



**PRELIMINARY AGENDA
CITY COMMISSION
SEPTEMBER 15, 2026
ED "BOSH" FROEHLICH MEETING ROOM
MANDAN CITY HALL
5:30 PM
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A. ROLL CALL

1. Roll call of all City Commissioners

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. Construction Project Updates
2. Free Fall Landfill Week, Sept. 14-19

D. PUBLIC COMMENT

E. APPROVAL OF AGENDA

F. MINUTES

1. Consider approval of the September 1, 2026 Board of City Commisison Meeting Minutes

G. PUBLIC HEARING

1. Public hearing for Ordinance No. 1488 (2027 budget)

H. BIDS

I. CONSENT AGENDA

1. Consider approval of monthly bills
2. Consider a minor plat for Replat Lot 20 Mandan Hill Addition
3. Consider a minor plat for School District 9th Addition

J. OLD BUSINESS

K. NEW BUSINESS

1. Mandan Growth Fund Recommendation for Forever Treasures Retail Incentive
2. Consider a driveway apron variance at 602 6th Avenue NW
3. Discussion regarding open City Commission seat

L. RESOLUTIONS AND ORDINANCES

1. Second consideration of Ordinance 1492, to amend and re-enact Section 22-2-8 of the Mandan Code of Ordinances, relating to maximum tax imposed

M. OTHER BUSINESS

N. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- - Tuesday, October 6, 2026 at 5:30 p.m.
 - Tuesday, October 20, 2026 at 5:30 p.m.
 - Tuesday, November 3, 2026 at 5:30 p.m.

O. ADJOURN

Departmental planning meeting will be held the Monday prior to the Commission meeting, all Commissioners are invited, noon, Veterans' Conference Room. Please notify the city administrator by 8:30 a.m. that Monday if you plan on attending. If more than two commissioners plan on attending, proper public notice must be given.

The Mandan City Commission met in regular session at 5:30 PM on September 1, 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.* Administrator Neubauer called roll. Those present were Mike Braun, Ryan Heinsohn, Heidi Belohlavek and James Froelich. Commissioner Sjoberg passed away Aug. 29. Administrator Neubauer read the following when calling Commissioner Sjoberg during roll call: *Commissioner Sjoberg, on behalf of the citizens of Mandan, our city employees, and your fellow elected officials, thank you for your service to our community. Your life, your leadership, and your devotion to Mandan will not be forgotten. May you rest in peace with God, and may your family be surrounded by comfort and love in the days ahead. Well done, good and faithful servant.*

Department heads present were City Administrator Neubauer, Finance Director Welch, Assistant Finance Director Schulz, Assessor Markley, Human Resource Director Berger, City Engineer Wigness, Police Chief Ziegler, Building Official Singer, Fire Battalion Chief Weltikol, Public Works Director O'Keefe, Business Development & Communications Director Cermak, Contracted Planner Laqua, Communications Specialist Schmidt, Systems Administrator Weigel, and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Construction Project Updates.* City Engineer Wigness presented.
2. *Free Fall Landfill Week - Sept. 14-19.* Public Works Director O'Keefe presented.
3. *MPO's Annual Dinner - Boots and Bling, Sept. 10.* Mandan Progress Organization Executive Director Matt Schanandore presented.

D. PUBLIC COMMENT There were no public comments received prior to the start of the meeting. Administrator Neubauer noted that one person in attendance had a question related to Ordinance 1490, and that it would be handled when the item was being presented.

E. APPROVAL OF AGENDA Commissioner Braun moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 4, Nay 0. The motion passed.

F. MINUTES

1. *Consider approval of the August 18, 2026 Board of City Commission Meeting Minutes.* Commissioner Belohlavek moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 4, Nay 0. The motion passed.

G. PUBLIC HEARING

H. BIDS

I. CONSENT AGENDA Commissioner Braun pulled item number 6. Commissioner Heinsohn moved and Commissioner Belohlavek seconded to approve Consent Agenda item numbers 1-5, including all subitems. Roll Call vote: Aye 4, Nay 0. The motion passed.

1. *Consider authorizing staff to advertise a solicitation for qualifications regarding utility master planning.*

2. *Consider approval of an addition to a gaming site authorization for Mandan Moose Lodge*

beginning September 1, 2026 to June 30, 2027.

3. *Consider approval of an addition to a gaming site authorization for the Fort Abraham Lincoln Foundation at Lonesome Dove beginning September 1, 2026 to June 30, 2027.*

4. *Consider approval of a Class Spec. B liquor license application for Mandan Hockey Club LLC at the Starion Sports Complex from September 1, 2026 to June 30, 2027.*

5. *Consider approval of a raffle permit for the North Dakota Angus Association.*

6. *Consider approval of the Grounds Maintenance Crew Supervisor job description.* Human Resources Director Berger presented. Commissioner Braun moved and Commissioner Belohlavek seconded to approve the Grounds Maintenance Crew Supervisor job description as presented. Roll Call vote: Aye 4, Nay 0. The motion passed.

J. OLD BUSINESS

K. NEW BUSINESS

1. *Consider the 2027 health insurance plan design change recommendation.* Human Resources Director Berger presented. Commissioner Heinsohn moved and Commissioner Belohlavek seconded to approve that the recommended plan changes be made to the health insurance plan for the 2027 plan year along with the associated budget amendment, as presented. Roll Call vote: Aye 4, Nay. The motion passed.

L. RESOLUTIONS AND ORDINANCES

1. *Second consideration of Ordinance 1489, to repeal Section 24-3-2 of the Mandan Code of Ordinances and to enact new Article 20 of Chapter 24 of the Mandan Code of Ordinances Relating to the Use and Operation of Electric Bicycles, Electric Micromobility Devices, and Minibikes within the City of Mandan.* Police Chief Ziegler presented. Commissioner Belohlavek moved and Commissioner Braun seconded to approve the second Consideration of Ordinance 1489 to Repeal Section 24-3- 2 of the Mandan Code of Ordinances and to Enact New Article 20 of Chapter 24 of the Mandan Code of Ordinances Relating to the Use and Operation of Electric Bicycles, Electric Micromobility Devices, and Minibikes with the City of Mandan. Roll Call vote: Aye 4, Nay 0. The motion passed.

2. *Second consideration of Ordinance 1490, re-enacting Land Use Code Sections 101 and 109 in whole, as well as to repeal and reserve the current Section 105.* Building Official Singer and Interim Planner Laqua presented. Susan Beehler approached with a question related to the zoning map. Commissioner Heinsohn moved and Commissioner Braun seconded to approve the second reading of Ordinance No. 1490, re-enacting Land Use Code Sections 101 and 109 in whole, as presented, as well as to repeal and reserve the current Section 105. Roll Call vote: Aye 4, Nay. The motion passed.

3. *Second consideration of Ordinance 1491, to enact Section 22-2-2(d) of the Mandan Code of Ordinances, relating to sales tax.* City Administrator Neubauer presented. Commissioner Braun moved and Commissioner Belohlavek seconded to approve Ordinance 1491 as presented. Roll Call vote: Aye 4, Nay. The motion passed.

4. *First consideration of Ordinance 1492, to amend and re-enact Section 22-2-8 of the Mandan Code of Ordinances, relating to maximum tax imposed.* City Administrator Neubauer presented. Commissioner Belohlavek moved and Commissioner Heinsohn seconded to approve the first consideration of Ordinance 1492. Roll Call vote: Aye 4, Nay. The motion passed.

M. OTHER BUSINESS Mayor Froelich, the Commissioners, and staff took time to remember

Commissioner Craig Sjoberg. Mayor Froelich issued the following directive:

In recognition of the life and service of Commissioner Craig Robert Sjoberg, and in honor of his passing while serving as a member of the Mandan Board of City Commissioners, I hereby direct that the United States and North Dakota flags at all City of Mandan facilities be flown at half-staff from sunrise until sunset on Friday, September 4, 2026, the day of Commissioner Sjoberg's funeral service.

Commissioner Sjoberg served the citizens of Mandan with dedication, integrity, and a steadfast commitment to public service. The City of Mandan is grateful for his service and the lasting contributions he made to our community.

James A. Froelich

Mayor, City of Mandan

N. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- *Tuesday, September 15, 2026 at 5:30 p.m.*
- *Tuesday, October 6, 2026 at 5:30 p.m.*
- *Tuesday, October 20, 2026 at 5:30 p.m.*

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- O. ADJOURN There being no other business to come before the Board, the meeting was adjourned at 6:49 p.m.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners

ORDINANCE NO. 1489

An Ordinance to Repeal and Reserve Section 24-3-2 of the Mandan Code of Ordinances and to Enact New Article 20 of Chapter 24 of the Mandan Code of Ordinances Relating to the Use and Operation of Electric Bicycles, Electric Micromobility Devices, and Minibikes within the City of Mandan

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

Sec. 24-3-2. – Reserved.

ARTICLE 20. – USE OF ELECTRIC BICYCLES, ELECTRIC MICROMOBILITY DEVICES, AND MINIBIKES

Sec. 24-20-1. – Purpose and Intent.

The purpose of this ordinance is to establish a comprehensive micromobility framework for the City; promote the safe and orderly use of electric bicycles and other electric micromobility devices within the City; protect pedestrians on sidewalks and shared-use paths; preserve access to bicycle and trail facilities; and align City regulation with North Dakota law governing electric bicycles.

Sec. 24-20-2. – Definitions.

For purposes of this Article:

Electric bicycle means a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of seven hundred fifty (750) watts or less, which meets the requirements of one of the following three classes: Class 1 electric bicycle, Class 2 electric bicycle, or Class 3 electric bicycle.

Class 1 electric bicycle means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty (20) miles per hour.

Class 2 electric bicycle means an electric bicycle equipped with a motor that may be used to propel the bicycle without the rider pedaling and that is not capable of providing assistance when the bicycle reaches a speed of twenty (20) miles per hour.

Class 3 electric bicycle means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of twenty-eight (28) miles per hour.

Electric micromobility device means a low-speed personal transportation device designed to transport one person, powered in whole or in part by an electric motor, and intended for operation on streets, bicycle facilities, sidewalks where allowed, or shared-use paths. The term includes, but is not limited to, electric scooters, motorized foot scooters, hoverboards, self-balancing boards, one-wheel electric boards, and electric skateboards. The term does not include an electric bicycle, a wheelchair or mobility device used by a person with a disability, an electric personal assistive mobility device used for accessibility, or any vehicle required to be registered under state law.

High-speed electric bicycle or device means any electric bicycle, electrically assisted bicycle, electric micromobility device, or similar device that is capable of traveling more than thirty (30) miles per hour under motor power or motor-assisted power, regardless of the speed at which it is being operated at a particular time. A device meeting this definition may fall outside the definition and classifications of an electric bicycle under North Dakota law and may be considered a motor vehicle, motorized bicycle, motorcycle, off-highway vehicle, or other vehicle subject to applicable state registration, licensing, equipment, insurance, and operating requirements.

Minibike means a pocket bike, mini-motorcycle, mini dirt bike, or similar motor-driven vehicle powered by a gas or electric motor that is not an electric bicycle and is not an electric micromobility device as defined herein.

Shared-use path or city bike trail means any paved or improved path, trail, sidewalk, or bicycle facility designated by the City for use by bicyclists, pedestrians, or micromobility users, whether located within street right-of-way or on separate alignment.

Sidewalk means that portion of a street or public way intended for pedestrian use.

Sec. 24-20-3. - Applicability of Micromobility Article.

- (a) Electric bicycles shall be governed by North Dakota law and this Article.
- (b) Electric micromobility devices shall be governed by this Article.
- (c) Minibikes are prohibited on streets, sidewalks, shared-use paths, and city bike trails, and may not be operated in any location unless otherwise expressly permitted by law.
- (d) Nothing in this Article authorizes operation of any vehicle or device in a location where operation is otherwise prohibited by state law, posted rule, park regulation, or other applicable City ordinance.

Sec. 24-20-4. – General Operating Rules.

- (a) Every operator of an electric bicycle or electric micromobility device shall ride with due care and in a manner that does not endanger any person or property.

- (b) Careless or reckless operation is prohibited. No person shall operate an electric bicycle or electric micromobility device in a careless, reckless, negligent, or hazardous manner, or in a manner likely to cause injury to a person or damage to property.
- (c) Failure to yield is prohibited. Pedestrians shall have the right-of-way at all times on sidewalks, crosswalks, shared-use paths, and city bike trails.
- (d) No operator shall carry more persons than the device is designed to carry.
- (e) No operator shall tow any person or object unless the device and attachment are designed for that purpose and such operation can be conducted safely and lawfully.
- (f) No operator shall operate any device that has been tampered with or modified so as to defeat manufacturer or legal speed limitations or class identification.

Sec. 24-20-5. - Micromobility Operation on Streets and Bicycle Facilities.

- (a) Electric bicycles may be operated on streets and bicycle facilities as permitted by North Dakota law and this Article.
- (b) Electric micromobility devices may be operated on bicycle lanes and on streets with a posted speed limit of thirty (30) miles per hour or less, provided the operator travels in the same direction as adjacent traffic and as close to the right side as practicable except when turning or avoiding hazards

Sec. 24-20-6. - Traffic Laws Applicable on Streets.

Every person operating a bicycle, electric bicycle, or electric micromobility device upon a street or roadway shall be subject to all traffic laws, rules of the road, traffic-control devices, and duties applicable to the operator of a vehicle, except those provisions that by their nature can have no application.

Sec. 24-20-7. - Riding on Roadway and Bicycle Path.

- (a) An individual operating a bicycle, electric bicycle, or electric micromobility device upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (b) A group of individuals riding bicycles, electric bicycles, or electric micromobility devices upon a roadway may not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles or micromobility devices.

Sec. 24-20-8. - Operation on Sidewalks.

Except where otherwise posted or prohibited, Class 1, Class 2, and Class 3 electric bicycles and electric micromobility devices may be operated on sidewalks subject to the following restrictions:

- (a) The maximum speed on any sidewalk is fifteen (15) miles per hour, or such lower speed as may be posted by the City.

- (b) An operator shall yield to pedestrians at all times and shall not interfere with pedestrian travel.
- (c) An operator shall slow to a walking speed when approaching, overtaking, or passing a pedestrian; when approaching a building entrance, alley, driveway, intersection, or crosswalk; and whenever necessary to avoid a conflict.
- (d) No person shall operate a device on a sidewalk in a careless, reckless, negligent, or hazardous manner.
- (e) Any electric bicycle, electrically assisted bicycle, electric micromobility device, or similar device capable of traveling more than thirty (30) miles per hour under motor power or motor-assisted power is prohibited on sidewalks.
- (f) No person shall operate a minibike or gas-powered device on a sidewalk.

Sec. 24-20-9. - Micromobility Operation on Shared-Use Paths and City Bike Trails.

Except where otherwise posted or prohibited, Class 1, Class 2, and Class 3 electric bicycles and electric micromobility devices may be operated on shared-use paths and city bike trails subject to the following restrictions:

- (a) The maximum speed on any shared-use path or city bike trail is fifteen (15) miles per hour, or such lower speed as may be posted by the City.
- (b) An operator shall yield to pedestrians and shall operate with due care around pedestrians, children, persons with disabilities, dog walkers, equestrians, congested areas, and other vulnerable path users.
- (c) An operator approaching, overtaking, or passing a pedestrian or other path user shall slow to a safe speed, provide an audible signal when appropriate, and pass only when it is safe to do so.
- (d) No person shall operate a device on a shared-use path or city bike trail in a careless, reckless, negligent, or hazardous manner.
- (e) Any electric bicycle, electrically assisted bicycle, electric micromobility device, or similar device capable of traveling more than thirty (30) miles per hour under motor power or motor-assisted power is prohibited on all shared-use paths and city bike trails.
- (f) The City may designate separate facilities, no-ride zones, seasonal restrictions, or lower speed zones by sign, map, administrative order, or park/trail regulation.
- (g) Minibikes and any gas-powered device are prohibited on all shared-use paths and city bike trails.

Sec. 24-20-10. - Equipment and Safety Requirements.

- (a) An individual under eighteen (18) years of age may not operate or ride upon an electric bicycle, or electric micromobility device unless the individual is wearing a properly fitted and fastened safety helmet.
- (b) Every electric bicycle manufactured or distributed in this state shall bear a permanent label, in at least nine-point Arial font, stating the electric bicycle's designated class, maximum assisted speed, and motor wattage.

- (c) Electric bicycle equipment and manufacturing must comply with the bicycle requirements provided under federal regulation 16 CFR part 1512.
- (d) Every electric bicycle must be equipped so the electric motor can be disengaged or cease to function when the individual operating the electric bicycle stops pedaling or when the brakes are applied.
- (e) No person may tamper with or modify an electric bicycle to change the motor-powered speed capability or engagement of the electric bicycle unless the required classification label is replaced after modification.
- (f) An individual operating a Class 3 electric bicycle shall ensure the bicycle is equipped with a functioning speedometer.
- (g) Every electric bicycle, or electric micromobility device operated between one-half hour after sunset and one-half hour before sunrise shall have a white front light visible from at least five hundred (500) feet, a red rear light or reflector visible from at least three hundred (300) feet, and an operable braking system.

Sec. 24-20-11. – Minimum Age.

- (a) No person under twelve (12) years of age may operate an electric micromobility device, a Class 1 electric bicycle, or a Class 2 electric bicycle on a street, sidewalk, or shared-use path open to the public, except under direct adult supervision in an area specifically designated for such use.
- (b) No person under sixteen (16) years of age may operate a Class 3 electric bicycle on a street, sidewalk, or shared-use path open to the public.
- (c) Nothing herein alters any other age requirement imposed by state law for other vehicle classes.

Sec. 24-20-12. - Micromobility Parking and Obstruction.

No electric bicycle or electric micromobility device shall be parked so as to obstruct the pedestrian through-zone of a sidewalk, curb ramp, doorway, driveway, transit stop, fire hydrant, or accessible parking access aisle.

Sec. 24-20-13. - Micromobility Signs; Administrative Designation.

The City Engineer, Chief of Police, Parks and Recreation Director, or Public Works Director, as applicable, may designate by sign or map:

- (a) Downtown sidewalk no-ride zones;
- (b) School-frontage safety zones;
- (c) Trail speed zones;
- (d) Trail segments closed to certain classes of devices;
- (e) Facilities or areas where a lower speed limit applies; and
- (f) Seasonal or weather-related closures.

Sec. 24-20-14. - Temporary Event Restrictions.

- (a) The Chief of Police, City Engineer, Parks and Recreation Director, or designee may temporarily prohibit, restrict, reroute, or limit the operation, parking, or staging of bicycles, electric bicycles, electric micromobility devices, minibikes, or similar devices during parades, street fairs, festivals, concerts, races, school events, emergency incidents, construction activities, or other public events or conditions where such restriction is reasonably necessary for public safety, crowd control, traffic control, pedestrian access, emergency access, or protection of public property.
- (b) Temporary restrictions may be established by posted sign, barricade, traffic-control device, public notice, event permit condition, map, verbal direction of a law enforcement officer or authorized event official, or other reasonable means of notice.
- (c) No person may operate, park, or stage a bicycle, electric bicycle, electric micromobility device, minibike, or similar device in violation of a temporary restriction established under this Section.

Sec. 24-20-15. - Coordination with Park Board Rules.

Where a trail, path, or facility is owned or managed by Mandan Parks and Recreation or another governmental entity, the more specific posted rule or ordinance applicable to that facility shall control.

Sec. 24-20-16. - Operation Under the Influence.

No individual may operate a bicycle, electric bicycle, or electric micromobility device while under the influence of alcohol, drugs, or any combination thereof to a degree that renders the individual a hazard to themselves or to the general public.

Sec. 24-20-17. - Parent or Guardian Responsibility.

- (a) A parent, guardian, or other person having legal custody or control of a minor may not knowingly permit, authorize, or allow the minor to operate an electric bicycle, electric micromobility device, minibike, or similar device in violation of this Article.
- (b) A parent, guardian, or custodian may be responsible for payment of any fine, fee, cost, or safety-course requirement lawfully assessed for a violation committed by the minor, to the extent permitted by state law.
- (c) Nothing in this Section limits the authority of the Municipal Court, juvenile court, law enforcement, or any other governmental authority to proceed against the minor, parent, guardian, or custodian as otherwise authorized by law.

Sec. 24-20-18. - Enforcement Authority; Removal and Impoundment.

- (a) A law enforcement officer may stop an individual when the officer has reasonable suspicion to believe the individual is operating an electric bicycle, electric micromobility device, minibike, or other device in violation of this Article or other applicable law.
- (b) A law enforcement officer may remove, take custody of, or impound an electric bicycle, electric micromobility device, minibike, or other device when the device is unlawfully operated, abandoned, creates an immediate safety hazard, obstructs pedestrian or vehicle travel, is used in repeated violations, or is required to be held as evidence.
- (c) A device removed or impounded under this Section may be released to the owner, parent, guardian, or other person legally entitled to possession upon proof of ownership or lawful possession and payment of any applicable fees, unless the device is being held as evidence or is otherwise subject to lawful retention.
- (d) Nothing in this Section limits any authority granted by state law, City ordinance, or other applicable law to enforce traffic laws, remove hazards, preserve evidence, or protect public safety.

Sec. 24-20-19. - Accident and Collision Reporting.

- (a) The operator of an electric bicycle, electric micromobility device, minibike, or other device involved in a collision resulting in injury to any person or damage to property shall immediately stop at or as near as safely possible to the scene of the collision.
- (b) The operator shall provide the operator's name, address, and contact information to the other person involved, the owner of damaged property, or a law enforcement officer upon request.
- (c) If the collision results in injury, death, or damage to unattended property, the operator shall promptly notify law enforcement and remain at or near the scene until law enforcement arrives, unless leaving is necessary to obtain emergency assistance.
- (d) Nothing in this Section limits or replaces any reporting duty imposed by state law or other applicable ordinance.

Sec. 24-20-20. - Penalty.

A violation of this Article, excluding Section 24-20-16, Operation Under the Influence, is a non-criminal city ordinance violation punishable by the following fines:

- (a) First offense: fifty dollars (\$50.00).
- (b) Second offense within twelve (12) months: one hundred dollars (\$100.00).
- (c) Third or subsequent offense within twelve (12) months: two hundred dollars (\$200.00).
- (d) A violation of Section 24-20-16, Operation Under the Influence, is a non-criminal city ordinance violation punishable by a fine of three hundred dollars (\$300.00).
- (e) In lieu of a monetary penalty for a minor's first offense, the Municipal Court may require completion of a safety course.

(f) Each separate occurrence constitutes a separate offense.

Sec. 24-20-21. - Repealer and Conflict.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict. Section 24-3-2 is hereby repealed and reserved.

Sec. 24-20-22. - Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

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

Attest:

/s/James Neubauer
James Neubauer, City Administrator

First Consideration: August 18, 2026
Second Consideration: September 1, 2026

Publication: September 26, 2026



City Commission

Agenda Documentation

MEETING DATE: September 15, 2026
PREPARATION DATE: September 8, 2026
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Justin Schulz, Assistant Finance Director
Greg Welch, Finance Director
SUBJECT: Public Hearing for Ordinance No. 1488 (2027 Budget)

STATEMENT/PURPOSE:

To conduct a public hearing for Ordinance No. 1488 (2027 Budget).

BACKGROUND/ALTERNATIVES:

The Budget & Finance Committee consists of the following members:

- Jim Froelich, Mayor (Finance Portfolio)
- Jim Neubauer, City Administrator
- Greg Welch, Finance Director
- Justin Schulz, Assistant Finance Director

During 2026, department managers met with their portfolio commissioner and Administrator Neubauer to review requests for personnel, machinery and equipment, infrastructure, and building related items.

May 2026 - Department managers submitted operating budget worksheets to the finance department.

June 2026 - Finance department reviewed and updated the revenue, expense, and fund balance projections for the 2026 Budget.

July 2026 - Budget & Finance Committee reviewed and discussed recommendations for the preliminary 2027 Budget.

August 4, 2026 - City Commission approved the introduction and first consideration, and call for a public budget hearing of Ordinance No. 1488 adopting the preliminary 2027

Budget.

On or before August 10, 2026 - City provided a notice of the public budget hearing date to the Morton County Auditor.

September 15, 2026 - City Commission to conduct a public budget hearing at 6:00 p.m.

October 6, 2026 - City Commission to approve the second and final consideration of Ordinance No. 1488 adopting the final 2027 Budget and making the annual tax levy for the year 2026.

On or before October 12, 2026 - City to submit a certified copy of the levy as adopted and a certified copy of the final 2027 Budget to the Morton County Auditor.

The preliminary 2027 Budget is posted on the City's website at cityofmandan.com.

ATTACHMENTS:

1. Ordinance No. 1488

FISCAL IMPACT:

- Expenses = \$43.3M
- Transfers = \$8.3M
- City property taxes levied = \$9.3M

The increase of property taxes for a residential property valued at \$300,000 plus 5% (average) valuation increase and based on the City's projected mill rate = \$12.83 or \$4.28 per \$100,000 in valuation.

The monthly utility rate increase for a residential property using 800 cubic feet or 8 units of water:

- Wastewater Base Charge - \$4.60
- Wastewater Usage Charge - \$4.16
- Stormwater Base Charge - \$0.20
- Garbage Base Charge - \$0.05
- Recycling Base Charge - \$0.47
- No increase to Water Base or Usage Charge
- No increase to Street Lights Base Charge

STAFF IMPACT:

The City's annual budget process is coordinated by the finance department under the direction of the Budget & Finance Committee.

LEGAL REVIEW:

The City is required to prepare the annual budget in accordance with the North Dakota Century Code.

RECOMMENDATION:

To close the public hearing for Ordinance No. 1488 (2027 Budget).

SUGGESTED MOTION:

I move to close the public hearing for Ordinance No. 1488 (2027 Budget).

ORDINANCE NO. 1488

AN ORDINANCE MAKING THE ANNUAL APPROPRIATIONS FOR EXPENDITURES OR EXPENSES OF THE CITY OF MANDAN, NORTH DAKOTA, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2027, AND ENDING DECEMBER 31, 2027, AND MAKING THE ANNUAL TAX LEVY FOR THE YEAR 2026.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA:

Section 1. There are hereby appropriated the following sums of money for so much thereof that may be necessary for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2027, and ending December 31, 2027.

	EXPENDITURES/EXPENSES					TRANSFERS
	SALARIES & BENEFITS	OPERATIONS & MAINTENANCE	DEBT SERVICE	CAPITAL OUTLAY	TOTAL	
GENERAL FUND	\$ 15,490,348	\$ 4,949,736	\$ -	\$ 1,335,451	\$ 21,775,535	\$ 39,277
<u>SPECIAL REVENUE FUNDS</u>						
HIGHWAY DISTRIBUTION FUND	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,232,211
CITY SHARE OF SPECIAL ASSESSMENTS FUND	\$ -	\$ 188,258	\$ -	\$ -	\$ 188,258	\$ -
CEMETERY FUND	\$ 106,104	\$ 58,550	\$ -	\$ 16,538	\$ 181,192	\$ -
CITY VISITORS' PROMOTION FUND	\$ -	\$ 98,321	\$ -	\$ -	\$ 98,321	\$ -
ALARM-EQUIPMENT RESERVE FUND	\$ -	\$ 2,600	\$ -	\$ -	\$ 2,600	\$ -
1% CITY SALES TAX FUND	\$ -	\$ 195,000	\$ -	\$ -	\$ 195,000	\$ 3,769,398
PUBLIC TRANSPORTATION SYSTEM FUND	\$ -	\$ 284,771	\$ -	\$ -	\$ 284,771	\$ -
0.75% CITY SALES TAX FUND	\$ -	\$ -	\$ 170,138	\$ -	\$ 170,138	\$ -
0.5% CITY SALES TAX FUND	\$ -	\$ 792,880	\$ -	\$ -	\$ 792,880	\$ 714,531
FIRE EQUIPMENT RESERVE FUND	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 185,949
MANDAN GROWTH FUND	\$ 153,515	\$ 36,444	\$ -	\$ -	\$ 189,959	\$ -
MANDAN SEP TRUST FUND	\$ -	\$ 1,200	\$ -	\$ -	\$ 1,200	\$ -
HEALTH & SAFETY FUND	\$ -	\$ 149,400	\$ -	\$ -	\$ 149,400	\$ -
<u>DEBT SERVICE FUNDS</u>						
REFUNDING IMPROVEMENT BONDS FUND	\$ -	\$ -	\$ 7,007,530	\$ -	\$ 7,007,530	\$ -
<u>BUDGETS NOT REQUIRED UNDER NDCC 40-40-05</u>						
CITY VISITORS' PROMOTION CAPITAL CONSTRUCTION FUND	\$ -	\$ 126,500	\$ -	\$ -	\$ 126,500	\$ -
WATER & SEWER UTILITY FUND	\$ 2,501,977	\$ 2,230,550	\$ 3,298,199	\$ 39,426	\$ 8,070,152	\$ 2,396,158
SOLID WASTE UTILITY FUND	\$ 447,956	\$ 2,511,972	\$ -	\$ 303,188	\$ 3,263,116	\$ -
STREET LIGHT UTILITY FUND	\$ -	\$ 334,450	\$ -	\$ 240,000	\$ 574,450	\$ -
CITY SHOP FUND	\$ -	\$ 228,077	\$ -	\$ -	\$ 228,077	\$ -
TOTAL	\$ 18,699,900	\$ 12,188,709	\$ 10,475,867	\$ 1,934,603	\$ 43,299,079	\$ 8,337,524
MORTON MANDAN PUBLIC LIBRARY	\$ 1,008,721	\$ 252,820	\$ -	\$ -	\$ 1,261,541	\$ -
MANDAN AIRPORT AUTHORITY	\$ 133,400	\$ 201,300	\$ 102,638	\$ 1,430,000	\$ 1,867,338	\$ -

Section 2. There are hereby levied the following sums of money on all taxable property in the City of Mandan, North Dakota, for the year 2026 for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota.

GENERAL FUND	\$ 7,573,876
CITY SHARE OF SPECIAL ASSESSMENTS FUND	\$ 6,087
PUBLIC TRANSPORTATION SYSTEM FUND	\$ 297,014
MORTON MANDAN PUBLIC LIBRARY	\$ 789,446
MANDAN AIRPORT AUTHORITY	\$ 592,538
TOTAL	<u>\$ 9,258,961</u>

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Taking Effect. This ordinance shall be in full force and effect from and after its final passage and adoption.

President, Board of City Commissioners

Attest:

City Administrator

First Consideration: August 4, 2026
Second Consideration: October 6, 2026
Final Passage and Adoption: October 6, 2026



City Commission

Agenda Documentation

MEETING DATE: September 15, 2026
PREPARATION DATE: June 3, 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: September 15, 2026
PREPARATION DATE: September 8, 2026
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Dave Wiosna
SUBJECT: Consider a minor plat for the Replat of Lot 20, Mandan Hill Addition

STATEMENT/PURPOSE:

Consider a minor plat for the Replat of Lot 20, Mandan Hill Addition

BACKGROUND/ALTERNATIVES:

This plat is a request to re-combine into one lot.

Property History

The property is located at 1129 Chippewa Loop NE. The lot was divided into two lots in 2025 with the intent of building a twin home. The plans for this lot has changed back to a single-family residence.

Minor Plat

This plat creates 1 lot with .52 acres.

Adjacent Properties Zoning, Land Use and Future Land Use

This property and the adjacent property to the west are zoned RM - Residential Multi Family. Property to the north and east are zoned Agriculture and properties to the south are zoned R3.2 - Residential Two-Family. The Future Land Use Plan designates this property as High Density Residential.

Staff Comments

- Zoning for the proposed lot is unchanged - RM - Residential Multi Family.

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 - Mandan Hill L20 Replat_Redacted
2. Mandan Hill L20 Location Map
3. Lot 20 Block 1 Second Replat-Final Plat

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 the Replat of Lot 20 Mandan Hill Addition.

SUGGESTED MOTION:

I move to recommend approval of the minor plat for the Replat of Lot 20 Mandan Hill Addition.

CITY OF MANDAN		
Development Review Application		
x	Minor Plat (\$300)	Zone Change (\$600)
	Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
	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)		
Lot modification to re-combine Mandan Hill First Addition Replat of Lot 20 Block 1 into a single parcel.		

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen, & Co			Name J.E. Homes, LLC		
Address [REDACTED]			Address [REDACTED]		
City Bismarck	State ND	Zip 58504	City Bismarck	State ND	Zip 58502
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	
x	City	ETA	New	Addition	RM		Mandan Hill Replat of Lot 20 BI 1	
Property Address						Legal Description		
1129 Chippewa Loop NE						Lot 20 Block 1		
Current Use								
Vacant						Mandan Hill First Addition		
Proposed Use								
Twin Home						Section 26	Township 139	Range 81
Parcel Size 0.52 AC	Building Footprint		Stories	Building SF		Required Parking		Provided Parking

Print Name Jern Thompson	Signature [Signature]	Date 8-18-26
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Office Use Only			
Date Received:	Initials: <i>YM</i>	Fees Paid: \$ 300	Date 8-18-2026
Notice in paper		Mailed to neighbors	
P&Z meeting			
Approved	Approved with conditions:		
Denied			



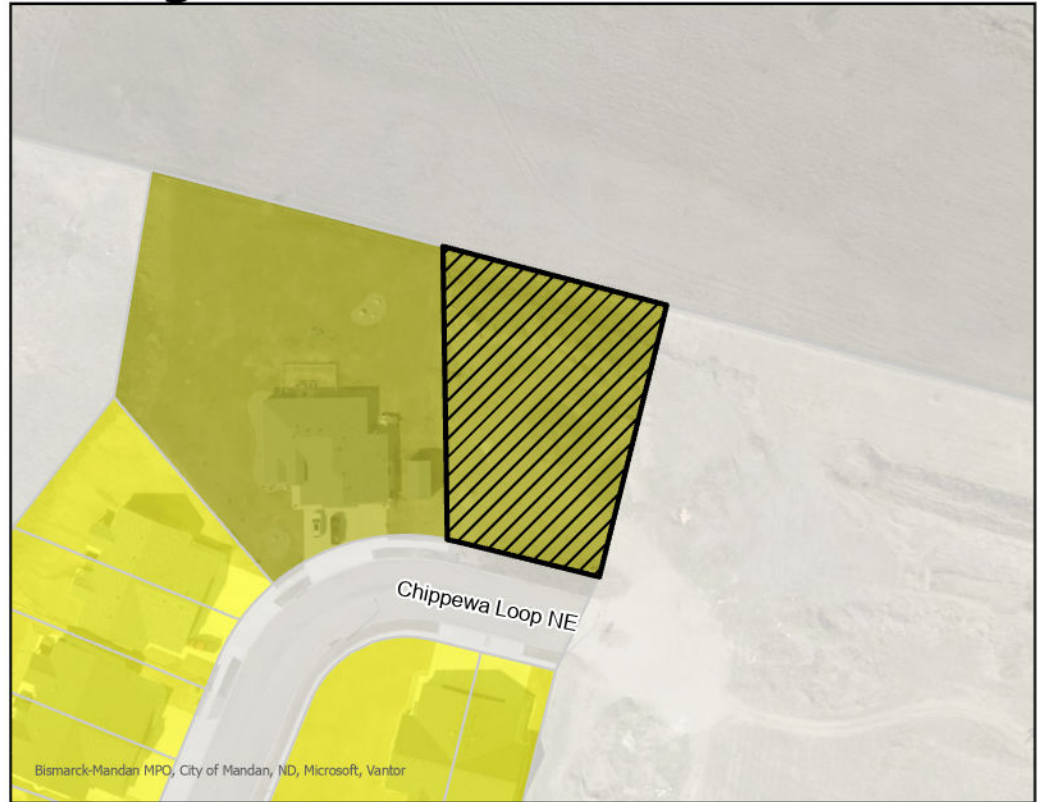
Zoning and Future Land Use Reference Map

Mandan Hill Replat L20 Blk 1

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 |

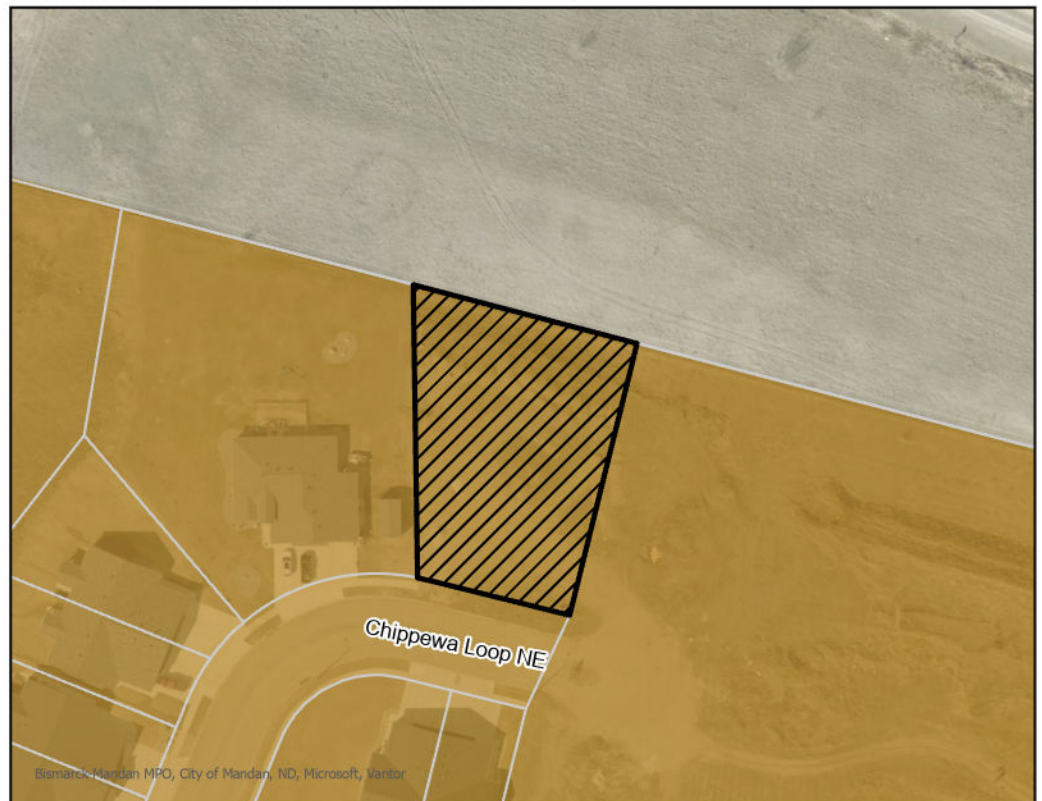
Zoning



Future Land Use Plan

Future Land Use Plan Key

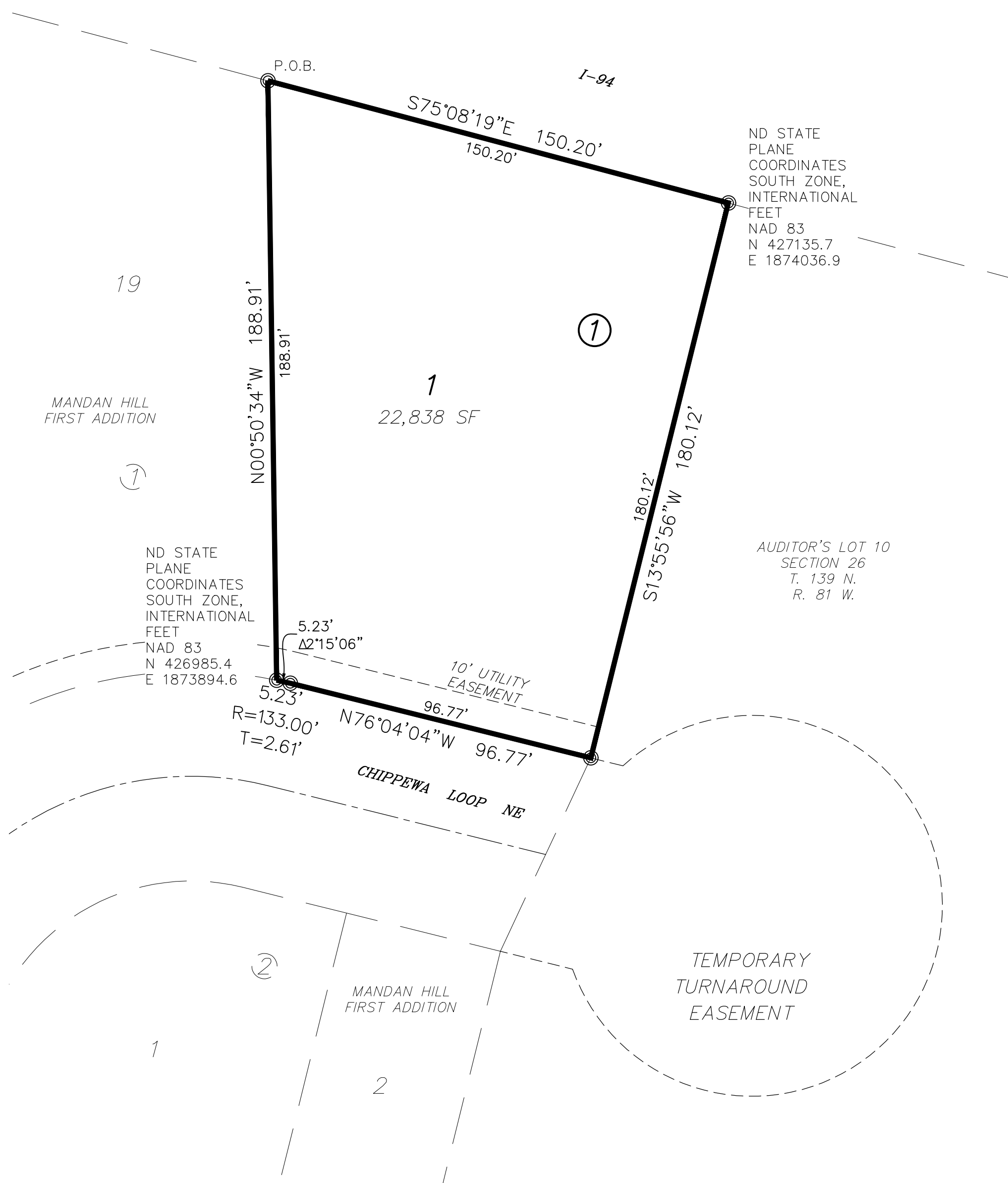
- | |
|----------------------------|
| Rural Residential |
| Low Density Residential |
| Medium Density Residential |
| High Density Residential |
| Commercial |
| Industrial |
| Public/Semi-Public |
| Public Land |
| Park |
| Greenways |
| Open Space |
| Open Water |
| Proposed Site |



0 0.02 0.04 0.08 Miles

MANDAN HILL FIRST ADDITION SECOND REPLAT OF LOT 20 BLOCK 1

AND UNDIVIDED INTEREST IN LOT 21 BLOCK 1 AND LOT 7 BLOCK 4,
MANDAN HILL FIRST ADDITION
OF SECTION 26, TOWNSHIP 139 NORTH, RANGE 81 WEST
OF THE 5TH PRINCIPAL MERIDIAN TO THE CITY OF
MANDAN, MORTON COUNTY, NORTH DAKOTA

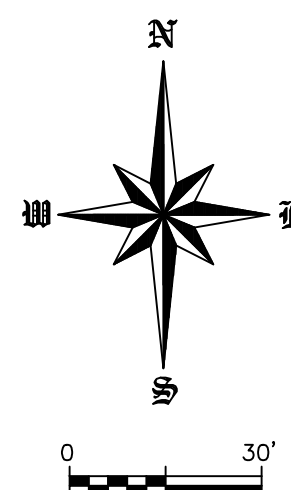


NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 2011
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.



SCALE: 1"=30'

AUGUST 14, 2026

○ MONUMENT TO BE SET
● MONUMENT IN PLACE

DESCRIPTION

BEING A REPLAT OF ALL OF LOT 20 BLOCK 1 MANDAN HILL FIRST ADDITION, AND UNDIVIDED INTEREST IN LOT 21 BLOCK 1 AND LOT 7 BLOCK 4, MANDAN HILL FIRST ADDITION, OF SECTION 26, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MANDAN, MORTON COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 19 BLOCK 1 MANDAN HILL FIRST ADDITION; THENCE SOUTH 75 DEGREES 08 MINUTES 19 SECONDS EAST, ON THE SOUTH LINE OF I-94 RIGHT-OF-WAY, A DISTANCE OF 150.21 FEET TO THE EAST LINE OF MANDAN HILL FIRST ADDITION; THENCE SOUTH 13 DEGREES 55 MINUTES 56 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 180.12 FEET TO THE NORTH LINE OF CHIPPEWA LOOP NE RIGHT-OF-WAY; THENCE NORTH 76 DEGREES 04 MINUTES 04 SECONDS WEST, ON SAID NORTH LINE, A DISTANCE OF 96.77 FEET; THENCE NORTHWESTERLY AND TO THE LEFT, CONTINUING ON SAID NORTH LINE, ON A 133.00 FOOT RADIUS CURVE, AN ARC LENGTH OF 5.23 FEET TO THE EAST LINE OF LOT 19 BLOCK 1 MANDAN HILL FIRST ADDITION; THENCE NORTH 00 DEGREES 50 MINUTES 34 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 188.91 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 22,838 SF, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON _____, 2026, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3595

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN HEREON, 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--MAYOR

APPROVAL OF CITY ENGINEER

I, JAREK WIGNESS, CITY ENGINEER OF THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVE "MANDAN HILL FIRST ADDITION REPLAT OF LOT 20 BLOCK 1", MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE APPROVED PLAT.

JAREK WIGNESS
CITY ENGINEER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT J.E. HOMES, LLC, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "MANDAN HILL FIRST ADDITION SECOND REPLAT OF LOT 20 BLOCK 1", MANDAN, MORTON COUNTY, NORTH DAKOTA.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)

JERAN THOMSON
JE HOMES, LLC
PO BOX 3121
BISMARCK, ND 58502

ON THIS _____ DAY OF _____, 2026, BEFORE ME PERSONALLY APPEARED JERAN THOMSON OF JE HOMES, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES _____



SWENSON, HAGEN & COMPANY P.C.

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

909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223-2600
Fax (701) 223-2606



City Commission

Agenda Documentation

MEETING DATE: September 15, 2026
PREPARATION DATE: September 8, 2026
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Dave Wiosna
SUBJECT: Consider a minor plat for School District 9th Addition

STATEMENT/PURPOSE:

Consider a minor plat for School District 9th Addition

BACKGROUND/ALTERNATIVES:

This plat is a request to combine 16 lots and vacated right of way into 2 lots.

Property History

The property is located at 205 8th Avenue NE. The location of the old high school.

Minor Plat

This minor plat consists of two lots in one block. Lot 1 occupies the northern portion of the plat (191.13'), including the right of way to be vacated. Lot 2 occupies the southern portion of the plat (180').

Total acreage: 2.06 acres

Lot 1: 1.32 acres

Lot 2: 0.74 acres

Access to the plat is provided by surrounding streets: 1st and 2nd Streets NE and 6th and 7th Avenues NE.

Right of Way Vacation

The portion of alley proposed to be vacated is part of proposed Lot 1. The alley is 20' wide and approximately 200' long. This portion of ROW may be vacated as part of this minor plat.

Adjacent Properties Zoning, Land Use and Future Land Use

This property and all surrounding properties are zoned DF - Downtown Fringe. The Future Land Use Plan designates this property as Public/Semi-Public.

Staff Comments

- Zoning for both proposed lots is unchanged - DF - Downtown Fringe
- The proposed right of way vacation would likely have very little impact on surrounding properties.

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.

Right of Way Vacation

1. The process for vacating a right of way has followed Mandan city code

ATTACHMENTS:

1. Applications - School District_Redacted
2. School District 9th Location Map
3. School District 9th Add. revised 9-9-26

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 and right of way vacation for School District 9th Addition.

SUGGESTED MOTION:

I move to recommend approval of the minor plat and right of way vacation for School District 9th Addition.

CITY OF MANDAN	
Development Review Application	
☒ Minor Plat (\$300)	Zone Change (\$600)
☐ Preliminary Plat up to 20 acres (\$400)	Planned Unit Development (\$700)
☐ Preliminary Plat more than 20 acres (\$450)	Land Use and Transportation Plan Amendment (\$1,000)
☐ Final Plat up to 20 lots (\$400)	Variance (\$500)
☐ Final Plat 21 to 40 lots (\$550)	Variance (\$400)
☐ Final Plat more than 40 lots (\$700)	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)	
Summary of Request (Add separate sheet(s) as necessary)	
Combine 16 lots and vacated right of way into 2 lots.	

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name Mandan School District #1		
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]
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	DF	DF	School District 9th Addition	
Property Address 205 8th Avenue NE				Legal Description Lots 1-15, Block 15 in Helmsworth-Mclean's addition			
Current Use Public				Lot A in Mandan Proper addition & vacated right of way			
Proposed Use Public, Commercial				Section 26 & 27 Township 139 Range 81			
Parcel Size 89,868 SF	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		

Print Name Ryan Lagasse	Signature [Signature]	Date 8/12/26
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Office Use Only			
Date Received:	Initials: nm	Fees Paid: \$ 300	Date 8-12-2026
Notice in paper	Mailed to neighbors	P&Z meeting	
Approved	Approved with conditions:		
Denied			

Updated 1/1/2020 X:\0. Administration\Application Documents\Development Application - January 1, 2020.docx

CITY OF MANDAN	
Development Review Application	
☒ Minor Plat (\$300)	Zone Change (\$600)
☐ Preliminary Plat up to 20 acres (\$400)	Planned Unit Development (\$700)
☐ Preliminary Plat more than 20 acres (\$450)	Land Use and Transportation Plan Amendment (\$1,000)
☐ Final Plat up to 20 lots (\$400)	Vacation (\$500)
☐ Final Plat 21 to 40 lots (\$550)	Variance (\$400)
☐ Final Plat more than 40 lots (\$700)	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)	
Summary of Request (Add separate sheet(s) as necessary)	
Combine 16 lots and vacated right of way into 2 lots.	

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name Mandan Park District		
Address 4215 Old Red Trail NW			Address 2600 46th Avenue SE		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email mark@ilsurveynd.com			email chiglin@mandanparks.com		
Phone 701-595-2079		Fax	Phone 701-751-6163		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	DF	DF	School District 9th Addition	
Property Address				Legal Description			
205 8th Avenue NE				Lots 1-15, Block 15 in Helmsworth-McLean's addition			
Current Use							
Public				Lot A in Mandan Proper addition & vacated right of way			
Proposed Use							
Public, Commercial				Section 26 & 27	Township 139	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
89,868 SF							

Print Name Cole Higgin	Signature 	Date 8-6-26
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Office Use Only			
Date Received:	Initials: ym	Fees Paid: \$ 300	Date 8-12-2026
Notice in paper	Mailed to neighbors	P&Z meeting	
☐ Approved	Approved with conditions:		
☐ Denied			



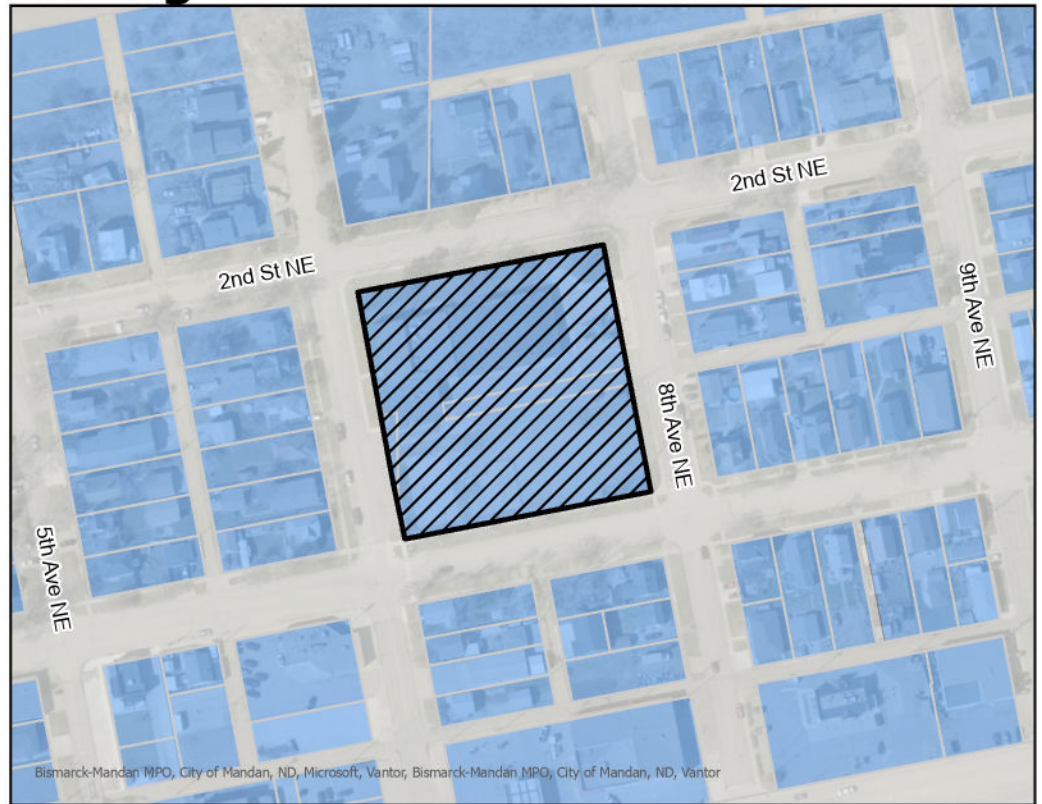
Zoning and Future Land Use Reference Map

School District 9th Addition

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 |

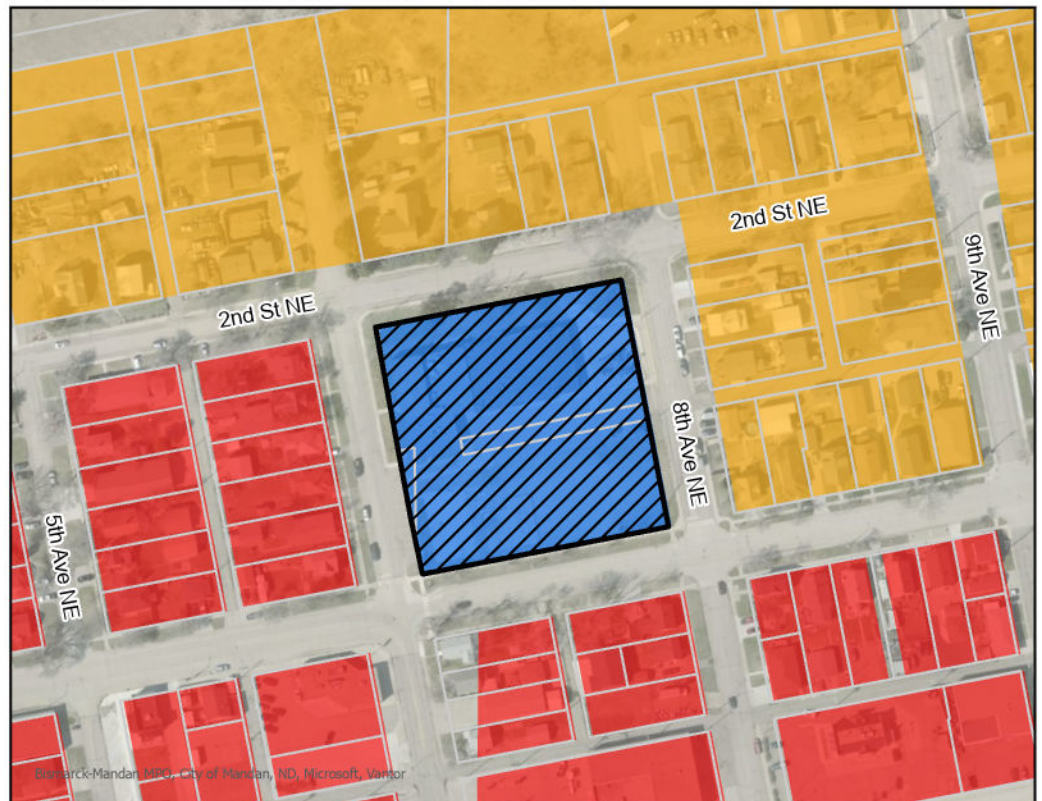
Zoning



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 |



SCHOOL DISTRICT 9TH ADDITION
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
LOT A IN MANDAN PROPER ADDITION, LOTS 1-15, BLOCK 15 IN HELMSWORTH AND
McLEAN'S ADDITION, AND VACATED RIGHT OF WAY ALL IN THE NORTHWEST QUARTER
OF SECTION 26, T139N, R81W AND THE EAST HALF OF SECTION 27, T139N-R81W



PROPERTY DESCRIPTION

ALL OF LOT 'A' IN MANDAN PROPER ADDITION, LOTS 1-15, BLOCK 15 IN HELMSWORTH AND McLEAN'S ADDITION, AND VACATED RIGHT OF WAY IN THE NORTHWEST QUARTER OF SECTION 27 AND THE EAST HALF OF SECTION 26, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN IN MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 15 IN HELMSWORTH-McLEAN'S ADDITION; THENCE SOUTH 10° 53' 17" EAST ON THE WEST RIGHT OF WAY LINE OF 7TH AVENUE NE A DISTANCE OF 299.76 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 15; THENCE SOUTH 79° 09' 59" WEST ON THE NORTH RIGHT OF WAY LINE OF 1ST STREET NE A DISTANCE OF 300.01 FEET; THENCE NORTH NORTH 10° 55' 36" WEST ON THE EAST RIGHT OF WAY LINE OF 6TH AVENUE NE A DISTANCE OF 299.13 FEET TO THE NORTHWEST CORNER OF LOT 'A'; THENCE NORTH 79° 02' 44" EAST ON THE SOUTH RIGHT OF WAY LINE OF 2ND STREET NE A DISTANCE OF 300.22 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINS 2.06 ACRES (89,868 SQUARE FEET) MORE OR LESS, AND IS SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS OF RECORD.

SURVEYOR'S CERTIFICATE

I, MARK R. ISAACS, 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 DISTANCE INDICATES HEREON ARE IN FEET AND HUNDREDTHS THEREOF, AND BEARINGS AND 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

WE, THE UNDERSIGNED, BEING 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 OR SERVICES UNDER, ON OR OVER THESE CERTAIN STRIPS OF LAND DESIGNATION AS "UTILITY EASEMENT".

RYAN LAGASSE - BUSINESS MANAGER
MANDAN SCHOOL DISTRICT #1
LOT 1, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING 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 OR SERVICES UNDER, ON OR OVER THESE CERTAIN STRIPS OF LAND DESIGNATION AS "UTILITY EASEMENT".

COLE HIGLIN
MANDAN PARK DISTRICT
LOT 2, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____

ACREAGE TABLE

LOT 1	57,463 SF	1.32 ACRES
LOT 2	32,405 SF	0.74 ACRES
TOTAL	89,868 SF	2.06 ACRES

LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR "LS-9628"
- · · · VACATE LOT LINES

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.

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 9TH ADDITION" OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

OWNERS:
MANDAN SCHOOL DISTRICT #1
901 DIVISION STREET NW
MANDAN, ND 58554

MANDAN PARK DISTRICT
2600 46TH AVENUE SE
MANDAN, ND 58554

SCHOOL DISTRICT 9TH ADDITION
MANDAN PROPER ADDITION AND
HELMSWORTH-McLEAN ADDITION
NW 1/4 SECTION 27 AND
EAST HALF SECTION 26
T 139 N, R 81 W
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1	JOB NUMBER: 26115
SCALE: 1"= 20'	DWG REVISION DATES
DRAWN BY: LCM	7/21/26 -
DWG DATE: 6/18/26	- -
DWG NAME: 26115 Survey.dwg	

Independent
Land
Surveying &
Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2079
mark@iisurveynd.com



City Commission

Agenda Documentation

MEETING DATE: September 15, 2026
PREPARATION DATE: August 26, 2026
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Madison Cermak
PRESENTER: Madison Cermak, Business Development & Communications Director
SUBJECT: Mandan Growth Fund Recommendation for Forever Treasures Retail Incentive

STATEMENT/PURPOSE:

To consider a recommendation by the Mandan Growth Fund (MGF) Committee regarding an application for a retail incentive by Forever Treasures at 1311 1st St. NE

BACKGROUND/ALTERNATIVES:

At an August 26, 2026, meeting, the MGF reviewed an application for the Retail Incentive Program. The purpose of this program is to serve as a catalyst for securing new retail concepts to fill vacant properties and stimulate new construction by providing financial assistance to qualified applicants. This new business being started by Lori Lockner will help fill demand for a consignment store in the Mandan community. They will be leasing the building space at 1311 1st St. NE. This building is a current Storefront Improvement project and has been vacant for many years.

Forever Treasures is a mid-market consignment store offering affordable, quality secondhand clothing, accessories, home goods, and unique items. It provides an easy way for people to sell items they no longer need while creating a welcoming shopping experience. The business empowers cosigners with a simple, profitable sales channel, creating a welcoming and visually engaging store environment, and supporting the community through eco-conscious practices, local partnerships, and events that connect shoppers of all ages with timeless, unique treasures.

The rating system for the Retail Incentive Program has 13 different criteria. The average rating of seven MGF members was 3.7 on a scale of 1 to 5 with 5 being the highest. This score warrants an incentive at a \$3.75-per-square-foot-rate with a total of \$12,937.50.

ATTACHMENTS:

1. Retail Incentive Application Update
2. Forever Treasures Presentation
3. Tabulation Scoring

FISCAL IMPACT:

The MGF's cash balance (after commitments) for economic development projects as of August 31, 2026, was \$105,810.50.

STAFF IMPACT:

Some monitoring and reporting is necessary.

LEGAL REVIEW:

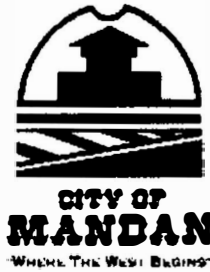
City Attorney Amy Oster has reviewed all the information. A recipient agreement is required along with completion of a W-9 form. The funding is structured as a forgivable loan. If the applicant were to locate outside the City of Mandan within 5 years, a prorated portion of the assistance would be required to be repaid.

RECOMMENDATION:

The MGF voted 7-0 (with two members absent) to recommend approval of a retail incentive for Forever Treasures. The incentive rate based on committee scoring is recommended at \$3.75 per square foot, with a total of \$12,937.50 in assistance over 12 months to begin one month after the opening.

SUGGESTED MOTION:

I move to approve \$12,937.50 as a retail incentive for Forever Treasures payable in 12 equal monthly installments after the start of operations at 1311 1st St. NE.



Retail Incentive Program APPLICATION & CHECKLIST

Business Name Forever Treasures
Address of Proposed Business 1311 1st St. NE Mandan ND 58554
Applicant's Mailing Address 200 5th Ave SW City Mandan State ND Zip 58554
Applicant's Phone 701-471-0383 Email Lockner35@gmail.com

Use:

Retail ☒ Square Feet 3,450

AMOUNT OF ASSISTANCE REQUESTED PER SQUARE FOOT \$ 5

Approximate cost to open the business: \$ 60,000-80,000

Personal Investment \$ 75,000 (Equity)

Bank or other financial commitment \$ 147,000 Other: _____
Building Rehabilitation \$ 147,000 Lease Term 5 years
Building Acquisition or Construction Cost \$ 147,000
Monthly Rent/Lease Per Square Foot \$ 2,000.00 Landlord Match 0

Proposed Opening Date of the Business September 2026

Description of the Business Including Products and Services Being Offered Consignment Store
Supports local income for families selling items rather than donating them. Draws shoppers to town, for other business. Offers affordable shopping options for the public.

Number of New Jobs 5 Expected daily traffic 30-50 people

Weekly hours of operation

Mon - closed	Fri 9-6 pm
Tues - closed	Sat 9-4 pm
Wed 9-6 pm	Sun - closed
Thu 9-6 pm	

Exhibit A — Retail Preferences

- Appliances
- Art/frame store
- Arts, crafts, hobby shop
- Bakery/bread store/dessert shop
- Clothing and other apparel — men, women, children
- Consumer goods rental
- Dry cleaners
- Electronics
- Food specialties — product specific, health, fresh, organic, etc.
- Gift, novelty, souvenir shop
- Hardware/paint
- Home décor or accessories
- Ice cream parlor
- Kitchen supplies and accessories
- Movie theater or other recreational/entertainment services
- Music or musical instruments
- Pet supplies
- Shoe store — men, women, children
- Toy store

This list may not be all inclusive. Other types of businesses may be eligible as long as not explicitly listed as “ineligible” and if providing products or services missing from Mandan’s business community or documented as in demand by residents.



RETAIL INCENTIVE — APPLICATION EVALUATION (FOR COMMITTEE USE)

The purpose of the program is to serve as a catalyst for securing new retail and service business in the City of Mandan to provide greater selection and convenience to residents, businesses and visitors as well as to generate additional revenues for the public sector by way of local sales taxes. Following are guidelines for use by Mandan Growth Fund Committee members. To be completed individually, tallied and averaged. Subject to discussion.

Applicant:					
Amount of subsidy requested psf:					
Operating space (sf):					
SECTIONS BELOW FOR USE BY MANDAN GROWTH FUND ONLY					
1. Degree to which business fills a gap?	Significant				Minimal
	5	4	3	2	1
2. Products/services needed by other businesses?	Significant				Minimal
	5	4	3	2	1
3. Sales tax potential?	Significant				Minimal
	5	4	3	2	1
4. # of jobs created?	Significant				Minimal
	5	4	3	2	1
5. Use of other public incentives	Minimal (5% or less)	6-9%	10-19%	20-29%	Significant 30% or more
	5	4	3	2	1
6. Customer base	Broad				Limited
	5	4	3	2	1
7. Hours of operation	High				Low
	5	4	3	2	1
8. Qualifications of owners, managers	Strong			Weak	No info
	5	4	3	2	1
9. Potential for long-term viability	Strong				Weak
	5	4	3	2	1
10. Storefront plans/curb appeal	Significant				Minimal
	5	4	3	2	1
11. Investment - inventory, equip, building, etc.	Significant				Minimal
	5	4	3	2	1
<i>Ratings/recommendation to be provided by third-party such as SBDC or LCRDC</i>					
12. Business plan	Strong			Weak	No plan
	5	4	3	2	1
13. Financial history	Strong			Weak	No info
	5	4	3	2	1
Totals					
Grand Total		Average Rating			

General Guide (based average rating):

- Less than 2.0 = no assistance
- 2.0 to 2.4 = ¼ of maximum
- 2.5 to 2.9 = ½ of maximum
- 3.0 to 3.9 = ¾ of maximum
- 4.0 and greater = maximum



CONSIGNMENT BOUTIQUE

Forever Treasures

WHAT IS CONSIGNMENT STORE?

- The owner brings in items they no longer want or need.
- The store displays and sells the item.
- If the item sells, the seller gets 40% of the profit, and the store gets 60%.
 - Premium/ special items get 80% of the profit and the store gets 20%.
- If it doesn't sell within 120 days, the owner may choose to take back items or sell in the store with a discount.
- If items do not sell after 7 months, they will be donated to a store of choice.

Our Mission

Forever Treasures offers affordable, quality secondhand clothing, accessories, home goods, and unique items. It provides an easy way for people to sell items they no longer need while creating a welcoming shopping experience. The business promotes sustainability by giving items a second life and supports the local community through partnerships and events.



Who We Are



Owner

Lori Lockner



Manager

Jericah Lockner



Other staff

onboarding & training

Jobs Created

Full -time

This role may be shared between the owner and the manager and includes additional responsibilities as needed.

Part-time

Sales Associates / Floor Staff /
Maintenance (2–4)

Full -time equivalent (FTE)

Approximately 2–4, depending on hours
and store scale

Volunteers

Volunteers may assist with special events,
merchandising, or seasonal tasks, helping
reduce labor costs and engage the
community.



Gap Analysis

- No local store have consignment options.
- More organized and selective than traditional thrift stores.
- Customers can try on and inspect items in person.
- Offers local drop -off and pickup at certain times.
- Focuses on quality items and community connection.

Use of public Incentives

- None currently received.
- May explore small business grants in the future.
- May look into local business programs.
- Could consider low -interest loans if needed.



Products & Services From Other Businesses

Products

Gently used apparel (men/women/kids), accessories, handbags, shoes, small furniture, home decor, seasonal items, baby gear.

Store Supplies

We have collected racks, mannequins, tables, hangers, and other store fixtures from businesses that have closed in the area.

Bring too back services

Local boutiques and retailers can bring in unwanted items for consignment, while photographers, realtors, restaurants, and coffee shops can use our décor and props.

Customer Base

Primary

Shoppers of all ages and interests, including value -conscious fashion seekers, eco-conscious consumers, bargain hunters, and vintage lovers.

Secondary

Local boutiques seeking inventory clearance, photographers/realtors needing props, or tourist.

Marketing Channels

Social media, local community groups, email newsletter, and local press.



Sales Tax

Standard retail sales tax applies to tangible goods sold.

Register for state sales tax permit; collect and remit according to state rates. Consignment model: tax generally collected at point of sale on full sale price (verify local rules; some states require tax on the full retail even if split with consignor).

Store Front plans

And

Curb Appeal

Clean logo sinage

New roof & siding

ADA compliant entrance

Large display windows

Welcoming decor

Clear hours posted

Security cameras

Cosignor drop off sign

Store Hours

 **SUNDAY** : **CLOSED**

 **MONDAY** : **CLOSED**

 **TUESDAY** : **CLOSED**

 **WEDNESDAY** : **9-6PM**

 **THURSDAY** : **9-6PM**

 **FRIDAY** : **9-6PM**

 **SATURDAY** : **9-4PM**

Current Advertisement



Forever Treasures

241 followers • 0 following

Shop. Save. Earn. 💎 💰

From home décor to fashion and more—find treasures or make money consigning. located in Mandan!!

🛍 Shopping & retail



All

AboutFollowersPhotosMentionsMore ▾



Construction



Questions?



Mandan Growth Fund - Retail Incentive Program
Application Evaluation - Tabulation Form

Criteria	GF Member 1	GF Member 2	GF Member 3	GF Member 4	GF Member 5	GF Member 6	GF Member 7	Average
1. Fills gap	3	3	5	3	4	4	3	3.571428571
2. Needed by other businesses	2	2	4	3	3	3	2	2.714285714
3. Tax potential	4	3	4	3	3	4	3	3.428571429
4. Jobs	3	2	1	3	3	3	1	2.285714286
5. Incentive use	4	5	5	4	5	5	5	4.714285714
6. Customer base	5	4	4	3	3	5	5	4.142857143
7. Hours	4	2	3	3	5	5	2	3.428571429
8. Qualifications	3	3	4	3	4	5	5	3.857142857
9. Potential viability	4	3	4	4	4	5	3	3.857142857
10. Curb appeal	4	4	5	5	5	5	5	4.714285714
11. Investment	3	5	4	4	3	4	5	4
12. Business plann	4	4	4	4	4	4	4	4
13. Financial history	3	3	3	3	3	3	3	3
Total	46	43	50	45	49	55	46	47.71428571
Average Rating								3.67032967

Dollar amount of assistance psf

based on average rating 3.75

Square footage 3,450

Total stipend \$12,937.50

Monthly stipend \$1,078.13



City Commission

Agenda Documentation

MEETING DATE: September 15, 2026
PREPARATION DATE: September 3, 2026
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider a driveway apron variance at 602 6th Avenue NW

STATEMENT/PURPOSE:

Consider a variance to extend the driveway apron located at 602 6th Ave NW

BACKGROUND/ALTERNATIVES:

The 602 6th Avenue NW property is a 140 ft by 140 ft single family residential lot. The property currently has a single consolidated driveway shared with the neighboring property to the north. The top-of-apron width adjacent to this property is approximately 21 feet. The applicant is requesting an additional 18-foot driveway on the south side of the property to accommodate a new garage. With 140 feet of frontage, the total percentage of driveway frontage would still be below 30 percent.

ATTACHMENTS:

1. Application_Redacted
2. Additional Submittal
3. Site Plan
4. EagleviewImage

FISCAL IMPACT:

N/A

STAFF IMPACT:

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approving the variance request for 602 6th Ave NW.

SUGGESTED MOTION:

I move to approve the driveway variance request for 602 6th Ave NW.

CITY OF MANDAN	
Development Review Application	
Minor Plat (\$300)	Zone Change (\$600)
Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
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)	

Engineer/Surveyor			Property Owner or Applicant		
Name <i>Toman Eng.</i>			Name <i>VIKING BUILDERS INC</i>		
Address			Address		
City	State	Zip	City	State	Zip
			<i>BISMARCK</i>	<i>ND</i>	<i>58503</i>
Phone			Phone		
Fax			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			
Property Address				Legal Description		
<i>602 6th Ave NW</i>				<i>Lots 7 + 8 + north 40' of</i>		
Current Use						
Proposed Use				<i>Vacated 5th St. NW lying South of Lot 7, Block 80, First Northern Pacific.</i>		
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking	

Print Name <i>LEE LUND</i>	Signature <i>Lee Lund</i>	Date <i>9-1-26</i>
-------------------------------	------------------------------	-----------------------

Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: \$ <i>250</i>	Date <i>9-3-2026</i>
Notice in paper		Mailed to neighbors	P&Z meeting
Approved	Approved with conditions:		
Denied			

Additional Submittals

Variance

A zoning variance application shall include a detailed statement with the following information:

1. The circumstances or conditions applying to the land or buildings for which the variance is sought

The backyard has three levels in a step style which requires different equipment to maintain the yard. Approximately 14,000 sq ft.

2. How the applicant is deprived of a reasonable use of said land or building;

The house was built in 1938. The north side set back is five feet from the single car garage. The only way to the back yard is to drive on the front yard going south around the house. The front yard has vehicle tracks which prevents landscaping such as grass, flowers, permanent shrubs. When the wind is blowing the plain dirt has no covering so the sidewalk gets dirty

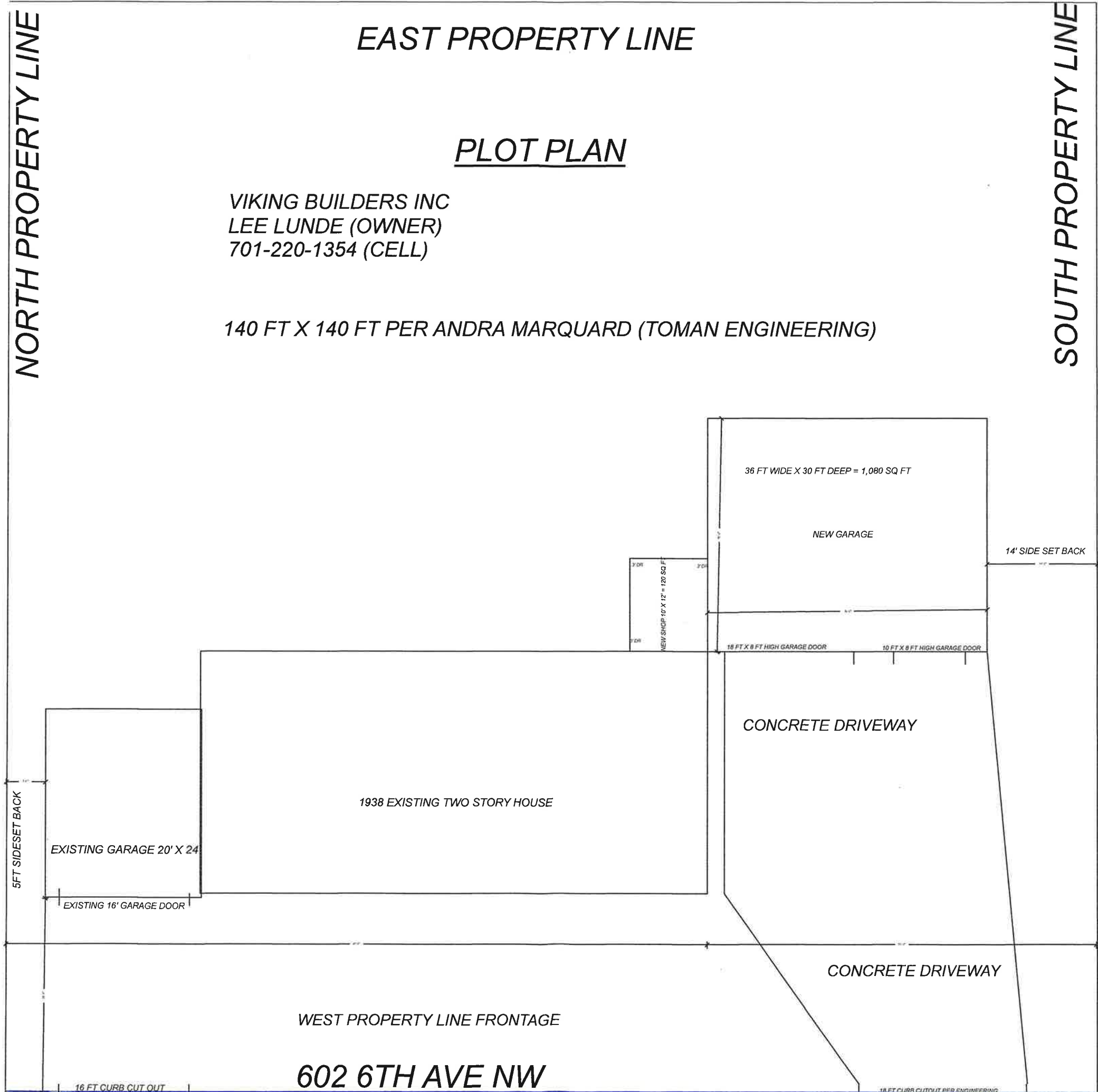
3. How the grant of a variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and

When people are walking on the city sidewalk after landscaping is complete any wind driven products will be eliminated thereby reducing health issues for the general public

4. The minimum variance that will accomplish the relief sought.

The city of Mandan has abandoned NO' of 5th St S of lot 7 which has increase the total frontage of 602 6th Ave NW, Mandan. A request of 18' curb cut out would be located on NO of 5th St S south of lot 7 & 8.

The zoning map may be used to view the subject property and surrounding property's zoning and view property lines overlaid on an aerial. The zoning map may be found on the City's website at CityofMandan.com and selecting Departments → Engineering and Planning → Maps → Zoning Map or by clicking [here](#) if viewing this document digitally.



VIKING BUILDERS INC
LEE LUNDE (OWNER)
701-220-1354 (CELL)

140 FT X 140 FT PER ANDRA MARQUARD (TOMAN ENGINEERING)





City Commission

Agenda Documentation

MEETING DATE: September 15, 2026
PREPARATION DATE: September 9, 2026
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Discussion regarding open City Commission seat.

STATEMENT/PURPOSE:

To discuss options related to vacancy on Board of City Commissioners.

BACKGROUND/ALTERNATIVES:

N.D.C.C. § 40-09-10 provides: "If a vacancy occurs in the office of a city commissioner or president of the board of city commissioners, the board may call a special city election to fill such vacancy for the unexpired term, or may, after fifteen days from the date of such vacancy appoint a person to fill such vacancy until the next city election, at which election the unexpired term shall be filled. Upon petition of five percent of the qualified electors, as determined by the total number of votes cast in the city in the last city general election, the commission shall call a special city election to fill a vacancy occurring more than six months prior to the next city election, provided such petition has been submitted within fifteen days of the date of such vacancy."

Under this provision, there are effectively three pathways for filling Commissioner Sjoberg's vacant seat.

Option 1: Commission Appointment

The City Commission may, after fifteen days from the date of the vacancy, appoint an individual to fill the seat until the next city election (in June 2028), at which time the unexpired term is filled by election.

Practical Timeline:

- Vacancy: August 29, 2026
- Fifteen-day waiting period expires: September 14, 2026

- The commission may appoint thereafter.

Option 2: Citizen Petition Forces a Special Election

Five percent of the qualified electors, calculated from the total votes cast in Mandan in the last city general election, may petition for a special election to fill the vacancy. If the petition is timely submitted and the vacancy occurs more than six months before the next city election, the Commission must call a special election.

As noted above, the petition deadline is 4:00 p.m. on September 14, 2026.

Potential Timeline if Special Election is Required:

- Candidates file nominating petitions under N.D.C.C. § 40-21-07.
- Candidate petitions are due by 4:00 p.m. on the 64th day before the election.
- A nominating petition for a special election may not be circulated or signed more than thirty days before the time when a petition for a special election must be filed.
- This means that the earliest possible date a special election could be held is approximately 95 days after calling for the election.

Option 3: If no petition is filed, leave the position open.

If no citizen petition is filed as outlined in Option 2, the Commission may either appoint an individual to fill the seat until the next city election, call for a special election itself, or leave the position open until the next city election.

ATTACHMENTS:

None

FISCAL IMPACT:

N/A

STAFF IMPACT:

Dependent upon the Commission decision.

LEGAL REVIEW:

Attorney Oster has reviewed this item.

RECOMMENDATION:

Information provided for discussion purposes. At this time, no decision is necessary. Even if a citizen petition is filed by Sept. 14, 2026, time is necessary to validate signatures and, if signatures are valid, to work out details and choose a time for a special election.

SUGGESTED MOTION:



City Commission

Agenda Documentation

MEETING DATE: September 15, 2026
PREPARATION DATE: September 10, 2026
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Second consideration of Ordinance 1492, to amend and re-enact Section 22-2-8 of the Mandan Code of Ordinances, relating to maximum tax imposed

STATEMENT/PURPOSE:

To consider the second reading of Ordinance 1492, to amend and re-enact Section 22-2-8 of the Mandan Code of Ordinances, relating to maximum tax imposed.

BACKGROUND/ALTERNATIVES:

Some city and county ordinances, including those in Mandan, impose a local maximum tax that may apply to a single transaction. Currently, Mandan's maximum tax imposed is \$56.25 for any single transaction involving one or more items. The taxable purchase amount needed to reach the maximum tax is \$2,500. If the local tax paid on an invoice is greater than the local maximum tax, purchasers may apply to the Office of the State Tax Commissioner for a refund of the local sales tax collected beyond the maximum tax.

The Budget & Finance Committee has recommended to remove the local maximum tax. Ordinance 1492 would remove the maximum sales tax imposed.

ATTACHMENTS:

1. Ordinance 1492 - Sales Tax Maximum

FISCAL IMPACT:

Unable to determine due to the confidentiality of sales tax returns.

STAFF IMPACT:

Minimal

City Commission

Agenda Documentation

September 15, 2026

Subject: Second consideration of Ordinance 1492, to amend and re-enact Section 22-2-8 of the Mandan Code of Ordinances, relating to maximum tax imposed

Page 2 of 2

LEGAL REVIEW:

Attorney Oster has drafted and reviewed the attached ordinance.

RECOMMENDATION:

Approval of the second consideration of Ordinance 1492.

SUGGESTED MOTION:

I move to approve the second consideration of Ordinance 1492.

ORDINANCE NO. 1492

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 22-2-8 OF THE MANDAN CODE OF ORDINANCES, RELATING TO MAXIMUM TAX IMPOSED.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

Sec. 22-2-8. – ~~Maximum tax imposed~~ No maximum tax imposed.

~~No tax in excess of Fifty-Six Dollars and Twenty-Five Cents (\$56.25) shall be imposed upon any single transaction involving one or more item.~~ There shall be no maximum sales tax imposed upon any transaction under this Chapter.

By: _____
James Froelich, President, Board of
City Commissioners

Attest:

James Neubauer, City Administrator

First Consideration: September 1, 2026
Second Consideration: September 15, 2026

Effective Date: January 1, 2027