is a project to replace the aged pavement marking along the Main Street corridor with grooved and epoxy stripes. This will refresh all of Main Street and the intersections spanning from 10th Ave SW to 13th Ave NE, including crosswalk striping along 1st Street. The required completion date for this project will be June 26, 2026. The bid opening for this project will be held at 11am on Friday May 15th.

The Engineering Department received a single bid for the Main Street Striping from Traffic Safety Services. The bid was in the amount of \$306,360.00. That is approximately 25% higher than the engineers' estimate. The Engineering Department feels the reason for the increase is due to the short timeline of the project, and that if the project timeline was extended, the bid price may be lower.

ATTACHMENTS:

1. Cover Page

FISCAL IMPACT:

The Flex Fund would be utilized to pay \$306,360.00.

STAFF IMPACT:

Staff will need to spend time working closely with the contractor to ensure all work is completed in a timely manner.

LEGAL REVIEW:

All documents have been made available to the City Attorney.

RECOMMENDATION:

To award the bid for the 2026 Striping Project to Traffic Safety Services to be completed before July 4th.

OR

To reject bids for the 2026 Striping Project and authorize the Engineering Department to readvertise for bids with an extended timeline.

SUGGESTED MOTION:

I move:

To award the bid for the 2026 Striping Project to Traffic Safety Services

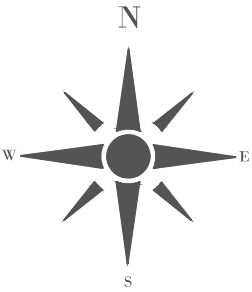
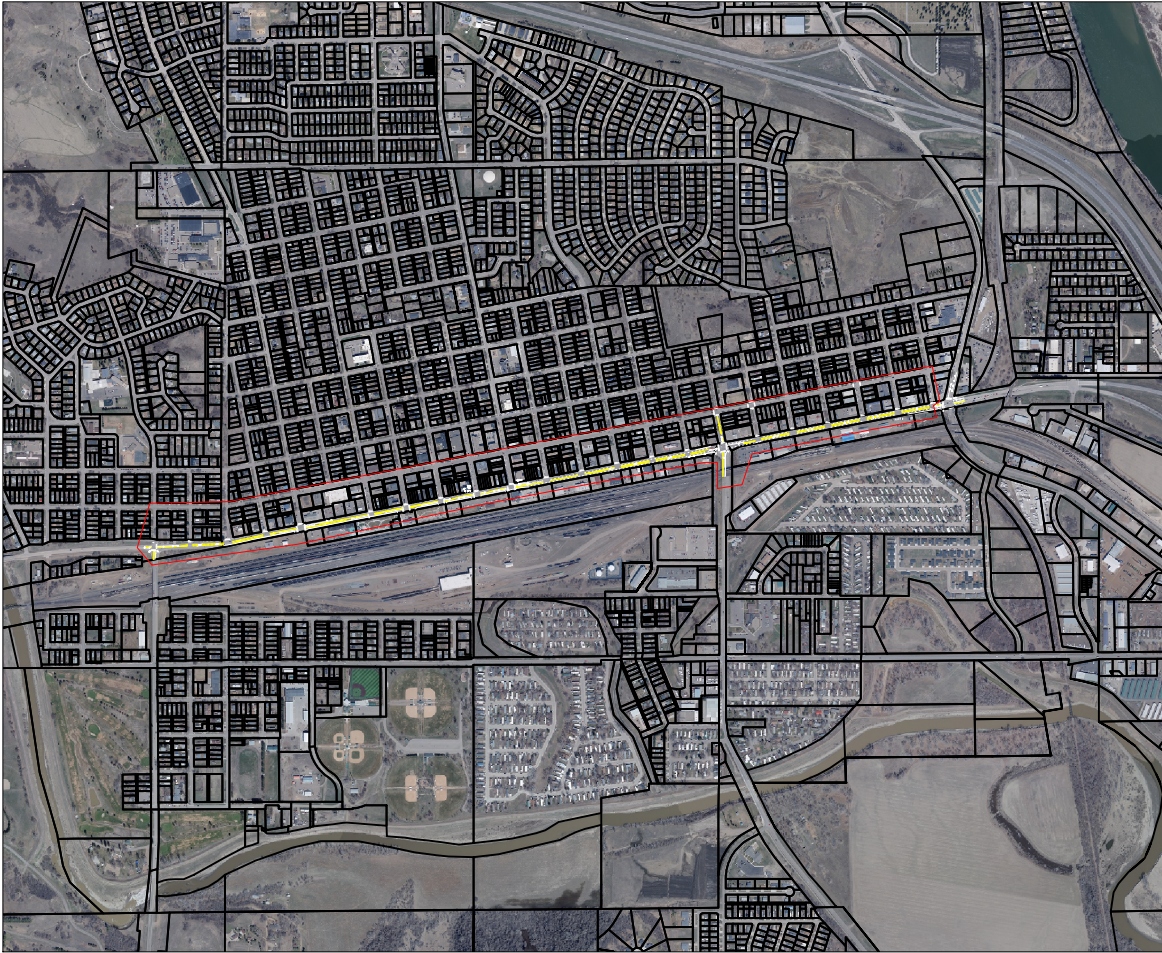
OR

To reject bids for the 2026 Striping Project and authorize the Engineering Department to readvertise for bids with an extended timeline.

City of Mandan

Main Street Striping PROJECT 2026-21

MANDAN, NORTH DAKOTA





City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 4, 2026
SUBMITTING DEPARTMENT:
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT:

STATEMENT/PURPOSE:

BACKGROUND/ALTERNATIVES:

ATTACHMENTS:
None

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 19, 2026
SUBMITTING DEPARTMENT:
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT:

STATEMENT/PURPOSE:

BACKGROUND/ALTERNATIVES:

ATTACHMENTS:

1. American Legion Post 91 - Send it 247

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
American Legion Post 91

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Send It 24/7

Street 1700 East Main	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/2026	Ending Date(s) Authorized 6/30/2027	Number of Twenty-One tables, if zero, enter "0" 0	

Specific location where games of chance will be conducted and played at the site (required)
entire establishment excluding the restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input checked="" type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input checked="" type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

PRINT Name and official position of person signing on behalf of city/county above

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 5, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Authorization

STATEMENT/PURPOSE:

To consider a gaming site authorization for Fort Abraham Lincoln at Lonesome Dove from July 1, 2026 to June 30, 2027

BACKGROUND/ALTERNATIVES:

received 5/1/26

ATTACHMENTS:

1. Fort Abraham Lincoln - Lonesome Dove

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

to approve

SUGGESTED MOTION:

I move to approve the gaming site authorization for Fort Abraham Lincoln at Lonesome Dove from July 1, 2026 to June 30, 2027.

City Commission

Agenda Documentation

May 19, 2026

Subject: Fort Abraham Lincoln at Lonesome Dove from July 1, 2026 to June 30, 2027

Page 2 of 2



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Fort Abraham Lincoln

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Lonesome Dove

Street 3929 Memorial Hwy	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/2026	Ending Date(s) Authorized 6/30/2027	Number of Twenty-One tables, if zero, enter "0"	

Specific location where games of chance will be conducted and played at the site (required)
Whole Bar area except restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input checked="" type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input checked="" type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

- INSTRUCTIONS:**
1. City/County - Retain a **copy** of the Site Authorization for your files.
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 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:
 Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Lonesome Dove, Inc.		Site Name Lonesome Dove		Site Phone Number 701-663-2793
Site Address 3929 Memorial Hwy		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period July 1, 2026 to June 30, 2027		Monthly Rent Amount
Organization Fort Abraham Lincoln Foundation				
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Twenty-One conducted at this site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				
Number of Tables with wagers over \$5 2 X Rent per Table \$ 300				\$ 600
3. Is Paddlewheels conducted at this site?		<input type="checkbox"/> No <input type="checkbox"/> Yes		\$
Number of Tables _____ X Rent per Table \$ _____				
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 325
Please Check: <input checked="" type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device				
5. Are Electronic Pull-Tabs conducted at this site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 1,250
If "Yes" please indicate the number of devices 10				
Total Monthly Rent				\$ 2,175

6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here.

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Brent Kleinjan</i>	Title Owner	Date
Signature of Lessee <i>Aaron L. Berth</i>	Title Executive Director	Date 01/29/2026



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 5, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Authorization

STATEMENT/PURPOSE:

To consider the gaming site authorization for Fort Abraham Lincoln at Midway Lanes from July 1, 2026, to June 30, 2027

BACKGROUND/ALTERNATIVES:

received 5/1/26

ATTACHMENTS:

1. Fort Abraham Lincoln - Midway Lanes

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

to approve

SUGGESTED MOTION:

I move to approve the gaming site authorization for Fort Abraham Lincoln at Midway Lanes from July 1, 2026, to June 30, 2027.

City Commission

Agenda Documentation

May 19, 2026

Subject: Fort Abraham Lincoln at Midway Lanes from July 1, 2026 to June 30, 2027

Page 2 of 2



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization

Fort Abraham Lincoln

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location

Midway Lanes

Street 3327 Memorial Hwy	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/2026	Ending Date(s) Authorized 6/30/2027	Number of Twenty-One tables, if zero, enter "0"	

Specific location where games of chance will be conducted and played at the site (required)

Whole Bar area except restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input checked="" type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input checked="" type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Brian Geohring		Site Name Midway Lanes		Site Phone Number 701-663-0277
Site Address 3327 Memorial Highway		City Mandan	State ND	Zip Code 58554
Organization Fort Abraham Lincoln Foundation		Rental Period July 1, 2026 to June 30, 2027		County Morton
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Twenty-One conducted at this site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				
Number of Tables with wagers over \$5 1 X Rent per Table \$ 300				\$ 300
3. Is Paddlewheels conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
Number of Tables _____ X Rent per Table \$ _____				
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 325
Please Check: <input checked="" type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device				
5. Are Electronic Pull-Tabs conducted at this site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 1,250
If "Yes" please indicate the number of devices 10				
Total Monthly Rent				\$ 1,875
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Brian Geohring</i>	Title Owner	Date 3-12-26
Signature of Lessee <i>Ann L. Beth</i>	Title Executive Director	Date 3-12-26



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 5, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Authorization

STATEMENT/PURPOSE:

To consider the gaming site authorization for Fort Abraham Lincoln at The Paddle Trap from July 1, 2026 to June 30, 2027

BACKGROUND/ALTERNATIVES:

received 5/1/26

ATTACHMENTS:

1. Fort Abraham Lincoln - The Paddle Trap

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

to approve

SUGGESTED MOTION:

I move to approve the gaming site authorization for Fort Abraham Lincoln at The Paddle Trap from July 1, 2026 to June 30, 2027.

City Commission

Agenda Documentation

May 19, 2026

Subject: Fort Abraham Lincoln at The Paddle Trap from July 1, 2026 to June 30, 2027

Page 2 of 2



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Fort Abraham Lincoln

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
The Paddle Trap

Street 2500 Pirates Loop SE	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/2026	Ending Date(s) Authorized 6/30/2027	Number of Twenty-One tables, if zero, enter "0"	

Specific location where games of chance will be conducted and played at the site (required)
Whole Bar area except restrooms

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input checked="" type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input checked="" type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
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If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Paddle Trap		Site Name Paddle Trap		Site Phone Number 701-202-3421
Site Address 2500 Pirates Loop SE	City Mandan	State ND	Zip Code 58554	County Morton
Organization Fort Abraham Lincoln Foundation		Rental Period July 1, 2026 to June 30, 2027		Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 400
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices <u>8</u>		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 1,100
Total Monthly Rent				\$ 1,500
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Michelle Kaufman</i>	Title Owner	Date <i>3/26/26</i>
Signature of Lessee <i>Hara L B...</i>	Title Executive Director	Date



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 4, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Authorization

STATEMENT/PURPOSE:

To consider the gaming site application for Mandan Moose Lodge #425 at Social Quarters from July 1, 2026 to June 30, 2027

BACKGROUND/ALTERNATIVES:

received 5/4/26

ATTACHMENTS:

1. Mandan Moose Lodge #425 - Social Quarters

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

to approve

SUGGESTED MOTION:

I move to approve the gaming site authorization for the Mandan Moose Lodge #425 at Social Quarters from July 1, 2026 to June 30, 2027.

City Commission

Agenda Documentation

May 19, 2026

Subject: Mandan Moose Lodge #425 at Social Quarters from July 1, 2026 to June 30, 2027

Page 2 of 2



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Mandan Moose Lodge #425

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Mandan Moose Lodge #425

Street 111 11th Ave NE	City Mandan	ZIP Code 58554	County Morton
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Beginning Date(s) Authorized 07-01-26	Ending Date(s) Authorized 06-30-27	Number of Twenty-One tables, if zero, enter "0" 1
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Specific location where games of chance will be conducted and played at the site (required)
Social Quarters

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known
Poker - January & Spetember, Raffles - April & October

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must throughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input checked="" type="checkbox"/> Bingo	<input checked="" type="checkbox"/> Club Special	<input checked="" type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input checked="" type="checkbox"/> Seal Board	<input checked="" type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input checked="" type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 12, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Mandan Touchdown Club at Starion Sports Complex Gaming Site Authorization

STATEMENT/PURPOSE:

to consider the gaming site authorization for Mandan Touchdown Club at Starion Sports Complex from August 1, 2026 to December 1, 2026

BACKGROUND/ALTERNATIVES:

Received 5/11/26

ATTACHMENTS:

1. Mandan Touchdown Club - Starion Sports Complex

FISCAL IMPACT:

n/a

STAFF IMPACT:

reviewing and processing

LEGAL REVIEW:

n/a

RECOMMENDATION:

to approve

SUGGESTED MOTION:

I move to approve the gaming site authorization for Mandan Touchdown Club at Starion Sports Complex from August 1, 2026, to December 1, 2026.

City Commission

Agenda Documentation

May 19, 2026

Subject: Mandan Touchdown Club at Starion Sports Complex from August 1, 2026 to December 1, 2026

Page 2 of 2



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Mandan Touchdown Club

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Starion Sports Complex

Street 111 Old Red Trail	City Mandan	ZIP Code 58554	County Morton
------------------------------------	-----------------------	--------------------------	-------------------------

Beginning Date(s) Authorized 8/1/2026	Ending Date(s) Authorized 12/1/2026	Number of Twenty-One tables, if zero, enter "0" 0
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Specific location where games of chance will be conducted and played at the site (required)
Lobby of Starion Sports Complex

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Mandan Parks and Recreation		Site Name Starion Sports Complex		Site Phone Number (701) 751-6166
Site Address 111 Old Red Trail NE		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period 8/1/2026 to 12/1/2026		Monthly Rent Amount
Organization Mandan Touchdown Club				
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddiewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 3		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Total Monthly Rent				\$
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input checked="" type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, **the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization **may not** participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor 	Title Director	Date 5-8-26
Signature of Lessee 	Title Treasurer - Mandan Touchdown Club	Date 5/8/2026

North Dakota Century Code § 53-06.1-11 (Gross Proceeds - Allowable Expenses - Rent Limits)

4. For a site where bingo is conducted:
 - a. If bingo is the primary game, the monthly rent must be reasonable
 - b. If bingo is not the primary game, but is conducted with twenty-one, paddlewheels, or pull tabs, no additional rent is allowed.
5. For a site where bingo is not the primary game.
 - a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed two hundred dollars multiplied by the necessary number of tables based on criteria prescribed by gaming rule. For each twenty-one table with a wager greater than five dollars, an additional amount up to one hundred dollars may be added to the monthly rent. If pull tabs is also conducted involving only a jar bar, the monthly rent for pull tabs may not exceed an additional one hundred seventy-five dollars. If pull tabs is conducted involving only a dispensing device or a jar bar and dispensing device, the monthly rent for pull tabs may not exceed an additional three hundred twenty-five dollars.
 - b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted involving either a jar bar or dispensing device, the monthly rent may not exceed four hundred dollars.
 - c. If pull tabs is conducted using one or more electronic pull tab devices, the monthly rent may not exceed one hundred seventy-five dollars per machine for the first five machines in the same venue. For each additional machine in the same venue beyond five, the monthly rent may not exceed seventy-five dollars per machine up to a maximum of one thousand two hundred fifty dollars per month for all electronic pull tab devices in a single venue.

North Dakota Administrative Code § 99-01.3-02-06 (Rental Agreement)

3. Rent must be a fixed dollar amount per month
 - a. A participatory or graduated rate arrangement based on gross proceeds or adjusted gross proceeds is prohibited.
 - b. If bingo is the primary game or if a site is leased by an organization that has the alcoholic beverage license for that site, the monthly rent must be reasonable. Factors include time usage, floor space, local prevailing rates, and available sites and services. An organization may pay seasonal expenses, such as snow removal, air-conditioning, and heating, to a vendor.
 - c. If bingo is not the primary game, the maximum monthly rent must be according to subsection 5 of North Dakota Century Code section 53-06.1-11.

Special considerations are:

 - (1) If two or more organizations conduct twenty-one or paddlewheels, or both, involving a table and pull tabs for less than a month at a temporary site which is a public or private premise, or if two or more organizations are issued site authorizations to conduct games at a site on different days of the week, the maximum monthly rent, in the aggregate, may not exceed the limit set by subsection 5 of North Dakota Century Code section 53-06.1-11; and
 - (2) If a raffle, calcutta, sports pool, or poker is conducted with twenty-one, paddlewheels or pull tabs, no additional rent is allowed.
 - d. Except for applying subsection 3 or 4 of section 99-01.3-03-04, and additional rent paid to a lessor for simulcast racing, an organization or employee may not pay any additional rent or expense, from any source, or for any other purpose, including office or storage space, snow removal, maintenance or cleaning fees, equipment, furnishings, entertainment, or utilities. Except for a leased site at which bingo is the primary game conducted, an organization may not pay for any capital or leasehold improvements or remodeling.
- *4. If there is a change in the monthly rent or any other material change to a rental agreement, the agreement must be amended and a copy received by the attorney general **before** its effective date.

North Dakota Administrative Code § 99-01.3-08-01 (Restrictions and Requirments)

4. An organization may pay monthly rent for more than one table provided that each additional table is used at least thirteen times a quarter. This level of activity is based on a site's historical experience, or seasonal activity, for each of the previous four quarters, regardless of which organization conducted twenty-one at the site. For a new site or a site that has been completely remodeled in appearance and function, the level of activity must be reviewed and reestablished after the first full quarter. If an additional table is used at least thirteen times in at least one but not all of the previous four quarters, the allowable monthly rent for that table must be prorated over all the active months of the licensing year. For example, if a second table was used at least thirteen times in only two of the previous four quarters, the additional monthly rent for the second table would be a maximum of two hundred dollars per month (or three hundred dollars per month if a wager greater than five dollars is accepted on the table) multiplied by six months (totaling one thousand two hundred dollars) and prorated to one hundred dollars per month for the licensing year. The organization shall document each table's usage, which includes the date, table number, and drop box cash amount for each table and how the prorated rental amounts were determined. This documentation must be retained with the organization's twenty-one records for three years.



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 12, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Mandan Touchdown Club at BSCL (Big Stick Cigar), LLC Gaming Site Authorization

STATEMENT/PURPOSE:

To consider the gaming site authorization for Mandan Touchdown Club at BSCL, LLC from July 1, 2026, to June 30, 2027

BACKGROUND/ALTERNATIVES:

Received 5/11/26

ATTACHMENTS:

1. Mandan Touchdown Club - BSCL, LLC

FISCAL IMPACT:

n/a

STAFF IMPACT:

reviewing and processing

LEGAL REVIEW:

n/a

RECOMMENDATION:

to approve

SUGGESTED MOTION:

I move to approve the gaming site authorization for Mandan Touchdown Club at BSCL, LLC from July 1, 2026 to June 30, 2027.

City Commission

Agenda Documentation

May 19, 2026

Subject: Mandan Touchdown Club at BSCL (Big Stick Cigar), LLC from July 1, 2026 to June 30, 2027

Page 2 of 2



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Mandan Touchdown Club

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
BSCL, LLC

Street 107 2nd Ave NW	City Mandan	ZIP Code 58554	County Morton
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Beginning Date(s) Authorized 7/1/2026	Ending Date(s) Authorized 6/30/2027	Number of Twenty-One tables, if zero, enter "0" 0
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Specific location where games of chance will be conducted and played at the site (required)
Front of lounge, on south portion of building, in gaming area.

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) BSCL, LLC		Site Name Big Stick Cigars		Site Phone Number (701) 751-1029
Site Address 107 2nd Ave NW		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period 7/1/2026 to 6/30/2027		Monthly Rent Amount
Organization Mandan Touchdown Club				
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 300
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 6		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 950
Total Monthly Rent				\$ 1,250
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, **the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization **may not** participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor 	Title Owner	Date 5-8-26
Signature of Lessee 	Title Treasurer - Mandan Touchdown Club	Date 5/8/2026

North Dakota Century Code § 53-06.1-11 (Gross Proceeds - Allowable Expenses - Rent Limits)

4. For a site where bingo is conducted:
 - a. If bingo is the primary game, the monthly rent must be reasonable
 - b. If bingo is not the primary game, but is conducted with twenty-one, paddlewheels, or pull tabs, no additional rent is allowed.
5. For a site where bingo is not the primary game.
 - a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed two hundred dollars multiplied by the necessary number of tables based on criteria prescribed by gaming rule. For each twenty-one table with a wager greater than five dollars, an additional amount up to one hundred dollars may be added to the monthly rent. If pull tabs is also conducted involving only a jar bar, the monthly rent for pull tabs may not exceed an additional one hundred seventy-five dollars. If pull tabs is conducted involving only a dispensing device or a jar bar and dispensing device, the monthly rent for pull tabs may not exceed an additional three hundred twenty-five dollars.
 - b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted involving either a jar bar or dispensing device, the monthly rent may not exceed four hundred dollars.
 - c. If pull tabs is conducted using one or more electronic pull tab devices, the monthly rent may not exceed one hundred seventy-five dollars per machine for the first five machines in the same venue. For each additional machine in the same venue beyond five, the monthly rent may not exceed seventy-five dollars per machine up to a maximum of one thousand two hundred fifty dollars per month for all electronic pull tab devices in a single venue.

North Dakota Administrative Code § 99-01.3-02-06 (Rental Agreement)

3. Rent must be a fixed dollar amount per month
 - a. A participatory or graduated rate arrangement based on gross proceeds or adjusted gross proceeds is prohibited.
 - b. If bingo is the primary game or if a site is leased by an organization that has the alcoholic beverage license for that site, the monthly rent must be reasonable. Factors include time usage, floor space, local prevailing rates, and available sites and services. An organization may pay seasonal expenses, such as snow removal, air-conditioning, and heating, to a vendor.
 - c. If bingo is not the primary game, the maximum monthly rent must be according to subsection 5 of North Dakota Century Code section 53-06.1-11.

Special considerations are:

 - (1) If two or more organizations conduct twenty-one or paddlewheels, or both, involving a table and pull tabs for less than a month at a temporary site which is a public or private premise, or if two or more organizations are issued site authorizations to conduct games at a site on different days of the week, the maximum monthly rent, in the aggregate, may not exceed the limit set by subsection 5 of North Dakota Century Code section 53-06.1-11; and
 - (2) If a raffle, calcutta, sports pool, or poker is conducted with twenty-one, paddlewheels or pull tabs, no additional rent is allowed.
 - d. Except for applying subsection 3 or 4 of section 99-01.3-03-04, and additional rent paid to a lessor for simulcast racing, an organization or employee may not pay any additional rent or expense, from any source, or for any other purpose, including office or storage space, snow removal, maintenance or cleaning fees, equipment, furnishings, entertainment, or utilities. Except for a leased site at which bingo is the primary game conducted, an organization may not pay for any capital or leasehold improvements or remodeling.
- *4. If there is a change in the monthly rent or any other material change to a rental agreement, the agreement must be amended and a copy received by the attorney general **before** its effective date.

North Dakota Administrative Code § 99-01.3-08-01 (Restrictions and Requirments)

4. An organization may pay monthly rent for more than one table provided that each additional table is used at least thirteen times a quarter. This level of activity is based on a site's historical experience, or seasonal activity, for each of the previous four quarters, regardless of which organization conducted twenty-one at the site. For a new site or a site that has been completely remodeled in appearance and function, the level of activity must be reviewed and reestablished after the first full quarter. If an additional table is used at least thirteen times in at least one but not all of the previous four quarters, the allowable monthly rent for that table must be prorated over all the active months of the licensing year. For example, if a second table was used at least thirteen times in only two of the previous four quarters, the additional monthly rent for the second table would be a maximum of two hundred dollars per month (or three hundred dollars per month if a wager greater than five dollars is accepted on the table) multiplied by six months (totaling one thousand two hundred dollars) and prorated to one hundred dollars per month for the licensing year. The organization shall document each table's usage, which includes the date, table number, and drop box cash amount for each table and how the prorated rental amounts were determined. This documentation must be retained with the organization's twenty-one records for three years.



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 12, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Mandan Touchdown Club at Dickey's Barbecue Gaming Site Authorization

STATEMENT/PURPOSE:

To consider the gaming site authorization for Mandan Touchdown Club at Dickey's Barbecue Pit from July 1, 2026, to June 30, 2027

BACKGROUND/ALTERNATIVES:

received 5/11/26

ATTACHMENTS:

1. Mandan Touchdown Club - Dickey's BBQ

FISCAL IMPACT:

n/a

STAFF IMPACT:

reviewing and processing

LEGAL REVIEW:

n/a

RECOMMENDATION:

to approve

SUGGESTED MOTION:

I move to approve the gaming site authorization for Mandan Touchdown Club at Dickey's Barbecue Pit from July 1, 2026 to June 30, 2027.

City Commission

Agenda Documentation

May 19, 2026

Subject: Mandan Touchdown Club at Dickey's Barbecue Pit from July 1, 2026 to June 30, 2027

Page 2 of 2



GAMING SITE AUTHORIZATION
 ND OFFICE OF ATTORNEY GENERAL
 SFN 17996 (4-2023)

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization
Mandan Touchdown Club

This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location

Name of Location
Dickey's BBQ

Street 4524 Memorial Highway	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/2026	Ending Date(s) Authorized 6/30/2027	Number of Twenty-One tables, if zero, enter "0" 0	

Specific location where games of chance will be conducted and played at the site (required)
Dickey's BBQ Front of Store

If conducting **Raffle** or **Poker** activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted) _____ Hours of gaming (if restricted) _____

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Pit Masters LLC		Site Name Dickey's BBQ		Site Phone Number (701) 663-4227
Site Address 4524 Memorial Highway		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period 7/1/2026 to 6/30/2027		Monthly Rent Amount
Organization Mandan Touchdown Club				
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 3		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 525
Total Monthly Rent				\$ 525
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, **the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization **may not** participate in the organization's decision-making that is a conflict of interest.

At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor 	Title Owner	Date 5/11/2026
Signature of Lessee 	Title Treasurer - Mandan Touchdown Club	Date 5/11/2026

North Dakota Century Code § 53-06.1-11 (Gross Proceeds - Allowable Expenses - Rent Limits)

4. For a site where bingo is conducted:
 - a. If bingo is the primary game, the monthly rent must be reasonable
 - b. If bingo is not the primary game, but is conducted with twenty-one, paddlewheels, or pull tabs, no additional rent is allowed.
5. For a site where bingo is not the primary game.
 - a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed two hundred dollars multiplied by the necessary number of tables based on criteria prescribed by gaming rule. For each twenty-one table with a wager greater than five dollars, an additional amount up to one hundred dollars may be added to the monthly rent. If pull tabs is also conducted involving only a jar bar, the monthly rent for pull tabs may not exceed an additional one hundred seventy-five dollars. If pull tabs is conducted involving only a dispensing device or a jar bar and dispensing device, the monthly rent for pull tabs may not exceed an additional three hundred twenty-five dollars.
 - b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted involving either a jar bar or dispensing device, the monthly rent may not exceed four hundred dollars.
 - c. If pull tabs is conducted using one or more electronic pull tab devices, the monthly rent may not exceed one hundred seventy-five dollars per machine for the first five machines in the same venue. For each additional machine in the same venue beyond five, the monthly rent may not exceed seventy-five dollars per machine up to a maximum of one thousand two hundred fifty dollars per month for all electronic pull tab devices in a single venue.

North Dakota Administrative Code § 99-01.3-02-06 (Rental Agreement)

3. Rent must be a fixed dollar amount per month
 - a. A participatory or graduated rate arrangement based on gross proceeds or adjusted gross proceeds is prohibited.
 - b. If bingo is the primary game or if a site is leased by an organization that has the alcoholic beverage license for that site, the monthly rent must be reasonable. Factors include time usage, floor space, local prevailing rates, and available sites and services. An organization may pay seasonal expenses, such as snow removal, air-conditioning, and heating, to a vendor.
 - c. If bingo is not the primary game, the maximum monthly rent must be according to subsection 5 of North Dakota Century Code section 53-06.1-11.

Special considerations are:

 - (1) If two or more organizations conduct twenty-one or paddlewheels, or both, involving a table and pull tabs for less than a month at a temporary site which is a public or private premise, or if two or more organizations are issued site authorizations to conduct games at a site on different days of the week, the maximum monthly rent, in the aggregate, may not exceed the limit set by subsection 5 of North Dakota Century Code section 53-06.1-11; and
 - (2) If a raffle, calcutta, sports pool, or poker is conducted with twenty-one, paddlewheels or pull tabs, no additional rent is allowed.
 - d. Except for applying subsection 3 or 4 of section 99-01.3-03-04, and additional rent paid to a lessor for simulcast racing, an organization or employee may not pay any additional rent or expense, from any source, or for any other purpose, including office or storage space, snow removal, maintenance or cleaning fees, equipment, furnishings, entertainment, or utilities. Except for a leased site at which bingo is the primary game conducted, an organization may not pay for any capital or leasehold improvements or remodeling.
- *4. If there is a change in the monthly rent or any other material change to a rental agreement, the agreement must be amended and a copy received by the attorney general before its effective date.

North Dakota Administrative Code § 99-01.3-08-01 (Restrictions and Requirements)

4. An organization may pay monthly rent for more than one table provided that each additional table is used at least thirteen times a quarter. This level of activity is based on a site's historical experience, or seasonal activity, for each of the previous four quarters, regardless of which organization conducted twenty-one at the site. For a new site or a site that has been completely remodeled in appearance and function, the level of activity must be reviewed and reestablished after the first full quarter. If an additional table is used at least thirteen times in at least one but not all of the previous four quarters, the allowable monthly rent for that table must be prorated over all the active months of the licensing year. For example, if a second table was used at least thirteen times in only two of the previous four quarters, the additional monthly rent for the second table would be a maximum of two hundred dollars per month (or three hundred dollars per month if a wager greater than five dollars is accepted on the table) multiplied by six months (totaling one thousand two hundred dollars) and prorated to one hundred dollars per month for the licensing year. The organization shall document each table's usage, which includes the date, table number, and drop box cash amount for each table and how the prorated rental amounts were determined. This documentation must be retained with the organization's twenty-one records for three years.



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 12, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: New Liquor License Applications

STATEMENT/PURPOSE:

All new liquor license applications must be approved by the Board of City Commissioners.

BACKGROUND/ALTERNATIVES:

- GHM Mandan Holding Co. LLC (Baymont Inn & Suites) - Class C
- ME Wines LLC (Aquilon) - Class E

ATTACHMENTS:

1. (for city commission) 2026-2027 New Issuances
2. (3rd Application Submitted) Mandan Holding Co. LLC - Baymont Inn & Suites_Redacted
3. (2nd Submission) ME Wines LLC - Aquilon_Redacted

FISCAL IMPACT:

n/a

STAFF IMPACT:

Review and processing of the applications

LEGAL REVIEW:

n/a

City Commission

Agenda Documentation

May 19, 2026

Subject: Consider approval of the new Class C and E liquor license applications effective July 1, 2026

Page 2 of 2

RECOMMENDATION:

to approve

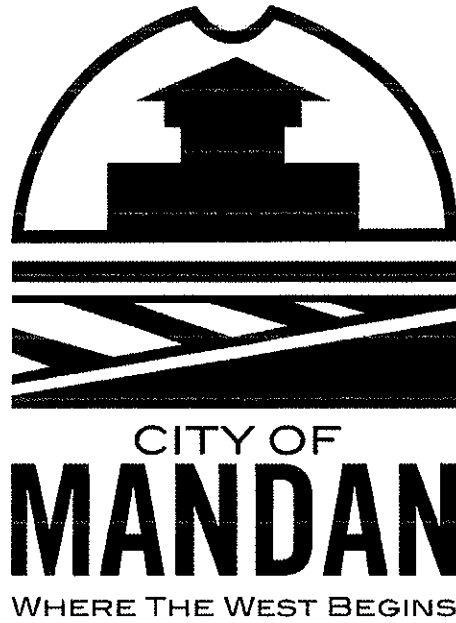
SUGGESTED MOTION:

I move to approve the new Class C and E liquor license applications for the year from July 1, 2026 to June 30, 2027, contingent on the establishment meeting all fire, health, safety, and building inspection codes, *all fees* and all property taxes being paid.

NEW ISSUANCES

License Holder Name	Class Type	Class Description	Fee Paid
GHM Mandan Holding Co. LLC	C	Motel/Hotel On & Off Sale Beer & Liquor	\$3,850
ME Wines LLC	E	Restaurant On Sale Beer & Liquor	No

2 new issuances for 5/19/26 CC approval



**Individual or Partnership
Liquor License
Application**

City of Mandan Liquor License Application Information

It is required that the applicant(s) read and understand the City of Mandan Municipal Code Chapter 4 related to Alcoholic Beverages before submitting a completed application.

https://library.municode.com/nd/mandan/codes/code_of_ordinances?nodeId=PT2CO_CH4ALBE

A completed application will need to be filed with the City's Finance Department along with a \$250 non-refundable application fee.

Once the application and fee are received, the Finance Department will receipt the payment and move the application through the internal application verification steps with the Police, Building Inspections, Fire, and Public Health Department. If at any time there is an issue or concern found during the internal verification steps, the Finance Department will contact the applicant.

After the application passes all internal verification steps, the Finance Department will contact the applicant for payment of the Liquor License Annual and Issuance (if applicable) fees. These fees are outlined on Page 3. The Annual License fee will be collected for all License Classes at a prorated amount based off the number of months left in the license year (July 1 to June 30) at the time of Commission approval (Annual License fee/12 months X the number of valid months of the license year at the time of approval). Class A, BWO, D, and D1 licenses carry an separate Issuance fee that will need to be paid in addition to the prorated Annual License fee. The application will not be submitted for approval from the City Commission until all License fees are paid.

Once payment for the Annual and Issuance (if applicable) fees are collected and receipted, the Liquor License application will be placed on the soonest available agenda for consideration by the City Commission. The Finance Department will contact the applicant to notify them of the date of the meeting.

After approval from the City Commission, the Finance Department will mail the physical license to the mailing address listed on the application.

If at any time, the applicant has any questions or concerns, they can contact the Finance Department at:

Phone: 701-667-3489

Email: businesslicensing@cityofmandan.com

Mailing Address: 205 2nd Ave NW Mandan, ND 58554

The Applicant will also need to contact Western Plains Public Health and the State of North Dakota Attorney General's Office for other licensing needed for the City license to be valid.

**City of Mandan Liquor License Fees
Effective as of July 1, 2022**

Annual License Fee


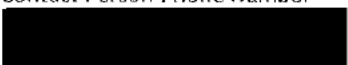
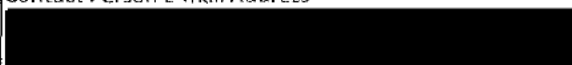
Class	License	Fee
Class A	General Retail On & Off Sale Beer & Liquor	\$4,100
Class B	Club on & Off Sale Beer & Liquor	\$3,720
Special B	Publicly Owned or Operated Facilities On Sale Beer	\$380
Special B	Publicly Owned Facilities On Sale Beer & Liquor	\$380
Class BWO	Retail On Sale Beer & Wine	\$1,2120
Class C	Motel & Hotel On & Off Sale Beer & Liquor	\$3,850
Class D	Exclusive Off Sale Beer & Liquor	\$4,100
Class D1	Exclusive Off Sale Beer & Wine	\$820
Class DY	Distilled Spirits	\$820
Class E	Restaurant On Sale Beer & Liquor	\$2,630
Class F	Restaurant On Sale Beer & Wine	\$1,210
Class G	Commercial Passenger Vessels	\$1,520
Class MP	Member Producer	\$820
Class WB	Wine or Brewery	\$820
Class H	Catered Retail Beer, Wine, & Liquor On-Premises	\$650

License Issuance Fee

Class	License	Fee
Class A	General Retail On & Off Sale Beer & Liquor	\$60,000
Class BWO	Retail On Sale Beer & Wine	\$3,000
Class D	Exclusive Off Sale Beer & Liquor	\$80,000
Class D1	Exclusive Off Sale Beer & Wine	\$40,000


Other Liquor License & Permit Fees

License/Permit	Fee
Application Fee (New Liquor License Applications Only)	\$250
Late Application (Liquor License Renewal Applications Only)	\$50
Special Event—Alcohol Vendor Permit	\$50
Special Catering Permit	\$25
Special Catering Permit (less than 7 days prior to event)	\$50

Legal Name of Company (Must match State of ND Registration) GHM Mandan Holding Co. LLC			
Name of Business at which license is requested (DBA) Baymont Inn & Suites		Business Phone Number 701-663-7401	
Business Address (Physical Street Address) 2611 Old Red Trail	City Mandan	State ND	Zip Code 58554
Legal Description of Property (Lot & Block) Hotel		Applicant must attach a diagram of the physical layout of licensed premises including at a minimum: doors, storage areas, and areas where liquor/beer is purchased and consumed.	
Mailing Address 	City Mandan	State ND	Zip Code 58554
Contact Person Joseph Metzel	Contact Person Phone Number 	Contact Person E-mail Address 	
Are you applying as: <input type="checkbox"/> An Individual <input checked="" type="checkbox"/> A Partnership			
Type of License: Class A <input type="checkbox"/> B <input type="checkbox"/> C <input checked="" type="checkbox"/> D <input type="checkbox"/> D1 <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> WB <input type="checkbox"/> MP <input type="checkbox"/> DY <input type="checkbox"/> BWO <input type="checkbox"/> SPEC. B <input type="checkbox"/> H <input type="checkbox"/>			

1a. If business is owned by an individual, please provide the name, current address and any other address in the last 5 years, date of birth, and driver's license # and state issued, and citizenship of the individual. It is required that the applicant list the individual name, addresses for the last 5 years, date of birth, and driver's license number, and citizenship, the privacy of which will be maintained by the City of

1b. If business is owned by a partnership, give the name of the partnership and the names, current addresses and any other addresses in the last 5 years, dates of birth, and driver's license numbers and state issued, and citizenship for each member of the partnership. It is required that the applicant list each individual's name, addresses for the last 5 years, date of birth, and driver's license number, and citizenship, the privacy of which will be maintained by the City of Mandan, but is required for the proper background checks.



2. Name of individual who is to be in charge of the day-to-day operations and management of the licensed premises, and who will be responsible for complying with the municipal ordinances and state laws covering the operation of the premises. (If the manager changes during the course of the license period you must provide the Finance Department with the updated information about the new manager immediately.)

Name Joseph Metz			
Address [REDACTED]	City Bismarck	State ND	Zip Code 58501
Date of Birth [REDACTED]	Age [REDACTED]	Citizenship Yes	
If naturalized, give date and place of Naturalization			
Please list all other places of residence in the last five (5) years [REDACTED]			

3. It is required that the applicant attach a separate list showing the occupations and employers of each individual listed in Items 1a, 1b, and 2 during the last five (5) years.

4. Have any of the individuals identified in Item 1a, 1b, and 2 ever engaged in the sale or distribution of alcoholic beverages (as an owner, manager, or employee) previously?

Yes No *If yes, the applicant must attach a separate page explaining in detail the location, type of business, and date of license or employment.*

5. Have any of the individuals identified in Item 1a, 1b, and 2 ever has a license of any kind (including alcoholic beverage license, other business license, or motor vehicle license) suspended, revoked, or not renewed by any local, state or federal agency?

Yes No *If yes, the applicant must attach a separate page explaining the violation in detail*

6. Have any of the individuals identified in Item 1a, 1b, and 2 ever been convicted of a any crime other than minor traffic violations (but including reckless driving or driving under the influence)?

Yes No *If yes, the applicant must attach a separate page explaining the violation in detail .*

7. Do any of the individual identified in Item 1a, 1b, and 2 have any interest whatsoever in any other liquor establishment, either wholesale or retail, within or outside of the state of North Dakota. The interest which must be disclosed also includes a right of inheritance by law or will?

Yes No *If yes, the applicant must attach a separate page explaining in detail.*

8. List all the names, addresses, dates of birth, and driver's license numbers and state issued for all individuals who are authorized to make purchases for the business at which the license is to be used and located. **It is required that the applicant list each individual's name, addresses for the last 5 years, date of birth, and driver's license number, the privacy of which will be maintained by the City of Mandan, but is required for the proper background checks.**

9. List all the names, addresses, dates of birth, and driver's license numbers and state issued for all individuals who are authorized to sign checks used to pay payroll and expenses of the business at which the license is to be used. It is required that the applicant list each individual's name, addresses for the last 5 years, date of birth, and driver's license number, the privacy of which will be maintained by the City of Mandan, but is required for the proper background checks.

[Redacted area containing names, addresses, dates of birth, and driver's license numbers for individuals authorized to sign checks.]

10. Does the applicant certify that all property taxes have been paid to date on the license premises?

Yes No If property taxes are not paid, the application will not be consider complete.

11. If licensed premises is owned by the Applicant, please provide the date of purchase. _____

If licensed premises is leased or under contract for deed, the Applicant must attach a copy of executed and dated lease or contract.

12. Does anyone other than the Individual or Partnership applying for this alcoholic beverage license or the business owing the premises have any right, estate, or interest in the lease hold, building, furniture, fixtures, or equipment in the premises for which the license is requested?

Yes No If yes, the applicant must attach a separate page explaining in detail.

13. Does the Individual or Partnership applying for this alcoholic beverage license have any agreement, contract, understanding, or intention to have any agreement, contract, or understanding to obtain this license for another, or to operate the business for another, for as agent for another?

Yes No If yes, the applicant must attach a separate page explaining in detail.

14. Does the Individual or Partnership applying for this license, engage in any business other than that for which the license is sought or intending to engage in any business other than for the sale of alcoholic beverages under the license for which this application has been made?

Yes No If yes, the applicant must attach a separate page explaining in detail.

15. Does the building or structure in which the business is to be conducted meet all applicable state and local building, health, and zoning regulations and requirements?

Yes No

16. List the names, addresses, and phone numbers for at least 3 business references.

Ramada by Wyndham of Bismarck Clinton Goehring - (701) 323-3204 1400 E Interchange Avenue Bismarck ND 58501	Ramada by Wyndham of Fargo Jessica Lamar - (701) 235-3333 3333 13th Ave S Fargo, ND 58103
Clarion Hotel & Suites Brittani Wilde - (701) 774-1179 1505 15th Ave W Williston, ND 58801	

For this application to be considered complete, please make sure you attach the following on separate pages:

1. Diagram of physical layout of licensed premises including entrances, exits, interior doors, windows, tables, coolers, storage, room dividers, and areas where liquor can be purchased and consumed. If the licensed site is part of a larger building such as restaurant, areas such as mixing, serving, and storage must be identified. The diagram should be submitted on a plain 8.5x11 sized paper. The diagram should also include the agency name and the direction "North". The diagram may be hand drawn, but it must be neat and reasonably accurate.
2. A list of occupations and employers for each individual listed in answers to Item 1, 2, and 3 for the last 5 years.
3. If the licensed premise is leased, a copy of the executed and dated lease.
4. Any explanations required by answering any question with "Yes".

Application continues on the next page.

STATE OF NORTH DAKOTA)
) ss. Affidavit of Application Completeness and Accuracy,
COUNTY OF MORTON) Sworn Statement of Conditions of Licensure,
 and Agreement of Right to Entry of City Personnel

I (We), SEAN FASS and _____ having been sworn and under oath, state that I (we) am (are) the named Owner or Partners, of the above named business or partnership which hereby applies for the above referenced alcoholic beverage license in the City of Mandan, and I (we) do hereby certify that the above information is true and correct to the best of my (our) knowledge and beliefs.

I (We) do further certify that said Individual or Partnership and employees will abide by the provisions of Chapter 12-01, 12-02, and 12-03 of the Mandan Code of Ordinances and any amendments thereto, as well as all applicable laws of the State of North Dakota, and the United States Government and that said Owners/Partnership and its employees will not permit the violation of any law, rule, or regulation on the premises at which the license is authorized. I (We) further certify that I (the Partnership) acknowledge that this license will only authorize the retail sale of liquor, including beer, wine, and other spirits as defined by the North Dakota Century Code, and limited by this application, at the premises designated in the application and depicted on the attached diagram.

I (We) do further certify and affirm on behalf of myself or the partnership and its employees that I (the partnership) will not sell or permit the sale of alcoholic beverages to a minor, incompetent person, or anyone who is under the influence, or a habitual drunkard and that I (we) will accept any penalty including, suspension or revocation of license for any violation of said prohibited sales.

I (We) do further certify and affirm that the applicant or partnership understand and acknowledge that any license granted under this application confers no property right to the applicant or licensee, and that said license will not be transferable except by specific authority of the Mandan Board of City Commissioners.

I (We) do further certify and affirm that the applicant (partnership) and its employees do hereby consent to the entry of any city official (including administrative building, zoning, health, and fire officials) and its police officers upon the premises described herein at any hours of the day or night and that they shall have free access to the described premises and every part thereof for the purpose of inspecting the premises and the records of this applicant relating to the operation of the premises, and purchase and sale of alcoholic beverages. I (We) further certify and affirm that I (the partnership) and its employees do hereby waive any and all rights that they may have under the Constitution of the United States and the State of North Dakota, relative to searches and seizures without issuance of search warrant, and the Applicant(s) does hereby agree that such immunities shall never be claimed by them, and that such entry, inspection, search and seizure may be made at any time without a search warrant, which waiver of rights is acknowledged to be a condition of licensure.

Dated on this 14th day of April, 2026.

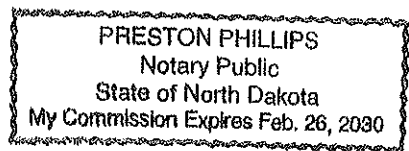
Individual or Partnership:

Signature: [Handwritten Signature]
Vice President

Signature: _____

NOTARY:

Subscribed and sworn to before me on this 14th day of April, 2026.



(Notary Seal)

[Handwritten Signature]
Signature of Notary

Individual

STATE OF NORTH DAKOTA)
)
COUNTY OF MORTON)

I, _____, being first duly sworn, deposes and says that they are the individual who executed the foregoing and above affidavit of application completeness and accuracy, sworn statement of licensure conditions, and agreement of right to entry by city personnel, that they have read each question and statement contained therein and knows the contents thereof to be true and accurate, and that they have furnished the answers set forth in said application, and that each one of said answers is true to the best of their knowledge.

Dated on this _____ day of _____, 20_____.

Signature: _____

NOTARY:

Subscribed and sworn to before me on this _____ day of _____, 20_____.

Signature of Notary

(Notary Seal)

OR

Partnership

STATE OF NORTH DAKOTA)
)
COUNTY OF MORTON)

We, Sean Foss and _____, being first duly sworn, deposes and says that they are the partners in the partnership identified herein, and who executed the foregoing and above affidavit of application completeness and accuracy, sworn statement of licensure conditions, and agreement of right to entry by city personnel, that they have read each question and statement contained therein and knows the contents thereof to be true and accurate, and that they have furnished the answers set forth in said application, and that each one of said answers is true to the best of their knowledge.

Dated on this 14th day of April, 2026.

Signature: Sean Foss
Vice President

Signature: _____

NOTARY:

Subscribed and sworn to before me on this 14th day of April, 2026.

PRESTON PHILLIPS
Notary Public
State of North Dakota
My Commission Expires Feb. 26, 2030

(Notary Seal)

Signature of Notary

OFFICE USE ONLY

Date Application was submitted: _____

\$250 Application Fee Paid: Y N Date: _____

Finance Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Police Department Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Building Inspection Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Fire Department Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Health Department Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Date of Commission Consideration: _____

Months of License Year: _____

Prorated Annual License Fee: \$ _____ Date: _____

License Issuance Fee: \$ _____ Date: _____

Commission Approval: Y N

Joseph Metzel Work History

2026 – Baymont of Mandan

2025 – Baymont of Mandan

2024 – Ramada of Bismarck

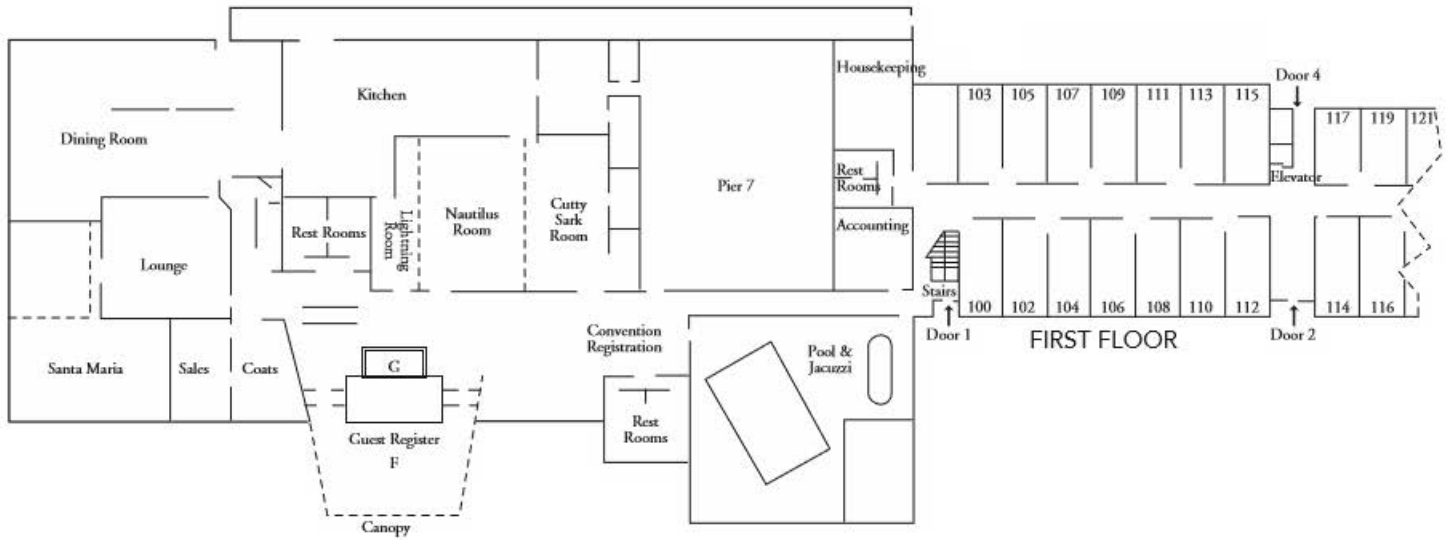
2023 – Fort Abraham Lincoln Foundation - Mandan

2023 – Ramada of Bismarck

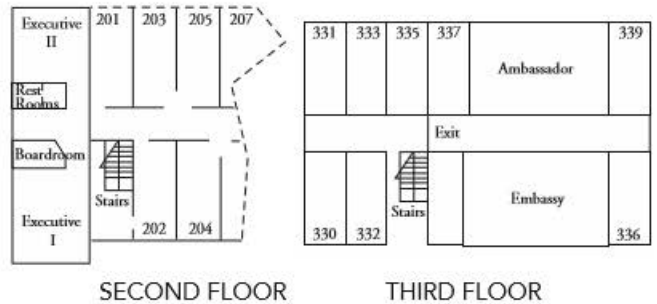
2020 – New York To Go - Bismarck

2020 – Dakota Staffing – Bismarck/Mandan

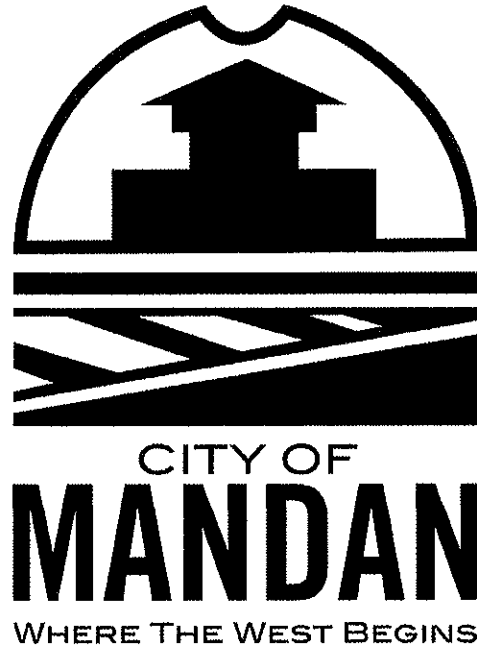
SOUTH



NORTH



I-94 & Exit 152 • 2611 Old Red Trail • Mandan, North Dakota 58554
(701) 663-7401 • FAX (701) 663-0025



**Individual or Partnership
Liquor License
Application**

City of Mandan Liquor License Application Information

It is required that the applicant(s) read and understand the City of Mandan Municipal Code Chapter 4 related to Alcoholic Beverages before submitting a completed application.

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If at any time, the applicant has any questions or concerns, they can contact the Finance Department at:

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Email: businesslicensing@cityofmandan.com

Mailing Address: 205 2nd Ave NW Mandan, ND 58554

The Applicant will also need to contact Western Plains Public Health and the State of North Dakota Attorney General's Office for other licensing needed for the City license to be valid.

**City of Mandan Liquor License Fees
Effective as of July 1, 2022**

Annual License Fee

Class	License	Fee
Class A	General Retail On & Off Sale Beer & Liquor	\$4,100
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Special B	Publicly Owned or Operated Facilities On Sale Beer	\$380
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Class C	Motel & Hotel On & Off Sale Beer & Liquor	\$3,850
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License Issuance Fee

Class	License	Fee
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Class D1	Exclusive Off Sale Beer & Wine	\$40,000

Other Liquor License & Permit Fees

License/Permit	Fee
Application Fee (New Liquor License Applications Only)	\$250
Late Application (Liquor License Renewal Applications Only)	\$50
Special Event—Alcohol Vendor Permit	\$50
Special Catering Permit	\$25
Special Catering Permit (less than 7 days prior to event)	\$50

Legal Name of Company (Must match State of ND Registration) ME Wines LLC			
Name of Business at which license is requested (DBA) Aquilon		Business Phone Number 701-214-4746	
Business Address (Physical Street Address) 418 West Main Street	City Mandan	State ND	Zip Code 58554
Legal Description of Property (Lot & Block) LOT 14 (LESS W 4" OF S 43' OF 14) - 3268		Applicant must attach a diagram of the physical layout of licensed premises including at a minimum: doors, storage areas, and areas where liquor/beer is purchased and consumed.	
Mailing Address [REDACTED]	City Hopkins	State MN	Zip Code 55343
Contact Person Brandon Ehlis	Contact Person Phone Number [REDACTED]	Contact Person E-mail Address [REDACTED]	
Are you applying as: <input checked="" type="checkbox"/> An Individual <input type="checkbox"/> A Partnership			
Type of License: Class A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> D1 <input type="checkbox"/> E <input checked="" type="checkbox"/> F <input type="checkbox"/> WB <input type="checkbox"/> MP <input type="checkbox"/> DY <input type="checkbox"/> BWO <input type="checkbox"/> SPEC. B <input type="checkbox"/> H <input type="checkbox"/>			

1a. If business is owned by an individual, please provide the name, current address and any other address in the last 5 years, date of birth, and driver's license # and state issued, and citizenship of the individual. It is required that the applicant list the individual name, addresses for the last 5 years, date of birth, and driver's license number, and citizenship, the privacy of which will be maintained by the City of

1b. If business is owned by a partnership, give the name of the partnership and the names, current addresses and any other addresses in the last 5 years, dates of birth, and driver's license numbers and state issued, and citizenship for each member of the partnership. It is required that the applicant list each individual's name, addresses for the last 5 years, date of birth, and driver's license number, and citizenship, the privacy of which will be maintained by the City of Mandan, but is required for the proper background checks.

[REDACTED]

[REDACTED]

[REDACTED]

United States Of America Citizen

[REDACTED]

[REDACTED]

2. Name of Individual who is to be in charge of the day-to-day operations and management of the licensed premises, and who will be responsible for complying with the municipal ordinances and state laws covering the operation of the premises. (If the manager changes during the course of the license period you must provide the Finance Department with the updated information about the new manager immediately.)

Name Brandon Ehlis			
Address 420 1/2 West Main Street	City Mandan	State ND	Zip Code 58554
Date of Birth [REDACTED]	Age [REDACTED]	Citizenship USA	
If naturalized, give date and place of Naturalization			
Please list all other places of residence in the last five (5) years 420 1/2 West Main Street, Mandan, ND 58554 61 7th Ave S, Hopkins, MN 55343 15501 Excelsior Blvd, Minnetonka MN 55345			

3. It is required that the applicant attach a separate list showing the occupations and employers of each individual listed in Items 1a, 1b, and 2 during the last five (5) years. → SELF EMPLOYED

4. Have any of the individuals identified in Item 1a, 1b, and 2 ever engaged in the sale or distribution of alcoholic beverages (as an owner, manager, or employee) previously?

Yes No If yes, the applicant must attach a separate page explaining in detail the location, type of business, and date of license or employment.

5. Have any of the individuals identified in Item 1a, 1b, and 2 ever has a license of any kind (including alcoholic beverage license, other business license, or motor vehicle license) suspended, revoked, or not renewed by any local, state or federal agency?

Yes No If yes, the applicant must attach a separate page explaining the violation in detail

6. Have any of the individuals identified in Item 1a, 1b, and 2 ever been convicted of a any crime other than minor traffic violations (but including reckless driving or driving under the influence)?

Yes No If yes, the applicant must attach a separate page explaining the violation in detail.

7. Do any of the individual identified in Item 1a, 1b, and 2 have any interest whatsoever in any other liquor establishment, either wholesale or retail, within or outside of the state of North Dakota. The interest which must be disclosed also includes a right of inheritance by law or will?

Yes No If yes, the applicant must attach a separate page explaining in detail.

8. List all the names, addresses, dates of birth, and driver's license numbers and state issued for all individuals who are authorized to make purchases for the business at which the license is to be used and located. It is required that the applicant list each individual's name, addresses for the last 5 years, date of birth, and driver's license number, the privacy of which will be maintained by the City of Mandan, but is required for the proper background checks.

[REDACTED]
3 addresses in the last 5 years 420 1/2 West Main Street, Mandan, ND 58554 61 7th Ave S, Hopkins, MN 55343 15501 Excelsior Blvd, Minnetonka MN 55345

9. List all the names, addresses, dates of birth, and driver's license numbers and state issued for all individuals who are authorized to sign checks used to pay payroll and expenses of the business at which the license is to be used. It is required that the applicant list each individual's name, addresses for the last 5 years, date of birth, and driver's license number, the privacy of which will be maintained by the City of Mandan, but is required for the proper background checks.

[REDACTED]

3 addresses in the last 5 years
420 1/2 West Main Street, Mandan, ND 58554

61 7th Ave S, Hopkins, MN 55343

15501 Excelsior Blvd, Minnetonka MN 55345

10. Does the applicant certify that all property taxes have been paid to date on the license premises?

Yes No *If property taxes are not paid, the application will not be consider complete.*

11. If licensed premises is owned by the Applicant, please provide the date of purchase. 8-1-2007

If licensed premises is leased or under contract for deed, the Applicant must attach a copy of executed and dated lease or contract.

12. Does anyone other than the Individual or Partnership applying for this alcoholic beverage license or the business owning the premises have any right, estate, or interest in the lease hold, building, furniture, fixtures, or equipment in the premises for which the license is requested?

Yes No *If yes, the applicant must attach a separate page explaining in detail.*

13. Does the Individual or Partnership applying for this alcoholic beverage license have any agreement, contract, understanding, or intention to have any agreement, contract, or understanding to obtain this license for another, or to operate the business for another, for as agent for another?

Yes No *If yes, the applicant must attach a separate page explaining in detail.*

14. Does the Individual or Partnership applying for this license, engage in any business other than that for which the license is sought or intending to engage in any business other than for the sale of alcoholic beverages under the license for which this application has been made?

Yes No *If yes, the applicant must attach a separate page explaining in detail.*

15. Does the building or structure in which the business is to be conducted meet all applicable state and local building, health, and zoning regulations and requirements?

Yes No

16. List the names, addresses, and phone numbers for at least 3 business references.

Brian Masseth- Butcher Block Meats 701-400-4955

Mike Kennedy- Copper Dog 612-599-8498

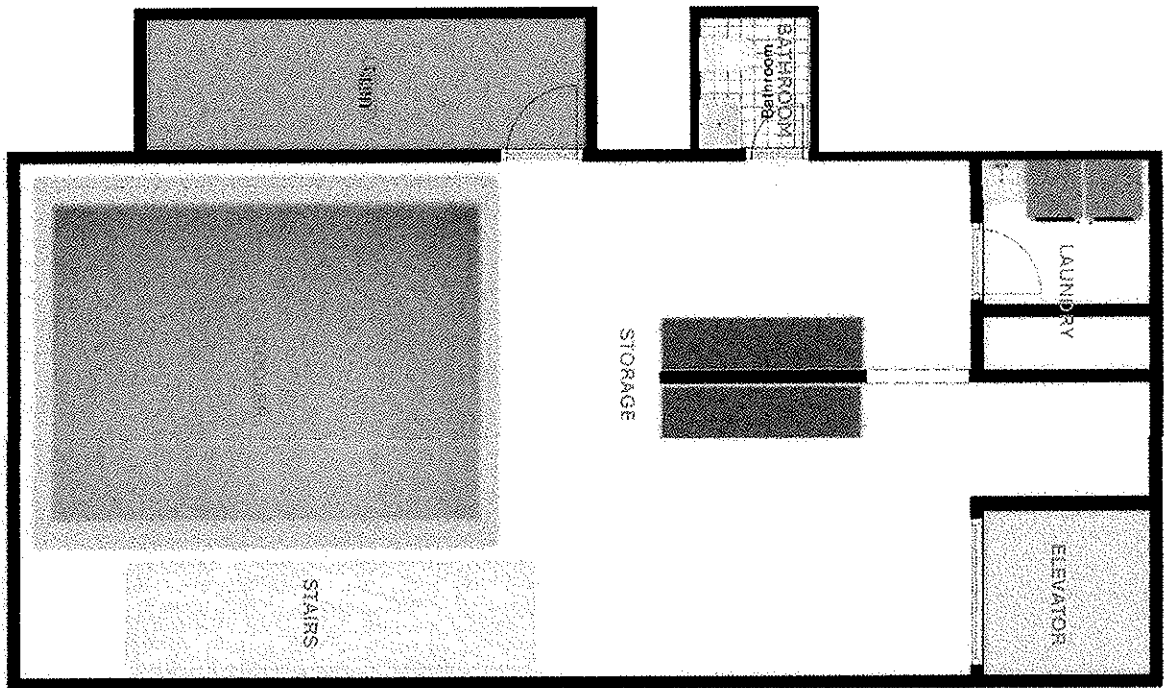
Troy Steiner- Professional Athlete 599-578-6814

For this application to be considered complete, please make sure you attach the following on separate pages:

1. Diagram of physical layout of licensed premises including entrances, exits, interior doors, windows, tables, coolers, storage, room dividers, and areas where liquor can be purchased and consumed. If the licensed site is part of a larger building such as restaurant, areas such as mixing, serving, and storage must be identified. The diagram should be submitted on a plain 8.5x11 sized paper. The diagram should also include the agency name and the direction "North". The diagram may be hand drawn, but it must be neat and reasonably accurate.
2. A list of occupations and employers for each individual listed in answers to Item 1, 2, and 3 for the last 5 years.
3. If the licensed premise is leased, a copy of the executed and dated lease.
4. Any explanations required by answering any question with "Yes".

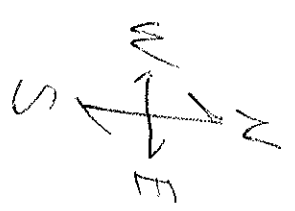
Application continues on the next page.

Lower Level

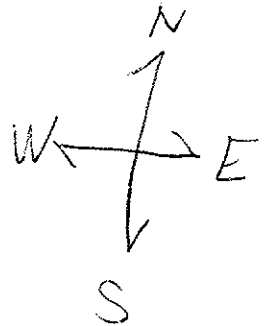


Apartment

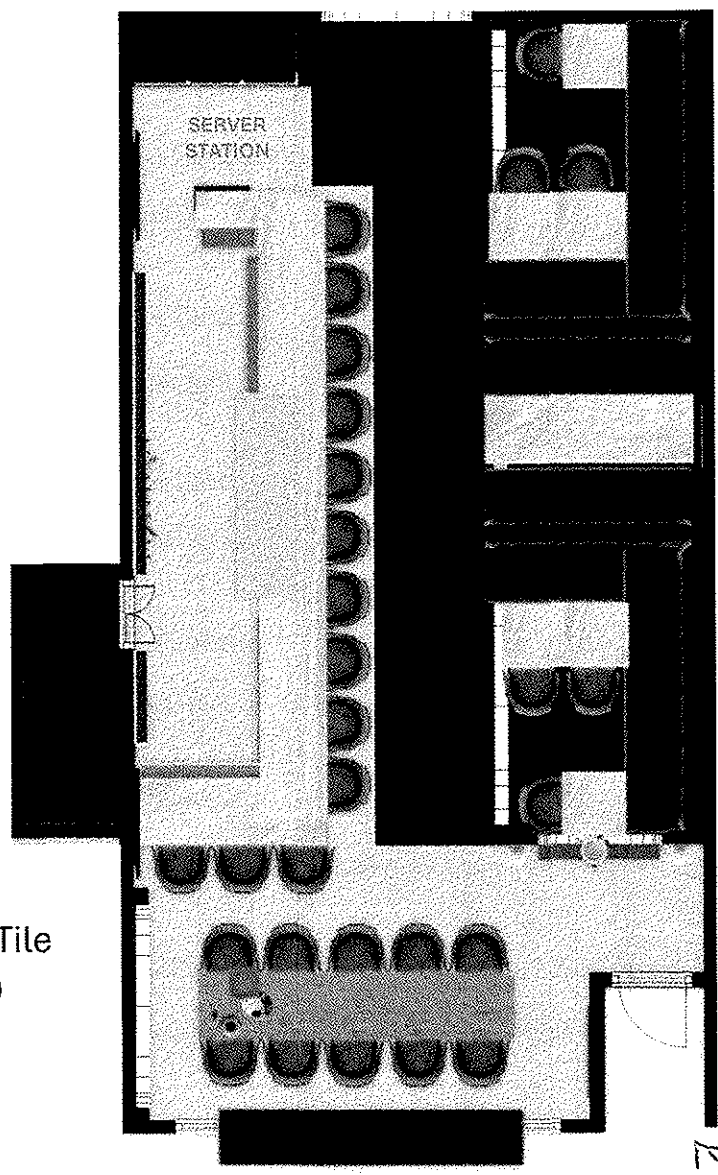
Basement



Aquilon



Restaurant
Seating Capacity: 45



Hardwood
(walkway & dining)
←

Ceramic/Porcelain Tile
(front/entry/bar)
→

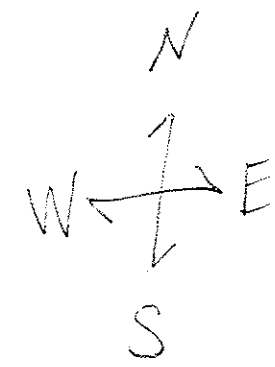
FRONT
EXIT

418 WEST MAIN ST

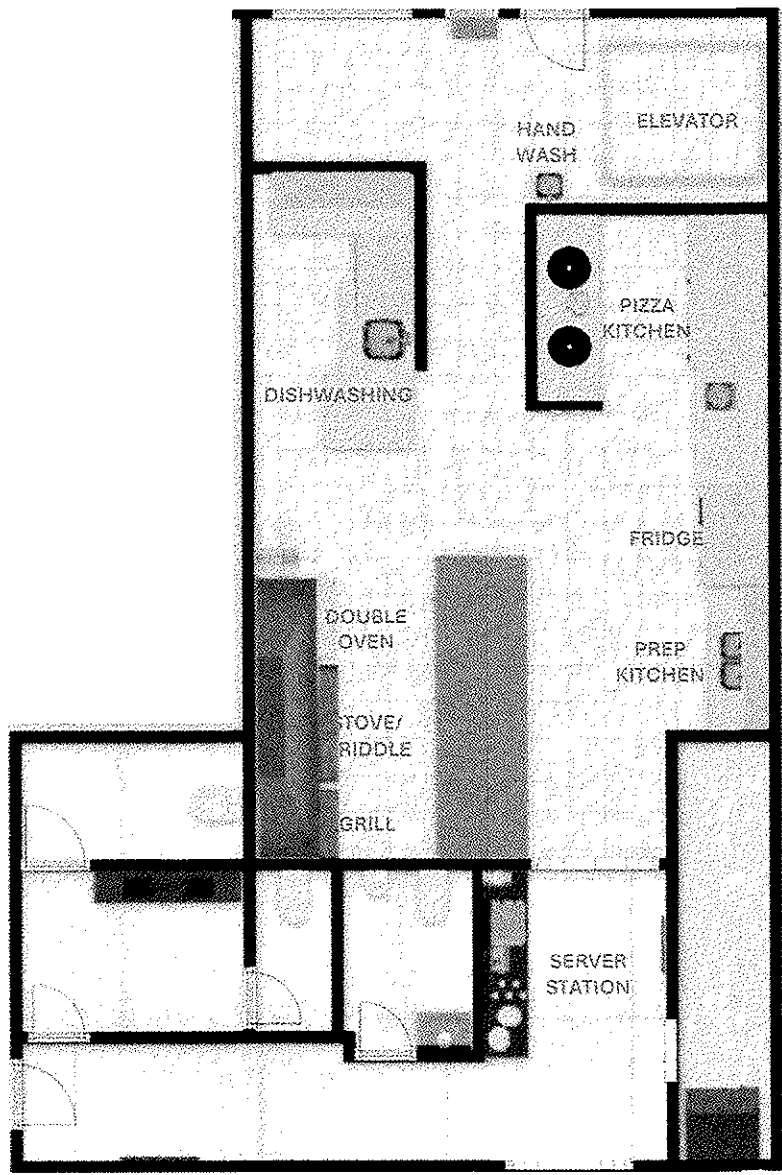
418 West MAIN STREET

Aqualoni

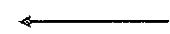
BACK EXIT



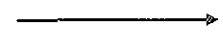
Kitchen & Restrooms



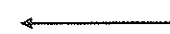
Quarry Tile (kitchen)



Ceramic/Porcelain Tile (hallway & restrooms)



Stairwell



STATE OF NORTH DAKOTA)
) ss.
COUNTY OF MORTON)

Affidavit of Application Completeness and Accuracy,
Sworn Statement of Conditions of Licensure,
and Agreement of Right to Entry of City Personnel

I (We), Brandon Ellis and Benjamin Matelich having been sworn and under oath, state that I (we) am (are) the named Owner or Partners, of the above named business or partnership which hereby applies for the above referenced alcoholic beverage license in the City of Mandan, and I (we) do hereby certify that the above information is true and correct to the best of my (our) knowledge and beliefs.

I (We) do further certify that said Individual or Partnership and employees will abide by the provisions of Chapter 12-01, 12-02, and 12-03 of the Mandan Code of Ordinances and any amendments thereto, as well as all applicable laws of the State of North Dakota, and the United States Government and that said Owners/Partnership and its employees will not permit the violation of any law, rule, or regulation on the premises at which the license is authorized. I (We) further certify that I (the Partnership) acknowledge that this license will only authorize the retail sale of liquor, including beer, wine, and other spirits as defined by the North Dakota Century Code, and limited by this application, at the premises designated in the application and depicted on the attached diagram.

I (We) do further certify and affirm on behalf of myself or the partnership and its employees that I (the partnership) will not sell or permit the sale of alcoholic beverages to a minor, incompetent person, or anyone who is under the influence, or a habitual drunkard and that I (we) will accept any penalty including, suspension or revocation of license for any violation of said prohibited sales.

I (We) do further certify and affirm that the applicant or partnership understand and acknowledge that any license granted under this application confers no property right to the applicant or licensee, and that said license will not be transferable except by specific authority of the Mandan Board of City Commissioners.

I (We) do further certify and affirm that the applicant (partnership) and its employees do hereby consent to the entry of any city official (including administrative building, zoning, health, and fire officials) and its police officers upon the premises described herein at any hours of the day or night and that they shall have free access to the described premises and every part thereof for the purpose of inspecting the premises and the records of this applicant relating to the operation of the premises, and purchase and sale of alcoholic beverages. I (We) further certify and affirm that I (the partnership) and its employees do hereby waive any and all rights that they may have under the Constitution of the United States and the State of North Dakota, relative to searches and seizures without issuance of search warrant, and the Applicant(s) does hereby agree that such immunities shall never be claimed by them, and that such entry, inspection, search and seizure may be made at any time without a search warrant, which waiver of rights is acknowledged to be a condition of licensure.

Dated on this 10th day of April, 2026.

Individual or Partnership:

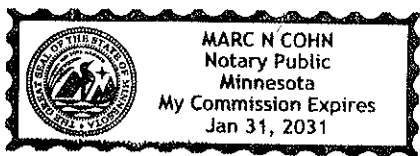
Signature: Brandon Ellis

Signature: Benjamin Matelich

NOTARY:

Subscribed and sworn to before me on this 10th day of April, 2026.

(Notary Seal)



Marc N. Cohn
Signature of Notary

Individual

~~STATE OF NORTH DAKOTA)
COUNTY OF MORTON)~~
Minnesota
Hennepin

I, Marc N Cohn, being first duly sworn, deposes and says that they are the individual who executed the foregoing and above affidavit of application completeness and accuracy, sworn statement of licensure conditions, and agreement of right to entry by city personnel, that they have read each question and statement contained therein and knows the contents thereof to be true and accurate, and that they have furnished the answers set forth in said application, and that each one of said answers is true to the best of their knowledge.

Dated on this 10th day of April, 2026.

Signature: Marc N Cohn

NOTARY:

Subscribed and sworn to before me on this _____ day of _____, 20____.

Signature of Notary

(Notary Seal)

OR

Partnership

~~STATE OF NORTH DAKOTA)
COUNTY OF MORTON)~~
Minnesota
Hennepin

We, Brandon Ehlis and Benjamin Mateich, being first duly sworn, deposes and says that they are the partners in the partnership identified herein, and who executed the foregoing and above affidavit of application completeness and accuracy, sworn statement of licensure conditions, and agreement of right to entry by city personnel, that they have read each question and statement contained therein and knows the contents thereof to be true and accurate, and that they have furnished the answers set forth in said application, and that each one of said answers is true to the best of their knowledge.

Dated on this 10th day of April, 2026.

Signature: Brandon Ehlis

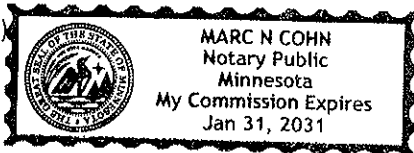
Signature: Benjamin Mateich

NOTARY:

Subscribed and sworn to before me on this 10th day of April, 2026.

Marc N Cohn
Signature of Notary

(Notary Seal)



OFFICE USE ONLY

Date Application was submitted: _____

\$250 Application Fee Paid: Y N Date: _____

Finance Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Police Department Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Building Inspection Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Fire Department Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Health Department Review Completed By: _____ Date: _____

Did application advance to the next step? Y N

Date of Commission Consideration: _____

Months of License Year: _____

Prorated Annual License Fee: \$ _____ Date: _____

License Issuance Fee: \$ _____ Date: _____

Commission Approval: Y N



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 11, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Annual Liquor License Renewals

STATEMENT/PURPOSE:

All liquor licenses must be renewed & approved by the Board of City Commissioners on an annual basis.

BACKGROUND/ALTERNATIVES:

See attached spreadsheet for the received liquor license renewal applications to be approved. More are to be expected at the next June 2, 2026 City Commission meeting.

- **TNC, Inc (dba Ohm's Cafe) - Class E**
- **Bismarck-Mandan Stock Car Assoc. Inc. (Dacotah Speedway) - Class Spec. B**
- **Pit Masters LLC (Dicky's Barbecue Pit) - Class F**
- **Miller & Holmes, Inc. (M&H Gas) - Class D1**
- **LC Bar, Inc. (dba Last Call Bar) - Class A**
- **Tri-Energy Cooperative (Cenex Memorial) - Class D1**
- **Farmer's Union Oil Co. of Moorhead, MN (Petro Serve USA #078) - Class D1**
- **Farmer's Union Oil Co. of Moorhead, MN (Petro Serve USA #079) - Class D1**
- **River Partners, Inc. (The Paddle Trap) - Class A**
- **Walmart #2033 - Class D**
- **Midway Lanes - Class A**
- **Fraternal Order of Eagles Aerie 2451 - Class B**
- **Mandan Bennigans Inc - Class E**
- **A&B Pizza Mandan Inc - Class E**
- **Rice Bowl Chinese Restaurant - Class F**

Subject: Consider approval of the Class A, B, Special B, D, D1, E, F, ~~H~~, WB liquor license renewal applications effective July 1, 2026

- **Blackstone Tavern** - Class C
- **TALR LLC** (*The Hideaway Bar & Grill*) - Class A
- **Mandan Moose Lodge #425** - Class B
- **Buffalo Commons Brewing Co.** - Class WB
- **Powerhouse/501 Bar & Grill** - Class A
- **Captain Jack's #7049** - Class D
- **Stryker Enterprises LLC** (*Main Street Drive Thru Liquor*) - Class A

ATTACHMENTS:

1. (for city commission) 2026-2027 Liquor License Renewals & New Issuances

FISCAL IMPACT:

Annual Renewal Fees are payable at the time of application.

STAFF IMPACT:

Review and processing of the applications

LEGAL REVIEW:

n/a

RECOMMENDATION:

to approve

SUGGESTED MOTION:

I move to approve the Class A, B, Special B, D, D1, E, F, and WB liquor license renewal applications for the year from July 1, 2026 to June 30, 2027, contingent on the establishment meeting all fire, health, safety, and building inspection codes, *all fees* and property taxes being paid.

RENEWALS

License Holder Name	Class Type	Class Description	License #	Fee Paid
TNC, Inc. DBA Ohm's Café	E	Restaurant On Sale Beer & Liquor	57	\$2,630
Bismarck-Mandan Stock Car Assoc. Inc. DBA Dacotah Speedway	Spec. B	Publicly Owned or Operated Facilities On Sale Beer	1	\$380
Pit Masters LLC DBA Dickey's Barbecue Pit	F	Restaurant On Sale Beer & Wine	40	\$1,210
Miller & Holmes, Inc. DBA M&H Gas	D1	Exclusive Off Sale Beer & Wine	4	\$820
LC Bar, Inc. CBA Last Call Bar	A	General Retail On & Off Sale Beer & Liquor	56	\$4,100
Tri-Energy Cooperative DBA Tri-Energy Cenex - Memorial	D1	Exclusive Off Sale Beer & Wine	45	\$820
Farmers Union Oil Company of Moorhead, MN DBA Petro Serve USA #078	D1	Exclusive Off Sale Beer & Wine	6	\$820
Farmers Union Oil Company of Moorhead, MN DBA Petro Serve USA #079	D1	Exclusive Off Sale Beer & Wine	7	\$820
River Partners, Inc DBA The Paddle Trap	A	General Retail On & Off Sale Beer & Liquor	28	\$4,100
Walmart #2033	D	Exclusive Off Sale Beer & Liquor	13	\$4,100
Midway Lanes Inc	A	General Retail On & Off Sale Beer & Liquor	5	\$4,100
Fraternal Order of Eagles Aerie 2451	B	Club On & Off Sale Beer & Liquor	29	\$3,720
Mandan Bennigan's Inc DBA Mandan Bennigan's	E	Restaurant On Sale Beer & Liquor	18	\$2,630
A&B Pizza Mandan Inc DBA A&B Pizza Mandan	E	Restaurant On Sale Beer & Liquor	21	\$2,630
Rice Bowl LLC DBA Rice Bowl Chinese Restaurant	F	Restaurant On Sale Beer & Wine	3	\$1,210
OM Kanch LLC DBA Blackstone Tavern	C	Motel/Hotel On & Off Sale Beer & Liquor	58	\$3,850
TALR LLC DBA The Hideaway Bar & Grill	A	General Retail On & Off Sale Beer & Liquor	36	\$4,100
Mandan Moose Lodge #425	B	Club On & Off Sale Beer & Liquor	19	\$3,720
Buffalo Commons Brewing Co. DBA Buffalo Commons Brewing	WB	Winery or Brewery	15	\$820
J&C Investments, Inc. DBA Powerhouse/501 Bar & Grill	A	General Retail On & Off Sale Beer & Liquor	20	\$4,100
Coborn's Incorporated DBA Captain Jack's #7049	D	Exclusive Off Sale Beer & Liquor	10	\$4,100
Stryker Enterprises LLC DBA Main Street Drive Thru Liquor	A	General Retail On & Off Sale Beer & Liquor	23	\$4,100

22 renewals for 5/19/26 CC approval

NEW ISSUANCES

License Holder Name	Class Type	Class Description	Fee Paid	License #
GHM Mandan Holding Co. LLC DBA Baymont Inn & Suites	C	Motel/Hotel On & Off Sale Beer & Liquor	\$3,850	67
ME Wines LLC DBA Aquilon	E	Restaurant On Sale Beer & Liquor	No	68

2 new issuances for 5/19/26 CC approval



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 7, 2026
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Dakota Media Access (DMA) Board Appointment

STATEMENT/PURPOSE:

To consider an appointment to the DMA Board of Directors.

BACKGROUND/ALTERNATIVES:

DMA requests Mandan resident, Jillian Lagasse be considered for appointment to serve on the DMA Board of Directors for a four-year term expiring July 31, 2030.

ATTACHMENTS:

1. DMA Board Member Mandan Appointee Lagasse

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

I recommend the appointment of Jillian Lagasse to the DMA Board of directors with a term expiring July 31, 2030.

SUGGESTED MOTION:

I move to appoint Jillian Lagasse to the DMA Board of directors with a term expiring July 31, 2030.

City Commission

Agenda Documentation

May 19, 2026

Subject: Consider the appointment of Jillian Lagasse to the Dakota Media Access Board of Directors

Page 2 of 2



April 17, 2026

Honorable Mayor James Froelich
Mandan City Commissioners
Mandan City Hall
205 2nd Avenue NW
Mandan, ND 58554

Dear Mayor Froelich and Mandan City Commissioners:

Dakota Media Access (DMA) requests Mandan resident, Jillian Lagasse be considered for appointment to serve on the DMA Board of Directors for a four-year term expiring July, 2030.

Current DMA Board Members include:

Mandan Appointees (terms expire):

Renée Murrish, Signature Events, Mandan Cares, ND Aviation Association (2028)

Craig Sjoberg, Mandan City Commission Liaison

Kari Schmidt - Communications Specialist, City of Mandan (Advisory)

Bismarck Appointees (terms expire):

Jack McDonald, Wheeler Wolf Attorneys (2026)

Rebecca Thiem, (2026)

Robin Thorstenson, ND Dept. of Human Services (2028)

Rick Collin, (2028)

Dave Diebel, D&N Cinematics (2027)

Steve Koontz, Bismarck Public Schools (2027)

Amy Sisk, Robins Kaplan LLP (2027)

Michael Connelly, Bismarck City Commission Liaison

Kalen Ost, Communications Strategist, City of Bismarck (Advisory)

Thank you for your consideration.

Sincerely,

Jack McDonald, President
Tom Gerhardt, Executive Director



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 11, 2026
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Dave Wiosna
SUBJECT: Consider a minor plat for Bryan Subdivision

STATEMENT/PURPOSE:

Consider a minor plat for Bryan Subdivision

BACKGROUND/ALTERNATIVES:

This plat is a request to subdivide an auditor's lot into two lots.

Property History

The property is located at 4081 Sunny Lane S. The auditor's lot is part of Lot B of Lot 1 of Lot E, in Section 29, Township 139N, Range 81W, request is to subdivide into two lots.

Minor Plat

This plat creates 2 lots from 3.48 acres, with Lot 1 containing 1.70 acres and Lot 2 1.78 acres.

Adjacent Properties Zoning, Land Use and Future Land Use

This property and all surrounding properties are zoned R7 - Residential Single Family. The Future Land Use Plan designates this property as High Density Residential. The property is located in the extra territorial area.

Staff Comments

- The minor plat appears to protect access to existing and proposed lots.
- Zoning for both proposed lots is unchanged - R7 - Residential Single Family. Staff notes that proposed Lot 1 has an existing house, while proposed Lot 2 has an existing shop/shed. In pre-planning meetings, applicant has stated the intention to construct a home on Lot 2, which would make it conform to allowable uses in the R7 district.

- Lot sizes are adequate for septic and drain field

Findings of Fact

Minor Plat

1. All technical requirements for consideration of a minor plat have been met;
2. The proposed lot configuration would likely not have substantial effects on the surrounding properties or generate significantly increased traffic;
3. The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
4. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed subdivision is consistent with the Comprehensive Plan, the Future Land Use Plan, and other plans and studies, policies and accepted planning practice;
6. The proposed subdivision would not adversely affect the public health, safety and general welfare.

ATTACHMENTS:

1. Application_Redacted
2. Bryan Subdivision Final Plat
3. Bryan Sub. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

Planning staff recommends approval of the minor plat for Bryan Subdivision.

SUGGESTED MOTION:

I move to recommend approval of the minor plat for Bryan Subdivision.

CITY OF MANDAN	
Development Review Application	
<input checked="" type="checkbox"/>	Minor Plat (\$300)
<input type="checkbox"/>	Preliminary Plat up to 20 acres (\$450)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$500)
<input type="checkbox"/>	Final Plat up to 20 lots (\$450)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$600)
<input type="checkbox"/>	Final Plat more than 40 lots (\$750)
<input type="checkbox"/>	Annexation (\$450)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)
<input type="checkbox"/>	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)
<input type="checkbox"/>	Zone Change (\$600)
<input type="checkbox"/>	Planned Unit Development (\$700)
<input type="checkbox"/>	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Vacation (\$500)
<input type="checkbox"/>	Variance (\$400)
<input type="checkbox"/>	Special Use Permit (\$450)
<input type="checkbox"/>	Stormwater submittal (\$300)
<input type="checkbox"/>	Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/>	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)	
Subdivide Auditor's Lot into two lots	

Engineer/Surveyor			Property Owner or Applicant		
Name Toman Engineering Co.			Name Wayne & Jacolynn Haugen		
Address [REDACTED]			Address [REDACTED]		
City	State	Zip	City	State	Zip
Mandan	ND	58554	Mandan	ND	58554
email [REDACTED]			email [REDACTED]		
Phone [REDACTED]		Fax	Phone [REDACTED]		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
City	ETA	New	Addition	R7	No Change	Bryan Subdivision	
Property Address				Legal Description			
4081 Sunny Ln S				Part of Lot "B" of Lot 1 of Lot "E"			
Current Use				Residential			
Proposed Use				No Change			
Parcel Size		Building Footprint		Stories	Building SF	Required Parking	Provided Parking
3.48 Ac±						Section 29	Township 139 N
						Range 81 W	

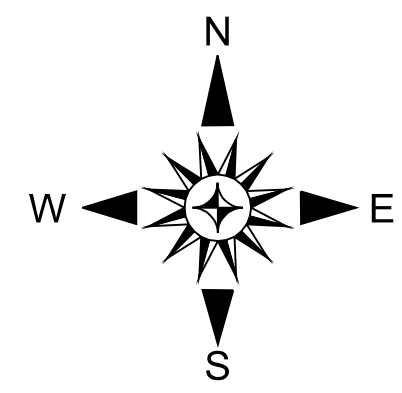
Print Name <i>Wayne Haugen</i>	Signature <i>Wayne Haugen</i>	Date 4-29-26
-----------------------------------	----------------------------------	-----------------

Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: \$ 300	Date: 4-30-2026
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

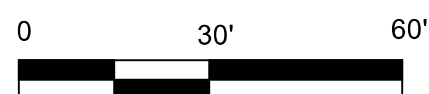
BRYAN SUBDIVISION

OF MORTON COUNTY, NORTH DAKOTA

PART OF LOT "B" OF LOT 1 OF LOT E OF THE SW1/4 OF SECTION 29, T139N-R81W OF MORTON COUNTY, NORTH DAKOTA



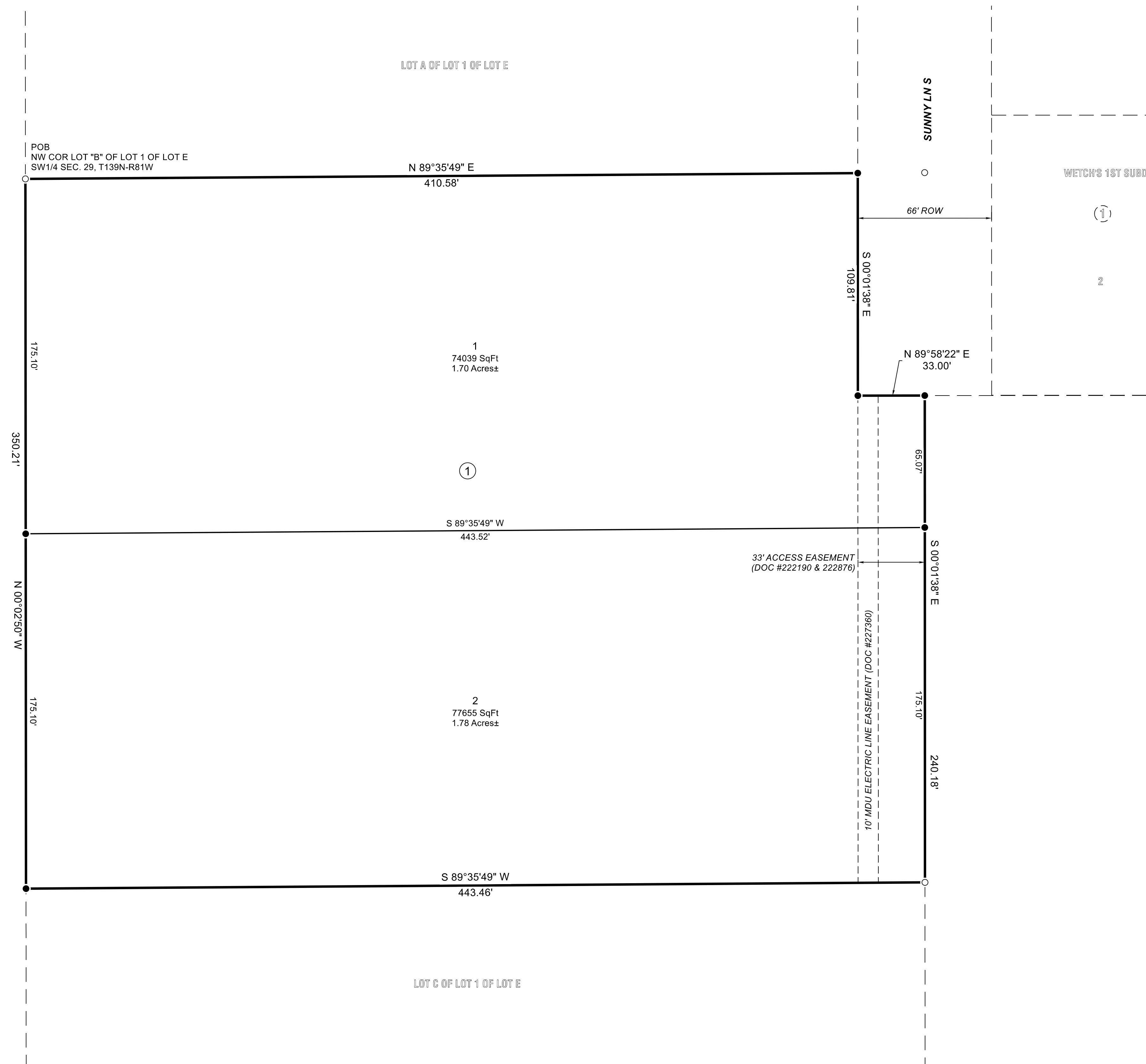
4-29-2026



HORIZ. DATUM: NAD83
VERT. DATUM: NAVD88

LEGEND

- FOUND REBAR MONUMENT
- SET REBAR MONUMENT



DESCRIPTION OF PROPERTY

A TRACT OF LAND BEING A PART OF LOT "B" OF LOT 1 OF LOT E OF THE SW1/4 OF SECTION 29, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT "B" OF LOT 1 OF LOT E OF THE SW1/4 OF SECTION 29, T139N-R81W; THENCE NORTH 89°35'49" EAST ALONG THE NORTH BOUNDARY LINE OF SAID LOT "B" FOR 410.58 FEET TO A POINT ON THE WEST BOUNDARY LINE OF WETCH'S FIRST SUBDIVISION OF MORTON COUNTY, NORTH DAKOTA; THENCE SOUTH 00°01'38" EAST ALONG SAID WEST BOUNDARY LINE FOR 109.81 FEET TO THE SOUTHWEST CORNER OF SAID WETCH'S FIRST SUBDIVISION; THENCE NORTH 89°58'22" EAST ALONG THE SOUTH BOUNDARY LINE OF SAID WETCH'S FIRST SUBDIVISION FOR 33.00 FEET TO A POINT ON THE EAST BOUNDARY LINE OF SAID LOT "B"; THENCE SOUTH 00°01'38" EAST ALONG SAID EAST BOUNDARY LINE FOR 240.18 FEET TO THE SOUTHWEST CORNER OF SAID LOT "B"; THENCE SOUTH 89°35'49" WEST ALONG THE SOUTH BOUNDARY LINE OF SAID LOT "B" FOR 443.46 FEET TO THE SOUTHWEST CORNER OF SAID LOT "B"; THENCE NORTH 00°02'50" WEST ALONG THE WEST BOUNDARY LINE OF SAID LOT "B" FOR 350.21 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 3.48 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, ANDRA L. MARQUARDT, NORTH DAKOTA REGISTERED LAND SURVEYOR NO. 4623, HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED BY MY FORCES UNDER MY SUPERVISION THE PROPERTY DESCRIBED HEREON AND I HAVE PREPARED THE ACCOMPANYING PLAT, FURTHER, THAT DISTANCES INDICATED HEREON ARE IN FEET AND HUNDREDTHS THEREOF, AND BEARINGS ARE INDICATED IN QUADRANTS AND DEGREES, MINUTES, AND SECONDS THEREOF; FURTHER, THAT SAID PLAT DOES TRULY SHOW THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ANDRA L. MARQUARDT, RLS 4623

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING THE SOLE OWNERS OF THE LAND PLATTED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT, AND DO DEDICATE ALL THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS AS SHOWN HEREON, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATERLINES, SIDEWALKS AND OTHER IMPROVEMENTS ON OR UNDER SUCH STREETS, ALLEYS OR OTHER PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN HEREON OR NOT, TO PUBLIC USE FOREVER. WE ALSO DEDICATE EASEMENTS TO RUN WITH THE LANDS FOR WATER, SEWER, GAS, ELECTRICITY, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OF SERVICES UNDER, ON OR OVER THESE CERTAIN STRIPS OF LAND DESIGNATED AS "UTILITY EASEMENTS".

WAYNE W. HAUGEN

JACOLYNN HAUGEN

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS ____ DAY OF _____, 2026.

NOTARY PUBLIC
COUNTY, _____
MY COMMISSION EXPIRES: _____

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MANDAN, HAS ACCEPTED THE DEDICATION OF ALL PARKS AND PUBLIC GROUNDS SHOWN HEREON, FURTHERMORE, SAID BOARD OF CITY COMMISSIONERS HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS SHOWN HEREON AS AN AMENDMENT TO THE MASTER STREET PLAN OF THE CITY OF MANDAN, THE FOREGOING ACTION BY THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, HAS TAKEN BY RESOLUTION THIS ____ DAY OF _____, 2026.

JIM NEUBAUER -
CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF
THE BOARD OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA HEREBY APPROVES "BRYAN SUBDIVISION," OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

OWNER:
WAYNE W & JACOLYNN HAUGEN
4081 SUNNY LN S
MANDAN, ND 58554

BASIS OF BEARING:
NORTH BOUNDARY LINE
NORTH 89° 35' 49" EAST

NOTES

1. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
2. THE ENTIRE PROPERTY LIES WITHIN THE 100-YEAR FLOODPLAIN (ZONE AE) PER FEMA FIRM PANEL MAP NO. 38059C0480E, EFFECTIVE DATE 10/10/2015. BFE: 1663.5± (NAVD88)



TOMAN ENGINEERING COMPANY
501 1st Street NW, Mandan, ND 58554
Ph: 701-663-6483 * www.tomanengineering.com



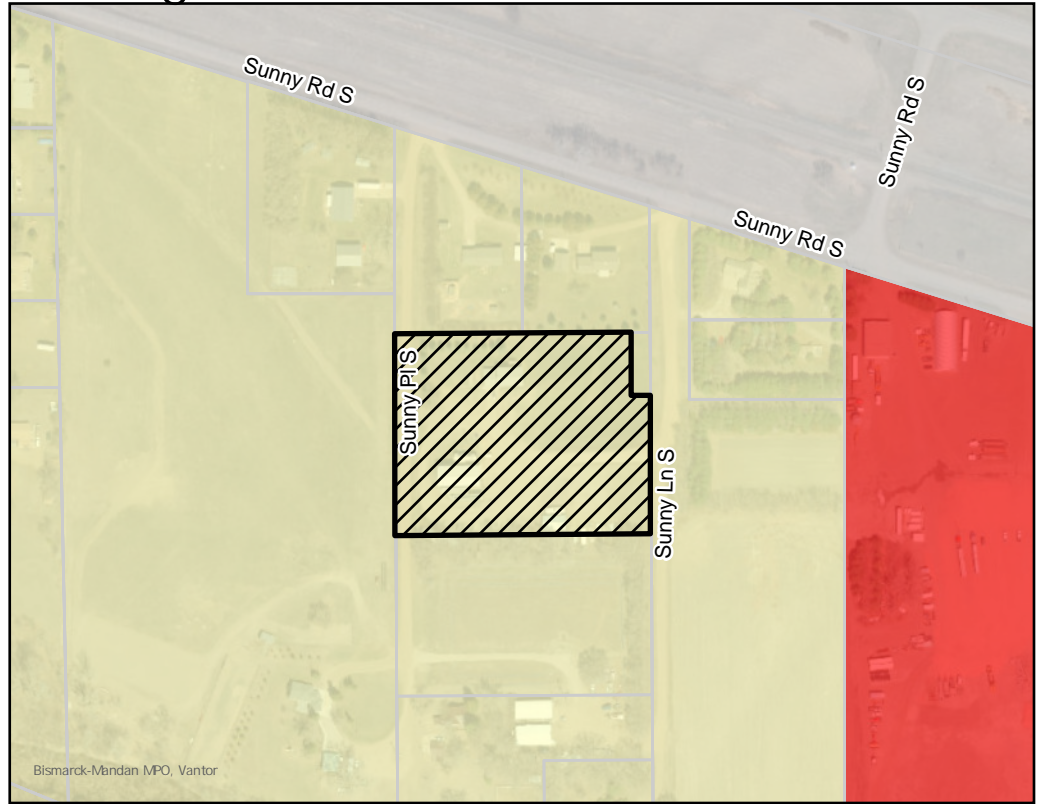
Zoning and Future Land Use Reference Map

Bryan Subdivision

Zoning

Zoning Map Key

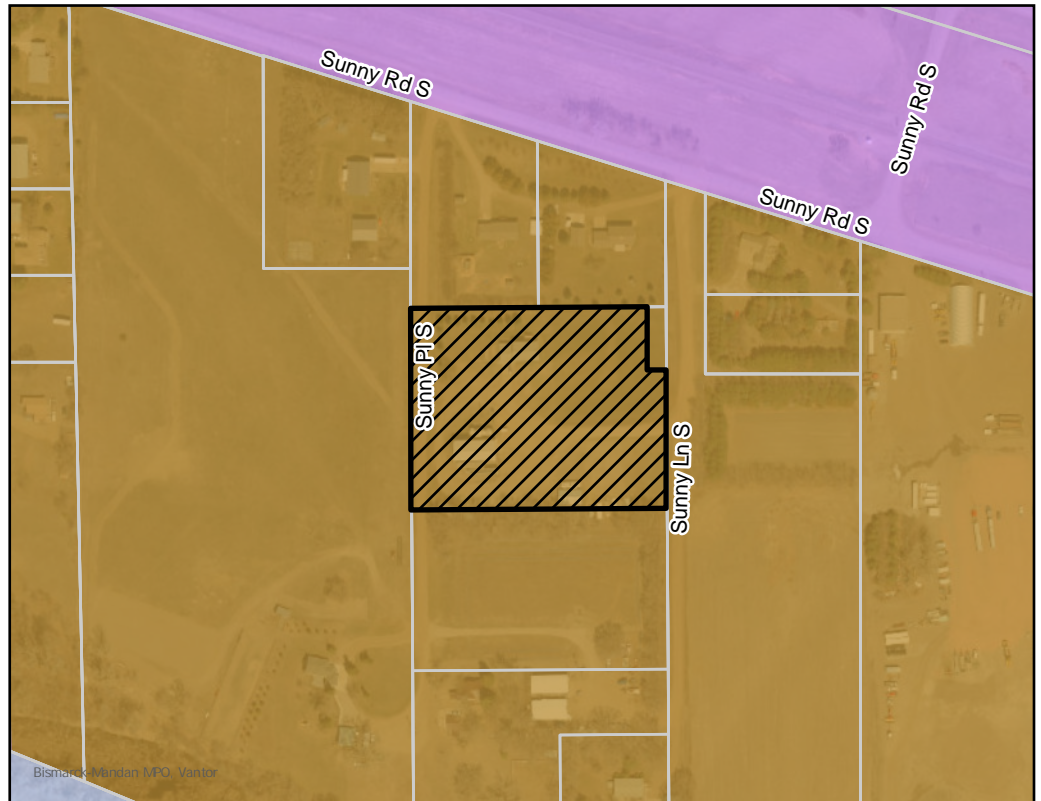
- | | |
|---|---|
| Agriculture - City of Mandan | MC - Heavy Commercial/Light Industrial Restricted |
| Agriculture - Morton County | MD - Heavy Commercial/Heavy Industrial Restricted |
| CA - Neighborhood Commercial | MHS - Trailer Park |
| CB - Business Commercial | PUD - Planned Unit Development |
| CC - Commercial/Light Industrial Transition | R3.2 - Residential Single & Two Family |
| DC - Downtown Core | R7 - Residential Single Family |
| DF - Downtown Fringe | RH - Residential Mobile Home Park |
| Industrial - Morton County | RM - Residential Multi-family Dwellings |
| LSMHS - Trailer Park Subdivision | RMH - Residential Mobile Home Subdivision |
| MA - Heavy Commercial/Light Industrial | Residential - County Residential Zoning |
| MB - Heavy Commercial/Heavy Industrial | ROW - Right-of-Way |
| Proposed Site | |



Future Land Use Plan

Future Land Use Plan Key

- | |
|----------------------------|
| Rural Residential |
| Low Density Residential |
| Medium Density Residential |
| High Density Residential |
| Commercial |
| Industrial |
| Public/Semi-Public |
| Public Land |
| Park |
| Greenways |
| Open Space |
| Open Water |
| Proposed Site |





City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 11, 2026
SUBMITTING DEPARTMENT:
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT:

STATEMENT/PURPOSE:

BACKGROUND/ALTERNATIVES:

ATTACHMENTS:
None

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 12, 2026
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the 2026 Missouri River Recreational Boating Safety (RBS) grant agreement

STATEMENT/PURPOSE:

Consider approval of the 2026 Missouri River Recreational Boating Safety (RBS) grant agreement

BACKGROUND/ALTERNATIVES:

As in past years, Mandan Police Department will work with the North Dakota Game & Fish Department to patrol the Missouri River in the Bismarck/Mandan area during the 2026 summer boating season.

ATTACHMENTS:

1. 2026 mandan mou_001
2. 2026 River Enf - RBS Grant Agreement - Mandan
3. Exhibit 3
4. Exhibit 2

FISCAL IMPACT:

The grantor will reimburse the allowable expenses incurred while performing Boating Law Enforcement on the Missouri River, in the Bismarck/Mandan area during the summer boating season.

STAFF IMPACT:

Officers can choose to sign up for river patrol outside their scheduled shifts.

LEGAL REVIEW:

Attorney Amy Oster has reviewed the 2026 Missouri River RBS grant agreement.

City Commission

Agenda Documentation

May 19, 2026

Subject: Consider approval of the 2026 Missouri River Recreational Boating Safety (RBS) grant agreement

Page 2 of 2

RECOMMENDATION:

I recommend approving the 2026 Missouri River RBS grant agreement.

SUGGESTED MOTION:

I move to approve the 2026 Missouri River RBS grant agreement.

Memorandum of Understanding

Operational Plan for the Missouri River Patrol Team

The North Dakota Game and Fish Department (NDGF), the City of Mandan, Morton County, the City of Bismarck and Burleigh County (individually “department” and collectively, the “Parties”) agree to cooperate and coordinate their law enforcement efforts on the Missouri River.

Purpose

The purpose of this document is to outline an operational work plan to efficiently coordinate and enhance law enforcement on the Missouri River, in the Bismarck/Mandan area, during the summer boating season.

Responsibilities of Parties

Therefore, the Parties agree that:

A. Personnel

1. Officers from each department who sign up for the Missouri River Patrol Team will be working for their own department and are still employed by their own department but will be under this operational plan of the NDGF Enforcement Division and will be participating with the other departments’ personnel. Participation by officers from each department, other than ND Game and Fish personnel, is voluntary and with the approval of their own department.

B. Salary and expenses

1. An officer who works a shift on the Missouri River Patrol Team will be compensated by his or her own department. NDGF will reimburse a department for the prorated salary cost of the officer’s shift including overtime as appropriate.
2. To be eligible for reimbursement under this MOU, a department’s officer must be signed up and receive written approval by their department to work under this operational plan.

C. Uniform and duty gear

1. NDGF will provide uniforms, except for department patches. The uniform will consist of a patrol polo shirt, with appropriate department patches, black shorts or pants and grey ball cap. It will be up to the individual officer to provide the footwear. A “boat shoe” is acceptable, (i.e. Keen, Merrill) or a tennis shoe preferably in a black or grey color. Officers choosing to wear pants may wear their duty boots.
2. Officers shall wear their department’s duty gear in accordance with their own department’s policy.

D. Patrol duties

1. The Missouri River Patrol Team will be staffed with a minimum of two officers.
2. NDGF will contact officers that have signed up the week prior to service to verify time and place of assignment.
3. Officers will work from NDGF Enforcement boats and when applicable, Sheriff’s Department boats.
4. An officer in charge will be assigned to each day’s duty assignment.
5. NDGF agrees to reimburse a department a minimum of two hours work time if an officers arrives for an assigned shift but the shift is subsequently canceled by the officer in charge. If a shift is cancelled, the officer in charge will either contact the scheduled officer directly with notice of the cancellation or notify the officer’s applicable shift commander to request they notify the scheduled officer(s). NDGF will not provide reimbursement for any claims when a **shift is cancelled prior to the start of the shift.**
6. Officers should also check in with the assigned officer in charge to verify if their shift is still on schedule a minimum of 4 hours prior to the start of the shift.


E. Training

1. NDGF will provide training to officers new to the River Patrol to familiarize officers with boating laws and river operations.
 2. NDGF will provide training to returning officers on an as needed basis.
- F. NDGF is responsible for the overall operational control and scheduling.
- G. This MOU may be amended and or renewed at any time by mutual written consent.
- H. Any department may withdraw or terminate its involvement with the MOU by providing written notice to the Parties at least 30 days in advance of the effective date of the termination. If terminated, the Parties will agree upon termination conditions, including the termination date, and in the event of partial termination, the portion to be terminated. The Parties will not incur any new obligations for the terminated portion after the effective date and will cancel as many outstanding obligations as possible.
- I. Each department shall comply with all laws, rules, and policies, including those relating to nondiscrimination, accessibility and civil rights. Each department shall timely file all required reports, make required payroll deductions, and timely pay all taxes and premiums owed, including sales and use taxes and unemployment compensation and workers' compensation premiums. Each department shall have and keep current at all times during the term of this contract all licenses and permits required by law.
- J. This MOU will commence on May 1, 2026 or the date at which this MOU is signed, whichever comes later, and shall remain in effect until September 30, 2026.

Signed this _____ day of _____ 20____

Jason Ziegler, Chief
Mandan Police Department

Signed this 7 day of May 2026



Scott Winkelman, Chief Game Warden
ND Game & Fish Dept. – Enforcement Division

2026 Missouri River – RBS GRANT AGREEMENT

The **AGREEMENT** is made and entered into by and between the **Mandan Police Department** hereinafter referred to as the Grantee, and the North Dakota Game and Fish Department, hereinafter referred to as the Grantor.

Whereas, Grantee and the Grantor are mutually interested and desire to cooperate and coordinate their law enforcement efforts on the Missouri River.

Whereas, Grantor agrees to reimburse the allowable expenses incurred by the grantee while performing Boating Law Enforcement on the Missouri River, in the Bismarck/Mandan area, during the summer boating season, pursuant to the guidelines set forth by the National Recreational Boating Safety Program, and the Memorandum of Understanding Operational Plan for the Missouri River Patrol Team.

Specifically, Grantee shall agree to:

1. Perform activities relating to the Boating Law Enforcement on the Missouri River, in the Bismarck/Mandan area, during the summer boating season as outlined in the MOU Operational plan **(see Exhibit 1)**.
2. Submit all requests for reimbursement under this agreement to the ND Game and Fish Department **by July 15, 2026 (for expenditures dated May 1 through June 30) and by September 30, 2026 (for expenditures dated July 1 through September 30)**. Requests are to be accompanied by an itemized listing of expenses and/or photocopies of receipts, procurement supporting documentation, proof of payment, and must verify match incurred by Grantee.
3. Certify by signing this agreement that it possesses legal authority to apply for the Federal assistance; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
4. Notify the Grantor promptly of all potential claims that arise from or result from this agreement. The Grantee shall take all reasonable steps to preserve all physical evidence and information which may be relevant to the circumstances surrounding a potential claim, while maintaining public safety, and to grant to the State the opportunity to review and inspect such evidence, including the scene of an accident.
5. Perform as an independent entity under this agreement. The Grantee, its employees, agents, or representatives are not employees of the state of North Dakota for any purpose, including but not limited to the application of the Social Security Act, the Fair Labor Standards Act, F.I.C.A., F.U.C.A., the North Dakota Unemployment Compensation and Workers Compensation Acts, and the provisions of North Dakota Century Code Chap. 32-12.2. No part of this agreement may be construed to represent the creation of an employer-employee relationship. The Grantee shall retain sole discretion in the manner and means of carrying out the obligations and responsibilities to be performed under this agreement, except to the extent specified in this agreement. Grantee does not have the authority to contract for or incur obligations on behalf of the State.
6. Certify by signing this agreement that neither them, a Subcontractor, nor their principals, are

presently debarred, declared ineligible or voluntarily excluded from participation in transactions with the State or Federal Government by any Department or Agency of the Federal Government.

7. The Grantee also certifies by signing this agreement that the Grantee's procurement systems, policies, procedures and standards comply with the requirements of 2 CFR part 200. The systems, policies, procedures, and standards are available for review. See: https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

8. Comply with 2 CFR 200.217 Whistleblower protections.

An employee of a recipient or subrecipient must not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in [paragraph \(a\)\(2\) of 41 U.S.C. 4712](#) information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant. The recipient and subrecipient must inform their employees in writing of employee whistleblower rights and protections under [41 U.S.C. 4712](#). See statutory requirements for whistleblower protections at [10 U.S.C. 4701](#), [41 U.S.C. 4712](#), [41 U.S.C. 4304](#), and [10 U.S.C. 4310](#).

9. Provide the Grantor with the information necessary to comply with the Grantor's Federal Funding Accountability and Transparency Act (FFATA) requirements (**Exhibit 2**).
10. Take a physical inventory of the property/equipment purchased wholly or in part with Federal funds and the results will be reconciled with their property records at least once every two years.
11. Not encumber, dispose of in any manner, or use for purposes inconsistent with the original project, the property/equipment purchased wholly or in part with Federal funds without prior written approval of Grantor. To do so, or to terminate the agreement during the useful life of the equipment will require Grantee to reimburse the Grantor for the project costs.
12. Give Grantor advanced notice of any proposed equipment purchases costing in excess of \$10,000 per unit. Grantor must obtain approval from the Coast Guard prior to purchase.
13. Comply with all applicable program and grant requirements, terms, conditions, and assurances established by Department of Homeland Security for sub-grant recipients of Federal funds including those in **Exhibit 3**.

Also: See 2 CFR Part 200, 200.317 – 200.326, Procurement.

- (1) Grantee procurement of services and supplies under \$10,000 require one reasonable informal price or rate quote from a qualified source. Grantee procurement of services and supplies between \$10,000 and the Simplified Acquisition Threshold (currently \$350,000) require 3 informal price or rate quotes from qualified sources. Grantee procurement of services and supplies over the Simplified Acquisition Threshold (currently \$350,000) require publicly solicited formal sealed bids (a firm fixed price contract is awarded to the responsible bidder whose bid conforms to all of the terms and conditions of in the invitation for bids, and is the lowest in price) or competitive proposals (a fixed

price or cost-reimbursement contract is awarded to the responsible firm whose proposal is most advantageous to the program with price and other factors considered. Grantee procurement by noncompetitive proposals need prior written USFWS and Grantor authorization.

- (2) Grantee must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. See link for small business vendors:
<https://www.sba.gov/partners/contracting-officials/small-business-procurement>
- (3) A Grantee that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.
- (4) The Grantee must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold (currently \$350,000) including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the Grantee must make independent estimates before receiving bids or proposals.

The Grantee must negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred, or cost estimates included in negotiated prices would be allowable for the Grantee under 2 CFR Part 200, Subpart E—Cost Principles of this part. The Grantee may reference its own cost principles that comply with the Federal cost principles.

The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

14. Acknowledge the use of Boating Safety Financial Assistance Funds under the US Department of Homeland Security, ALN 97.012, in any publications resulting from this grant.

Specifically, Grantor shall agree to:

1. Provide a grant to the grantee for performing boating safety related activities. Grantor agrees to reimburse 100% (50% federal funds, 50% state funds) of the grantee's allowable expenses not to exceed **\$2,000.00** in accordance with the guidelines set forth by the National Recreational Boating Safety Program and the Memorandum of Understanding Operational Plan for the Missouri River Patrol Team after being furnished legitimate proof of expenditures.
2. Provide the following grant-related information:
 - (1) Federal Award Identification.
 - (a) Federal Award Identification Number (FAIN); 70Z02324MO0002736
 - (b) Federal Award Date; 10/01/23
 - (c) Subaward Period of Performance Start and End Date; 5/1/26 – 9/30/26
 - (d) Amount of Federal Funds Obligated by this action; \$1,000.00
 - (e) Total Amount of the Federal Award; \$1,063,175 to date
 - (f) Contact information for awarding official (Jackie Lundstrom, NDGFD, (701) 328-6606),
 - (g) Award is not R&D;
 - (h) Current NDGFD Indirect cost rate is 57.51%.

Specifically, it is agreed that:


1. This agreement shall commence on **May 1, 2026**, or the date at which this agreement is signed, whichever comes later, and shall remain in effect until **September 30, 2026**.
2. It is further agreed that this agreement may be amended at any time by written mutual consent.
3. All parties agree that each will assume its own liability for any and all claims of any nature including all costs, expenses and attorney's fees which may in any manner result from or arise out of this agreement.
4. In accordance with 2 CFR 200, all parties agree to cooperate fully to meet the requirements which necessitate a single audit if cumulative federal funds received from all sources is greater than \$1,000,000. This may include submittal of audit results to the Grantor or to another auditing body.

5. Termination for Lack of Funding or Authority: The Grantor may terminate this agreement upon delivery of written notice, if funding from federal, state, and or other source is not sufficient to allow continuation of this project. This agreement is also contingent upon approval of the State Historical Preservation Officer from an archaeological site maintenance perspective. Termination shall be without prejudice to any obligations or liabilities of either party already accrued prior to termination.
6. Termination for Cause: If through any cause Grantee shall fail to fulfill in a timely and proper manner its obligations under this agreement or shall violate any of the terms of this agreement, the Grantor shall thereupon have the right to terminate this agreement forthwith by giving written notice to Grantee of such termination and specifying the effective date thereof. The rights and remedies of the Grantor provided in the above related defaults by the Grantee are not exclusive and are in addition to any other rights and remedies provided by law or under this agreement.
7. Termination without cause: This Agreement may be terminated by mutual consent of both parties, or by either party upon thirty (30) days written notice and delivered by certified mail or in person.
8. Applicable Law and Venue: This agreement shall be governed by and construed in accordance with the laws of the State of North Dakota. Any action to enforce this contract must be adjudicated exclusively in the State District Court of Burleigh County, North Dakota
9. Merger and Modification: This agreement constitutes the entire agreement between the parties. No alteration, amendment, or modification in the provisions of this agreement shall be affective unless it is reduced to writing and signed by both parties.
10. Assignment and Subcontracts: The Grantee shall not have the authority to contract for or on behalf of or incur obligations on behalf of the State. However, the Grantee may subcontract with qualified Vendors of services provided that any such subcontract shall acknowledge the binding nature of this agreement, and incorporate this agreement, together with its attachments as appropriate. The Grantee agrees to be solely responsible for the performance of any subcontractor.
11. Confidentiality: The Grantee agrees not to use or disclose any information it receives from the Grantor under this agreement that is confidential or exempt from mandatory public disclosure except as necessary to carry out the purposes of this agreement or as authorized in advance by the Grantor. The Grantor agrees not to disclose any information it receives from the Grantee which the Grantee has previously identified as confidential and which the Grantor determines in its sole discretion is protected from mandatory public disclosure under a specific exception to the North Dakota open records law, North Dakota Century Code § 44-04-18. The duty of the Grantor and the Grantee to maintain confidentiality of information under this section continues beyond the term of this agreement, including any extensions or renewals.
12. Compliance with Public Records Law: The Grantee understands that, except for disclosures prohibited in Section 11 - Confidentiality, the Grantor must disclose to the public upon request any records it receives from Grantee. Grantee further understands that any records which are obtained or generated by the Grantee under this agreement, except for records that are confidential under Section 11, may, under certain circumstances, be open to the public upon request under the North Dakota open records law. Grantee agrees to contact the Grantor immediately upon receiving a request for information under the open records law and to comply with the Grantor's instructions on how to respond to the request.

13. Retention of Records: The Grantee agrees to retain financial records for a period of three years from the date of submission of the final expenditure report or if subject to audit, until such audit is completed and closed, whichever occurs later. The Grantor, the ND State Auditor, and the federal government (if applicable), and their duly authorized representatives shall have access to the books, documents, papers, and records of the Grantee which are pertinent to the services provided under this agreement.

This contract is not effective until fully executed by both parties.

Morton County Sheriff's Office - Grantee



Boating Law Administrator, NDGF

Date

May 11, 2026

Date

FY 2025 DHS STANDARD TERMS AND CONDITIONS

The Fiscal Year (FY) 2025 Department of Homeland Security (DHS) Standard Terms and Conditions apply to all new federal awards of federal financial assistance (federal awards) for which the federal award date occurs in FY 2025 and flow down to subrecipients unless a term or condition specifically indicates otherwise. For federal continuation awards made in subsequent FYs, the FY 2025 DHS Standard Terms and Conditions apply unless otherwise specified in the terms and conditions of the continuation awards. The United States has the right to seek judicial enforcement of these terms and conditions.

All legislation and digital resources are referenced with no digital links. These FY 2025 DHS Standard Terms and Conditions are maintained on the DHS website at <https://www.dhs.gov/publication/dhs-standard-terms-and-conditions>.

A. Assurance, Administrative Requirements, Cost Principles, Representations, and Certifications

- I. Recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non- Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances, as instructed.

B. General Acknowledgements and Assurances Recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in effect as of the federal award date and located in Title 2, Code of Federal Regulations, Part 200 and adopted by DHS at 2 C.F.R. § 3002.10.

All recipients and subrecipients must acknowledge and agree to provide DHS access to records, accounts, documents, information, facilities, and staff pursuant to 2 C.F.R. § 200.337.

- I. Recipients must cooperate with any DHS compliance reviews or compliance investigations.
- II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal award and permit access to facilities and personnel.
- III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
- IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements required by law, federal regulation, Notice of Funding Opportunity, federal award specific terms and conditions, and/or DHS Component program guidance. Organization costs related to data and evaluation are allowable. The definition of data and evaluation costs is in 2 C.F.R. § 200.455(c), the full text of which is incorporated by reference.
- V. Recipients must complete DHS Form 3095 within 60 days of receipt of the Notice of Award for the first award under which this term applies. For further instructions and to access the form, please visit: <https://www.dhs.gov/civil-rightsresources-recipients-dhs-financial-assistance>.

FY 2025 DHS STANDARD TERMS AND CONDITIONS

C. Standard Terms & Conditions

I. Acknowledgement of Federal Funding from DHS

Recipients must acknowledge their use of federal award funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal award funds.

II. Activities Conducted Abroad

Recipients must coordinate with appropriate government authorities when performing project activities outside the United States obtain all appropriate licenses, permits, or approvals.

III. Age Discrimination Act of 1975

Recipients must comply with the requirements of the *Age Discrimination Act of 1975*, Pub. L. No. 94-135 (codified as amended at Title 42, U.S. Code § 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

IV. Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

V. Best Practices for Collection and Use of Personally Identifiable Information

(1) Recipients who collect personally identifiable information (PII) as part of carrying out the scope of work under a federal award are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect.

(2) Definition. DHS defines “PII” as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

VI. CHIPS and Science Act of 2022, Public Law 117-167 CHIPS

(1) Recipients of DHS research and development (R&D) awards must report to the DHS Component research program office any finding or determination of sex based and sexual harassment and/or an administrative or disciplinary action taken against principal investigators or co-investigators to be completed by an authorized organizational representative (AOR) at the recipient institution.

(2) Notification. An AOR must disclose the following information to agencies within 10 days of the date/the finding is made, or 10 days from when a recipient imposes an administrative action on the reported individual, whichever is sooner. Reports should include:

(a) Award number,

(b) Name of PI or Co-PI being reported,

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- (c) Awardee name,
- (d) Awardee address,
- (e) AOR name, title, phone, and email address,
- (f) Indication of the report type:
 - (i) Finding or determination has been made that the reported individual violated awardee policies or codes of conduct, statutes, or regulations related to sexual harassment, sexual assault, or other forms of harassment, including the date that the finding was made.
 - (ii) Imposition of an administrative or disciplinary action by the recipient on the reporting individual related to a finding/determination or an investigation of an alleged violation of recipient policy or codes of conduct, statutes, or regulations, or other forms of harassment.
 - (iii) The date and nature of the administrative/disciplinary action, including a basic explanation or description of the event, which should not disclose personally identifiable information regarding any complaints or individuals involved. Any description provided must be consistent with the *Family Educational Rights in Privacy Act*.

(3) Definitions.

- (a) An "authorized organizational representative (AOR)" is an administrative official who, on behalf of the proposing institution, is empowered to make certifications and representations and can commit the institution to the conduct of a project that an agency is being asked to support as well as adhere to various agency policies and award requirements.
- (b) "Principal investigators and co-principal investigators" are award personnel supported by a grant, cooperative agreement, or contract under Federal law.
- (c) A "reported individual" refers to recipient personnel who have been reported to a federal agency for potential sexual harassment violations.
- (d) "Sex based harassment" means a form of sex discrimination and includes harassment based on sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.
- (e) "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment, whether such activity is carried out by a supervisor or by a co-worker, volunteer, or contractor.

VII. Civil Rights Act of 1964 – Title VI

Recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964*, Pub. L. No. 88-352 (codified as amended at 42 U.S.C. § 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS

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implementing regulations for the Act are found at 6 C.F.R. Part 21. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 7.

VIII. Civil Rights Act of 1968

Recipients must comply with Title VIII of the *Civil Rights Act of 1968*, Pub. L. No. 90284 (codified as amended at 42 U.S.C. § 3601 *et seq.*) which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units— i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

IX. Communication and Cooperation with the Department of Homeland Security and Immigration Officials

- (1) All recipients and other recipients of funds under this award must agree that they will comply with the following requirements related to coordination and cooperation with the Department of Homeland Security and immigration officials:
 - (a) They must comply with the requirements of 8 U.S.C. §§ 1373 and 1644. These statutes prohibit restrictions on information sharing by state and local government entities with DHS regarding the citizenship or immigration status, lawful or unlawful, of any individual. Additionally, 8 U.S.C. § 1373 prohibits any person or agency from prohibiting, or in any way restricting, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status of any individual: 1) sending such information to, or requesting or receiving such information from, Federal immigration officials; 2) maintaining such information; or 3) exchanging such information with any other Federal, State, or local government entity;
 - (b) They must comply with other relevant laws related to immigration, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, 8 U.S.C. § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability regarding these statutes;
 - (c) That they will honor requests for cooperation, such as participation in joint operations, sharing of information, or requests for short term detention of an alien pursuant to a valid detainer. A jurisdiction does not fail to comply with this requirement merely because it lacks the necessary resources to assist in a particular instance;
 - (d) That they will provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien; and
 - (e) That they will not leak or otherwise publicize the existence of an immigration enforcement operation.

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- (2) The recipient must certify under penalty of perjury pursuant to 28 U.S.C. § 1746 and using a form that is acceptable to DHS, that it will comply with the requirements of this term. Additionally, the recipient agrees that it will require any subrecipients or contractors to certify in the same manner that they will comply with this term prior to providing them with any funding under this award.
- (3) The recipient agrees that compliance with this term is material to the Government's decision to make or continue with this award and that the Department of Homeland Security may terminate this grant, or take any other allowable enforcement action, if the recipient fails to comply with this term.

X. Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 to any work first produced under federal awards and also include an acknowledgement that the work was produced under a federal award (including the federal award number and federal awarding agency). As detailed in 2 C.F.R. § 200.315, a federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for federal purposes and to authorize others to do so.

XI. Debarment and Suspension

Recipients must comply with the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689 set forth at 2 C.F.R. Part 180 as implemented by DHS at 2 C.F.R. Part 3000. These regulations prohibit recipients from entering into covered transactions (such as subawards and contracts) with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

XII. Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of the *Drug-Free Workplace Act of 1988* (41 U.S.C. §§ 8101-8106).

XIII. Duplicative Costs

Recipients are prohibited from charging any cost to this federal award that will be included as a cost or used to meet cost sharing requirements of any other federal award in either the current or a prior budget period. See 2 C.F.R. § 200.403(f). However, recipients may shift costs that are allowable under two or more federal awards where otherwise permitted by federal statutes, regulations, or the federal award terms and conditions.

XIV. Education Amendments of 1972 (*Equal Opportunity in Education Act*) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (codified as amended at 20 U.S.C. § 1681 *et seq.*), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17. Recipients of a federal award from the Federal Emergency Management Agency (FEMA) must also comply with FEMA's implementing regulations at 44 C.F.R. Part 19.

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XV. Energy Policy and Conservation Act

Recipients must comply with the requirements of the *Energy Policy and Conservation Act*, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. § 6201 *et seq.*), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

XVI. Equal Treatment of Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries.

Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

XVII. Anti-Discrimination

Recipients must comply with all applicable Federal anti-discrimination laws material to the government's payment decisions for purposes of 31 U.S.C. § 372(b)(4).

(1) Definitions. As used in this clause –

- (a) DEI means “diversity, equity, and inclusion.”
- (b) DEIA means “diversity, equity, inclusion, and accessibility.”
- (c) Discriminatory equity ideology has the meaning set forth in Section 2(b) of Executive Order 14190 of January 29, 2025.
- (d) Federal anti-discrimination laws mean Federal civil rights law that protect individual Americans from discrimination on the basis of race, color, sex, religion, and national origin.
- (e) Illegal immigrant means any alien, as defined in 8 U.S.C. § 1101(a)(3), who has no lawful immigration status in the United States.

(2) Grant award certification.

- (a) By accepting the grant award, recipients are certifying that:
 - (i) They do not, and will not during the term of this financial assistance award, operate any programs that advance or promote DEI, DEIA, or discriminatory equity ideology in violation of Federal anti-discrimination laws; and
 - (ii) They do not engage in and will not during the term of this award engage in, a discriminatory prohibited boycott.
 - (iii) They do not, and will not during the term of this award, operate any program that benefits illegal immigrants or incentivizes illegal immigration.

(3) DHS reserves the right to suspend payments in whole or in part and/or terminate financial assistance awards if the Secretary of Homeland Security or her designee determines that the recipient has violated any provision of subsection (2)..

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(4) Upon suspension or termination under subsection (3), all funds received by the recipient shall be deemed to be in excess of the amount that the recipient is determined to be entitled to under the Federal award for purposes of 2 C.F.R. § 200.346. As such, all amounts received will constitute a debt to the Federal Government that may be pursued to the maximum extent permitted by law.

XVIII. False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the *False Claims Act*, 31 U.S.C. §§ 3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

XIX. Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

XX. Federal Leadership on Reducing Text Messaging While Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving recipient-owned, recipient-rented, or privately owned vehicles when on official government business or when performing any work for or on behalf of the Federal Government. Recipients are also encouraged to conduct the initiatives of the type described in Section 3(a) of Executive Order 13513.

XXI. Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (a list of certified air carriers can be found at: [Certificated Air Carriers List | US Department of Transportation](https://www.transportation.gov/policy/aviation-policy/certificated-aircarriers-list), <https://www.transportation.gov/policy/aviation-policy/certificated-aircarriers-list>) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974*, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

XXII. Hotel and Motel Fire Safety Act of 1990

Recipients must ensure that all conference, meeting, convention, or training space funded entirely or in part by federal award funds complies with the fire prevention and control guidelines of Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. § 2225a.

XXIII. John S. McCain National Defense Authorization Act of Fiscal Year 2019

Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the *John S. McCain National Defense Authorization Act for Fiscal Year 2019*, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

XXIV. Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with Title VI of the *Civil Rights Act of 1964* (42 U.S.C. § 2000d *et seq.*) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps

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to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizationsprovide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

XXV. Lobbying Prohibitions

Recipients must comply with 31 U.S.C. § 1352 and 6 C.F.R. Part 9, which provide that none of the funds provided under a federal award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification. Per 6 C.F.R. Part 9, recipients must file a lobbying certification form as described in Appendix A to 6 C.F.R. Part 9 or available on Grants.gov as the Grants.gov Lobbying Form and file a lobbying disclosure form as described in Appendix B to 6 C.F.R. Part 9 or available on Grants.gov as the Disclosure of Lobbying Activities (SF-LLL).

XXVI. National Environmental Policy Act

Recipients must comply with the requirements of the *National Environmental Policy Act of 1969*, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 *et seq.*) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

XXVII. National Security Presidential Memorandum-33 (NSPM-33) and provisions of the CHIPS and Science Act of 2022, Pub. L. 117-167, Section 10254

(1) Recipient research institutions (“covered institutions”) must comply with the requirements in NSPM-33 and provisions of Pub. L. 117-167, Section 10254 (codified at 42 U.S.C. § 18951) certifying that the institution has established and operates a research security program that includes elements relating to:

- (a) cybersecurity;
- (b) foreign travel security;
- (c) research security training; and
- (d) export control training, as appropriate.

(2) Definition. “Covered institutions” means recipient research institutions receiving federal Research and Development (R&D) science and engineering support “in excess of \$50 million per year.”

XXVIII. Non-Supplanting Requirement

Recipients of federal awards under programs that prohibit supplanting by law must ensure that federal funds supplement but do not supplant non-federal funds that, in the absence of such federal funds, would otherwise have been made available for the same purpose.

XXIX. Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, scope of work, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this federal award are incorporated

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by reference. All recipients must comply with any such requirements set forth in the NOFO. If a condition of the NOFO is inconsistent with these terms and conditions and any such terms of the federal award, the condition in the NOFO shall be invalid to the extent of the inconsistency. The remainder of that condition and all other conditions set forth in the NOFO shall remain in effect.

XXX. Patents and Intellectual Property Rights

Recipients are subject to the *Bayh-Dole Act*, 35 U.S.C. § 200 *et seq.* and applicable regulations governing inventions and patents, including the regulations issued by the Department of Commerce at 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Awards, Contracts, and Cooperative Agreements) and the standard patent rights clause set forth at 37 C.F.R. § 401.14.

XXXI. Presidential Executive Orders

Recipients must comply with the requirements of Presidential Executive Orders related to grants (also known as federal assistance and financial assistance), the full text of which are incorporated by reference.

XXXII. Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the *Solid Waste Disposal Act*, Pub. L. No. 89-272 (1965) (codified as amended by the *Resource Conservation and Recovery Act* at 42 U.S.C. § 6962) and 2 C.F.R. § 200.323. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

XXXIII. Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, Pub. L. No. 93-112 (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

XXXIV. Reporting Recipient Integrity and Performance Matters

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of the federal award, then the recipient must comply with the requirements set forth in the government-wide federal award term and condition for Recipient Integrity and Performance Matters is in 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated by reference.

XXXV. Reporting Subawards and Executive Compensation

For federal awards that total or exceed \$30,000, recipients are required to comply with the requirements set forth in the government-wide federal award term and condition on Reporting Subawards and Executive Compensation set forth at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated by reference.

XXXVI. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

(1) Recipients of a federal award from a financial assistance program that provides funding for infrastructure are hereby notified that none of the funds provided under this federal award may be used for a project for infrastructure unless:

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- (a) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
 - (b) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
 - (c) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.
- (2) The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

(3) *Waivers*

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements.

- (a) When the Federal agency has determined that one of the following exceptions applies, the federal awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:
 - (i) applying the domestic content procurement preference would be inconsistent with the public interest;
 - (ii) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
 - (iii) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.
- (b) A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office.
- (c) There may be instances where a federal award qualifies, in whole or in part, for an existing waiver described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov.

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- (4) *Definitions.* The definitions applicable to this term are set forth at 2 C.F.R. § 184.3, the full text of which is incorporated by reference.

XXXVII. SAFECOM

Recipients receiving federal awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. The SAFECOM Guidance is updated annually and can be found at Funding and Sustainment | CISA.

XXXVIII. Subrecipient Monitoring and Management

Pass-through entities must comply with the requirements for subrecipient monitoring and management as set forth in 2 C.F.R. §§ 200.331-333.

XXXIX. System for Award Management and Unique Entity Identifier Requirements

Recipients are required to comply with the requirements set forth in the governmentwide federal award term and condition regarding the System for Award Management and Unique Entity Identifier Requirements in 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated reference.

XL. Termination of a Federal Award

- (1) By DHS. DHS may terminate a federal award, in whole or in part, for the following reasons:
- (a) If the recipient fails to comply with the terms and conditions of the federal award;
 - (b) With the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated; or
 - (c) Pursuant to the terms and conditions of the federal award, including, to the extent authorized by law, if the federal award no longer effectuates the program goals or agency priorities.
- (3) By the Recipient. The recipient may terminate the federal award, in whole or in part, by sending written notification to DHS stating the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if DHS determines that the remaining portion of the federal award will not accomplish the purposes for which the federal award was made, DHS may terminate the federal award in its entirety.
- (4) Notice. Either party will provide written notice of intent to terminate for any reason to the other party no less than 30 calendar days prior to the effective date of the termination.
- (5) Compliance with Closeout Requirements for Terminated Awards. The recipient must continue to comply with closeout requirements in 2 C.F.R. §§ 200.344-200.345 after an award is terminated.

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XLII. Terrorist Financing

Recipients must comply with Executive Order 13224 and applicable statutory prohibitions on transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible for ensuring compliance with the Executive Order and laws.

XLIII. Trafficking Victims Protection Act of 2000(TVPA)

Recipients must comply with the requirements of the government-wide federal award term and condition which implements Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, § 106 (codified as amended at 22 U.S.C. § 7104). The federal award term and condition is in 2 C.F.R. § 175.105, the full text of which is incorporated by reference.

XLIV. Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Pub. L. 107-56

Recipients must comply with the requirements of Pub. L. 107-56, Section 817 of the USA PATRIOT Act, which amends 18 U.S.C. §§ 175–175c.

XLV. Use of DHS Seal, Logo and Flags

Recipients must obtain written permission from DHS prior to using the DHS seals, logos, crests, or reproductions of flags, or likenesses of DHS agency officials. This includes use of DHS component (e.g., FEMA, CISA, etc.) seals, logos, crests, or reproductions of flags, or likenesses of component officials.

XLVI. Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections in 10 U.S.C § 470141 U.S.C. § 4712.

Pgm Mgr: _____ Grant #: _____ Grant Amount: _____ Grant Date: _____

Exhibit 2

**Federal Funding Accountability and Transparency Act (FFATA) Sub-Grantee Information
(2 CFR Part 25 and 2 CFR Part 170)**

Name of Your Organization _____

Unique Entity Identifier - UEI (Register at SAM.gov) _____

Doing Business As _____

Address (Street, City, State, Zip+4, Congressional District) _____

Place of Performance _____

This award is \$30,000 or greater? ___ Yes (Continue to Next Section) ___ No (Skip to Signature)

Please provide the names and total compensation of the five most highly compensated officers/executives **if** in the preceding fiscal year your organization received:

(a) At least 80% of its annual gross revenue from federal contracts, subcontracts, loans, grants, and cooperative agreements **and**

(b) \$25 million or more in annual gross revenues from federal contracts, subcontracts, loans, grants, and cooperative agreements; **and**

(c) The public does not already have access to your data on executive compensation through reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 or section 6104 of the Internal Revenue Code of 1986.

_____ Does not apply (skip to signature line) _____ Applies (provide information below)

Name: _____ Title: _____ Compensation: _____

1. _____

2. _____

3. _____

4. _____

5. _____

I certify that the above documented information accurately represents the organization for which I am a representative.

Authorized Signature

Date

Please return this completed form to ND Game and Fish Department, Attn: Corey Wentland, Business Manager, 100 N Bismarck Expressway, Bismarck, ND 58501-5095. Telephone(701)328-6325



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 15, 2026
SUBMITTING DEPARTMENT: HR
DEPARTMENT DIRECTOR: Amy Berger
PRESENTER: Amy Berger, HR Director
SUBJECT: To approve the presented retroactive retirement plan eligibility amendment and trustee updates

STATEMENT/PURPOSE:

To approve the retroactive amendment to the 401(a) retirement plan related to eligibility age requirements and approve the removal and appointment of trustees for the 457(b) and 401(a) retirement plans.

BACKGROUND/ALTERNATIVES:

The City of Mandan and the Mandan Park District maintain a shared retirement plan for civilian staff through TruStage.

The recommended updates below have been reviewed in consultation with the the plan trustees from both the Park District and the City, and in close collaboration with TruStage consultants to ensure alignment and compliance.

Retroactive Amendment for 401(a) Plan:

On September 16, 2025, the Commission approved amendments to both the 457(b) and 401(a) retirement plans changing the minimum eligibility age from 19 to 18 years old, effective October 1, 2025. During TruStage’s annual valuation process, it was identified that an 18-year-old employee received employer contributions from June through October prior to the amendment’s effective date. To correct this issue and avoid reversing contributions already made to the employee, a retroactive amendment is requested to make the eligibility change effective June 1, 2025.

Update Trustees for 457(b) and 401(a) Plans:

Request approval to remove Terri Welch, Accounting Manager for Mandan Parks and Recreation, and Greg Welch, Finance Director for the City of Mandan, as trustees under both plans. Request approval to add Amy Berger, HR Director for the City of Mandan, and Tyra Riepl, HR Generalist for Mandan Parks and Recreation, as trustees under

both plans.

If approved, the trustees for both plans would be:

- Jim Neubauer, City Administrator, City of Mandan
- Cole Higlin, Executive Director, Mandan Parks and Recreation
- Tyra Riepl, HR Generalist, Mandan Parks and Recreation
- Amy Berger, HR Director, City of Mandan

ATTACHMENTS:

1. Amdt Cycle 3 2 Eligibility eff 06.01.2025

FISCAL IMPACT:

NA

STAFF IMPACT:

NA

LEGAL REVIEW:

Sent to Amy Oster for review

RECOMMENDATION:

To approve the retirement plan retroactive amendment and Trustee updates as presented.

SUGGESTED MOTION:

I move to approve the retirement plan retroactive amendment and Trustee updates as presented.



May 8, 2026

Plan Name: CITY OF MANDAN NORTH DAKOTA EMPLOYEE RETIREMENT PLAN AND TRUST
Contact: Jim Neubauer and Amy Berger

You are receiving this in response to your request to amend your plan. The proposed Amendment Number 2 reflects a retroactive change to **Eligibility** of the Adoption Agreement.

This amendment and adopting resolution must be signed as soon as possible. The amendment cannot take effect unless we receive a signed copy. If you choose not to adopt the amendment, please notify us.

We recommend that you review this with your legal counsel. Please retain in your records and email copies to Intake@BenefitsForYou.com.

A Summary Plan Description Material Modifications (SMM) which reflects the above changes made to your retirement plan is included and will be posted on [BenefitsForYou](#) after the signed amendment is returned.

Pension regulations require disclosure of any changes in the provisions or administration of the plan that is contained in the Summary Plan Description. This disclosure can be satisfied by distributing the SMM, which reflects changes to your plan, to participants and beneficiaries that are eligible and/or have a balance in the plan. You have 210 days after the close of the plan year in which the amendment was adopted to provide a copy to these individuals. We suggest you review the SMM before distributing it. A copy of this SMM should be kept with the original Summary Plan Description.

If you have any questions, please call us at 844.999.2677 or [email MyConsultant](#).

TruStage™ Retirement Solutions

Enclosure

701319

AMENDMENT NUMBER 2
CITY OF MANDAN NORTH DAKOTA EMPLOYEE RETIREMENT PLAN AND TRUST

BY THIS AGREEMENT, City of Mandan North Dakota Employee Retirement Plan and Trust (herein referred to as the "Plan") is hereby amended as follows, effective as of June 1, 2025, except as otherwise provided herein:

1. The section of the Adoption Agreement entitled "CONDITIONS OF ELIGIBILITY" is amended as follows:

CONDITIONS OF ELIGIBILITY (Plan Section 3.1)

- a. **No age and service required.** No age and service required for all Contribution Types (skip to Question 14).
- b. **Eligibility.** An Eligible Employee will be eligible to participate in the Plan upon satisfaction of the following (complete c. and d., select e. and f. if applicable):

Eligibility Requirements

c. **Age Requirement**

- 1. No age requirement
- 2. Age 20 1/2
- 3. Age 21
- 4. Age 18 (may not exceed 26)

d. **Service Requirement**

- 1. No service requirement
- 2. _____ (not to exceed 60) months of service (elapsed time)
- 3. 1 Year of Service
- 4. _____ (not to exceed 5) Years of Service
- 5. _____ consecutive month period from the Eligible Employee's employment commencement date and during which at least _____ Hours of Service are completed.
- 6. _____ consecutive months of employment.
- 7. Other: Completion of 1 Hour of Service during an Eligibility Computation Period (e.g., date on which 1,000 Hours of Service is completed within the computation period) (must satisfy the Notes below)

NOTE: If c.4. or d.7. is selected, the condition must be an age or service requirement that is definitely determinable and may not exceed age 26 and may not exceed 5 Years of Service.

NOTE: Year of Service means Period of Service if the elapsed time method is chosen.

Waiver of conditions. The service and/or age requirements specified above will be waived in accordance with the following (leave blank if there are no waivers of conditions):

- e. If employed on _____ the following requirements, and the entry date requirement, will be waived. The waiver applies to any Eligible Employee unless 3. selected below. Such Employees will enter the Plan as of such date (select 1. and/or 2. AND 3. if applicable):
 - 1. service requirement (may let part-time Eligible Employees into the Plan)
 - 2. age requirement
 - 3. waiver is for: _____

Amendment or restatement to change eligibility requirements

- f. This amendment or restatement (or a prior amendment and restatement) modified the eligibility requirements and the prior eligibility conditions continue to apply to the Eligible Employees specified below. If this option is NOT selected, then all Eligible Employees must satisfy the eligibility conditions set forth above.
 - 1. The eligibility conditions above only apply to Eligible Employees who were not Participants as of the effective date of the modification.
 - 2. The eligibility conditions above only apply to individuals who were hired on or after the effective date of the modification.

The Employer executes this Amendment on the date specified below.

City of Mandan

Date: _____

By: _____
EMPLOYER

[print name/title]

ADOPTING RESOLUTION

The undersigned authorized representative of City of Mandan (the Employer) hereby certifies that the following resolutions were duly adopted by the Employer on the date specified below, and that such resolutions have not been modified or rescinded as of the signature date below:

RESOLVED, that Amendment Number 2, presented to this meeting is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator the amendment.

The undersigned further certifies that attached hereto is a true copy of Amendment Number 2 to City of Mandan North Dakota Employee Retirement Plan and Trust approved and adopted in the foregoing resolution.

Date: _____

By: _____

[print name/title]

**AMENDMENT NUMBER 2 TO
CITY OF MANDAN NORTH DAKOTA EMPLOYEE RETIREMENT PLAN AND TRUST**

**SUMMARY OF PLAN PROVISIONS
MATERIAL MODIFICATIONS**

**I
INTRODUCTION**

This is a Summary of Material Modifications regarding the City of Mandan North Dakota Employee Retirement Plan and Trust ("Plan"). Unless stated otherwise, the modifications described in this summary are effective as of June 1, 2025. This is merely a summary of the most important changes to the Plan and information contained in the Summary Plan Description ("SPD") previously provided to you. It supplements and amends that SPD so you should retain a copy of this document with your copy of the SPD. If you have any questions, contact the Administrator. If there is any discrepancy between the terms of the Plan, as modified, and this Summary of Material Modifications, the provisions of the Plan will control.

**II
SUMMARY OF CHANGES**

1. Eligibility Conditions

You will be eligible to participate in the Plan when you have satisfied the following eligibility condition(s). However, you will actually become a Participant in the Plan once you reach the Entry Date as described below.

- attainment of age .
- Completion of 1 Hour of Service during an Eligibility Computation Period



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 18, 2026
SUBMITTING DEPARTMENT: Administration/Business Development & Communications
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Mandan Progress Organization Event Grants

STATEMENT/PURPOSE:

To consider approval of the Mandan Progress Organization Event Grant recommendations

BACKGROUND/ALTERNATIVES:

City of Mandan has continuously provided \$20,000 to the Mandan Progress Organization (MPO) to be utilized to assist funding events. The MPO has an application and ranking process whereby they make a recommendation to the City regarding the organizations to receive a portion of the \$20,000.

ATTACHMENTS:

1. Commission Presentation Request 2026

FISCAL IMPACT:

\$20,000 budgeted via Sales Tax Fund

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

I recommend approval of the funding recommendations as submitted by the MPO.

SUGGESTED MOTION:

City Commission

Agenda Documentation

May 19, 2026

Subject: *Consider Mandan Progress Organization Event Grant Applications*

Page 2 of 2

I move to approve the funding recommendations as submitted by the MPO.



*Mandan Progress Organization
Executive Director: Matt Schanandore
Office: 701-751-2983
Email: info@mandanprogress.org*

Jim Neubauer
City Administrator
205 2nd Ave NW
Mandan, ND 58554

Dear Mr. Neubauer,

The Mandan Progress Organization is the community leader for executing great experiences and events that benefit the Mandan community. The City of Mandan provides the MPO funds each year to bring new events to the community and assist in keeping established events a continued growth, which allows for the betterment to the citizens of Mandan and its visitors. Provides a basis for an economic impact on the business community and for citizens and its visitors a quality of life. Money is derived from the 1% city sales tax fund and it is budgeted at \$20,000 for the year.

I request the opportunity to come before the Mandan City Commission on May 19th, 2026, to request the \$20,000 grant money budgeted for 2026. Please see attached Agenda Documentation. The 2026 grant cycle received 11 applications with a combined request of \$26,150.00

The 2026 event grant review committee recommended the following grant applications with the recommended funding amount for each awardee.

- State Railroad Museum (Watermelon Days) - \$500
- Musician Association (Summer Concerts) - \$1,000
- MPO (Summer Pyro) - \$4,200
- Buggies and Blues - \$3,500
- Mandan Parade - \$3,200
- Planes and Pancakes - \$1,000
- Friends of Fort Lincoln - \$600
- Dacotah Speedway - \$1,000
- Through the Smoke 5K Run Firefighters - \$1,000
- Friends of the Library - \$800
- Holiday Lights on Main (Grand Lighting) - \$3,200

Total amount awarded - \$20,000

Thanks for your time.

Sincerely,
Matt Schanandore
Executive Director
Mandan Progress Organization.

2025

ANNUAL STATISTICAL REPORT

MANDAN POLICE
DEPARTMENT

PRESENTED BY
CHIEF JASON ZIEGLER



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LETTER FROM THE CHIEF

On behalf of the dedicated men and women of the Mandan Police Department, I am proud to present the 2025 Annual Statistical Report. This report provides a comprehensive overview of crime statistics and service data collected throughout the past year, compiled in compliance with the National Incident-Based Reporting System (NIBRS). While this data reflects reported incidents, it is important to recognize that unreported crimes or information beyond current reporting capabilities may not be captured.

Each year, we analyze this data to identify trends, evaluate performance, and better understand the evolving needs of our community. In 2025, the Mandan Police Department responded to 13,903 calls for service, reflecting an increase from the previous year. At the same time, Group A offenses decreased by approximately 10%, while Group B offenses saw a modest increase of 4%. These trends highlight both the progress we have made and the areas that require continued focus.

Notably, we observed meaningful reductions in several high-impact crimes, including larceny/theft, motor vehicle theft, vandalism, and fraud. However, increases in drug-related offenses and DUI enforcement underscore ongoing challenges that demand a proactive and strategic response. These trends are consistent with broader regional and national patterns and reinforce the importance of targeted enforcement and community collaboration.

The Mandan Police Department remains committed to protecting the safety and quality of life for all residents and visitors. Over the past year, we have continued to prioritize proactive policing, focused enforcement, and strong community engagement. Our Community Engagement Response Team (CERT), special operations efforts, and partnerships with regional agencies have played a critical role in addressing crime and strengthening relationships within our community.

We recognize that public safety is a shared responsibility. The continued involvement, awareness, and support of our residents are essential to maintaining a safe and thriving city. We encourage community members to remain engaged, report suspicious activity, and partner with us in our mission.

As Mandan continues to grow, so must our approach to policing. We are committed to innovation, accountability, and professionalism in all that we do. The challenges we face are constantly evolving, but with the continued trust and support of our community, we are confident in our ability to meet them head-on.

Thank you for your continued partnership and support. Together, we will continue to build a safer, stronger, and more resilient Mandan.

Chief Jason J. Ziegler
Mandan Police Department

MISSION STATEMENT

IT IS THE MISSION OF THE MANDAN POLICE DEPARTMENT TO PROVIDE THE HIGHEST QUALITY OF LAW ENFORCEMENT SERVICE AND ENHANCE THE QUALITY OF LIFE FOR ALL RESIDENTS AND VISITORS OF OUR COMMUNITY, WHILE MAINTAINING ORDER, ENFORCING LAWS AND PROTECTING INDIVIDUAL RIGHTS. THIS WILL BE ACCOMPLISHED WITH FAIRNESS AND INTEGRITY THROUGH COMMUNITY POLICING CONCEPTS AND PROMOTING TRUSTING RELATIONSHIPS WITHIN OUR COMMUNITY.

VALUE STATEMENT

The Mandan Police Department **V.A.L.U.E.S.** the community we serve and commit ourselves to providing professional law enforcement service and building community partnerships.

Vigilance: We believe in being attentive and watchful over our entire community to ensure their safety and enhance their quality of life.

Accountability: We believe in acknowledging and assuming responsibility for our actions.

Loyalty: We believe in upholding our oath and maintain our allegiance to the community we serve.

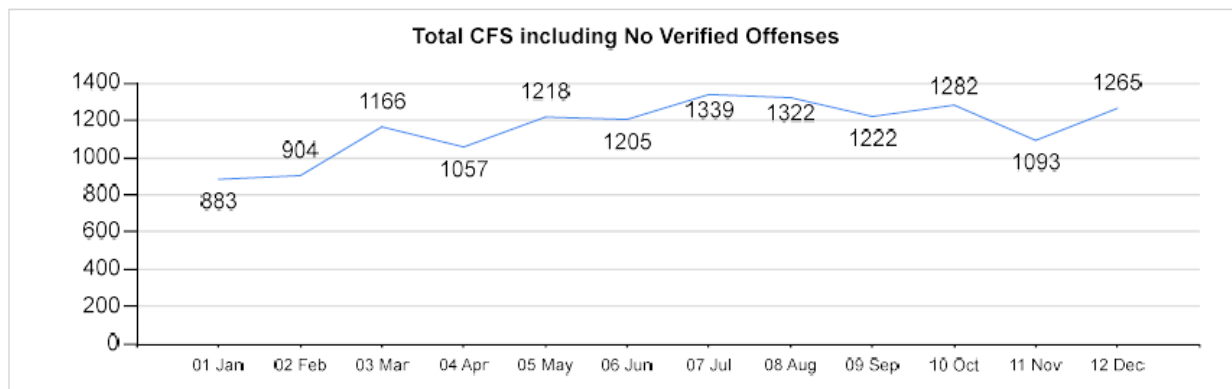
Unity: We believe in a partnership of support between the police and the community that we serve. We will continue to strengthen that support by developing new outreach programs and expand existing ones.

Excellence: We are committed to and pride ourselves in our personal and organizational excellence and professionalism, acting responsibly and carrying out our duties with competence and efficiency.

Servant Leadership: We believe we can better serve the community and fulfill the agency's mission through our authentic character, our commitment to building community relationships and empowering others.

CALL VOLUME

This data represents Calls for Service (CFS) including those with no verified offense. It is an analysis of offenses reported to police, and not a representation of actual crime. The line graph includes CFS from January 1 to December 31, 2025. The data collected shows the highest months for CFS were May through October, which is consistent with previous trends. The warmer months typically generate more calls than colder months.



In 2025, Mandan Police Department responded to 13,903 CFS which is an increase from 2024. The number of case reports that resulted from CFS was 4,823, this slightly decreased from 4,878 in 2024. The following pages review the types of case reports as Group A, Group B and Other offenses that are included within these reports from 2025.

FOUR YEAR CRIME STATISTIC COMPARISON



GROUP “A” OFFENSES

This annual statistical report gives insight into trends that occurred in 2025 but does not reflect statistics of unreported criminal activity.

Total Group “A” Offenses

The four-year data chart shows the tracking of Group “A” offenses within the city limits of Mandan. According to the data collected Group A, offenses decreased by almost 10% from 2024 to 2025.

There are seven areas under Group A offenses that indicate a significant trend or change occurring within the city. They are arson, destroy/damage/vandalize, drug/narcotic offenses, extortion/blackmail, larceny/theft, motor vehicle theft, and sex offenses. Of the seven Group A offenses listed, only one has shown an increase and six have shown a decrease. The chart below shows a breakdown in each trend.

OFFENSE	2022	2023	2024	2025
Arson	8	2	5	2
Assault Offenses	472	561	567	522
Burglary/Breaking & Entering	89	87	80	80
Counterfeit/Forgery	53	62	58	52
Destroy/Damage/Vandalize/ Criminal Mischief	286	235	195	169
Drug/Narcotic Offenses	325	267	376	411
Embezzlement	3	5	7	8
Extortion/Blackmail	7	8	7	3
Fraud Offenses	75	85	59	56
Homicide Offenses*	1	0	0	0
Kidnapping/Abduction	7	7	8	12
Larceny/Theft Offenses	680	736	535	431
Motor Vehicle Theft	138	116	90	62
Pornography/Obscene Material	15	8	15	18
Prostitution Offenses	0	0	1	0
Robbery	2	2	2	0
Sex Offenses	54	41	87	66
TOTAL	2218	2229	2119	1922

**Homicides are calculated by NIBRS by incident not by victims*

Assault Offenses: North Dakota Century Code (NDCC) 12.1-17-01, is defined as: willfully causes substantial bodily injury to another human being; or negligently causes substantial bodily

injury to another human being by means of a firearm, destructive device, or other weapon, the use of which against a human being is likely to cause death or serious bodily injury.

Reported assaults had a decrease from 2024 to 2025. Previous years had shown a fluctuation in this offense. These cases do not include domestic violence. In most cases the victim and suspect do know each other or have had some type of acquaintance prior to the event, but the incident does not qualify as a domestic relationship. These cases typically have a high solvability rate.

Counterfeit/Forgery: NDCC 12.1-24 is defined as: intent to deceive or harm the government or another person, or with knowledge that the person is facilitating such deception or harm by another person: a. knowingly and falsely makes, completes, or alters any writing; or b. knowingly utters or possesses a forged or counterfeited writing.

In 2025 a 10% decrease was seen in these cases.

Destroy/Damage/Vandalize/Criminal Mischief: NDCC 12.1-21-05, is defined as: willfully tampers with tangible property of another so as to endanger person or property; or willfully damages tangible property of another.

Reported offenses in this category were down 13% in 2025.

Drug/Narcotic: NDCC 19-03.1 (14) defines a drug as any substance recognized by the United States pharmacopeia national formulary that is intended for use in the diagnosis, cure, mitigation, treatment or preventions of disease of an individual or animal. A narcotic drug means any substance whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis.

Drug cases were up 9% in 2025 compared to 2024. For more information, review the Special Operations section of this report.

Fraud: Is defined by NIBRS as: when classifying fraud cases other than the most obvious ones (e.g., con games, swindles, etc.) agencies should use care in applying the facts of the case to the definition of Fraud. Often questions arise as to whether or not the facts of a case describe fraud or a larceny. Though both offenses can involve theft, it is the method used to steal that differentiates the two. Fraud is achieved through deceit or lying, whereas larceny is the physical taking of something. By definition, fraud involves either the offender receiving a benefit or the victim incurring a detriment. The benefit or detriment could be either tangible or intangible. Intangibles are anything a person cannot perceive by the sense of touch. They can be a benefit (a right or privilege, a promotion, enhanced reputation, etc.) or a detriment (the loss of reputation, injured feelings, etc.)

In 2025, Mandan Police experienced a 5% decrease in reported fraud cases. Citizens should always be aware of any information they give to people they do not know or that they cannot verify who they are. If there are questions about how to avoid fraud, please contact your local police department.

Theft: NDCC 12.1-23-02 is defined as: when a person knowingly takes or exercises unauthorized control over, or makes an unauthorized transfer of an interest in, the property of

another with intent to deprive the owner of use of their property to include by deception or threat.

Data from 2025 shows a 19% decrease in larceny/theft offenses from the previous year and Motor Vehicle thefts in 2025 decreased by 31%.

Theft crimes range from retail theft from a store to taking physical property from another person that is not classified as a robbery. This particular statistic does not include motor vehicle thefts.

Homicide Offenses: NDCC 12.1-16 defines these types of offenses; NDCC 12.1-16-01 Murder, NDCC 12.1-16.02 Manslaughter, NDCC 12.1-16-03 Negligent homicide and NDCC 12.1-16-04 Assisting in the commission of suicide – causing death by suicide.

There have been no homicide offenses in the last three years.

For more information on NIBRS Group “A” Offenses and definitions visit, <https://attorneygeneral.nd.gov>

NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS)

Implemented to improve the overall quality of crime data collected by law enforcement, NIBRS captures details on each single crime incident—as well as on separate offenses within the same incident— including information on victims, known offenders, relationships between victims and offenders, arrestees, and property involved in crimes.

Unlike data reported through Uniform Crime Reporting (UCR) Program’s traditional Summary Reporting System (SRS)—an aggregate monthly tally of crimes—NIBRS goes much deeper because of its ability to provide circumstances and context for crimes like location, time of day, and whether the incident was cleared.

As recommended by professional law enforcement organizations, the FBI has made nationwide implementation of NIBRS a top priority because NIBRS can provide more useful statistics to promote constructive discussion, measured planning, and informed policing. To increase participation, the UCR Program is partnering with the Bureau of Justice Statistics on the National Crime Statistics Exchange, working with advocacy groups to emphasize the importance of NIBRS data, and transitioned the UCR Program to a NIBRS-only data collection, as of Jan. 1, 2021. In addition, the UCR Program has made resources available to help agencies address the cost of transitioning, as well as the potential perception that an agency has higher crime levels when NIBRS actually establishes a new baseline that more precisely captures reported crime in a community.

When used to its full potential, NIBRS identifies, with precision, when and where crime takes place, what form it takes, and the characteristics of its victims and perpetrators. Armed with such information, law enforcement can better define the resources it needs to fight crime, as well as use those resources in the most efficient and effective manner. For more information on NIBRS: <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs>

- **Provides greater specificity in reporting offenses.** Not only does NIBRS look at all of the offenses within an incident, but it also looks at many more offenses than the traditional SRS does. NIBRS collects data for 52 offenses, plus 10 additional offenses

for which only arrests are reported. SRS counts limited data for 10 offenses and 20 additional crimes for which only arrests are reported.

- **Collects more detailed information**, including incident date and time, whether reported offenses were attempted or completed, expanded victim types, relationships of victims to offenders and offenses, demographic details, location data, property descriptions, drug types and quantities, the offender’s suspected use of drugs or alcohol, the involvement of gang activity, and whether a computer was used in the commission of the crime.
- **Helps give context to specific crime problems** such as drug/narcotics and sex offenses, as well as issues like animal cruelty, identity theft, and computer hacking.
- **Provides greater analytic flexibility.** Through NIBRS, data users can see many more facets of crime, as well as relationships and connections among these facets, than SRS provides.

FOUR YEAR CRIME STATISTIC COMPARISON

GROUP “B” OFFENSES

OFFENSE	2022	2023	2024	2025
Bad checks	2	8	1	3
Disorderly Conduct	276	295	228	195
Driving Under the Influence	56	71	59	103
Drunkenness	39	41	16	42
Family Offense, Non-Violent	123	91	78	90
Liquor Law Violations	30	36	27	84
Trespass of Real Property	254	344	284	184
All Other Group B Offenses (non-traffic)	323	285	287	318
TOTAL	1103	1171	980	1019

Group B offenses are tracked by all the reports made to include arrest. If multiple charges exist, whichever charge holds the highest violation is what would be tracked by the State. For example, if an individual is arrested for disorderly conduct and assault, the assault is the greater charge therefore NIBRS only tracks the assault. As an agency Mandan Police Department track both but only reports the assault under the required UCR reporting criteria.

Group B Offenses: The data depicts some significant changes to most categories. **Group B offenses showed an increase by 4% overall from 2024.**

Family Offenses-Non-Violent: Offenses that are categorized under this section would be any unlawful, nonviolent acts by a family member (or legal guardian) that threaten the physical, mental, or economic well-being or morals of another family member, and that are not classifiable as other offenses, such as assault, incest, statutory rape, etc. This offense includes abandonment; desertion; neglect; nonsupport; nonviolent abuse; or non-violent cruelty to other family members. It also includes the nonpayment of court-ordered alimony, if it is not considered contempt of court within the reporting jurisdiction. It does not include victims of these offenses who are taken into custody for their own protection.

<https://attorneygeneral.nd.gov>

In 2025, reported family offenses non-violent increased 15% from the year prior.

Liquor Law Violations: Violations under this category are defined by NIBRS as: violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages (except DUI and drunkenness).

In 2025, reported liquor law violations showed a significant increase compared to incidents reported in 2024.

Driving Under the Influence (DUI): NIBRS defines offenses under this section as: driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic. This offense includes being in “actual physical control.” If you suspect or observe an individual driving under the influence, please contact your local police department.

DUIs in 2025 showed a 74% increase compared to the 2024 reported incidents.

Trespass on Real Property: NIBRS defines offenses under this section as: to unlawfully enter land, a dwelling, or other real property. Trespass crimes require the property owner to not only call the police but would also require them to desire prosecution of the offense in most cases.

In 2025, reported trespasses decreased by 35% compared to the year prior.

FOUR YEAR CRIME STATISTIC COMPARISON

OTHER OFFENSES

All crimes that are not Group A offenses and not included in one of the specifically named Group B crime categories listed on previous pages.

OTHER OFFENSES	2022	2023	2024	2025
Child Neglect & Abuse	51	57	87	79
Court Order Violations	75	58	55	60
Domestic Dispute – No Assault	401	471	452	462
Animal Calls (Charged Offenses)	4	4	6	11
Found Property	190	198	152	157
TOTAL	721	788	752	769

Within the other offenses category two offenses saw a decrease from 2024. The categories that showed an increase were court order violations, domestic dispute, and animal calls. **Overall, “other offenses” reported and investigated increased by 2% from 2024 to 2025.**

Child Neglect & Abuse: Reported child neglect and abuse cases decreased by **9%**.

Court Order Violations: Reported court order violations increased by **9%**.

Domestic Dispute No Assault: Reported domestic disputes decreased by **2%**.

Animal Calls (Charged Offenses): Charged animal offense cases increased by **5**.

Found Property: Found property cases increased by **3%**.

SUPPORT SERVICES

CODE ENFORCEMENT

The following chart shows the cases and complaints worked by the Code Enforcement Officer over the past four years. Total cases in 2025 decreased **11%** from 2024 cases.

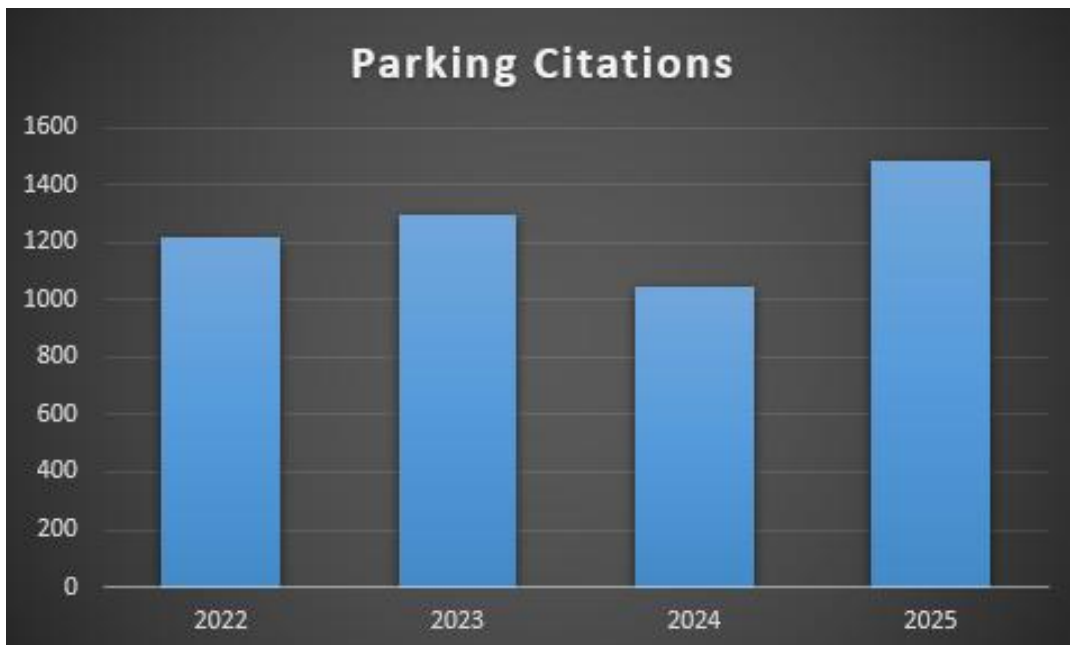
CATEGORY	2022	2023	2024	2025
Property Maintenance/Other	129	113	125	192
Nuisances	257	270	283	414
Grass & Weeds	461	501	515	423
Vehicles/Trailers	727	683	803	498
TOTAL	1571	1567	1726	1527

PARKING AUTHORITY

Below is a comparison chart of the last four years of parking violations within city limits. Data collected shows an increase of **over 40%** in written parking tickets compared to 2024.

	2022	2023	2024	2025
Parking Citations*	1219	1300	1049	1485

*The significant increase in parking tickets is due to filling two open Code Enforcement positions that were vacant the previous year.



ANIMAL CONTROL

Animal Control is an essential function for the City of Mandan that keeps track of licensed pets within city limits. The unit is also responsible for responding to nuisance animal calls, including unwanted wild animals and stray pets. Mandan Police Department's primary goal is to reunite pets with their owners and to assist in reducing chronic nuisance animal complaints.

The first half of 2025, the department had one non-sworn Code Enforcement officer. In the second half of the year, there were three non-sworn Code Enforcement officers assigned to take animal complaints, parking authority duties, and code enforcement duties. Mandan patrol officers also assist with animal complaints during evening hours and weekends.

The City of Mandan shares an impound facility with the City of Bismarck, with the facility being located on the east side of Bismarck.

The following chart is an overview of animal control activities from 2022 to 2025.

ACTIVITY	2022	2023	2024	2025
Animals Impounded	295	249	198	164
Animals Returned to Owner	166	95	75	74
Animals Adopted	110	152	123	90
TOTAL	571	496	396	328

Animal control services showed a decrease from 2024 to 2025:

- Animals that were impounded decreased by **17%** in 2025.
- The number of animals returned to their owners remained about the same.
- Animals adopted out decreased by **26%**.

Animal control does have to make difficult decisions at times to euthanize an animal if it poses a safety threat. In 2025, there were no animals that had to be euthanized.

TRAFFIC ENFORCEMENT

In 2025, the Mandan Police Department conducted traffic enforcement, along with following up on traffic complaints and any extra enforcement efforts.

Traffic enforcement showed an upward trend of **56%** compared to 2024.

OFFENSE	2022	2023	2024	2025
DUI/Refusal	56	71	59	103
DUS/DUR*	224	203	306	405
No Liability Insurance	86	45	154	314
Reckless Driving	25	19	26	27
Fleeing in a Motor Vehicle	54	35	39	32
Speeding	603	451	815	1787
Stop Sign/ Red Light	41	109	221	439
Care Required/Careless Driving	110	36	91	102
No Current Registration	204	101	209	620
Exhibition Driving	6	3	4	9
Open Container	7	2	7	24
Seat Belt/ Child Restraint	7	6	11	10
Other Traffic	1186	916	633	2684
Written Warnings	1075	674	1624	3163
TOTAL	3684	3676	4199	6556

**DUS is defined as Driving under Suspension, DUR is defined as Driving under Restriction*

CRASH SUMMARY

North Dakota reportable crash reports are those defined as having property damage in excess of \$4,000, injury or death. All other accidents which do not meet the criteria are non-reportable accidents.

Mandan Police Department uses the Selective Traffic Enforcement Program (STEP) concept(s) that are designed to monitor and document high traffic complaint areas within the city. This program was developed by the National Highway Traffic Safety Administration's (NHTSA) and is designed to develop a deterrence program(s) designed to change and maintain positive motorist behavior, public awareness, and law enforcement engagement.

Reportable crashes decreased by **9%** in 2025, hit and run crashes were up almost **6%** and fatalities went from 1 in 2024 to 0 in 2025.

TRAFFIC INCIDENTS	2022	2023	2024	2025
State Reportable Crashes	243	290	241	219
Non-Reportable Crashes	277	287	*	*
Hit and Run	194	178	125	132
Fatalities	1	3	1	0
TOTAL	714	758	367	351

**Non-reportable crashes are no longer being tracked. Per state law individuals are not required to notify us.*

COMMUNITY ENGAGEMENT

Events hosted by the police department include Grill with a Cop and Trunk or Treat. Both these events continue to have a positive turnout of community member attendance.

Grill with a Cop had more than 800 attendees.



Trunk or Treat had another great turnout.



For more information on community events, follow [Mandan Police Department](#) on Facebook or call 701-667-3250.

COMMUNITY ENGAGEMENT RESPONSE TEAM (CERT)

The Community Engagement Response Team (CERT) is a new team established in 2025; it consists of four sworn police officers and is partially funded through a Federal COPS Hiring Grant. The team is supervised by a Sergeant and is dedicated to building trust, improving public safety, and strengthening relationships between the Police Department and the community.

Community Presentations:

- **April–June:** 11 presentations reaching approximately 190 citizens
- **July–September:** 17 presentations reaching approximately 195 citizens (plus 9 radio/news interviews)
- **October–December:** 6 presentations reaching approximately 656 citizens

Total for 2025: 34 presentations reaching approximately 1,041 citizens, plus 9 media interviews

Traffic Enforcement:

- **April–June:** 159 traffic stops
- **July–September:** 220 traffic stops
- **October–December:** 260 traffic stops

Total for 2025: 639 traffic stops conducted in response to citizen concerns and safety needs

Special Event Participation:

- **April–June:** 36 events
- **July–September:** 31 events
- **October–December:** 25 events

Total for 2025: 92 community events supported

Police Assistance:

Throughout the year, CERT officers supported Patrol and Criminal Investigations by:

- Executing search warrants
- Assisting in locating missing person(s)
- Responding to calls for service
- Providing operational support as needed

Business Outreach:

- **April–July:** 96 businesses contacted
- **July–September:** 72 businesses contacted
- **October–December:** 186 businesses contacted

Total for 2025: 354 local businesses engaged

Future Programs and Initiatives:

- Kids Detective Camp
- Police Department 5K
- Server Training for local establishments
- Coffee with a COP
- School and Business Safety Training
- Community seasonal events (Trunk or Treat, Shop with a COP, Santa Run, Holiday Lights on Main Grand Lighting, 4th of July Events)

CERT Annual Summary

The Community Engagement Response Team continues to serve as a vital bridge between the Mandan Police Department and the community it serves. Through targeted education, proactive traffic enforcement, visible participation in community events, and direct business outreach, the team strengthened public trust and enhanced safety throughout 2025.

These efforts resulted in over 1,000 citizens directly reached through presentations, nearly 100 community events supported, more than 600 traffic stops addressing public safety concerns, and outreach to 354 local businesses. Beyond these metrics, CERT's greatest impact lies in the relationships built and the confidence fostered between officers and residents.

As Mandan continues to grow, CERT remains committed to proactive engagement, innovative programming, and meaningful partnerships that ensure Mandan remains a safe, connected, and resilient community.

POLICE PUBLIC SAFETY CADET'S POST 2853

Law enforcement Cadet's is a hands-on Program open to young men and women who are 14 - 20 years old, interested in a career in law enforcement or a related field in the criminal justice system.

The program offers young adults a personal awareness of the criminal justice system through training, practical experiences, competition and other activities. Additionally, the program promotes personal growth through character development, respect for the rule of law, physical fitness, good citizenship and patriotism.

Mandan Police PSC POST 2853 has 10 participants from the Mandan/Bismarck area. The post is supervised by five police advisors and one civilian volunteer.

During the 2025 calendar year, POST 2853 participated in the following events:

- Minnesota LE Explorer Association State Conference in Rochester, MN
- NDLEYA Summer Leadership Academy
- Grill with a Cop
- Grand Junction Golf Tournament
- Bismarck PD Community Picnic
- Kiwanis Pancake Breakfast
- Kops N Kids (Shop with a Cop)
- Trunk or Treat
- Mandan Independence Day Parade
- Mandan Fire Department Open House
- Blue Mass
- Touch a Truck
- Battle of the Badges Blood Drive
- Carz and Curez

As a Unit in 2025, the Mandan Police Safety Cadets participated in 693 training hours and 145 ride-along hours. Mandan Police Department is incredibly grateful for the hard work put on by the PSC POST. This includes all the Cadet's and our dedicated group of advisors that make this group successful.

For more information visit <https://publicsafetycadets.org/> or contact the Mandan Police Department at 701-667-3250.

SPECIAL OPERATIONS

DRUG TASK FORCE

Mandan Police Department works in partnership with Metro Area Narcotics Task Force (MANTF) which covers the Bismarck-Mandan metro area. MANTF works diligently to reduce illegal drugs/narcotics in our community by identifying and apprehending individuals who inflict our community with use and sale of illegal drugs/narcotics. The following are statistics compiled by MANTF:



Metro Area Narcotics Task Force 2025 End of Year Report

2025 Statistical Overview:

In 2025, MANTF initiated 154 cases, executed 57 search warrants, and made 94 arrests.

MANTF seized the following:

- 1,521 grams of cocaine (3.4 lbs.), valued at approximately \$150,000
- 442 grams of heroin, valued at approximately \$2,000
- 183 grams of fentanyl powder, valued at approximately \$40,000
- 9,184 fentanyl pills, valued at approximately \$275,520
- 39,593 grams of methamphetamine (87.2 lbs.), valued at approximately \$4,000,000
- 7,306 grams of marijuana (16 lbs.), valued at approximately \$125,000
- 16,435 grams of THC concentrates, valued at approximately \$400,000
- 8 MDMA tabs, valued at approximately \$50
- 50 dosage units of LSD, valued at \$500
- 102 dosage units of illicit prescription pills
- 39 firearms

SATURATION

Law enforcement conducted a saturation patrol targeting high-crime areas throughout the community. Officers focused on proactive enforcement and visibility with the goal of reducing criminal activity and improving public safety. During the operation, officers actively located and arrested individuals with outstanding warrants, conducted several drug-related arrests, and identified drivers operating under the influence, resulting in DUI arrests.

The operation emphasized a zero-tolerance enforcement approach, meaning individuals committing violations were issued either a citation or, at minimum, a written warning. Officers also conducted compliance checks on individuals currently on probation to ensure adherence to court-ordered conditions. The increased law enforcement presence in high-crime areas served as both an enforcement effort and a deterrent to ongoing criminal activity.

Spring 2025

66- Warning Citations
16 - Traffic Citations
6 - Driving Under Suspension
2 - Driving Under the Influence
10 - Drug Offenses
5 - K9 Deployments
5 - Bar Checks
3 - Warrant Arrests

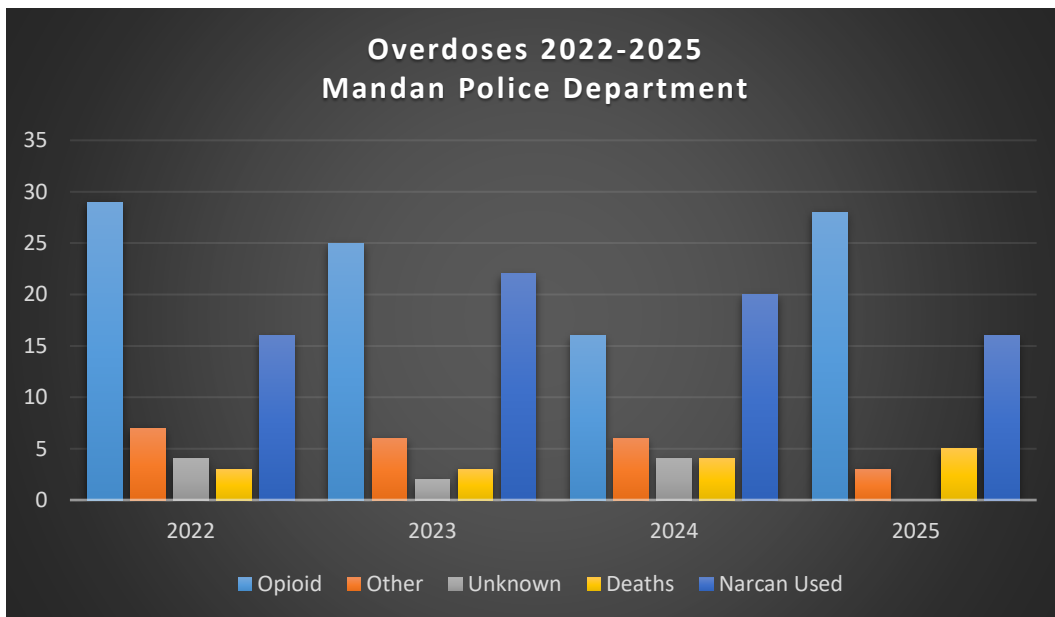
Fall 2025

45 - Warning Citations
10 - Traffic Citations
2 - Driving Under Suspension
1 - Reckless Driving
1 - Drug Offense
1 - K9 Deployment
9 - Bar Checks
8 - Warrant Arrest
1 - Probation Search
1 - Hindering

Saturation is a team effort from the following agencies: Mandan Police Department, North Dakota Highway Patrol, North Dakota Parole and Probation, Morton County Sheriff's Department.

OVERDOSES

The following graph depicts the last four years statistics on overdoses involving opioids, other substances and unknown substances. Officers administer Narcan when there is a possibility someone has overdosed on an opioid drug. There are times when Narcan is administered and it is determined the individual did not use an opioid drug, however, they may be exhibiting behaviors that are similar to that of an opioid overdose.



Opioids – Fentanyl, Heroin, and OxyContin

Other – Methamphetamine, Alcohol, and prescription drugs

Unknown – Narcotic unknown

Deaths – Death as a result of narcotic use

Narcan Used – Total number of Narcan administered by Officer(s) (Includes instances where multiple doses administered on one individual).

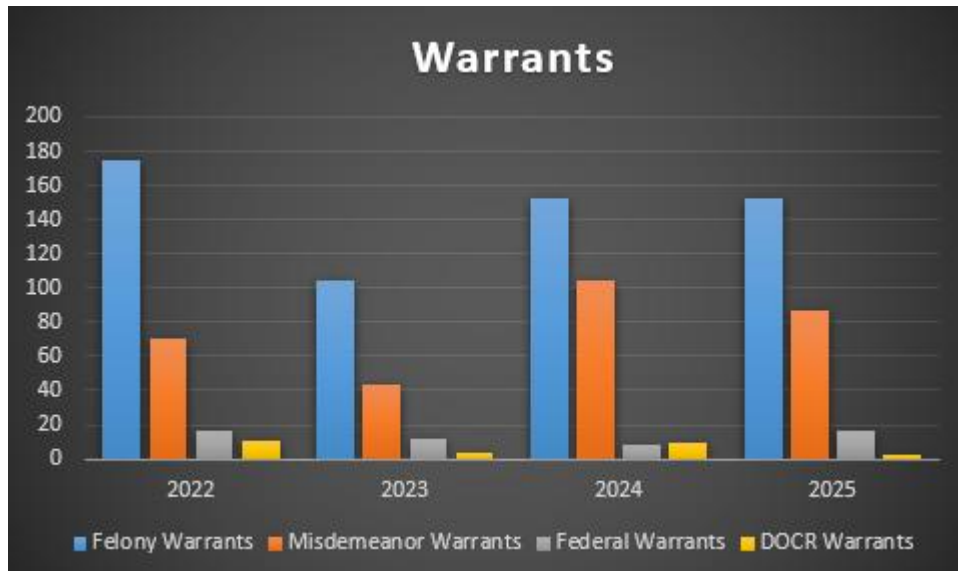
WARRANTS

Mandan Police Department’s Warrants Officer is cross sworn as a Deputy United States Marshal to assist the North Dakota U.S. Marshal Service with the tracking and apprehension of fugitives. Mandan Police, along with Bismarck Police and Burleigh County Sheriff’s Office, has been an active member of the High Plains Fugitive Task Force since 2019.

Mandan Police Department’s Warrants Officer has achieved the following activities over the past four years:

Warrants	2022	2023	2024	2025
Felony Warrants	175	105	153	153
Misdemeanor Warrants	70	43	104	87
Federal Warrants	17	12	8	17
DOCR Warrants	11	4	10	3
TOTAL WARRANTS	273	164	275	260

**DOCR is the Department of Corrections and Rehabilitation – individuals that are on parole and probation are typically in this category*



CANINE UNIT

In 2025, K9 Kupper and K9 Medve continued to serve as valuable members of the Mandan Police Department. Both Kupper and Medve conducted narcotics searches, building searches, and criminal apprehensions, and participated in numerous community events.

In October 2025, K9 Kupper retired from active duty with the Mandan Police Department. Kupper served the City of Mandan for seven years, during which time Kupper conducted numerous narcotics searches, people searches, special events, and apprehensions. The Mandan Police Department plans to replace K9 Kupper in 2027, while K9 Medve continues to actively serve the City of Mandan.

K9 Medve and his handler train a minimum of 16 hours per month, including maintaining required certifications in narcotics detection, building searches, and apprehension work.

K9 Kupper



K9 Medve



DRONES

Mandan Police Department currently has two drones that are used for assisting officers in locating missing people, monitoring dangerous situations, documenting crash and crime scenes, and searching for evidence. The drones are also used to assist other city departments in documenting areas of Mandan. The department currently has three officers trained and certified to operate the drones.

The drones were deployed approximately 43 times in 2025.



USE OF FORCE

Level of Force Used:

LEVEL OF FORCE USED	2024		2025	
Deadly Force	0	0.00%	0	0.00%
Weapon Challenge	38	54.29%	59	49.58%
Soft Empty Hand	22	31.43%	47	39.50%
Hard Empty Hand	2	2.85%	3	2.52%
OC Spray	0	0.00%	1	0.84%
Taser	8	11.43%	9	7.56%
TOTAL	70	100.00%	119	100%

Definitions:

Soft Empty Hand – Grabs, holds, joint locks, used to restrain an individual.

Hard Empty Hand – Strikes to an individual, such as hand punches, knee strikes, kicks, and strikes with a baton.

Weapon Challenge – Displaying a duty weapon or pointing a duty weapon at an individual to gain compliance.

OC – Oleoresin Capsicum (Pepper Spray) causes eye irritation, burning, pain sensations and can cause temporary vision issues.

Taser – Conducted Energy Device that delivers a high voltage, low amperage electrical current into its target, temporarily impacting the sensory and motor nervous system

Deadly Force – Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Total Arrests vs. Total Use of Force Incidents

Arrested Subject vs. Use of Force	2024	2025
Persons Arrested	1,462	2,024
Use of Force Incidents	70	119
Total Percentage	4.78%	5.88%

Total Calls for Service vs. Total Use of Force Incidents

Calls for Service vs. Use of Force	2024	2025
Calls for Service	13,511	13,903
Use of Force Incidents	70	119
Total Percentage	0.51%	0.85%

TRAINING

Training is necessary and required to develop officers throughout their careers. North Dakota P.O.S.T. (Peace Officer Standards and Training) requires officers to be licensed and they must renew their P.O.S.T. license every three years with 60 hours of P.O.S.T. certified courses. Mandan Police Department also requires certain mandatory in-service training such as domestic violence investigations, EVOC (Emergency Vehicle Operation Course) driving training and active shooter training. The chart below depicts the hours of training attended by Mandan Police Department members in 2025.

- **Administration:** Individuals classified as Administration are P.O.S.T. certified sworn officers assigned to the development of policies and the management of police operations. Individual's primary duties are considered administration.
- **Patrol/Investigations/Support:** Individuals classified under this category are P.O.S.T. certified sworn officers assigned to either patrol, criminal investigations or assigned to support services as their primary job.
- **Field Training:** All new police officers are assigned to patrol to complete the department's field training program (typically three months or 90 days). Once a new officer completes this program they will be assigned to a patrol squad. The hours dedicated by the trainee are listed in the chart below.

There was a **34%** decrease in training hours in 2025. The decrease is reflective of the number of new officers that went through training at the Law Enforcement Training Academy in 2024.

TRAINING HOURS	2022	2023	2024	2025
Administration/CID	682	535	900	821
Patrol	2923	4417	3962	3135
Field Training	2724	3360	5004	2996
TOTAL	6329	8130	9866	6952



MANDAN POLICE DEPARTMENT 2024 AWARDS

Awards are presented to police department members and non-members to recognize when they provide remarkable service to others while demonstrating dedication, courage or superior initiative in the performance of their duties or while performing exceptional services to members of the community.

Awards can be nominated by any member of the Mandan Police Department and are reviewed by a committee of six police department personnel. The committee consists of two members of the rank of sergeant or above, three police officers or civilian personnel and one alternate member. The following awards were given and those individuals that received them have been bolded in blue.

Life Saving Award: To qualify for this award, a member must be credited with being responsible for saving a human life in instances involving fire rescues, potential drowning, medical emergencies, vehicle accidents, miscellaneous rescues, and suicide preventions, where the sole extraordinary actions of the member was the lifesaving act itself. **Daniel Poppe, Justin Janes, Mitchell Kennell**

Police Commendation Award: Awarded to any member or team of members, who displays highly credible public service in a single operation, incident of investigation, substantially above normal requirements and performed in an exemplary manner which contributes significantly to the achievement of the law enforcement goals. **Shannon Reichenberg, Justin Janes, Kristin Lee, John Pfau**

Letter of Recognition: Presented to department members who perform their duties in a manner that demonstrates professionalism, devotion to duty, and dedication to the department's mission. **Justus Saylor, Deputy Chris Tracy**

Medal of Merit: May be presented to any agency member rendering service entailing exceptional courage or bravery, including but not limited to; saving a life, preventing a serious crime, apprehending a person who has committed a serious crime, or any other action deemed to be deserving of this award. **Shannon Reichenberg, Daniel Carpenter**

Stork Pin: Officer Kristen Lee made department history by becoming the first officer from the Mandan Police Department to receive the prestigious Stork Pin, recognized for her quick thinking and compassion in safely delivering a healthy baby during a call for service.

EMPLOYMENT WITH MANDAN POLICE DEPARTMENT

Mandan Police Department is always looking for officers that are dedicated to serving and protecting the city. Job openings are posted at <https://city-of-mandan-nd.hireonthego.com/>. Additional information regarding employment with the department can be answered by calling 701-667-3250.



Minimum Requirements for Sworn Police Officer Positions:

- Must be 18 years of age
- Valid or the ability to obtain a North Dakota's Driver's License
- High School Education or equivalent
- The ability to meet current requirements set forth by the North Dakota Peace Officer's Standards and Training Board
- U.S. citizen or proper documentation to work in the U.S.

Benefits:

- Minimum Police Officer Salary Range starts at \$58,978.61 + ***(We pay for experience!)***
- 100% employer-paid family or single health insurance coverage
- State of North Dakota PERS Retirement Plan
- Paid sick, annual, and holiday pay

OPERATIONAL DEFINITIONS

Calls for Service (CFS): Calls for Service which are received through 911, regular administrative lines, walk-ins, or officer-initiated calls, generate a call for service within the police records system. This would include calls which did not generate an incident report but required police response such as loud party/noise complaints, alarms, accidents, suspicious persons, prowlers, intoxicated persons, parking complaints, animal complaints, traffic hazards, lost or misplaced property, and various other miscellaneous calls.

Community Oriented Policing (COP): is defined as a philosophy that combines traditional aspects of law enforcement with prevention measures, problem-solving, community engagement, and community partnerships.

Intelligence Led Policing (ILP): is defined as “a business model and managerial philosophy where data analysis and crime intelligence are pivotal to an objective, decision-making framework that facilitates crime and problem reduction, disruption and prevention through both strategic management and effective enforcement strategies that target prolific and serious offenders.” (Source: Ratcliffe, JH (2008) Intelligence-Led Policing. Cullompton: Willan publishing)

Mandan Police Department (MPD): is defined as the appointed organized civil force of police officers designed to (but not limited to) maintain order, enforce traffic laws, prevent criminal actions by bringing justice for victims and assisting the public at large as needed. This civil police force is appointed by the Mandan City Commission.

Metro Area Narcotics Task Force (MANTF): the City of Mandan’s Police Department is a member of the Metro Area Narcotics Task Force (MANTF) along with Bismarck Police, Burleigh County Sheriff’s Office, Morton County Sheriff’s Office and North Dakota’s Bureau of Criminal Investigation. They also work with several federal partners to accomplish MANTF’s mission. MANTF’s mission is to investigate individuals who organize, direct, finance, or are otherwise engaged in illegal drug trafficking enterprises.

National Highway Traffic Safety Administration (NHTSA): is a federal agency that is responsible for keeping people safe on America’s roadways. Through enforcing vehicle performance standards and partnerships with state and local governments, NHTSA reduces deaths, injuries and economic losses from motor vehicle crashes. Learn more at <https://www.nhtsa.gov/about-nhtsa>.

National Incident-Based Reporting System (NIBRS): The National Incident Based Reporting System (NIBRS) is an incident-based reporting system for crimes known to the police. For each crime incident coming to the attention of law enforcement, a variety of data is collected about the incident. This data includes the nature and types of specific offenses in the incident, characteristics of the victim(s) and offender(s), types and value of property stolen and recovered, and characteristics of persons arrested in connection with a crime incident. For more information, visit <https://www.icpsr.umich.edu/web/pages/NACJD/NIBRS/>.

North Dakota Peace Officer Standards and Training (P.O.S.T.): the function of the Peace Officer Standards and Training board is to prescribe criteria for certification of peace officer

training, instructors, and schools, to certify curriculum, schools, and officers that have met the training certification criteria, to establish curriculum for peace officer training, to prescribe minimum standards for sidearm training and licensing for peace officers, to issue peace officer licenses to persons who meet board-prescribed peace officer standards, training, and licensing requirements, and to take adverse license action for violations of state and federal laws and the rules of the board. (Article 109-01-01.2. NDCC General Admission) Learn more at <https://post.nd.gov/>.

Selective Traffic Enforcement Program (STEP): designed by NHTSA, the premise of the STEP model is that an individual's discomfort or fear of being stopped for a traffic safety violation outweighs the desire not to comply with the law. Like any good deterrence program designed to change motorists' behavior, STEPs are conducted throughout the year to maintain positive behavior, public awareness, and law enforcement engagement.

Uniform Crime Reporting (UCR): The Uniform Crime Reporting (UCR) Program generates reliable statistics for use in law enforcement. It also provides information for students of criminal justice, researchers, the media, and the public. The program has been providing crime statistics since 1930. The UCR Program includes data from more than 18,000 cities, university and college, county, state, tribal, and federal law enforcement agencies. Agencies participate voluntarily and submit their crime data either through a state UCR program or directly to the FBI's UCR Program. For more information, visit <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs>.

2025 SUMMARY

In 2025, the Mandan Police Department responded to 13,903 calls for service, reflecting continued growth in the community and an increased demand for police services. Despite this increase, Group A offenses decreased by approximately 10%, including reductions in larceny/theft, motor vehicle theft, vandalism, and fraud.

At the same time, drug-related offenses and DUI activity increased, highlighting ongoing challenges related to substance use and impaired driving. Group B offenses saw a modest overall increase, with notable rises in liquor law violations and enforcement activity.

The department maintained a proactive approach throughout the year. Traffic enforcement increased significantly, and targeted saturation patrols focused on high-crime areas led to arrests, warrant enforcement, and drug-related investigations. Officers also worked closely with regional partners, including the Metro Area Narcotics Task Force, to address drug activity in the community.

Community engagement remained a priority. Officers participated in community events, school programs, and direct outreach to residents and local businesses. These efforts continue to strengthen relationships and improve communication between the police department and the community.

Overall, 2025 reflects reduced crime in key areas, increased enforcement activity, and continued community involvement. The Mandan Police Department will continue to focus on proactive policing, accountability, and partnership with the community to maintain a safe and growing city.

Mandan Police Department

205 1st Ave NW

Mandan, ND 58554

(701) 667-3250

<https://www.mandanpd.com/>

Facebook: <https://www.facebook.com/mandanpolice>

Download the Mandan Police Department app on your smart phone to report real-time information to the Police Department. Go to your app store and search: Mandan PD.

Thank You for your continued support and dedication to our community!

Chief Jason J. Ziegler



City Commission

Agenda Documentation

MEETING DATE: May 19, 2026
PREPARATION DATE: May 1, 2026
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: To approve the first consideration of Ordinance 1486 to amend and re-enact Article 2, Chapter 8 of the Mandan Code of Ordinances relating to alarm systems

STATEMENT/PURPOSE:

To consider the first consideration of Ordinance 1486 to amend and re-enact Article 2, Chapter 8 of the Mandan Code of Ordinances relating to alarm systems.

BACKGROUND/ALTERNATIVES:

This ordinance amends the Mandan Code of Ordinances to better reflect the process and procedures related to false alarms received by the Mandan Police Department and Mandan Fire Department.

ATTACHMENTS:

1. Ordinance 1486 - Alarm Systems

FISCAL IMPACT:

In 2024, \$12,135 was collected and in 2025, \$11,160 was collected. These fees will no longer be charged.

STAFF IMPACT:

N/A

LEGAL REVIEW:

City Attorney Amy Oster has drafted and reviewed the attached ordinance.

RECOMMENDATION:

To approve the first consideration of Ordinance 1486 to amend and re-enact Article 2, Chapter 8 of the Mandan Code of Ordinances relating to alarm systems.

City Commission

Agenda Documentation

May 19, 2026

Subject: To approve the first consideration of Ordinance 1486 to amend and re-enact Article 2, Chapter 8 of the Mandan Code of Ordinances relating to alarm systems

Page 2 of 2

SUGGESTED MOTION:

I move to approve the first consideration of Ordinance 1486 to amend and re-enact Article 2, Chapter 8 of the Mandan Code of Ordinances relating to alarm systems.

ORDINANCE NO. 1486

An Ordinance to Amend and Re-enact Article 2, Chapter 8 of the Mandan Code of Ordinances Relating to Alarm Systems

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

ARTICLE 2. – ALARM SYSTEMS

Sec. 8-2-1. - Establishment of alarm site; annual fee.

- (a) Any person who installs, establishes, ~~installs or connects~~ or operates any fire or security alarm system at a residence, business, or other location within the city may register the alarm system with the police and/or fire department. ~~designed to directly notify the police department of an emergency shall be assessed an annual fee which will be set from time to time by resolution of the board of city commissioners. The annual fee is due and payable upon activation of the alarm site. An alarm site refers to the location of an alarm system. The fee schedule shall include an annual fee for the following categories of alarm systems:~~
- ~~(1) Alarm sites which are directly monitored by the system (hard wire) located at the police department.~~
 - ~~(2) Alarm sites which are connected by telephone lines through a commercial alarm notification system (auto-dialer) to the police department.~~
 - ~~(3) Alarm sites which are connected by telephone lines and programmed to directly contact the police department.~~
- (b) ~~The city finance director is authorized and directed to deposit the moneys received under this act in a separate account to be kept and administered by him under the directions of the board, in the same manner as other public moneys are kept and administered, and the funds in said account shall be used solely for the purpose of purchasing, maintaining and replacing any equipment or facilities used or useful in providing the monitoring, dispatch and response services of the police and fire department.~~

Sec. 8-2-2. - ~~Notification of establishment required; use of 911 system~~ connection prohibited.

No person may connect any alarm system to the city's 911 emergency system. No person may program, connect, or configure any alarm system or automated dialing device to directly dial or otherwise transmit signals to the city's 911 emergency system.

- ~~(a) Notification of establishment of alarm site required. Any person who establishes any alarm site, as set forth in section 8-2-1, shall notify the police department, in writing and on the forms provided, within 48 hours of the alarm site activation and shall pay the annual fee.~~
- ~~(b) Use of 911 system prohibited. No person may connect any alarm system to the city's 911 emergency system.~~

Sec. 8-2-3. - False alarms; fee assessed.

- (a) As used in this article, the term "false alarm" means an alarm which is caused due to system failure, improper or negligent maintenance, operation or control, but not one due to an act of God. ~~In the event any false alarm occurs and results in the dispatch and response of the police or fire department, the responding department shall notify the city administrator.~~ Any ~~alarm site~~location which has more than three false alarms ~~resulting in the dispatch and response of the police or fire department~~ in a one-year period from January 1 through December 31 ~~shall~~may be assessed a fee for each false alarm in excess of three. ~~The fee shall be established by resolution of the board of city commissioners. No fee shall be assessed for the first three (3) false alarms within the same calendar year.~~
- ~~(b) Each false alarm shall be billed by the responding department(s). The city finance director shall bill, on a quarterly basis, the assessments for false alarms to the owner of the business, organization, establishment or residence of the alarm site, and the assessments shall be due and payable to the city finance director within 30 days after the bill is mailed. The funds received through this assessment shall be deposited in the fund established under this article.~~
- ~~(b)(c)~~ Funds received from false alarm fees shall be deposited in the appropriate fund and used for police and fire department equipment, services, and operating costs.

Sec. 8-2-4. - ~~Collection of past due fees~~Fees.

~~The false alarm fee schedule shall be established by resolution of the board of city commissioners and may be amended as the city commission determines necessary.~~ In the event the ~~annual or false alarms~~ fees provided for by this article are not paid when due, such fees may be recovered by the city in an action at law against the owner of the alarm site, or such fees may be assessed against the premises served by the alarm site and collected and returned in the same manner as other county and municipal taxes and assessments are assessed, certified, collected, and returned.

Sec. 8-2-5. -- Violations.

~~Any person who fails to notify the police department within 48 hours of an alarm site activation, fails to pay the annual assessment or false alarm fee, or connects any alarm system to the city's 911 emergency system shall be guilty of an infraction.~~

By: _____
James Froelich, President, Board of
City Commissioners

Attest:

James Neubauer, City Administrator

First Consideration: May 19, 2026
Second Consideration and Final Passage: June 2, 2026