



**AGENDA
CITY COMMISSION
APRIL 2, 2024
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

Or Telephone:

Dial: (312) 626-6799

Webinar ID: 820 9078 4104

Listen

Radio Access 102.5 FM

RadioAccess.org

Web:

<https://us02web.zoom.us/j/82090784104>

The City of Mandan is encouraging citizens to provide their comments for agenda items via email to info@cityofmandan.com. Please provide your comments before 3:30 p.m. on the day of the meeting. Include the agenda item number your comment references. Comments will be forwarded to the Commissioners and appropriate departments.

A. ROLL CALL

1. Roll call of all City Commissioners

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider approval of the March 19, 2024, minutes for the Board of City Commission regular meeting

F. PUBLIC HEARING

G. BIDS

1. Consider Northwest Trunk Sewer Project Bids

H. CONSENT AGENDA

1. Consider for approval the assessments for Weed Cutting of 2023B, Health & Safety of 2023B, and Sidewalks of 2023B
2. Consider proclaiming April 14-20, 2024 as National Public Safety Telecommunications Week
3. Consider Flex PACE letter of support for financing of a new building for Branick Sports (dba Mandan Sporting Goods)
4. Consider for approval the following gaming site authorizations from July 1, 2024, through June 30, 2025
 - a. New Salem Civic Club at Bennigan's
 - b. Matpac Wrestling Club at The Scapegoat Bar
 - c. Matpac Wrestling Club at Last Call Bar
 - d. Matpac Wrestling Club at Old Town Tavern
 - e. Matpac Wrestling Club at Black Lions
 - f. Matpac Wrestling Club at Stage Stop
5. Consider approval of HIDTA (High Intensity Drug Trafficking Areas) Grant Award and Acceptance
6. Consider approval of a property tax exemption for improvements to commercial & residential buildings North Dakota Century Code 57-02.2
7. Consider approval of Raffle Permit Cancer Benefit for Chelsey Kralicek
8. Consider approval of Raffle Permit Bismarck-Mandan Stock Car Association Inc.
9. Consider proclaiming April 13-20, 2024 as Spring Clean-Up Week
10. *Consider the Approval of Plans and Specifications and Authorization to Advertise for Bids for Solar Panel System on Public Works Building*

I. OLD BUSINESS

J. NEW BUSINESS

1. ~~Consider Development Agreement for Cat Creek Addition~~
2. Consider assignment of residential trash collection agreement from Armstrong

Sanitation to Eco Sanitation LLC

3. Update on initiated measure to add an additional 1/2 cent sales tax dedicated exclusively to City Hall Accessibility, Public Safety and Public Transportation needs

K. RESOLUTIONS AND ORDINANCES

L. OTHER BUSINESS

1. Construction Project Updates

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- April 16, 2024 at 5:30 p.m.
- May 7, 2024 at 5:30 p.m.
- May 21, 2024 at 5:30 p.m.

N. ADJOURN

The Mandan City Commission met in regular session at 5:30 PM on March 19, 2024 in the Ed “Bosh” Froehlich Meeting Room at City Hall, Mandan, North Dakota. Mayor Helbling called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners.* Those present were Commissioner Camisa, Commissioner Rohr, Commissioner Olson, Commissioner Braun and Mayor Helbling. Department heads present were City Administrator Neubauer, Finance Director Welch, Assessor Markley, Human Resource Director Berger, Engineering Director Wigness, Police Chief Ziegler, Fire Chief/Director of Public Works Bitz, Business Development/Communications Director Cermak, Planner Stromme and City Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Quarterly work anniversary recognition .* Mayor Helbling and Commissioner Camisa presented Mandan City employees with their quarterly work recognition certificates.

D. APPROVAL OF AGENDA

E. MINUTES

1. *Consider approval of the March 5, 2024, minutes from the Board of City Commission regular meeting.* Commissioner Camisa moved, and Commissioner Braun seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

F. PUBLIC HEARING

1. *Consider setback variance request for Lot 1, Block 1, Midway 13th Addition.* Planner Stromme presented and recommended for approval the setback variance. Mayor Helbling opened the public hearing and invited the public to come forward to comment on the variance request. Engineer Abe Ulmer from Independent Land Surveying came forward to answer any questions. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Braun moved, and Commissioner Camisa seconded to approve the setback variance contingent upon a minor plat. Roll Call vote: Aye 5, Nay 0. The motion passed.

G. BIDS

1. *Consider Highway 6 trail construction project bids.* Engineer Wigness presented the bids received and recommended awarding to the lowest bidder, Northern Improvement. Commissioner Braun moved, and Commissioner Camisa seconded to approve. Roll call vote: Aye 5, Nay 0. The motion passed.

H. CONSENT AGENDA

1. *Consider approval of monthly bills.*
2. *Consider final plat for Cat Creek Addition.*
3. *Consider approval for the following budget amendments and transfers:.*
 - a. *Finance Department.*
 - b. *Assessing Department.*

- c. *Public Works .*
- d. *Police Department.*
- e. *Engineering Department.*
- f. *Human Resources.*
- g. *Administration.*
- h. *Planning Department.*
- i. *Business Development & Communications Department.*

4. *Consider the following abatements:.*

- a. *Hoffer 2023 Veteran's credit.*
- b. *Soma 2023 Veterans Credit.*
- c. *2022 & 2023 Abatement application for Wilson 1302 Sunny Rd.*

5. *Consider approval of GIS Coordinator job description.*

6. *Consider sidewalk variance request for 200 East Main Street.*

7. *Consider Class BWO - Beer Wine Only Liquor License - AV8RS LLC - d/b/a Aviators.*

8. *Consider approval to dispose records in accordance with the North Dakota Century Code "Records Management Act" (NDCC 54-46-12) and City of Mandan Records Management Policy.*
Commissioner Camisa moved and Commissioner Rohr seconded to approve the consent agenda items 1 through 8, including all subitems as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider approval of airport facilities revenue bond 2024 and pledging deficiency tax levy.*

Chairman Marc Taylor of the Airport Authority Board presented the request. Commissioner Braun moved, and Commissioner Camisa seconded to approve. Roll call vote: Aye 5, Nay 0. The motion passed.

2. *Consider approval of a property tax exemption for improvements to commercial & residential buildings North Dakota Century Code 57-02.2.* Assessor Markley presented the application for exemption on improvements at 300 6th Street NW. Commissioner Camisa moved, and Commissioner Braun seconded to approve. Roll call vote: Aye 5, Nay 0. The motion passed.

3. *Consider 2024 Gate City Bank and City of Mandan Neighborhood Revitalization Initiative.* Planner Stromme gave an update on Neighborhood Revitalization Initiative. Commissioner Camisa moved, and Commissioner Rohr seconded to approve. Roll call vote: Aye 5, Nay 0. The motion passed.

4. *Consider Raw Water Intake project change orders.* Engineer Wigness presented the change orders. Commissioner Camisa moved and Commissioner Braun seconded to approve. Roll call vote: Aye 5, Nay 0. The motion passed.

5. *Consider entering into an agreement with KLJ for the Downtown Reconstruction Project.* Engineer Wigness presented the agreement with KLJ. Commissioner Camisa moved, and Commissioner Olson seconded to approve. Roll call vote: Aye 5, Nay 0. The motion passed.

K. RESOLUTIONS AND ORDINANCES

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

1. *Apr. 2, 2024 at 5:30 p.m. (Board of Equalization at 7 p.m.) .*
2. *Apr. 16, 2024 at 5:30 p.m..*
3. *May 7, 2024 at 5:30 p.m..*

N. ADJOURN Commissioner Camisa moved to adjourn the meeting at 6:07 p.m.and Commissioner Rohr seconded. The motion passed unanimously.

James Neubauer
City Administrator

Timothy Helbling
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: April 2, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Northwest Trunk Sewer Project Bids

STATEMENT/PURPOSE:

To review bids and potentially award a contract for the Northwest Trunk Sewer Project.

BACKGROUND/ALTERNATIVES:

The City was approached by a group of developers about 2 years ago to put together a mutually beneficial project in the very northwest portion of Mandan. This project includes the installation of a trunk main that would serve the "B5" sewer-shed area, as well as the developers' properties in the immediate vicinity. The City entered into an agreement with the developers that outlined cost-share details and other responsibilities.

On March 26th, the City opened bids for this project. There were three bids submitted, ranging from about \$388K - \$953K. The Engineer's estimate of construction was about \$700K. The low bid came from SiteWorx, which was about \$206K lower than Tand Construction's, who had the next lowest bid. After the bid, Swenson and Hagen double-checked math, and confirmed with SiteWorx that they were comfortable with their prices.

ATTACHMENTS:

1. Bid Tabulation
2. Letter of Recommendation

FISCAL IMPACT:

In accordance with the agreement, the City's responsibility would be for 40.5% of this construction contract. This equates to about \$157,236. There would also be engineering, administrative and contingency costs that the City would share in the same amount.

STAFF IMPACT:

Moderate effort will be required by City staff to continue coordinating this project with the developers, contractor, and engineer.

LEGAL REVIEW:

The agenda documents have been forwarded to the City Attorney for review.

RECOMMENDATION:

To award a contract to SiteWorx, as presented.

SUGGESTED MOTION:

Move to award a contract to SiteWorx for the construction of the Northwest Trunk Sewer Project, as presented.

NORTHWEST B5 SEWER IMP DISTRICT 64 PROJECT 2023-02
CITY OF MANDAN

March 26, 2024

SANITARY SEWER ITEMS	QUANTITY		SITEWORX		TAND CONSTRUCTION, LLC		EARTHWORK SERVICES, INC.	
			UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
18" Sanitary Sewer (SDR 26)	388	LF	\$ 115.00	\$ 44,620.00	\$ 128.00	\$ 49,664.00	\$ 210.00	\$ 81,480.00
15" Sanitary Sewer (SDR 26)	327	LF	\$ 100.00	\$ 32,700.00	\$ 115.00	\$ 37,605.00	\$ 190.00	\$ 62,130.00
12" Sanitary Sewer (SDR 35)	1067	LF	\$ 65.00	\$ 69,355.00	\$ 107.00	\$ 114,169.00	\$ 150.00	\$ 160,050.00
12" Sanitary Sewer (SDR 26)	431	LF	\$ 82.00	\$ 35,342.00	\$ 110.00	\$ 47,410.00	\$ 155.00	\$ 66,805.00
15" x 8" Wye Branch	2	EA	\$ 1,200.00	\$ 2,400.00	\$ 2,000.00	\$ 4,000.00	\$ 2,600.00	\$ 5,200.00
12" x 8" Wye Branch	3	EA	\$ 1,000.00	\$ 3,000.00	\$ 1,800.00	\$ 5,400.00	\$ 2,400.00	\$ 7,200.00
12" x 4" Wye Branch	1	EA	\$ 800.00	\$ 800.00	\$ 1,400.00	\$ 1,400.00	\$ 1,800.00	\$ 1,800.00
Bedding Material	525	TON	\$ 25.00	\$ 13,125.00	\$ -	\$ -	\$ 40.00	\$ 21,000.00
Rock Excavation	100	CY	\$ 15.00	\$ 1,500.00	\$ 40.00	\$ 4,000.00	\$ 40.00	\$ 4,000.00
Televise Sewer Main	2213	LF	\$ 4.00	\$ 8,852.00	\$ 7.00	\$ 15,491.00	\$ 4.00	\$ 8,852.00
Sanitary Sewer Manhole	9	EA	\$ 9,750.00	\$ 87,750.00	\$ 15,000.00	\$ 135,000.00	\$ 13,600.00	\$ 122,400.00
Sanitary Sewer Drop Manhole	1	EA	\$ 12,500.00	\$ 12,500.00	\$ 20,000.00	\$ 20,000.00	\$ 24,515.00	\$ 24,515.00
4" Sewer Service Pipe	108	LF	\$ 44.00	\$ 4,752.00	\$ 90.00	\$ 9,720.00	\$ 107.00	\$ 11,556.00
4" 45° Bend	1	EA	\$ 280.00	\$ 280.00	\$ 1,000.00	\$ 1,000.00	\$ 200.00	\$ 200.00
4" In-Line Cleanout	1	EA	\$ 750.00	\$ 750.00	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00	\$ 1,500.00
Sanitary Sewer Deflection/Air Test	1	LS	\$ 4,250.00	\$ 4,250.00	\$ 5,000.00	\$ 5,000.00	\$ 8,500.00	\$ 8,500.00
Remove and Replace Gravel	5200	SF	\$ 1.45	\$ 7,540.00	\$ 5.00	\$ 26,000.00	\$ 4.00	\$ 20,800.00
Remove and Replace Topsoil	4300	SY	\$ 3.00	\$ 12,900.00	\$ 3.00	\$ 12,900.00	\$ 9.00	\$ 38,700.00
Seeding Class IV	4300	SY	\$ 1.50	\$ 6,450.00	\$ 5.00	\$ 21,500.00	\$ 2.50	\$ 10,750.00
Hydraulic Mulching	4300	SY	\$ 0.90	\$ 3,870.00	\$ 4.00	\$ 17,200.00	\$ 4.00	\$ 17,200.00
Connection to Existing Lift Station	1	LS	\$ 12,500.00	\$ 12,500.00	\$ 34,000.00	\$ 34,000.00	\$ 75,362.00	\$ 75,362.00
De-Watering	1000	LF	\$ 17.00	\$ 17,000.00	\$ 1.00	\$ 1,000.00	\$ 100.00	\$ 100,000.00
Mobilization	1	LS	\$ 6,000.00	\$ 6,000.00	\$ 30,000.00	\$ 30,000.00	\$ 103,000.00	\$ 103,000.00
			TOTAL	\$ 388,236.00	TOTAL	\$ 594,459.00	TOTAL	\$ 953,000.00



SWENSON, HAGEN & CO. P.C.

civil engineering . surveying . land planning . hydrology
landscape & site design . construction management

March 26, 2024

Mr. Jarek Wigness, PE
Mandan City Engineer
205 2nd Avenue NW
Mandan, ND 58554

Re: Sewer Improvement District No. 64, Project 2023-02

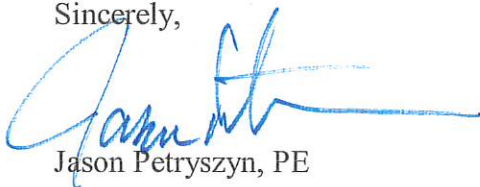
Dear Mr. Wigness:

We have reviewed the proposals opened at the bid opening March 26th for the above mentioned project. Enclosed is a tabulation of the proposals. Swenson, Hagen & Co. has worked with the contractors that submitted proposals for the project. We feel that all of the contractors would be capable of constructing the project.

Siteworx Excavation & Development Company is the apparent low bidder and the prices appear reasonable. Therefore, we recommend awarding the project to Siteworx Excavation & Development Company.

Please let me know should you have any additional questions or require additional information.

Sincerely,



Jason Petryszyn, PE

Enclosure



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 14, 2024
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch, Finance Director
SUBJECT: Assessments for Weed Cutting of 2023B, Health & Safety of 2023B, and Sidewalks of 2023B.

STATEMENT/PURPOSE:

Consider the assessments for Weed Cutting of 2023B, Health & Safety of 2023B, and Sidewalks of 2023B.

BACKGROUND/ALTERNATIVES:

Weed Cutting of 2023B – For the eradication, cutting or control of noxious weeds or tall grasses exceeding six inches in height. The assessment for these costs are allowed under the Mandan Code of Ordinances Section 16-5-5. The Notices for these assessments were published in the Mandan News on March 15, 2024 and March 22, 2024.

Health & Safety of 2023B – For the repair of curb stops, water & sewer service lines, lot clearing, and the removal of diseased trees. The assessment for these costs are allowed under the Mandan Code of Ordinances Section 2-5-1, Section 16-3-10, and Section 16-4-7. The Notices for these assessments were published in the Mandan News on March 15, 2024 and March 22, 2024.

Sidewalks of 2023B – For the construction, repair or rebuilding of sidewalks, curbs or gutters. The assessment for these costs are allowed under the Mandan Code of Ordinances Section 115-7-3. The Notices for these assessments were published in the Mandan News on March 15, 2024 and March 22, 2024.

ATTACHMENTS:

1. Assessments

FISCAL IMPACT:

Subject: Consider for approval the assessments for Weed Cutting of 2023B, Health & Safety of 2023B, and Sidewalks of 2023B

Page 2 of 2

Weed Cutting of 2023B = \$21,285.00 (1-year assessment)
Health & Safety of 2023B = \$13,020.34 (5-year assessment)
Sidewalks of 2023B = \$5,093.00 (5-year assessment)

STAFF IMPACT:

No additional staff impact.

LEGAL REVIEW:

The assessments were prepared in accordance with the Mandan Code of Ordinances.

RECOMMENDATION:

To approve the assessments for Weed Cutting of 2023B, Health & Safety of 2023B, and Sidewalks of 2023B.

SUGGESTED MOTION:

Move to approve the assessments for Weed Cutting of 2023B, Health & Safety of 2023B, and Sidewalks of 2023B.

NOTICE IS HEREBY GIVEN that the following is a true and correct list of the particular lots and tracts of land on which the City of Mandan caused the cutting, spraying and removal of grass and weeds or caused the performance of such acts which contributed to the general health, safety and welfare of the community.

PARCEL #	ADDRESS	AMOUNT ASSESSED
65-0168060	2203 14TH AVE SE	\$412.50
65-0182400	901 OLD RED TRL NE	\$330.00
65-0859000	1709 2ND ST NE	\$330.00
65-0933000	1905 2ND ST NE	\$330.00
65-1290090	2012 4TH AVE NW	\$660.00
65-1475000	304 10TH AVE NE	\$330.00
65-1810990	4300 MCKENZIE DR SE	\$330.00
65-2509000	210 COLLINS AVE	\$330.00
65-2619000	303 4TH AVE NE	\$330.00
65-3771320	3413 46TH AVE SE	\$330.00
65-3878000	1401 11TH AVE SE	\$330.00
65-3937000	1505 9TH AVE SE	\$330.00
65-3945000	1400 8TH AVE SE	\$330.00
65-4856000	507 8TH AVE SW	\$330.00
65-6101820		\$330.00
65-6113620	1201 SHIRES DR SE	\$330.00
65-6115990	4350 MCKENZIE DR SE	\$330.00
65-6128050	3622 AMITY CIR SE	\$330.00
65-6136500	1105 LAKOTA PL NE	\$330.00
65-6136530	1113 LAKOTA PL NE	\$330.00
65-6136605	1120 LAKOTA PL NE	\$330.00
65-6136620	1116 LAKOTA PL NE	\$330.00
65-6136665	1104 LAKOTA PL NE	\$330.00
65-6136680	1101 CHIPPEWA LOOP NE	\$330.00
65-6136695	1105 CHIPPEWA LOOP NE	\$330.00
65-6136740	1117 CHIPPEWA LOOP NE	\$330.00
65-6136755	1121 CHIPPEWA LOOP NE	\$330.00
65-6136770	1125 CHIPPEWA LOOP NE	\$330.00
65-6136785	1129 CHIPPEWA LOOP NE	\$330.00
65-6136860	1102 CHIPPEWA LOOP NE	\$330.00
65-6136875	1031 LAKOTA AVE NE	\$330.00
65-6136905	1023 LAKOTA AVE NE	\$330.00
65-6136920	1019 LAKOTA AVE NE	\$330.00
65-6136935	1015 LAKOTA AVE NE	\$330.00
65-6136950	1011 LAKOTA AVE NE	\$330.00
65-6136965	1007 LAKOTA AVE NE	\$330.00
65-6136980	1003 LAKOTA AVE NE	\$330.00
65-6136995	911 LAKOTA AVE NE	\$330.00
65-6137010	907 LAKOTA AVE NE	\$330.00

65-6137025	809 LAKOTA AVE NE	\$330.00
65-6137040	805 LAKOTA AVE NE	\$330.00
65-6137055	711 LAKOTA AVE NE	\$330.00
65-6137070	707 LAKOTA AVE NE	\$330.00
65-6137085	703 LAKOTA AVE NE	\$330.00
65-6137100	910 LAKOTA AVE NE	\$330.00
65-6137115	906 LAKOTA AVE NE	\$330.00
65-6137130	808 LAKOTA AVE NE	\$330.00
65-6137145	804 LAKOTA AVE NE	\$330.00
65-6137160	710 LAKOTA AVE NE	\$330.00
65-6137175	706 LAKOTA AVE NE	\$330.00
65-6137190	702 LAKOTA AVE NE	\$330.00
65-6137220	1022 LAKOTA AVE NE	\$330.00
65-6137280	1006 LAKOTA AVE NE	\$330.00
65-6137295	1002 LAKOTA AVE NE	\$330.00
65-6137310	1005 CHIPPEWA AVE NE	\$330.00
65-6137355	1017 CHIPPEWA AVE NE	\$330.00
65-6137400	1029 CHIPPEWA AVE NE	\$330.00
65-6137415	1026 CHIPPEWA AVE NE	\$330.00
65-6137475	1010 CHIPPEWA AVE NE	\$330.00
65-6137490	1006 CHIPPEWA AVE NE	\$330.00
65-6137660	800 16TH ST NE	\$495.00
65-6137760	626 16TH ST NE	\$577.50

TOTAL	\$21,285.00
-------	-------------

TAKE FURTHER NOTICE that the Board of City Commissioners of the City of Mandan will meet in regular session at City Hall on April 2, 2024 at 5:30 p.m. at which meeting action will be taken upon such assessment list. Any person may appear to present testimony regarding the above assessments.

Publish:	March 15, 2024	Dayne Anderson
	March 22, 2024	

NOTICE IS HEREBY GIVEN that the following is a true and correct list of the particular lots and tracts of land on which the City of Mandan caused the performance of such acts which contributed to the general health, safety and welfare of the community.

PARCEL #	ADDRESS	AMOUNT ASSESSED
65-0162000	401 12TH AVE NW	\$382.14
65-1490000	311 13TH AVE NE	\$330.00
65-1494000	1308 2ND ST NE	\$330.00
65-2580000	200 5TH AVE NE	\$330.00
65-2735000	308 5TH AVE NW	\$1,728.10
65-2941000	502 6TH AVE NW	\$2,943.66
65-5709000	1008 1ST ST SE	\$6,976.44
TOTAL		\$13,020.34

TAKE FURTHER NOTICE that the Board of City Commissioners of the City of Mandan will meet in regular session at City Hall on April 2, 2024 at 5:30 p.m. at which meeting action will be taken upon such assessment list. Any person may appear to present testimony regarding the above assessments.

Publish:

March 15, 2024
March 22, 2024

Dayne Anderson

NOTICE IS HEREBY GIVEN that the following is a true and correct list of the particular lots and tracts of land on which the City of Mandan caused sidewalks to be constructed, replaced or repaired and the cost thereof.

<u>PARCEL #</u>	<u>ADDRESS</u>	<u>AMOUNT ASSESSED</u>
65-2574000	211 6TH AVE NE	\$3,080.00
65-4758000	1608 9TH AVE NW	\$2,013.00
TOTAL		\$5,093.00

TAKE FURTHER NOTICE that the Board of City Commissioners of the City of Mandan will meet in regular session at City Hall on April 2, 2024 at 5:30 p.m. at which meeting action will be taken upon such assessment list. Any person may appear to present testimony regarding the above assessments.

Publish:	March 15, 2024	Dayne Anderson
	March 22, 2024	



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 14, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: National Public Safety Telecommunications Week
Proclamation April 14-20, 2024

STATEMENT/PURPOSE:

To consider proclaiming April 14-20, 2024 as National Public Safety Telecommunications Week,

BACKGROUND/ALTERNATIVES:

Central Dakota Communications Center Board of Directors has declared April 14th – 20th, 2024 as National Public Safety Telecommunications to honor the men and women of the Central Dakota Communications Center who dedicate themselves to helping keep our communities and our citizens safe.

ATTACHMENTS:

1. NPSTW Mandan 2024

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

I recommend proclaiming April 14-20, 2024 as National Public Safety Telecommunications Week.

City Commission

Agenda Documentation

April 2, 2024

Subject: Consider proclaiming April 14-20, 2024 as National Public Safety Telecommunications Week

Page 2 of 2

SUGGESTED MOTION:

I move to proclaim April 14-20, 2024 as National Public Safety Telecommunications Week.

National Public Safety Telecommunications Week

April 14 – 20, 2024

Whereas, emergencies can occur at any time that require law enforcement, fire, or emergency medical services; and

Whereas, when an emergency occurs, the prompt response of law enforcement officers, firefighters, and emergency medical personnel is critical to the protection of life and preservation of property; and

Whereas, the safety of our law enforcement officers, firefighters, and emergency medical personnel is dependent upon the quality and accuracy of information obtained from citizens who call the Central Dakota Communications Center; and

Whereas, Public Safety Communications Specialists are the first, first responders, delivering essential pre-arrival instructions, and providing the most critical link that our citizens have with emergency services; and

Whereas, Public Safety Communications Specialists are the single vital link for our law enforcement officers, firefighters, and emergency medical personnel by monitoring their activities by radio, providing them information and insuring their safety; and

Whereas, Public Safety Communications Specialists of the Central Dakota Communications Center have contributed substantially to the apprehension of criminals, suppression of fires, and treatment of patients; and

Whereas, each Communications Specialist has exhibited compassion, understanding and professionalism during the performance of their duties in the past year;

Whereas, the Central Dakota Communications Center Board of Directors has declared April 14th – 20th, 2024 as National Public Safety Telecommunications to honor the men and women of the Central Dakota Communications Center who dedicate themselves to helping keep our communities and our citizens safe;

Therefore, Be it Resolved that the Board of City Commissioners for the City of Mandan joins the Central Dakota Communications Center Board of Directors and declares April 14th – 20th, 2024 as National Public Safety Telecommunications Week in the City of Mandan.

Signed this _____ day of April, 2024.

Tim Helbling, President
Board of City Commissioners
City of Mandan, ND



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 22, 2024
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Madison Cermak
PRESENTER: Madison Cermak, Business Development & Communications Director
SUBJECT: Consider Flex PACE letter of support for financing of a new building for Branick Sports (dba Mandan Sporting Goods).

STATEMENT/PURPOSE:

Consider providing a letter of support to the Lewis and Clark Development Group for a loan for permanent financing of a new building for Branick Sports (dba Mandan Sporting Goods) in a new location at 206 4th Ave NW in Mandan.

BACKGROUND/ALTERNATIVES:

Loan committees for revolving funds managed by the Lewis and Clark Development Group consider applications for repayable loans for the required 35% local share of an interest buydown. The Bank of North Dakota (BND) makes interest buydowns available through its PACE and Flex PACE programs. Documentation of community support is needed for each particular business or project. A letter from a city commission confirms the project provides community benefit and has support of the governing entity.

ATTACHMENTS:

1. Letter Mandan Sporting Goods to City Commissioners
2. Conditional Letter of Approval
3. Charvat Properties LLC Buydown Schedule
4. City letter of support Mandan Sporting Goods

FISCAL IMPACT:

Brandon Charvat, owner of Charvat Properties, LLC and Branick Sports (dba Mandan Sporting Goods), has brought in many customers to Main Street in Mandan since opening Mandan Sporting Goods in 2008. The city of Mandan will greatly benefit from the new building purchase, which will allow Mandan Sporting Goods to expand their

retail offerings, increase additional sales tax revenue, add more product lines, create new employees, and provide a top-notch sporting goods experience for the residents of Mandan.

The cost of the building to purchase is \$600,000. The applicant is seeking to reduce the interest rate on a \$538,000 loan for permanent financing. Based on a sample BND buydown schedule, the required 35% community match is estimated at \$22,090.23. The borrower plans to seek this amount as a repayable loan through either the N.D. Opportunity Fund or another revolving loan managed by the Lewis and Clark Development Group.

STAFF IMPACT:

Minimal

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend the City Commissioners provide a letter of support for an interest buydown for Branich Sports (dba Mandan Sporting Goods) to assist with the permanent financing for the purchase of a new building.

SUGGESTED MOTION:

I move to approve providing a letter of support for an interest buydown for Branich Sports (dba Mandan Sporting Goods) to assist with the permanent financing for the purchase of a new building.

MANDAN SPORTING GOODS

March 26 2024

Mandan City Commission

Dear Madison,

I am writing this letter requesting support for the provision of community match interest buy down from the ND Opportunity Fund for my relocation into a bigger building in Mandan.

Business Description

Mandan Sporting Goods is owned by Brandon Charvat. Mandan Sporting Goods has been open since June 1st 2008. We sell sporting goods that include guns, ammo, reloading equipment, powder, primers, shell cases, gun cases, gun cleaning products, silencers, targets, scopes and plus we have a gunsmith on hand.

The project is a larger building located at 206 4th Ave NW Mandan, ND 58554. We have out grown our current facility and also I do not own the building I am currently in we are just renting the building. My current location is approximately 2000 square foot of space and the new facility is 7,920 square feet main level with 1740 square feet in the basement. With the extra space I plan on expanding the products I currently sell by adding fishing equipment, rods, reels, depth finders, tackle, minnow buckets. I also plan on adding a hunting clothing line along with a line of hunting boots. With the conference room that is already at the new building I also plan on getting my concealed weapons instructors license to teach classes at that location. The buildings cost is \$600,000.00. The loan for the new building will more than double the square footage I have currently along with ample parking spaces for my customers. I currently only have space for 2 cars to park in front of my store off of main street. Then new building has 10 parking spots off of 4 Ave NW plus 15 parking spots off of 2nd street along with the parking lot that comes with the purchase of the building and the size of the parking lot is 90 feet by 140 feet.

Community benefits include a \$600,000.00 investment by me. With the larger space the opportunity to add employees to Mandan Sporting Goods work force along with expanding into different items that I don't stock currently. My goal is to employ at least 2 more people with my current staff.

Sincerely,

Brandon Charvat
1-701-391-7241

President Branic Sports DBA: Mandan Sporting Goods



March 18, 2024

Brandon Charvat, Owner
Charvat Properties, LLC
Branic Sports DBA Mandan Sporting Goods
210 E. Main St.
Mandan, ND 58554

RE: Charvat Properties, LLC - Conditional Letter of Approval

Dear Mr. Charvat,

I am very pleased to inform you that Starion Bank is offering you this Conditional Letter of Approval for the financing of your New Building Purchase in Mandan for the new home of Mandan Sporting Goods. This purchase will allow you to expand your retail offerings and provide a great Sporting Goods experience for the residents of Mandan.

This approval of financing is based on the following terms of your \$600,000 purchase:

Loan amount = \$538,000
Term = 5 Years
Amortization = 20 Years
Rate = 7.49% Fixed
Participation = 50% with Bank of ND
Flex Pace program = Pending approval

Final approval is subject to the following criteria:

Final Credit underwriting by Bank of ND
Satisfactory appraisal
Title work

Again, thank you for your interest in financing this project with Starion Bank. I look forward to being a part of this new venture you have for the City of Mandan.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darren J. Haugen".

Darren J. Haugen
VP/Business Banking

109 1st St NW
Mandan, ND 58554

P: 701.663.6434
F: 701.667.1636

Exhibit A: Charvat Properties

LOAN TYPE: Flex PACE
LOAN NUMBER:
LEAD BANK:

NOTE: The borrower and originating lender should be aware that the fund will provide a set stream of subsidy payments (interest buydown) based upon the payment schedule below. The amount of the borrower's payment, the amortization and all other terms of the loan shall be governed by the promissory note.

The balances shown here, other than the specific buydown amounts, are intended for illustrative purposes only.

Buydown Account Details

INTEREST BUYDOWN AMOUNT: \$63,114.94
BND BUYDOWN AMOUNT: \$41,024.71
COMMUNITY BUYDOWN AMOUNT: \$22,090.23
PRESENT VALUE BND: \$39,299.00
PRESENT VALUE COMMUNITY: \$21,161.00
DISTRIBUTION DATE: 3/18/2024

Loan without buydown

PRINCIPAL: \$538,000.00
YIELD RATE: 7.49
AMORTIZATION (MONTHS): 240
PAYMENT: \$4,366.79

Loan with buydown

PRINCIPAL: \$538,000.00
BORROWING RATE: 3.50
AMORTIZATION (MONTHS): 240

Period	Payment	Principal	Interest	Balance
1	\$4,366.79	\$896.84	\$3,469.95	\$537,103.16
2	\$4,366.79	\$1,014.37	\$3,352.42	\$536,088.79
3	\$4,366.79	\$909.17	\$3,457.62	\$535,179.62
4	\$4,366.79	\$1,026.38	\$3,340.41	\$534,153.24
5	\$4,366.79	\$921.65	\$3,445.14	\$533,231.59
6	\$4,366.79	\$927.59	\$3,439.20	\$532,304.00
7	\$4,366.79	\$1,044.33	\$3,322.46	\$531,259.67
8	\$4,366.79	\$940.31	\$3,426.48	\$530,319.36
9	\$4,366.79	\$1,056.71	\$3,310.08	\$529,262.65
10	\$4,366.79	\$953.19	\$3,413.60	\$528,309.46
11	\$4,366.79	\$959.34	\$3,407.45	\$527,350.12
12	\$4,366.79	\$1,294.68	\$3,072.11	\$526,055.44
13	\$4,366.79	\$973.88	\$3,392.91	\$525,081.56
14	\$4,366.79	\$1,089.41	\$3,277.38	\$523,992.15
15	\$4,366.79	\$987.19	\$3,379.60	\$523,004.96
16	\$4,366.79	\$1,102.37	\$3,264.42	\$521,902.59
17	\$4,366.79	\$1,000.66	\$3,366.13	\$520,901.93
18	\$4,366.79	\$1,007.12	\$3,359.67	\$519,894.81
19	\$4,366.79	\$1,121.78	\$3,245.01	\$518,773.03
20	\$4,366.79	\$1,020.85	\$3,345.94	\$517,752.18
21	\$4,366.79	\$1,135.15	\$3,231.64	\$516,617.03
22	\$4,366.79	\$1,034.75	\$3,332.04	\$515,582.28
23	\$4,366.79	\$1,041.43	\$3,325.36	\$514,540.85
24	\$4,366.79	\$1,369.30	\$2,997.49	\$513,171.55
25	\$4,366.79	\$1,056.98	\$3,309.81	\$512,114.57
26	\$4,366.79	\$1,170.34	\$3,196.45	\$510,944.23
27	\$4,366.79	\$1,071.34	\$3,295.45	\$509,872.89
28	\$4,366.79	\$1,184.33	\$3,182.46	\$508,688.56
29	\$4,366.79	\$1,085.89	\$3,280.90	\$507,602.67
30	\$4,366.79	\$1,092.89	\$3,273.90	\$506,509.78
31	\$4,366.79	\$1,205.32	\$3,161.47	\$505,304.46
32	\$4,366.79	\$1,107.72	\$3,259.07	\$504,196.74
33	\$4,366.79	\$1,219.76	\$3,147.03	\$502,976.98
34	\$4,366.79	\$1,122.73	\$3,244.06	\$501,854.25
35	\$4,366.79	\$1,129.97	\$3,236.82	\$500,724.28
36	\$4,366.79	\$1,449.79	\$2,917.00	\$499,274.49
	\$157,204.44	\$38,725.51	\$118,478.93	

Period	Payment	Principal	Interest	Balance
1	\$2,518.31	\$896.84	\$1,621.47	\$537,103.16
2	\$2,580.92	\$1,014.37	\$1,566.55	\$536,088.79
3	\$2,524.88	\$909.17	\$1,615.71	\$535,179.62
4	\$2,587.32	\$1,026.38	\$1,560.94	\$534,153.24
5	\$2,531.53	\$921.65	\$1,609.88	\$533,231.59
6	\$2,534.69	\$927.59	\$1,607.10	\$532,304.00
7	\$2,596.88	\$1,044.33	\$1,552.55	\$531,259.67
8	\$2,541.47	\$940.31	\$1,601.16	\$530,319.36
9	\$2,603.48	\$1,056.71	\$1,546.77	\$529,262.65
10	\$2,548.33	\$953.19	\$1,595.14	\$528,309.46
11	\$2,551.61	\$959.34	\$1,592.27	\$527,350.12
12	\$2,730.25	\$1,294.68	\$1,435.57	\$526,055.44
13	\$2,559.35	\$973.88	\$1,585.47	\$525,081.56
14	\$2,620.90	\$1,089.41	\$1,531.49	\$523,992.15
15	\$2,566.44	\$987.19	\$1,579.25	\$523,004.96
16	\$2,627.80	\$1,102.37	\$1,525.43	\$521,902.59
17	\$2,573.62	\$1,000.66	\$1,572.96	\$520,901.93
18	\$2,577.06	\$1,007.12	\$1,569.94	\$519,894.81
19	\$2,638.14	\$1,121.78	\$1,516.36	\$518,773.03
20	\$2,584.37	\$1,020.85	\$1,563.52	\$517,752.18
21	\$2,645.26	\$1,135.15	\$1,510.11	\$516,617.03
22	\$2,591.78	\$1,034.75	\$1,557.03	\$515,582.28
23	\$2,595.34	\$1,041.43	\$1,553.91	\$514,540.85
24	\$2,770.00	\$1,369.30	\$1,400.70	\$513,171.55
25	\$2,603.62	\$1,056.98	\$1,546.64	\$512,114.57
26	\$2,664.01	\$1,170.34	\$1,493.67	\$510,944.23
27	\$2,611.27	\$1,071.34	\$1,539.93	\$509,872.89
28	\$2,671.46	\$1,184.33	\$1,487.13	\$508,688.56
29	\$2,619.02	\$1,085.89	\$1,533.13	\$507,602.67
30	\$2,622.75	\$1,092.89	\$1,529.86	\$506,509.78
31	\$2,682.64	\$1,205.32	\$1,477.32	\$505,304.46
32	\$2,630.65	\$1,107.72	\$1,522.93	\$504,196.74
33	\$2,690.33	\$1,219.76	\$1,470.57	\$502,976.98
34	\$2,638.65	\$1,122.73	\$1,515.92	\$501,854.25
35	\$2,642.50	\$1,129.97	\$1,512.53	\$500,724.28
36	\$2,812.87	\$1,449.79	\$1,363.08	\$499,274.49
	\$94,089.50	\$38,725.51	\$55,363.99	

Period	Interest Buydown	BND (65.00%)	Community (35.00%)
1	\$1,848.48	\$1,201.51	\$646.97
2	\$1,785.87	\$1,160.82	\$625.05
3	\$1,841.91	\$1,197.24	\$644.67
4	\$1,779.47	\$1,156.66	\$622.81
5	\$1,835.26	\$1,192.92	\$642.34
6	\$1,832.10	\$1,190.86	\$641.24
7	\$1,769.91	\$1,150.44	\$619.47
8	\$1,825.32	\$1,186.46	\$638.86
9	\$1,763.31	\$1,146.15	\$617.16
10	\$1,818.46	\$1,182.00	\$636.46
11	\$1,815.18	\$1,179.87	\$635.31
12	\$1,636.54	\$1,063.75	\$572.79
13	\$1,807.44	\$1,174.84	\$632.60
14	\$1,745.89	\$1,134.83	\$611.06
15	\$1,800.35	\$1,170.23	\$630.12
16	\$1,738.99	\$1,130.34	\$608.65
17	\$1,793.17	\$1,165.56	\$627.61
18	\$1,789.73	\$1,163.32	\$626.41
19	\$1,728.65	\$1,123.62	\$605.03
20	\$1,782.42	\$1,158.57	\$623.85
21	\$1,721.53	\$1,118.99	\$602.54
22	\$1,775.01	\$1,153.76	\$621.25
23	\$1,771.45	\$1,151.44	\$620.01
24	\$1,596.79	\$1,037.91	\$558.88
25	\$1,763.17	\$1,146.06	\$617.11
26	\$1,702.78	\$1,106.81	\$595.97
27	\$1,755.52	\$1,141.09	\$614.43
28	\$1,695.33	\$1,101.96	\$593.37
29	\$1,747.77	\$1,136.05	\$611.72
30	\$1,744.04	\$1,133.63	\$610.41
31	\$1,684.15	\$1,094.70	\$589.45
32	\$1,736.14	\$1,128.49	\$607.65
33	\$1,676.46	\$1,089.70	\$586.76
34	\$1,728.14	\$1,123.29	\$604.85
35	\$1,724.29	\$1,120.79	\$603.50
36	\$1,553.92	\$1,010.05	\$543.87
	\$63,114.94	\$41,024.71	\$22,090.23



April 2, 2024

Lewis & Clark Development Group Loan Committee:

Please accept this letter as evidence of support by the Mandan City Commission for a loan to Mandan Sporting Goods for the community share of a proposed interest buydown through the Bank of North Dakota Flex PACE program.

The City of Mandan relies on LCDG revolving loan funds to fill gaps and leverage private financing needed by new and expanding businesses. The City of Mandan's Growth Fund has a low balance of uncommitted funds. We are reserving these funds for economic and community projects that require a forgivable or no-interest loan. We therefore ask that you favorably consider the application to assist with permanent financing for the purchase of a larger building for the new home of Mandan Sporting Goods in Mandan.

Brandon Charvat, owner of Charvat Properties, LLC and Branic Sports (dba Mandan Sporting Goods), has brought in many customers to Main Street in Mandan since opening Mandan Sporting Goods in 2008. The city of Mandan will greatly benefit from the purchase of a larger building, which will allow Mandan Sporting Goods to expand and offer more retail items and products, increase additional sales tax revenue, add more product lines, create new employees, and provide a top-notch sporting goods experience for the residents of Mandan.

Charvat is seeking to reduce the interest rate on a \$538,000 loan to support a \$600,000 building purchase. Based on a sample BND buydown schedule, the required 35% community match is estimated at \$22,090.23.

The Mandan City Commission supports the use of the N.D. Opportunity Fund or other revolving loan funds managed by the LCDG to cover the local share of a Flex PACE interest buydown.

We appreciate your consideration of this request.

Sincerely,

City of Mandan

Timothy C. Helbling
Mayor



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 21, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider approval of gaming site authorization for New Salem Civic Club at Bennigan's from July 1, 2024 to June 30, 2025

STATEMENT/PURPOSE:

To approve a gaming site authorization

BACKGROUND/ALTERNATIVES:

The Administration Department received a gaming site authorization for New Salem Civic Club at Bennigan's from July 1, 2024 to June 30, 2025. Approval by the board is needed.

ATTACHMENTS:

1. Gaming Site Authorization_New SalemCivicClub_Bennigans

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve the gaming site authorization

SUGGESTED MOTION:

I move to approve the gaming site authorization for New Salem Civic Club at Bennigan's

from July 1, 2024 to June 30, 2025.



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

New Salem Civic Club, Inc.

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

Bennigan's

Street 1506 27th Street NW	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/24	Ending Date(s) Authorized 6/30/25	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)

Games will be conducted in bar & restaurant, 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)

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☐ 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 Legends Group, LLC		Site Name Bennigan's		Site Phone Number (701) 391-2175
Site Address 1506 27th Street NW	City Mandan	State ND	Zip Code 58554	County Morton
Organization New Salem Civic Club, Inc.	Rental Period 7/1/24 to 6/30/25			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☒ No ☐ 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.		☐ No ☐ Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		☒ No ☐ 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 \$ _____		☒ No ☐ Yes		\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☒ Standard Dispensing Device		☐ No ☒ Yes		\$ 400
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 5		☐ No ☒ Yes		\$ 875
Total Monthly Rent				\$
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 	Title President	Date 7/28/24
Signature of Lessee X	Title X Pres	Date 7-23-24

Games at Each Site

Bennigan's

Bingo

Pull Tab Dispensing Device

Electronic Pull Tab Device



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 21, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider approval of gaming site authorization for Matpac Wrestling Club at The Scapegoat Bar from July 1, 2024 to June 30, 2025

STATEMENT/PURPOSE:

To approve a gaming site authorization

BACKGROUND/ALTERNATIVES:

The Administration Department received a gaming site authorization for Matpac Wrestling Club at the Scapegoat Bar from July 1, 2024 to June 30, 2025. Approval by the board is needed.

ATTACHMENTS:

1. Gaming Site Authorization_Matpac_Scapegoat

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve the gaming site authorization

SUGGESTED MOTION:

I move to approve the gaming site authorization for Matpac Wrestling Club at

Scapegoat Bar



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

Matpac Wrestling Club, Inc.

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 Scapegoat Bar

Street 202 E. Main Street	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/24	Ending Date(s) Authorized 6/30/25	Number of Twenty-One tables, if zero, enter "0" 1	

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

Games will be conducted in bar area, 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)

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☐ 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) Whiskey Gypsi, Inc.		Site Name The Scapegoat Bar		Site Phone Number (701) 751-2213
Site Address 202 E. Main Street	City Mandan	State ND	Zip Code 58554	County Morton
Organization Matpac Wrestling Club	Rental Period 7/1/24 to 6/30/25			Monthly Rent Amount
1. Is Bingo going to be conducted at the site? ☒ No ☐ 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.				\$
2. Is Twenty-One conducted at this site? ☐ No ☒ Yes Number of Tables with wagers up to \$5 <u> </u> X Rent per Table \$ <u> </u>				\$
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300</u>				\$ 300
3. Is Paddlewheels conducted at this site? ☒ No ☐ Yes Number of Tables <u> </u> X Rent per Table \$ <u> </u>				\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☒ Standard Dispensing Device				\$ 325
5. Are Electronic Pull-Tabs conducted at this site? ☐ No ☒ Yes If "Yes" please indicate the number of devices <u>10</u>				\$ 1250
Total Monthly Rent				\$ 1,875
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 	Title owner	Date 2/24/24
Signature of Lessee 	Title President	Date 2/12/24



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 21, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider approval of gaming site authorization for Matpac Wrestling Club at Last Call Bar from July 1, 2024 to June 30, 2025

STATEMENT/PURPOSE:

To approve a gaming site authorization

BACKGROUND/ALTERNATIVES:

The Administration Department received a gaming site authorization for Matpac Wrestling Club at Last Call Bar from July 1, 2024 to June 30, 2025. Approval by the Board is needed.

ATTACHMENTS:

1. Gaming Site Authorization_Matpac_LastCallBar

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve the gaming site authorization

SUGGESTED MOTION:

I move to approve the gaming site authorization for Matpac Wrestling Club at Last Call

Bar



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

Matpac Wrestling Club, Inc.

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

Last Call Bar

Street 118 W. Main Street	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/24	Ending Date(s) Authorized 6/30/25	Number of Twenty-One tables, if zero, enter "0" 1	

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

Games will be conducted in bar area, 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)

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☐ 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) LC Bar, Inc.		Site Name Last Call Bar		Site Phone Number (701) 663-9211
Site Address 118 W. Main Street	City Mandan	State ND	Zip Code 58554	County Morton
Organization Matpac Wrestling Club	Rental Period 7/1/24 to 6/30/25			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☒ No ☐ 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.		☐ No ☐ Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 <u> </u> X Rent per Table \$ <u> </u>		☐ No ☒ Yes		\$
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300</u>				\$ 300
3. Is Paddlewheels conducted at this site? Number of Tables <u> </u> X Rent per Table \$ <u> </u>		☒ No ☐ Yes		\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☒ Jar Bar ☒ Standard Dispensing Device		☐ No ☒ Yes		\$ 325
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices <u>8</u>		☐ No ☒ Yes		\$ 1100
Total Monthly Rent				\$ 1,725
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

Title

Date

Signature of Lessee

Title

Date



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 21, 2024
SUBMITTING DEPARTMENT: Administration Department
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider approval of gaming site authorization for Matpac Wrestling Club at Old Town Tavern from July 1, 2024 to June 30, 2025

STATEMENT/PURPOSE:

To approve a gaming site authorization

BACKGROUND/ALTERNATIVES:

The Administration Department received a gaming site authorization for Matpac Wrestling Club at Old Town Tavern from July 1, 2024 to June 30, 2025. Approval by the Board is needed.

ATTACHMENTS:

1. Gaming Site Authorization_Matpac_OldTownTavern

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve the gaming site authorization

SUGGESTED MOTION:

I move to approve the gaming site authorization for Matpac Wrestling Club at Old Town

Tavern



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

Matpac Wrestling Club, Inc.

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

Old Town Tavern

Street 109 1st Avenue NW	City Mandan	ZIP Code 58554	County Morton
------------------------------------	-----------------------	--------------------------	-------------------------

Beginning Date(s) Authorized 7/1/24	Ending Date(s) Authorized 6/30/25	Number of Twenty-One tables, if zero, enter "0" 1
---	---	---

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

Games will be conducted in bar area, 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)

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☐ 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) Old Town Tavern		Site Name Old Town Tavern		Site Phone Number (701) 663-2840
Site Address 109 1st Avenue NW	City Mandan	State ND	Zip Code 58554	County Morton
Organization Matpac Wrestling Club	Rental Period 7/1/24 to 6/30/25			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☐ No ☒ 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.		☒ No ☐ Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		☐ No ☒ Yes		\$
Number of Tables with wagers over \$5 1 X Rent per Table \$ 300				\$ 300
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		☒ No ☐ Yes		\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☒ Jar Bar ☒ Standard Dispensing Device		☐ No ☒ Yes		\$ 325
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 4		☐ No ☒ Yes		\$ 700
Total Monthly Rent				\$ 1,325

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.

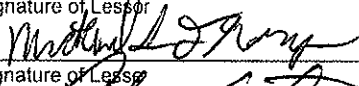
The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

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 	Title Owner	Date 7/26/24
Signature of Lessee 	Title President	Date 2/12/24



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 21, 2024
SUBMITTING DEPARTMENT: Administration Department
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider approval of gaming site authorization for Matpac Wrestling Club at Black Lions from July 1, 2024 to June 30, 2025

STATEMENT/PURPOSE:

To approve a gaming site authorization

BACKGROUND/ALTERNATIVES:

The Administration Department received a gaming site authorization for Matpac Wrestling Club at Black Lions from July 1, 2024 to June 30, 2025. Approval by the Board is needed.

ATTACHMENTS:

1. Gaming Site Authorization_Matpac_BlackLions

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve the gaming site authorization

SUGGESTED MOTION:

I move to approve the gaming site authorization for Matpac Wrestling Club at Black

Lions



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

Matpac Wrestling Club, Inc.

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

Black Lions

Street 412 W. Main Street	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/24	Ending Date(s) Authorized 6/30/25	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)

Games will be conducted in bar area, 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)

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☐ 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) G. D. Hooker, LLC		Site Name Black Lions		Site Phone Number (701) 751-2770
Site Address 412 W. Main Street	City Mandan	State ND	Zip Code 58554	County Morton
Organization Matpac Wrestling Club	Rental Period 7/1/24 to 6/30/25			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☒ No ☐ 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.		☐ No ☐ Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		☒ No ☐ 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 \$ _____		☒ No ☐ Yes		\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☒ Standard Dispensing Device		☐ No ☒ Yes		\$ 400
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 8		☐ No ☒ Yes		\$ 1100
Total Monthly Rent				\$ 1,500

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 	Title CO-Owner	Date 12 Feb 2024
Signature of Lessee 	Title President	Date 2/12/24



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 21, 2024
SUBMITTING DEPARTMENT: Administration Department
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider approval of gaming site authorization for Matpac Wrestling Club at Stage Stop from July 1, 2024 to June 30, 2025

STATEMENT/PURPOSE:

Consider approval of gaming site authorization for Matpac Wrestling Club at Stage Stop from July 1, 2024 to June 30, 2025

BACKGROUND/ALTERNATIVES:

The Administration Department received a gaming site authorization for Matpac Wrestling Club at Stage Stop from July 1, 2024 to June 30, 2025. Approval by the Board is needed.

ATTACHMENTS:

1. Gaming Site Authorization_Matpac_StageStop

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve the gaming site authorization

SUGGESTED MOTION:

I move to approve the gaming site authorization for Matpac Wrestling Club at Stage Stop



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

Matpac Wrestling Club, Inc.

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

Stage Stop

Street 611 6th Avenue SE	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/24	Ending Date(s) Authorized 6/30/25	Number of Twenty-One tables, if zero, enter "0" 2	

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

Games will be conducted in bar area, 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)

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☐ 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) Stage Stop Liquors, Inc.		Site Name Stage Stop		Site Phone Number (701) 663-7768
Site Address 611 6th Avenue SE	City Mandan	State ND	Zip Code 58554	County Morton
Organization Matpac Wrestling Club, Inc.		Rental Period 7/1/24 to 6/30/25		Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☐ No ☒ 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.		☒ No ☐ Yes		\$
2. Is Twenty-One conducted at this site?		☐ No ☒ Yes		\$
Number of Tables with wagers up to \$5 <u> </u> X Rent per Table \$ <u> </u>				
Number of Tables with wagers over \$5 <u>2</u> X Rent per Table \$ <u>300</u>				\$ 600
3. Is Paddlewheels conducted at this site?		☐ No ☐ Yes		\$
Number of Tables <u>1</u> X Rent per Table \$ <u>200</u>				\$ 200
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?		☐ No ☒ Yes		\$
Please Check: ☒ Jar Bar ☒ Standard Dispensing Device				\$ 325
5. Are Electronic Pull-Tabs conducted at this site?		☐ No ☒ Yes		\$
If "Yes" please indicate the number of devices <u> </u>				\$ 1250
Total Monthly Rent				\$ 2,375

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 	Title Owner / President	Date 3/12/24
Signature of Lessee 	Title President	Date 3/18/24



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 26, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider Grant Award and Acceptance - HIDTA (High Intensity Drug Trafficking Areas)

STATEMENT/PURPOSE:

Consider the grant award and acceptance for the High Intensity Drug Trafficking Areas Program for the Metro Area Narcotics Task Force.

BACKGROUND/ALTERNATIVES:

The City of Mandan has participated for a number of years in the HIDTA Grants to provide funding for the Metro Area Narcotics Task Force. This grant award is for the time period of 01/01/2023-12/31/2024. The amount awarded to MANTF provides for overtime and facilities costs.

Upon approval of this grant award acceptance, the FY23 HIDTA award packet attachment requires the signature of the Mayor under the "Authorized Official".

ATTACHMENTS:

1. FY23 Award Letter-MANTF
2. FY23 HIDTA Award packet

FISCAL IMPACT:

N/A 100% federally funded

STAFF IMPACT:

Deputy Chief Bier is the Fiscal Officer for this grant

LEGAL REVIEW:

N/A

RECOMMENDATION:

City Commission

Agenda Documentation

April 2, 2024

Subject: Consider approval of HIDTA (High Intensity Drug Trafficking Areas) Grant Award and Acceptance

Page 2 of 2

To approve accepting the HIDTA grant award to provide funding to the Metro Area Narcotics Task Force.

SUGGESTED MOTION:

Move to approve accepting the HIDTA Grant award to provide funding to the Metro Area Narcotics Task Force.



STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
www.attorneygeneral.nd.gov
(701) 328-2210

Drew H. Wrigley
ATTORNEY GENERAL

March 15, 2024

S/A Luke Kapella
MANTF
PO Box 1054
Bismarck, ND 58502

Dear Special Agent Kapella,

Your initiative has been awarded \$172,973 in FY 2023 High Intensity Drug Trafficking Area (HIDTA) Program fund to be used to implement the HIDTA strategy proposed by the Executive Board of Midwest HIDTA and approved by the Office of National Drug Control Policy (ONDCP).

To accept this award, please review, complete, sign, and return the enclosed documents (listed below) by Friday, April 5, 2024:

1. Grant Award and Acceptance
2. Budget Detail
3. Certified Conditions
4. A-133 Audit Certification

**Please be sure to retain a copy of the above documents for your grant file.*

Federal funds will not be disbursed/reimbursed until these forms have been completed, signed, and returned to the Office of Attorney General via email to agogrants@nd.gov.

You may contact Sarah Couture at 701-328-5514 or skcouture@nd.gov with questions. We look forward to working with you and your initiative.

Sincerely,

Sarah Couture
Grants/Contracts Officer
ND Office of Attorney General



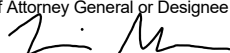
GRANT AWARD AND ACCEPTANCE
HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)
OFFICE OF ATTORNEY GENERAL
BUREAU OF CRIMINAL INVESTIGATION
03/2016

Subgrantee City of Mandan		Unique Entity Identifier # (REQUIRED)		Grant # 59423	
Implementing Agency Metro Area Narcotics Task Force		Make Check Payable To Morton County			
Project Director Luke Kapella		Title SA/Coordinator		Email lk426@nd.gov	
Fiscal Officer Jason Bier		Title Deputy Chief		Phone 701-220-7026	
Federal Awarding Agency Office of National Drug Control Policy (ONDCP)		CFDA # 95.001		FAIN # G23MW0006A	
Project Description High Intensity Drug Trafficking Areas (HIDTA) Program		Federal Award Period 1/1/2023-12/31/2024		Project Period 1/1/2023-12/31/2024	
Subaward Award Amount \$127,973.00		Amount of Federal Funds Obligated by this Action \$363,436.00		Total Federal Award \$826,801.00	

BUDGET SUMMARY					
BUDGET	MANTF	BCI	TOTAL	SOURCE OF FUNDS	PERCENTAGE
Personnel		\$111,500	\$111,500	FEDERAL	100%
Fringe		\$19,400	\$19,400		
Overtime	\$15,006		\$15,006		
Travel		\$25,500	\$25,500		
Facilities	\$112,967		\$112,967		
Services		\$15,000	\$15,000		
Equipment		\$35,000	\$35,000		
Supplies		\$6,000	\$6,000	MATCH	0%
Other (PE/PI)		\$23,063	\$23,063		
TOTAL	\$127,973	\$235,463	\$363,436	TOTAL	100%

GENERAL AND SPECIAL CONDITIONS

This is a non-R&D award and approved subject to the conditions outlined above and on the attached pages.

Date Awarded 3/15/2024	Signature of Attorney General or Designee 	Printed Name and Title Lonnie Grabowska, Director
----------------------------------	--	---

ACCEPTANCE

The subgrantee and implementing agency accept this grant and promises to comply with all conditions and terms that apply to it. The project director and fiscal officer agree to submit timely financial and progress reports as set forth.

Date Accepted	Signature of Authorized Official	Name and Title (printed)
Date Accepted	Signature of Project Director	Name and Title (printed)
Date Accepted	Signature of Fiscal Officer	Name and Title (printed)



BUDGET DETAIL
HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)
 OFFICE OF ATTORNEY GENERAL
 BUREAU OF CRIMINAL INVESTIGATION

Subgrantee:	Morton County
Implementing Agency:	Metro Area Narcotics Task Force
Contact Name (P.D.):	S/A Luke Kapella
Email (PD):	lk426@nd.gov
Phone Number (P.D.):	701-220-7026
Contact Name (F.O.):	Jason Bier
Email (F.O.):	jbier@mandanpd.com
Phone Number (F.O.):	701-667-3250
Grant #	59423 G23MW0006A

AWARD BUDGET DETAIL				
Overtime				
Item	Qty	Unit	\$/Unit	Total
Task Force Officers	1.00	year	15,006.00	15,006.00
Total Overtime Awarded			\$	15,006.00
Facilities				
Item	Qty	Unit	\$/Unit	Total
Office Rent	1.00	year	112,967.00	112,967.00
Total Facilities Awarded			\$	112,967.00
Reportable Total			\$	127,973.00

I have reviewed the approved budget and will comply with the budgetary guidelines as set forth in the grant award documents.

Signature <i>Authorized Official</i>	Date
Signature <i>Project Director</i>	Date
Signature <i>Fiscal Officer</i>	Date



AUDIT CERTIFICATION
HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)
OFFICE OF ATTORNEY GENERAL
BUREAU OF CRIMINAL INVESTIGATION
03/2016

FY2023

A-133 Audit Certification

Subrecipient: City of Mandan
Grant Number: 59423 (HIDTA G23MW0006A)
Federal Award Amount: \$ 127,973

We certify that:

☐ We are a non-federal entity that expended \$750,000 or more in federal awards during our fiscal year (from all sources including pass-through sub awards), and are required to arrange for a single organization-wide audit conducted in accordance with the provisions of Office of Management and Budget (OMB) 2 C.F.R. Part 200.514. This audit report will be submitted to the Office of Attorney General, Bureau of Criminal Investigation.

OR

☐ We are a non-federal entity that expended less than \$750,000 a year in federal awards, and are therefore exempt from federal audit requirements for the award year. We realize however, that we must keep records that are available for review or audit by appropriate officials including the federal agency, pass-through entity, and U.S. Government Accountability Office (GAO).

Certified By:

Date Accepted	Signature of Authorized Official	Name and Title
Date Accepted	Signature of Project Director	Name and Title
Date Accepted	Signature of Fiscal Officer	Name and Title



CERTIFIED CONDITIONS
HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)
OFFICE OF ATTORNEY GENERAL
BUREAU OF CRIMINAL INVESTIGATION
07/2017

I. INTRODUCTION

Subgrantee

Subgrantees are state agencies, units of local government (such as a city or county), other general-purpose political subdivisions of a state, or Indian tribes.

Implementing Agency

The implementing agency has direct responsibility for carrying out the activities of the grant (such as a police department or sheriff's office).

Authorized Official

The authorized official must have the legal authority to commit the subgrantee to a contract or other agreement. Examples are the mayor, city auditor, county auditor, director of the state agency, or Tribal chairperson. Overall responsibility for the administration of the project rests with this individual.

Project Director

The project director has direct responsibility for implementation of the project activities. This person will prepare and submit all progress reports as required by the Office of Attorney General.

Fiscal Officer

The fiscal officer prepares and submits all financial reports as required by the Office of Attorney General and has responsibility for the financial administration of the project.

II. GENERAL TERMS AND CONDITIONS

General terms and conditions are available online at
www.whitehouse.gov/ondcp/grants

- A. This award is subject to The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200 (the "Part 200 Uniform Requirements"), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. part 3603. For this 2017 award, the Part 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

For more information on the Part 200 Uniform Requirements, see <https://cfo.gov/cofar/>. For specific, award-related questions, subrecipients should contact BCI promptly for clarification.

B. This award is subject to the following additional regulations and requirements:

- 28 C.F.R. Part 69-“New Restrictions on Lobbying”
- 2 C.F.R. Part 25-“Universal Identifier and System of Award Management”
- Conflict of Interest and Mandatory Disclosure Requirements

- Conflict of Interest Requirements

As a non-federal entity, you must follow ONDCP’s conflict of interest policies for federal awards. Sub recipients must disclose, in writing, any potential conflict of interest to BCI. This disclosure must take place immediately.

A conflict of interest would arise when the employee, officer, agent, or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an organization considered for a contract.

- Mandatory Disclosure Requirement

As a non-federal entity, subrecipients must disclose, in a timely manner, in writing to BCI, all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award.

- Non-profit Certifications (when applicable)

C. Recipients and sub recipients must comply with the Government-wide Suspension and Debarment provisions set forth at 2 C.F.R. Part 180.

D. As specified in the HIDTA Program Policy and Budget Guidance, the sub recipient must:

- a. Establish and maintain effective internal controls over the Federal award that provides reasonable assurance that federal award funds are managed in compliance with federal statutes, regulations and award terms and conditions. These internal controls should be in compliance with the guidance in “Standards for Internal Control in the Federal Government,” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework,” issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- b. Comply with federal statutes, regulations, and the terms and conditions of the federal awards.
- c. Evaluate and monitor compliance with applicable statute and regulations, and the terms and conditions of the federal award.
- d. Take prompt action when instances of noncompliance are identified, including noncompliance identified audit findings.

- e. Take reasonable measures to safeguard protected personally identified information (PII) and other information ONDCP or recipient designates consistent with applicable federal, state, and local laws regarding privacy and obligations of confidentiality.

III. PROGRAM SPECIFIC TERMS AND CONDITIONS

A. Special Conditions

- This grant is awarded as listed on grant award and acceptance document. Variation from the description of activities approved by BCI and ONDCP and/or from the budget attached to this letter must comply with the reprogramming requirements as set forth in ONDCP's HIDTA Program Policy and Budget Guidance.
- This award is subject to the requirements in ONDCP's HIDTA Program Policy and Budget Guidance.
- No HIDTA funds shall be used to supplant state or local funds that would otherwise be made available for the same purposes.
- The requirements of 28 C.F.R. Part 23, which pertain to information collection and management of criminal intelligence systems, shall apply to any such systems support by this award.
- Special accounting and control procedures must govern the use and handling of HIDTA Program funds for confidential expenditures; i.e., the purchase of information, evidence, and services for undercover operations. Those procedures are described in Section 6 of HIDTA Program Policy and Budget Guidance.
- Property acquired with these HIDTA grant funds is to be used for the activities of the Midwest HIDTA. If your agency acquires property with these funds and then ceases to participate in the HIDTA, this equipment must be made available to the HIDTA's Executive Board for use by other HIDTA participants.
- All law enforcement entities that receive funds from this grant must report all methamphetamine laboratory seizure data to the National Clandestine Laboratory Database/National Seizure System at the El Paso Intelligence Center.

B. Collaboration

Subgrantee and implementing agency agree to work with local, state, and federal criminal justice agencies in the performance of the project.

C. Third-Party Participation

No contract or agreement may be entered into by the subgrantee and implementing agency for execution of project activities or provision of services for a grant project, unless the contract or agreement was part of the original grant award or is approved in advance by the BCI (exception: purchase of supplies, or standard commercial or maintenance services). Any contract or agreement entered into shall provide that the subgrantee and implementing agency retain ultimate control

and responsibility for the grant project and that the contractor shall be bound by these conditions and any other requirements applicable to the subgrantee and implementing agency in the conduct of the project.

D. Written Approval Required for Changes

All changes must be forwarded to BCI to be approved by Midwest HIDTA and/or ONDCP, therefore subgrantee and implementing agencies need to send a written request to BCI to request changes to any of the follow:

- Changes of substance in project activities, designs, or research plans as set forth in the approved application;
- Changes in the project director or key professional personnel identified in the approved application;
- Changes in the approved project budget as specified under financial conditions; and
- Grant extensions.

A grant extension must be requested in writing before the project period end date. The written request for an extension must state the need for the extension and indicate the additional time frame required to complete the project. In order to receive approval for an extension, all required reports must be completed and submitted to the BCI. BCI will then contact Midwest HIDTA or ONDCP for approval.

E. Performance Goals & Progress Reporting

- All entities that receive funds from this award are responsible for achieving performance goals established in the HIDTA Performance Management Process (PMP) and approved by the HIDTA's Executive Board and ONDCP.
- All entities that receive funds from this award must report progress in achieving performance goals at least quarterly using PMP.

IV. FINANCIAL MANAGEMENT

A. Accounting Requirements and Procedures

Subgrantee and implementing agency agree to establish financial accounting procedures to assure proper disbursement and accounting for all federal funds. These procedures should include timely recording and documentation of receipts and expenditures. At a minimum, your accounting system must:

- Separately account for the receipt of federal funds under each grant awarded; and
- Separately account for expenditures under each subgrant, even though it may

be a project that is receiving continuation funding. Total costs and receipts must be identifiable under each grant award.

B. Pre-Agreement Costs

The BCI reimburses only for goods or services purchased during the grant period. Expenditures or costs incurred prior to the "beginning date" listed on the Grant Award and Acceptance will not be allowed. Cannot spend or commit funds until January 1, 2018.

C. Budget Deviation

All expenditures of the project must be in accordance with the detailed Budget Summary of the Grant Award and Acceptance. The BCI will not reimburse expenses which are not in the approved budget. Requests to purchase items that are not in accordance with the detailed Budget Summary must be made in writing to the BCI and will be considered on a case-by-case basis.

D. Reimbursement/Allowable Expenses

BCI reimburses actual expenses on a quarterly basis unless otherwise agreed upon by the BCI and the subgrantee. The Summary Financial Report (known as the SFR) must be used to report all grant expenditures and a template will be provided to you. The report is required quarterly and must be submitted to BCI within 30 days following the end of the reporting period.

The SFR must show all project expenditures during the period of the report. Expenditures should be reported as actual amounts and must be accompanied by complete documentation as indicated below.

1. Personnel Expenditures

Includes: Salary

Documentation required: Hourly rates, copies of check stubs or payroll ledgers, itemization of withholding amounts and benefits paid, and supporting calculations of wages paid (timesheets may be reviewed during audits).

2. Fringe Expenditures

Includes: Payroll taxes; Benefits

Documentation required: Hourly rates, copies of check stubs or payroll ledgers, itemization of withholding amounts and benefits paid, and supporting calculations of wages paid (timesheets may be reviewed during audits).

3. Overtime Expenditures

Includes: Overtime Salary; OT related payroll taxes; Benefits

Documentation required: Overtime Vouchers, hourly rates (straight and time-and-a-half), copies of check stubs or payroll ledgers, itemization of withholding amounts and benefits paid, and supporting calculations of wages paid (timesheets may be reviewed during audits).

4. **Equipment**

Includes: Tangible property having an acquisition cost of \$5,000 or more per unit and a useful life of more than one year.

Documentation required: Invoices, vouchers, receipts, purchase orders, bids and/or sole source documentation if necessary, or other supporting documentation. Note check number and payment date on supporting documentation.

5. **Travel**

Includes: Meals, lodging, mileage, and commercial transportation for travel approved in the subgrantee's budget.

Documentation required: Sufficient detail must be submitted to support the claim. Include case number (if applicable), destination, purpose of travel, dates, and authorization.

Mileage, meals and lodging: Will be reimbursed at the local or state rate - whichever is lower; or for out-of-state travel, GSA rates will prevail.

Meals

Rate

To receive reimbursement for meals you must document departure and arrival times, and you must travel a minimum of four (4) hours, which cover the following time frames:

Breakfast (leave on or before 7:00 a.m.)	20% of daily rate
Lunch (11:00 a.m. - 1:00 p.m.)	30% of daily rate
Dinner (5:00 p.m. - 7:00 p.m.)	50% of daily rate

6. **Services**

Includes: Service contracts, subscriptions, training (registration fees), vehicle allowance/leases, software maintenance.

Documentation required: Invoices, vouchers, receipts, purchase orders, bids and/or sole source documentation if necessary, or other supporting documentation. Note check number and payment date on supporting documentation.

Please note:

Consultant and contractual services, leases, and agreements must be supported by written contracts stating the services to be provided, rate of compensation, and length of time over which the services will be provided. Payments must be supported by invoices providing details on the services provided and when these services were provided. Subgrantees must submit a copy of approved contracts, leases, or agreements before reimbursement will be made.

7. **Supplies**

Includes: Investigative/operational, office, software, fuel.

Documentation required: Invoices, vouchers, receipts or other supporting documentation. Note check number and payment date on supporting documentation.

8. Other

Includes: PE/PI funds, administrative fees.

Documentation required: CI vouchers, invoices, or other supporting documentation. Note check number and payment date on supporting documentation.

E. Audit Requirements

Subgrantees receiving a total of \$750,000 or more in federal funds: The subgrantee agrees to have an audit which shall be in compliance with the audit requirements of the Office of Management and Budget Circular A-133, "Audits of State and Local Governments, Institutions of Higher Education, Hospitals, and Other Nonprofit Institutions", if \$750,000 or more in total federal financial assistance is received. The audit must cover the period of the award.

Units of local government and non-profit organizations must provide a copy of the audit report to BCI.

State agencies must give the BCI a copy of that part of the audit report conducted by the State Auditor's Office which pertains to project funds at the time the agency received funds.

Subgrantees receiving a total of less than \$750,000 in federal funds: The subgrantee agrees to meet the following criteria:

1. Establish an accounting system integrated with adequate internal fiscal and management control to provide full accountability for revenues, expenditures, assets, and liabilities;
2. Prepare financial reports to support claims charged toward the grant award. Reports should be supported by accurate and reliable financial data and **should be in accordance with the terms of the applicable agreements; and**
3. Expend project funds in accordance with the Grant Award and Acceptance and federal and state rules.

Agencies not required to have an audit must provide and maintain adequate financial records for each period in which they received or spent project funds.

F. Potential Fraud, Waste, Abuse or Misconduct

The subrecipient must promptly refer to the ND Office of Attorney General, BCI, any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds.

V. INSPECTION OF RECORDS

Subgrantees must maintain their project file and financial records for three years after the close of the grant and completion of an audit.

A. Records Inspection

Subgrantee and implementing agency give the Office of Attorney General, ONDCP or the Government Accountability Office, or its representative permission to audit and inspect any records, objects, or premises pertaining to this grant and to value and monitor the project at any reasonable time.

B. Monitoring

Subawards must be monitored as outlined in 2 C.F.R. 200.331. Program monitoring involves the ongoing collection of information to determine if programs are operating according to plan. Monitoring also provides ongoing information on program implementation and functioning. It is our policy that the Office of Attorney General or its representatives will monitor your program on an annual basis via telephone, desk review, or on-site visit.

VI. PROCUREMENT

A. Adequate Competition

All procurement transactions, whether negotiated or competitively bid, and without regard to dollar value, should be conducted in a manner so as to provide maximum open and free competition. A state purchase price as obtained by the Office of Management and Budget, State of North Dakota, may be considered the same as a bid price.

B. Level of Competition Required

When needed commodities or services cannot be obtained from an existing source or a government entity, state procurement procedures must be used. The dollar of the purchase determines the level of competition required:

Purchasing Thresholds Effective July 1, 2018		
State Agencies, excluding Higher Education institutions, must follow OMB guidelines .		
Level	Competition Requirements	Documentation Maintenance Requirement
Level 1 "Micro" Purchase	Obtain at least one fair and reasonable quote. Note: Equipment and software must be added to inventory if \$5,000 or greater. (N.D.C.C. §	NDUS: Documentation not required Alternate Procurement form

Less than \$10,000	54-27-21 Fixed Asset Minimum Reporting Value) OMB: Rotate vendors solicited on an equitable basis (N.D.A.C. § 4-12-08-02) OMB: State agencies (excluding Higher Education institutions) must submit printing purchase requests \$5,000 and over to OMB State Procurement.	not required if multiple quotes not solicited OMB: Document vendors solicited, quotes received, and award determination.
Level 2 Small Purchase At least \$10,000 but less than \$50,000	Solicit informal quotes/bids or proposals from at least three vendors, or post to SPO Online with appropriate state bidders list. May send to additional vendors. OMB: ITD must review IT purchases over \$25,000. Contact itdprocurement@nd.gov	Documentation is required. Alternate Procurement form required if competition is not solicited from at least three vendors. The form is not required if three vendors are solicited and fewer than three bids or proposals are received.
Level 3 Informal Written Purchase At least \$50,000 but less than \$100,000	Solicit informal bids or proposals using SPO Online with appropriate state bidders list. May send to additional vendors. OMB: ITD must review IT purchases over \$25,000. Contact itdprocurement@nd.gov	Documentation is required Alternate Procurement form required if: 1. Competition is not solicited. 2. SPO Online is not used. 3. OMB: Competition is limited.
Level 4 Formal Purchase \$100,000 and over	Must be purchased using formal sealed bids: Invitation for Bid (IFB) or Request for Proposal (RFP). Solicitations must be posted using SPO Online with appropriate state bidders list. May send to additional bidders. OMB: ITD must review IT purchases over \$25,000. Contact itdprocurement@nd.gov	Documentation is required. Alternate Procurement required if: 1. Competition is not solicited, or competition is limited. 2. SPO Online is not used. 3. OMB: Competition is Limited.

C. Sole-Source Procurement

When only one bid is received or only one vendor is contacted, the purchase is deemed to be a sole source purchase. Sole-source purchases of \$2,500.01 or more require prior approval by the BCI.

All requirements for equipment and supplies considered sole-source by the agency must be approved by the BCI prior to issuance of a purchase order.

All sole-source purchases must be fully documented and retained in the grant file with the purchase order and payment documents. Documentation must include justification for the sole-source determination and written vendor's price quotation.

VII. EQUIPMENT

A. Equipment Inventory

A purchase of equipment and other tangible property that has a useful life of one year or greater and has an initial cost of \$5,000 or greater must be reported to BCI and tracked.

Please supply BCI with the following information:

- A. Equipment description
- B. Brand name
- C. Model numbers
- D. Serial numbers
- E. Unit cost

B. Ownership of Equipment

Subgrantees and implementing agencies shall exercise due care in the maintenance, protection, and preservation of such property during the period of project use. Equipment acquired with HIDTA funds must be used for the maximum benefit of the HDITA to support the goals of the initiative.

C. Disposition

When equipment is no longer needed for HIDTA purposes, the subgrantee must contact the BCI for disposition instructions.

VIII. DRUG FREE WORKPLACE REQUIREMENTS

The subgrantee certifies that it will provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the subgrantee's workplace and specifying the actions that will be taken against

employees for violation of such prohibition.

- B. Establishing a drug-free awareness program to inform employees about
 - 1. The dangers of drug abuse in the workplace;
 - 2. The subgrantees policy of maintaining a drug-free workplace;
 - 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- C. Requiring that each employee engaged in the performance of the drug grant be given a copy of the statement required by paragraph (A).
- D. Notifying the employee in the statement required in paragraph (A) that, as a condition of employment under the grant, the employees will
 - 1. Abide by the terms of the statement; and
 - 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- E. Taking one of the following actions within 30 days of receiving notice under subparagraph (D)(2), with respect to any employee who is so convicted:
 - 1. Taking appropriate personnel action against such an employee, up to and including termination; or
 - 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency;
- D. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A), (B), (C), (D), and (E).



CERTIFIED CONDITIONS Signature Page
HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)
OFFICE OF ATTORNEY GENERAL
BUREAU OF CRIMINAL INVESTIGATION
07/2017

I certify that the project proposed in this award meets all the requirements of the High Intensity Drug Trafficking Areas (HIDTA) Program, that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with all federal laws, regulations, and guidelines. The undersigned has reviewed the above-certified conditions and agrees that the applicable conditions above will be followed.

Signature of Authorized Official

Date

Signature of Project Director

Date

Signature of Fiscal Officer

Date

Please make a copy for your records and return the original with the other required award and acceptance documents to: skcouture@nd.gov



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 26, 2024
SUBMITTING DEPARTMENT: Assessing
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Application for property tax exemption for
Improvements to Commercial & Residential Buildings
North Dakota Century Code 57-02.2

STATEMENT/PURPOSE:

To consider a three year exemption Improvements to Commercial & Residential Buildings North Dakota Century Code 57-02.2

BACKGROUND/ALTERNATIVES:

Paul and Angela Hewitt are applying for a three-year exemption for renovation of structures located at 110 14 Ave NW. This parcel has a legal description of Lot 10 Block 10, Heartview, with a parcel number of 65-1237000. The property consists of the main dwelling and detached garage. Renovations include: new windows, new siding on home and garage, egress window, railing on back steps, new front steps with pergola over the steps, new entry doors.

ATTACHMENTS:

1. HEWITT EXEMPTION APPLICATION 4-2-24 MEETING_Redacted

FISCAL IMPACT:

- The value of the renovations are estimated to have a value of \$18,300. Based on the 2023 mill levy the estimated exemption is \$231.42 for all taxing entities and \$52.65 for the City of Mandan. The actual exemption will be subject to prevailing market values and actual mill rates during the three-year exemption period.

STAFF IMPACT:

City Commission

Agenda Documentation

April 2, 2024

Subject: Consider approval of a property tax exemption for improvements to commercial & residential buildings North Dakota Century Code 57-02.2

Page 2 of 2

N/A

LEGAL REVIEW:

Forwarded to city attorney for review

RECOMMENDATION:

Approval of Application for the Property Tax Exemption for Improvements to Commercial & Residential Buildings North Dakota Century Code 57-02.2 located at 110 14 Ave NW

SUGGESTED MOTION:

I move to approve the Application for Improvements to Commercial & Residential Buildings North Dakota Century Code 57-02.2 located at 110 14 Ave NW.

**Application For Property Tax Exemption For Improvements
To Commercial And Residential Buildings**

N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

Property Identification

1. Legal description of the property for which exemption is claimed (138) Heart View Edition Lot:10 Block:10
Legal:1107
2. Address of Property 110 14th Ave NW Mandan, ND 58554-4913
3. Parcel Number 65-1237000
4. Name of Property Owner Hewitt / Paul M & Angela L Phone No. [REDACTED]
5. Mailing Address of Property Owner -Same as Above-

Description Of Improvements For Exemption

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). New Windows, New Siding on Home and Garage, Egress window, Railing on Back Steps, New Front Steps, Power Pergola over front steps, New Entry Doors
7. Building permit No. TBD 8. Year built (residential property) 1955
9. Date of commencement of making the improvements _____
10. Estimated market value of property before the improvements \$ Bank (259,000) Assessed 2024 194,100 203,800
11. Cost of making the improvement (all labor, material and overhead) \$ 100,000
12. Estimated market value of property after the improvements \$ 222,100

Applicant's Certification And Signature

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant [Signature]

Date 3/22/2024

Assessor's Determination And Signature

14. The assessor/county director of tax equalization finds that the improvements described in this application do ☐ do not ☐ meet the qualifications for exemption for the following reason(s): _____

Assessor/Director of Tax Equalization _____

Date _____

Action Of Governing Body

15. Action taken on this application by the governing board of the county or city: Approved ☐ Denied ☐
Approval is subject to the following conditions: _____

Exemption is allowed for years 20____, 20____, 20____, 20____, 20____.

Chairperson _____

Date _____



HERITAGE EXTERIORS *by Brandon Leingang*

601 Burlington St SE | Mandan, ND 58554

RETAIL SALES AGREEMENT PREPARED FOR BUYER:

Hewitt, Angie & Paul
110 14th Ave NW
Mandan, ND 58554

DATE: 01/17/2024

PHONE: [REDACTED]

PHONE: _____

EMAIL: _____

EMAIL: _____

WORK SCOPE:

Single Zone Pergola Structure-- Azenco R-blade Bio-Climatic Operating Roof R-Blade= 10' length x 7' width
All Structure Components= 6063-T6 virgin aluminum extrusions & Interpon D2000 Ultra Durability Powder Coating

ZONE 1 -Azenco R-BLADE SYSTEM= Bio-climatic roof system. Remote control included.

Color Selections= Dark Grey Bronze Structure & Posts, WHITE louvered roof

-(4) 6.5"X6.5" support posts. Posts are Kiln dried Brown treat structural lumber; clad with LP trim color matched to deck cladding.

-Structure to be "free-standing". Flashing installed between structure and house gutter

Includes (1) 4"x6" Accessory Beam lengthwise in structure.

System drainage=integrated scupper protrudes from beam edge at SW, "Rain Chain" attachment to scupper, large rock or stone beneath "Rain Chain"

ZONE 1- lighting/electrical

->>In position in accessory beam is wiring and junction box for the later installation of ceiling fan or recessed light.

->>(1) LED Ramp light included, remote controlled and dim-able.

Zone 1 Azenco R- Blade Pergola System as detailed

\$12,995.00

Considerations/Exclusions

1. ALL Spec sizes on this Sales Agreement are approximate.

2. Shipping cost for this structure \$2800. Structure is "used" Contractor is waiving shipping cost.

3. Post contract acceptance; customer will be furnished shop drawings for review and approval.

Contractor WILL run electrical within the Outdoor System for motor/actuator, system lighting, & screens. Any "hard wiring" by others.

4. Average Lead Time is 90 days from contract acceptance, barring design changes & shop drawing approvals.

5. NO hardscape, landscape, yard modification included. "Rain chain" & boulder/stone not included.

Some Color Match Fasteners Will Be Exposed.

Material Can and Will Scratch.

Total \$ 12,995.00

Downpayment \$ 4000.00

Due on Completion \$ 8995.00

Initial Buyer acknowledges structure being renovated was built in _____. Keep a copy of this Contract to protect your legal rights.

Buyer acknowledges receipt of Notice to Buyer and important information on the back side of this contract

Buyer acknowledges that they may cancel this transaction at any time prior to midnight of the 3rd business day after the date of the transaction.

All surplus material is property of Heritage Exteriors, HEI always sends more material than is required as delays caused by material shortages are costly.

1 1/2% per month late payment fee will be charged to all Past Due Accounts. All products warranted by the manufacturer.

Heritage Exteriors has permission to use your home for advertising purposes.

Each Buyer hereby acknowledges receipt of a fully completed copy of this RETAIL SALES CONTRACT. Executed by both Buyer and Seller _____ day of _____, 2024

Accepted by Buyer _____

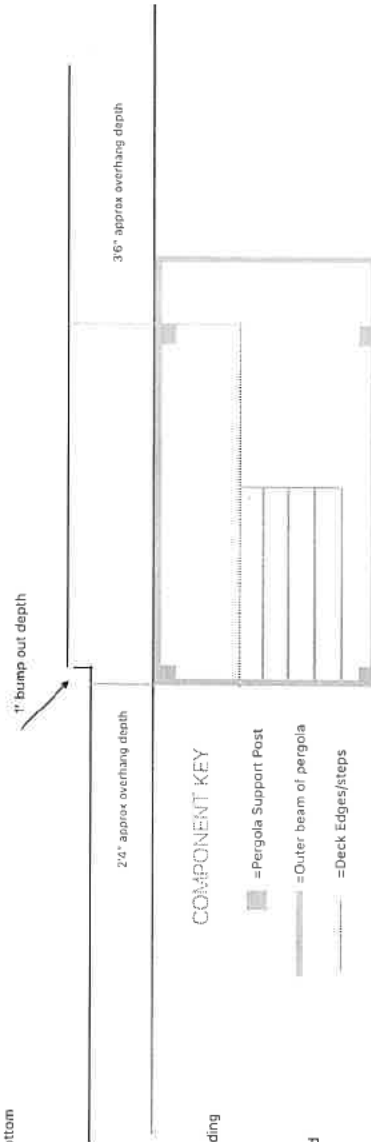
Accepted by Seller _____

Accepted by Buyer _____ Page 73 of 114

Top of gutter to landing=7'8"
5 total rises Stair rise average 6.25"

ELEVATION KEY

- 11'0 1/4" _____ Top of gutter
- 10'9 3/4" _____ Beam bottom
- 6'7" beam height
- 6'11" ceiling height



COMPONENT KEY

- = Pergola Support Post
- = Outer beam of pergola
- = Deck Edges/steps
- = Overhang/eave edge
- = House wall(s)

- 10'2 8/9" _____ Top of landing
- 10'0" _____ Grade/Yard



HERITAGE

EXTERIORS

601 Burlington St SE | Mandan, ND 58554

RETAIL SALES AGREEMENT PREPARED FOR BUYER:

Paul Or Angie Hewitt
110 14th Ave. NW
Mandan, ND 58554

DATE: 01/18/2024

PHONE: [REDACTED]

PHONE: [REDACTED]

EMAIL: Daddyhew@gmail.com

EMAIL: [REDACTED]

Furnish & Install Windows/Doors As Noted Below:

- 7 Vinyl & 3 Fiberglass Windows Main Level-Full Frame

Cut Back Siding, Remove And Dispose Of Existing Windows
Fir Windows Out Due To Residing Over Existing
Properly Flash, Square, Level
New Interior White Composite Jamb & 3" Flat Casing Mocha
No Exterior Trim Due To Residing

- 7 Basement Hopper Windows

Factory Attached Brickmould Exterior
Unfinished Interior

- 1 Basement Egress Window

Cut Concrete And Ground Around, Pea Gravel, Window Well, Ladder, & Cover
Unfinished Interior

Steel Front Door & Fiberglass Back Door

Remove Existing Door And Frame
Fir Out Doors Due To Residing
New Interior 3" Flat Mocha Trim

Total	\$38,980.00
Downpayment	\$12,000.00
Due on Completion	\$26,980.00

Buyer acknowledges structure being renovated was built in _____. Keep a copy of this Contract to protect your legal rights.

Buyer acknowledges receipt of Notice to Buyer and important information on the back side of this contract

Buyer acknowledges that they may cancel this transaction at any time prior to midnight of the 3rd business day after the date of the transaction.

All surplus material is property of Heritage Exteriors, HEI always sends more material than is required as delays caused by material shortages are costly.

1 1/2% per month late payment fee will be charged to all Past Due Accounts. All products warranted by the manufacturer.

Heritage Exteriors has permission to use your home for advertising purposes.

Each Buyer hereby acknowledges receipt of a fully completed copy of this RETAIL SALES CONTRACT. Executed by both Buyer and Seller _____ day of _____, 2024

Accepted by Buyer _____

Accepted by Seller _____

Accepted by Buyer _____



Paul or Angie Hewitt
110 14th Ave NW
Mandan, ND 58554

DATE: 01/16/2024

PHONE: [REDACTED]

PHONE: _____

EMAIL: _____

EMAIL: _____

601 Burlington St SE | Mandan, ND 58554

FURNISH & INSTALL SIDING AS NOTED BELOW

- :Remove/Dispose Existing Steel Siding on Home and Garage
- :Install new insulation | Tape Seams with Tyvek Tape
- :Install Quality Edge TruCedar D4" or EDCO D4/6"
- :Siding to be screwed on | Silicone behind j-channel
- :Install master mount accessories for light fixtures, faucets, electrical outlets, vents where needed.
- :Install kick out flashing and L-flashing above deck as required.
- :Clad Overhead Door Frame in white metal with new weathestripping.
- :Frame in garage window
- :Fix Soffit NW Corner of Home.
- :Install 26 gauge designer Harrywood/Vesta steel siding on front window wall

Colors:

Quality Edge D4" Ironstone
MAC Harrywood Torrefied



Total	\$29,522
Downpayment	\$
Due on Completion	\$

Buyer acknowledges structure being renovated was built in _____. Keep a copy of this Contract to protect your legal rights.
Buyer acknowledges receipt of Notice to Buyer and important information on the back side of this contract.
Buyer acknowledges that they may cancel this transaction at any time prior to midnight of the 3rd business day after the date of the transaction.
All surplus material is property of Heritage Exteriors, HEI always sends more material than is required as delays caused by material shortages are costly.
1/2% per month late payment fee will be charged to all Past Due Accounts. All products warranted by the manufacturer.
Heritage Exteriors has permission to use your home for advertising purposes.

Each Buyer hereby acknowledges receipt of a fully completed copy of this RETAIL SALES CONTRACT. Executed by both Buyer and Seller _____ day of _____, 2023

Accepted by Buyer _____

Accepted by Seller _____

Accepted by Buyer _____



HERITAGE
EXTERIORS
by Brandon Leingang

601 Burlington St SE | Mandan, ND 58554

RETAIL SALES AGREEMENT PREPARED FOR BUYER:

Hewitt, Angie & Paul
110 14th Ave NW
Mandan, ND 58554

DATE: 01/17/2024

PHONE: [REDACTED]

PHONE: [REDACTED]

EMAIL: [REDACTED]

EMAIL: [REDACTED]

FRONT LANDING & STEPS | Deck Build | Timber Tech PVC Decking & Extruded Aluminum Guardrail
Agreement to Supply and Install: New Landing & Stairwell at Front Entry.

Finished size to be approx : 8' width x 5' projection; approx. 4' width stairwell exiting to West

Framing and Footings:

· SELECT Kiln Dried (Brown) pressure treated framing lumber.

New Structure frame to be built 12" on center with 2x6 common joists, 2x8 ledger, (2) 6x6 support posts, 2-ply 2x6 Flush Beam,
Footings= (2) Diamond Pier 50-OR- Cylindrical footings. Site Conditions vary this application.

Stairwell construction 2x12 stringers with ample 2x8 blocking at all tread surfaces.

Frame-in to encase beneath stairwell and landing, framing to accommodate siding for finished "skirt" beneath.

The new structure includes necessary blocking for picture frame decking and railing post support.

Top surfaces of all framing members are "planed" level & then covered with peel and stick joist tape.

Install new ledger plate, proper attachment to structure, tape & flash ledger top, re-detail siding as required.

Decking, Fascia/Sidewall Materials: Color Selections= English Walnut Decking-- LP Diamond Kote Graphite Cladding

Installation of decking for the agreed upon design.

Deck board Fastening: Screws Anchored from Top with Color Match plugs

Decking Brand & Series (as priced) = Timber Tech PVC Vintage or Landmark Collection.

Fully clad perimeter edges of deck & stairwell, stairwell rises with LP fascia clad & LP Board & Batten pre-finished wall covering.

Single "Picture-Frame" detail at (3) total deck edges, all stair treads

Railing System:

Extruded aluminum with square picket infill

Railing height: 36" Horizontal, Stair Post Sizes: 2x2x36" & 2.5x2.5x36"

Railing Vista Brand Aluminum | >>>Color Selection= Smooth White

RAILING FOR REAR ENTRY INCLUDED. Vista guardrail package "side-mounted" to outer edge of both stairwells & landing.

Description Total (includes tax) >>

\$17,000.00

ADDITIONAL work billed at completion>>

Demo-out existing concrete steps.

Labor X \$85 per man hour, Equipment Rental, Disposal)

+/- \$1500 recommended budget

Material Can and Will Scratch.

Building Permit Included

Total	\$ 18,500.00 (max demo budget included)
Downpayment	\$ 7000.00
Due on Completion	\$ 11,500.00

Initial

Buyer acknowledges structure being renovated was built in _____. Keep a copy of this Contract to protect your legal rights.

Buyer acknowledges receipt of Notice to Buyer and important information on the back side of this contract

Buyer acknowledges that they may cancel this transaction at any time prior to midnight of the 3rd business day after the date of the transaction.

All surplus material is property of Heritage Exteriors, HEI always sends more material than is required as delays caused by material shortages are costly.

1 1/2% per month late payment fee will be charged to all Past Due Accounts. All products warranted by the manufacturer.

Heritage Exteriors has permission to use your home for advertising purposes.

Each Buyer hereby acknowledges receipt of a fully completed copy of this RETAIL SALES CONTRACT. Executed by both Buyer and Seller _____ day of _____, 2024

Accepted by Seller _____

Accepted by Buyer _____

Accepted by Buyer _____



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 27, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Cancer Benefit for Chelsey Kralicek

STATEMENT/PURPOSE:

Consider approval of a raffle permit for a cancer benefit for Chelsey Kralicek on 5/3/2024 at Signature Events in Mandan.

BACKGROUND/ALTERNATIVES:

Cancer benefit for Chelsey Kralicek on 5/3/2024 at Signature Events in Mandan.

ATTACHMENTS:

1. Raffle Permit 2024-25

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

Approve raffle permit for cancer benefit for Chelsey Kralicek.

SUGGESTED MOTION:

I move to approve raffle permit for cancer benefit for Chelsey Kralicek.



LOCAL PERMIT OR RESTRICTED EVENT PERMIT
NORTH DAKOTA OFFICE OF ATTORNEY GENERAL
GAMING DIVISION
SFN 17926 (11-2023)

Permit Number
2024-25

Permit Type (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games Authorized

☐ Raffle by a Political or Legislative District Party

☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker* ☐ Twenty-One* ☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Cancer Benefit for Chelsey Kralicek		Dates Authorized (Read Instruction 2) May 3rd, 2024	
Organization or Group Contact Person Paige Fleck	E-mail pfleck91@gmail.com	Telephone Number 701-391-4058	
Mailing Address 4809 Southbay Dr. SE	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Signature Events		County Morton	
Site Address 401 W Main St	City Mandan	State ND	ZIP Code 58554
If the city or county is placing restrictions on the permit, please explain N/A			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) 50/50 raffle at the cancer benefit at Signature Events on 5/3/24.			

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:

a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:

(1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.

(2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official Michael Breid	Title of City or County Official Sergeant	Telephone Number 701-667-3250	E-mail Address mbreid@mandanpd.com
Signature of City or County Official 		Date 03/27/2024	Issuing Governing Body ☒ City ☐ County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.

Information required to be preprinted on a standard raffle ticket:

1. Name of Organization;
2. Ticket Number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player or option to convert a **merchandise** prize to a cash prize that is limited to the lesser of the value of the merchandise prize or six thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. Print the authorizing city or county and permit number
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an non-guaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

North Dakota Administrative Code 99-01.3-05-02(4) states that an employee may not sell a ticket on a site where another organization is licensed or has a permit unless the employee is granted permission by the lessor and other organization.

North Dakota Administrative Code 99-01.3-05-01 through 99-01.3-05-05 (Raffles) in its entirety can be reviewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

INSTRUCTIONS:

After a city or county governing board has authorized an organization to receive a local permit or restricted event permit, the city or county must complete the form.

1. Enter the city or county assigned "Permit Number".
2. Enter the beginning and ending date(s) for which the permit is authorized. **Note: Unexact blanket dates will not be accepted**
 - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar year basis.
 - b. A local permit can be issued for one or more events per fiscal year.
 - c. The "Dates Authorized" must only be the actual dates of the event(s) and does not include the dates the organization is selling tickets.
 - d. For a "one time" event permit, the beginning and ending date for "Dates Authorized" is the date of the event date.
 - e. If a local permit is issued for more than one event, enter the date of the first event as the beginning date and the date of the last event as the ending date.
 - f. A permit may not be issued more than twelve months prior to the first raffle drawing date.
 - g. A restricted event permit may be issued for only one event per year. If the organization has received a local permit during a fiscal year, it may not receive a restricted event permit. If the organization received a restricted event permit during the fiscal year, it may not receive a local permit.
3. Permits must provide the specific dates of event(s), site name, and site physical address. If there are multiple event dates that do not fit on the permit, a separate sheet must be submitted with the permit that provides a list of all event dates.
4. Enter any restriction place on the organization or group, such as days of the week or designation of an area at a site where games may be conducted.
5. When a restricted event permit is issued, provide a "Report on a Restricted Event Permit (SFN 52880)" form to the organization or be sure they know the form is available at <https://attorneygeneral.nd.gov/licensing-and-gaming/licensing/charitable-gaming> by scrolling to the bottom of the page.
6. Give the organization or group the completed permit form, keep a copy for your records, and **send a copy within 14 days** by email to agogaming@nd.gov, fax to (701) 328-3535 or by mail to:

Office of Attorney General
Gaming Division
600 E Blvd Ave, Dept. 125
Bismarck, ND 58505-0040

If you have questions on the local permit or restricted event permit process, please call: 1-800-326-9240

**APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT**

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (9-2023)

Applying for (check one)							
☒ Local Permit	☐ Restricted Event Permit*						
Games to be conducted							
☐ Bingo	☒ Raffle	☐ Raffle Board	☐ Calendar Raffle	☐ Sports Pool	☐ Poker*	☐ Twenty-One*	☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group <i>Benefit for Chelsey - Paige Fleck</i>		Dates of Activity (Does not include dates for the sales of tickets) <i>May 3, 2024</i>	
Organization or Group Contact Person <i>Paige Fleck</i>		E-mail <i>pfleck91@gmail.com</i>	Telephone Number <i>701-391-4058</i>
Business Address <i>4809 Southbay Dr. SE</i>	City <i>Mandan</i>	State <i>ND</i>	ZIP Code <i>58554</i>
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name <i>Signature Events</i>		County <i>Morton</i>	
Site Physical Address <i>401 W Main St</i>	City <i>Mandan</i>	State <i>ND</i>	ZIP Code <i>58554</i>
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) <i>May 3, 2024 - one time raffle</i>			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
<i>50/50 Raffle</i>	<i>50% of Sales made</i>	<i>Unknown</i>
Total (limit \$40,000 per year)		\$

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds <i>Benefit for Chelsey Krolieck - Cancer Fund</i>	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) ☐ Yes ☒ No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) ☐ Yes ☒ No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) ☒ No ☐ Yes - Total Retail Value: (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) ☐ Yes ☒ No	

Printed Name of Organization Group's Permit Organizer <i>Paige Fleck</i>	Telephone Number <i>701-391-4058</i>	E-mail Address <i>pfleck91@gmail.com</i>
Signature of Organization Group's Permit Organizer <i>Paige Fleck</i>	Title	Date <i>3/22/24</i>



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 27, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Raffle Permit for Bismarck-Mandan Stock Car Association

STATEMENT/PURPOSE:

Consider approval of a raffle permit for Bismarck-Mandan Stock Car Association for various dates at Dacotah Speedway.

BACKGROUND/ALTERNATIVES:

Raffle for Bismarck-Mandan Stock Car Association at Dakota Speedway

ATTACHMENTS:

1. Raffle Permit 2024-26

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

Approve raffle permit for Bismarck-Mandan Stock Car Association Inc.

SUGGESTED MOTION:

I move to approve raffle permit for Bismarck-Mandan Stock Car Association.

**LOCAL PERMIT OR RESTRICTED EVENT PERMIT**

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 17926 (11-2023)

Permit Number

2024-26

Permit Type (check one)



Local Permit



Restricted Event Permit*

Games Authorized



Raffle by a Political or Legislative District Party



Bingo



Raffle



Raffle Board



Calendar Raffle



Sports Pool



Poker*



Twenty-One*



Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Bismarck-Mandan Stock Car Assoc. Inc.		Dates Authorized (Read Instruction 2) 04/19/2024 - 10/5/2024	
Organization or Group Contact Person Herb Bargmann	E-mail hbargmann@bis.midco.net	Telephone Number 701-220-5962	
Mailing Address PO Box 6272	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Dacotah Speedway		County Morton	
Site Address 2500 Longspur Trail SE	City Mandan	State ND	ZIP Code 58554
If the city or county is placing restrictions on the permit, please explain N/A			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) 50/50 Raffle at the speed way on (April 19, 20, 26, and 27) (May 3, 10, 17, 24, and 31) (June 7, 8, 14, 21, and 28) (July 11, 19, 26, 27, 28) (August 2, 10, 16, 23, and 24) (September 27 and 28) (October 5)			

Permits must be issued prior to the 1st event date.

Local governing bodies please see the instructions on the backside of this form on how to complete the permit. Be certain to provide the organization or group with the "Information Required to be Preprinted on a Standard Raffle Ticket" found on the backside of this forms if a raffle is being conducted. If a "Restricted Event Permit" is being issued, either provide organization or group with SFN 52880 "Report on a Restricted Event Permit" or make them aware that the report must be filed with the city or county and the Office of Attorney General within 30 days after the event. Before approving a site location, ensure compliance with the gaming law below

Before approving a local permit or restricted event permit the local governing body should review North Dakota Century Code 53-06.1-03(3)(a) which states:

3. A licensed organization or organization that has a permit shall conduct games as follows:

a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:

(1) When the area for the raffle is physically separated from the area where games are conducted by the regular organization.

(2) Upon request of the regular organization and with the approval of the alcoholic beverage establishment, the regular organization's license or permit is suspended for that specific time of day by the Attorney General.

Local governing bodies should also review North Dakota Administrative Code 99-01.3-01-05 (Permits) for the administrative rules governing permits. These rules may be viewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official Michael Breid	Title of City or County Official Sergeant	Telephone Number 701-667-3250	E-mail Address mbreid@mandanpd.com
Signature of City or County Official 		Date 03/27/2024	Issuing Governing Body ☒ City ☐ County

City or County must submit a copy of the permit above to the Office of Attorney General within 14 days of issuance.

Information required to be preprinted on a standard raffle ticket:

1. Name of Organization;
2. Ticket Number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player or option to convert a **merchandise** prize to a cash prize that is limited to the lesser of the value of the merchandise prize or six thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. Print the authorizing city or county and permit number
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time of the drawing or drawings and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an non-guaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

North Dakota Administrative Code 99-01.3-05-02(4) states that an employee may not sell a ticket on a site where another organization is licensed or has a permit unless the employee is granted permission by the lessor and other organization.

North Dakota Administrative Code 99-01.3-05-01 through 99-01.3-05-05 (Raffles) in its entirety can be reviewed on the North Dakota Attorney General's website at <https://attorneygeneral.nd.gov/licensing-and-gaming/gaming/gaming-laws-rules-and-publications>

INSTRUCTIONS:

After a city or county governing board has authorized an organization to receive a local permit or restricted event permit, the city or county must complete the form.

1. Enter the city or county assigned "Permit Number".
2. Enter the beginning and ending date(s) for which the permit is authorized. **Note: Unexact blanket dates will not be accepted**
 - a. A permit must be on a fiscal year basis from July first to June thirtieth or on a calendar year basis.
 - b. A local permit can be issued for one or more events per fiscal year.
 - c. The "Dates Authorized" must only be the actual dates of the event(s) and does not include the dates the organization is selling tickets.
 - d. For a "one time" event permit, the beginning and ending date for "Dates Authorized" is the date of the event date.
 - e. If a local permit is issued for more than one event, enter the date of the first event as the beginning date and the date of the last event as the ending date.
 - f. A permit may not be issued more than twelve months prior to the first raffle drawing date.
 - g. A restricted event permit may be issued for only one event per year. If the organization has received a local permit during a fiscal year, it may not receive a restricted event permit. If the organization received a restricted event permit during the fiscal year, it may not receive a local permit.
3. Permits must provide the specific dates of event(s), site name, and site physical address. If there are multiple event dates that do not fit on the permit, a separate sheet must be submitted with the permit that provides a list of all event dates.
4. Enter any restriction place on the organization or group, such as days of the week or designation of an area at a site where games may be conducted.
5. When a restricted event permit is issued, provide a "Report on a Restricted Event Permit (SFN 52880)" form to the organization or be sure they know the form is available at <https://attorneygeneral.nd.gov/licensing-and-gaming/licensing/charitable-gaming> by scrolling to the bottom of the page.
6. Give the organization or group the completed permit form, keep a copy for your records, and **send a copy within 14 days** by email to agogaming@nd.gov, fax to (701) 328-3535 or by mail to:

Office of Attorney General
Gaming Division
600 E Blvd Ave, Dept. 125
Bismarck, ND 58505-0040

If you have questions on the local permit or restricted event permit process, please call: 1-800-326-9240



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (9-2023)

pd

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games to be conducted ☐ Raffle by a Political or Legislative District Party

☐ Bingo ☒ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker* ☐ Twenty-One* ☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group Bismarck-Mandan Stock Car Assoc. Inc.		Dates of Activity (Does not include dates for the sales of tickets) 4-19-24 to 10-5-24	
Organization or Group Contact Person Herb Bargmann	E-mail hbargmann@bis.midco.net	Telephone Number 701-220-5962	
Business Address 2500 Longspur Trail Dacatah Speedway	City Mandan	State ND	ZIP Code 58554
Mailing Address (if different) Box 6272	City Bismarck	State ND	ZIP Code 58506

SITE INFO

Site Name Dacotah Speedway	County Morton
Site Physical Address 2500 Longspur Trail	City Mandan
	State ND
	ZIP Code 58554

Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.)

Raffle-4-19,20,26,27,5-3,10,17,24,31,6-7,8,14,21,28,7-11,19,26,27,28,8-2,10,16,23,24,9-27,28,10-5

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
50/50	1/2 of prize money	—
Total (limit \$40,000 per year)		\$ —

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds Drivers points fund	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) ☐ Yes ☒ No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) ☐ Yes ☒ No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) ☒ No ☐ Yes - Total Retail Value: (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) ☐ Yes ☒ No	

Printed Name of Organization Group's Permit Organizer Herb Bargmann	Telephone Number 701-220-5962	E-mail Address hbargmann@bis.midco.net
Signature of Organization Group's Permit Organizer Herb Bargmann	Title Treasurer	Date 3-5-24

Information required to be preprinted on a standard raffle ticket:

1. Name of organization;
2. Ticket number;
3. Price of the ticket, including any discounted price;
4. Prize, description of an optional prize selectable by a winning player, or option to convert a merchandise prize to a cash prize that is limited to the lesser of the value of the merchandise prize or eight thousand dollars. However, if there is insufficient space on a ticket to list each minor prize that has a retail price not exceeding twenty-five dollars, an organization may state the total number of minor prizes and their total retail price;
5. For an organization that has a permit, print the authorizing city or county and permit number;
6. A statement that a person is or is not required to be present at a drawing to win;
7. Date and time for each drawing and, if the winning player is to be announced later, date and time of that announcement. For a calendar raffle, if the drawings are on the same day of the week or month, print the day and time of the drawing;
8. Location and physical street address of the drawing;
9. If a merchandise prize requires a title transfer involving the Department of Transportation, a statement that a winning player is or is not liable for sales or use tax;
10. If a purchase of a ticket or winning prize is restricted to a person of a minimum age, a statement that a person must be at least "-" years of age to buy a ticket or win a prize;
11. A statement that a purchase of the ticket is not a charitable donation;
12. If a secondary prize is an unguaranteed cash or merchandise prize, a statement that the prize is not guaranteed to be won and odds of winning the prize based on numbers of chances; and
13. If a prize is live beef or dairy cattle, horse, bison, sheep, or pig, a statement that the winning player may convert the prize to a cash prize that is limited to the lesser of the market value of the animal or six thousand dollars.

PRIZE RESTRICTIONS:

A single cash prize cannot exceed \$8,000

The retail value of a merchandise prize cannot exceed \$8,000.

The total of all cash prizes and retail value of all merchandise prizes for all games cannot exceed \$40,000 per year.

If the value of the planned cash and merchandise prizes exceed \$40,000, the organization or group must reduce the prizes to this limit or a nonprofit corporation may apply for a state gaming license with the Office of Attorney General.

LOCAL PERMIT AND RESTRICTED EVENT PERMIT DIFFERENCES:

	<u>Local Permit</u>	<u>Restricted Event Permit</u>
Number of events per year	Limited by prizes	One
Must file an information report	Yes, if political party	Yes
May pay employees compensation	Yes	No
Must use chips as wagers	No	Yes
Use of net income	Unrestricted	Restricted
Games allowed	Bingo Raffles Sports Pools	Bingo Raffles Sports Pools Poker Twenty-One Paddlewheels

Compared to a "Local Permit," an organization or group with a "Restricted Event Permit" may conduct three more game types, but is restricted to one event per year, must file a "Report on a Restricted Event Permit" with the city or county and Office of Attorney General, and disburse net income to eligible uses. These uses are described by North Dakota Century Code 53-06.1-11.1(2) and North Dakota Administrative Code 99-01.3-14-02. Refer to the backside of the "Report on a Restricted Event Permit" form for a general list of eligible uses.

For a Restricted Event Permit, one method to ensure that the total of all cash prizes and retail value of all merchandise prizes do not exceed \$40,000 is to charge each player a standard amount at the start of the event for a certain number or value of chips. If a player loses all of the player's chips, the player may re-buy chips. The player would play games and, at the end of the event, the organization would auction merchandise prizes to the players. The player who bid the highest number or value of chips for a prize would win that prize. For those players who have chips but did not successfully bid on a prize, the organization may redeem the chips for a predetermined cash value per chip. For this method, the value of the players' chips redeemed for cash is no a prize.



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 28, 2024
SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Mitch Bitz
PRESENTER: Mitch Bitz, Public Works Director
SUBJECT: Spring Clean Up Week Proclamation

STATEMENT/PURPOSE:

To proclaim April 13-20, 2024 as Spring Clean-Up Week in the city of Mandan.

BACKGROUND/ALTERNATIVES:

The Public Works Department annually sets aside a week for special waste collection and free dumping at the landfill for all city residents. This year, Spring Clean-Up Week is April 13-20. The City landfill will be open on Saturday, April 13 and Monday, April 15 through Saturday, April 20 from 8 a.m. to 4:45 p.m. Residents may place bulky items on the boulevard curb by 5 a.m. on your normally scheduled garbage days, but not more than 24 hours in advance of collection. Only items placed in front of resident houses on the boulevard will be picked up by crews.

Additional information is available at cityofmandan.com/cleanup.

ATTACHMENTS:

1. Spring Clean Up Proclamation 2024

FISCAL IMPACT:

N/A

STAFF IMPACT:

Significant staff time is required during the Spring Clean-Up Week.

LEGAL REVIEW:

N/A

RECOMMENDATION:

City Commission

Agenda Documentation

April 2, 2024

Subject: Consider proclaiming April 13-20, 2024 as Spring Clean-Up Week

Page 2 of 2

No action required. Please read the proclamation.

SUGGESTED MOTION:

No action required. Please read the proclamation.



Proclamation Spring Clean-Up Week

WHEREAS, Each spring a special week has been set aside to encourage city wide clean-up effort; and

WHEREAS, Experience has shown that the efforts put forth during this week help to prevent accidents and fires and does much to promote a clean, attractive community; and

WHEREAS, The citizens of Mandan have participated in this program to the common benefit of the individual property owners and the community as a whole.

NOW THEREFORE, I, TIMOTHY HELBLING, President of the Board of City Commissioners of the City of Mandan, do hereby proclaim the week of April 13 to 20, 2024 to be

"SPRING CLEAN-UP WEEK"

In the City of Mandan and do urge all citizens to participate in the efforts to keep Mandan the clean and attractive community that it is.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Mandan to be affixed on April 2, 2024.

Timothy A. Helbling, President,
Board of City Commissioners

Attest:

James Neubauer City Administrator



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: April 2, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider the Approval of Plans and Specifications and Authorization to Advertise for Bids for Solar Panel System on Public Works Building

STATEMENT/PURPOSE:

To consider and possibly approve the engineering plans and specs for installation of a solar panel system on the Public Works building. Moore Engineering would provide technical support during the preparation of plans and specifications, bid package, bidding support, negotiation, and contract award recommendations.

BACKGROUND/ALTERNATIVES:

A local specialty company presented an opportunity to the Public Works Department in January, 2024 to furnish and install solar panels on the public works shop. There is cost-share funding available in the form of tax credits to help offset the installation cost. The project is expected to be environmentally responsible by lowering the City's energy demands. In addition, this project is expected to provide future energy cost savings to help offset installation costs.

Because the cost is expected to exceed \$200,000, the project will be publicly advertised and bid. It is anticipated that bids would be considered in May 2024 and, if awarded, completed in December 2024.

ATTACHMENTS:

1. Resolution Approving Plans & Specs
2. Resolution for Advertisement for Bids
3. Advertisement for Bids

FISCAL IMPACT:

The total cost of the project is expected to be between \$200,000 - \$225,000 including

construction, engineering, contingencies and legal. The city anticipates receiving a \$72,500 Department of Energy Grant and Tax Credits to cover approximately 50% of the project cost. The remaining 50% will be funded through the Public Works Building fund. Because of the efficiency gained, we anticipate a payback period of the City's share of approximately 12 years.

STAFF IMPACT:

Significant time and effort working alongside Moore Engineering on this project.

LEGAL REVIEW:

All agenda item documents have been forwarded to the City Attorney for review.

RECOMMENDATION:

To approve Plans and Specifications and authorize the advertisement for bids for the project.

SUGGESTED MOTION:

Move to approve plans and specifications and authorize staff to advertise for bids for the project.

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
PUBLIC WORKS BUILDING SOLAR PANEL SYSTEM**

BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, North Dakota, as follows:

Pursuant to the requirement of the North Dakota Century Code §40-22-11, the Plans and Specifications for the Solar Panel improvement project at the Public Works Building of said City be and the same are hereby approved, ratified and confirmed as the plans and specifications in accordance with which said improvement project will be constructed, except as modified by this Board in accordance with law, and the City Administrator shall file the same in his office, open for public inspection.

Dated this 2th day of April, 2024.

President, Board of City Commissioners

ATTEST:

City Administrator

**RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS
FOR THE PUBLIC WORKS BUILDING SOLAR PANEL SYSTEM**

BE IT RESOLVED, By the Board of City Commissioners of the City of Mandan, North Dakota, as follows:

1. The City Engineer and staff shall meet at the time and place specified in the notice authorized in paragraph 2 hereof, for the purpose of opening sealed bids for the work and material needed for the improvement project to be made at the Public Works Building of the City of Mandan, as more fully described and referred to in the plans and specifications for said improvement now on file in the office of the City Engineer.

2. The City Administrator is authorized and directed to cause notice of advertisement for bids to be published once each week for two consecutive weeks in the Mandan News, the official newspaper, the first of such publications to be at least twenty-one days before the date specified for receipt of bids, which notice shall be in the following form:

3. Each and all of the terms and provisions of the foregoing notice are hereby adopted as the terms and conditions for the award of said contract.

4. The Board of City Commissioners shall meet in May or June to review the bids submitted, consider the engineer's recommendation, and to award the contract to the successful bidder.

President, Board of City Commissioners

ATTEST:

City Administrator

Passed: April 2, 2024

ADVERTISEMENT FOR BIDS

CITY OF MANDAN, ND
MANDAN, NORTH DAKOTA
PUBLIC WORKS SOLAR PANELS
MOORE PROJECT NO. 23512

General Notice

Owner is requesting Bids for the construction of the project listed above.

Bids for the construction of the Project will be received and accepted via electronic bid (vBid) through QuestCDN until May 1, 2024 at 2:00 p.m. local time. Bids will be viewed and read via video/phone conference at 2:30 p.m. Mailed or hand delivered bids will not be opened or considered. Link for the video/phone conference is provided at www.mooreengineeringinc.com by clicking the Bid Information tab, or at www.questcdn.com.

The Project includes the following Work: Manufacturing and Installation of Solar Panels for the Mandan Public Works Building.

Obtaining the Bidding Documents

Digital project bidding documents will be available at www.mooreengineeringinc.com by clicking the Bid Information tab, or at www.questcdn.com. You may download the complete set of digital documents for a nonrefundable fee of \$50.00 by locating eBidDoc™ Number 9018708 on the website. Contact QuestCDN Customer Support at 952-233-1632 or info@questcdn.com for assistance in membership registration, downloading digital project information, and vBid online bid submittal questions.

The Issuing Office for the Bidding Documents is:

Moore Engineering, Inc.
4503 Coleman Street Suite 105, Bismarck, ND 58503

Each bid must be accompanied by a bidder's bond in a sum equal to 5% of the full amount of the bid executed by the bidder as principal and by a surety, conditioned that if the principal's bid is accepted and a contract is awarded to the principal, the principal, within ten (10) days after the notice of the award, shall execute a contract in accordance with the terms of the bid and the bid bond, and any conditions of the City of Mandan, as required by law. A countersignature of a bid bond is not required. If the City of Mandan elects to award a contract to the lowest responsible bidder, and the lowest responsible bidder does not execute a contract within ten (10) days, the bidder's bond will be forfeited to the City of Mandan, and the City of Mandan may award the project to the next lowest responsible bidder.

Each bidder must possess a valid North Dakota contractor's license for the full amount of their bid, as required by N.D.C.C. § 43-07-7. Each bidder MUST enclose a copy of their Contractor's License or Certificate of Renewal, issued by the North Dakota Secretary of State, and each license must be valid and dated at least 10 days prior to the date set for bid opening, as required under N.D.C.C. § 43-07-12.

Instructions to Bidders.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

This Advertisement is issued by:

Owner: City of Mandan, ND
By: Tim Helbling
Title: Commission President
Date: April 10, 2024

CAT CREEK ADDITION
OF MORTON COUNTY, NORTH DAKOTA
AUDITORS LOT A AND PART OF THE NE 1/4
LYING WITHIN THE 1-MILE EXTRATERRITORIAL
JURISDICTION OF THE CITY OF MANDAN
ALL IN SECTION 13, T139N, R82W

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".

WE, DO HEREBY DEDICATE A 40 FOOT ACCESS EASEMENT FOR THE BENEFIT OF LOT 1 AND LOT 2 BLOCK 1 AND THE REMAINING LANDS IN SECTION 13, T139N, R82W IMMEDIATELY ADJACENT TO THE EASEMENT, WHICH WILL RUN WITH THE LANDS.

ROBERT K. LILLIS
LOT 2, BLOCK 1

DANITA K. LILLIS
LOT 2, BLOCK 1

CASEY BREUER
LOT 1, BLOCK 1

BROOKE BREUER
LOT 1, BLOCK 1

BRUCE STRINDEN

LAUREN J. STRINDEN

STATE OF _____)
COUNTY OF _____) SS

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS ____ DAY OF _____, 2024.

NOTARY PUBLIC _____

AREA TABLE

LOT 1	8.96 ACRES
LOT 2	8.34 ACRES
TOTAL	17.30 ACRES

LEGEND

- FOUND REBAR MONUMENT
- SET 1/2" CAPPED REBAR "LS-9628"
- VACATE AUDITOR LOT LINE

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.
- EXISTING ZONING IS AG
- ACCESS EASEMENT TO SERVE LOTS 1, 2, AND THE REMAINING LAND IN SECTION 13, T139N, R82W THAT IS IMMEDIATELY ADJACENT TO THE ACCESS EASEMENT.

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

JAREK WIGNESS, PE

PROPERTY DESCRIPTION

AUDITORS LOT A AND PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER ALL IN SECTION 13, TOWNSHIP 139 NORTH, RANGE 82 WEST OF THE 5TH PRINCIPAL MERIDIAN IN MORTON COUNTY, NORTH DAKOTA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE SOUTH 00° 28' 23" WEST ON THE WEST LINE OF SAID QUARTER A DISTANCE OF 1827.46 FEET; THENCE SOUTH 89° 31' 37" EAST A DISTANCE OF 167.90 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 80° 53' 08" EAST A DISTANCE OF 298.29 FEET; THENCE NORTH 13° 05' 38" WEST A DISTANCE OF 208.07 FEET; THENCE NORTH 06° 39' 04" EAST A DISTANCE OF 307.64 FEET TO THE PC OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ON SAID CURVE FOR AN ARC DISTANCE OF 117.99 FEET, SAID CURVE HAS A RADIUS OF 150.00 FEET AND A CHORD BEARING NORTH 29° 11' 08" EAST A DISTANCE OF 114.97 FEET TO THE PT THEREOF; THENCE NORTH 51° 43' 19" EAST A DISTANCE OF 194.55 FEET; THENCE NORTH 88° 57' 23" EAST A DISTANCE OF 528.72 FEET; THENCE SOUTH 00° 08' 59" WEST A DISTANCE OF 567.87 FEET; THENCE NORTH 87° 38' 31" WEST A DISTANCE OF 267.18 FEET; THENCE SOUTH 02° 21' 29" WEST A DISTANCE OF 272.39 FEET; THENCE SOUTH 52° 14' 34" EAST A DISTANCE OF 129.25 FEET; THENCE SOUTH 09° 06' 52" WEST A DISTANCE OF 229.59 FEET; THENCE NORTH 80° 53' 08" WEST A DISTANCE OF 819.54 FEET; THENCE NORTH 00° 28' 23" EAST A DISTANCE OF 313.56 FEET TO THE POINT OF BEGINNING, CONTAINING 17.30 ACRES, MORE OR LESS, AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

ACCESS EASEMENT DESCRIPTION

PART OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 139 NORTH, RANGE 82 WEST OF THE 5TH PRINCIPAL MERIDIAN IN MORTON COUNTY, NORTH DAKOTA. THE FOLLOWING DESCRIPTION IS 40 FEET IN WIDTH, LYING 20 FEET ON EACH SIDE OF THE FOLLOWING CENTERLINE DESCRIPTION. THE EXTERIOR LINES OF THE EASEMENT SHALL BE TRIMMED AND EXTENDED WHEN OFFSET FROM THE CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE SOUTH 00° 28' 23" WEST ON THE WEST LINE OF QUARTER A DISTANCE OF 1827.46 FEET; THENCE SOUTH 89° 31' 37" EAST A DISTANCE OF 167.90 FEET; THENCE SOUTH 80° 53' 08" EAST A DISTANCE OF 298.29 FEET TO THE POINT OF BEGINNING; THENCE NORTH 13° 05' 38" WEST A DISTANCE OF 208.07 FEET; THENCE NORTH 06° 39' 04" EAST A DISTANCE OF 307.64 FEET TO THE PC OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ON SAID CURVE FOR AN ARC DISTANCE OF 117.99 FEET, SAID CURVE HAS A RADIUS OF 150.00 FEET AND A CHORD BEARING NORTH 29° 11' 08" EAST A DISTANCE OF 114.97 FEET TO THE PT THEREOF; THENCE NORTH 51° 43' 19" EAST A DISTANCE OF 461.03 FEET; THENCE NORTH 45° 51' 58" EAST A DISTANCE OF 295.78 FEET TO THE PC OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ON SAID CURVE FOR AN ARC DISTANCE OF 188.60 FEET, SAID CURVE HAS A CHORD BEARING NORTH 67° 31' 40" EAST A DISTANCE OF 184.16 FEET; THENCE NORTH 89° 05' 27" EAST A DISTANCE OF 120.03 FEET TO THE PC OF A CURVE TO THE LEFT; THENCE NORTHEASTERLY ON SAID CURVE FOR AN ARC DISTANCE OF 107.07 FEET, SAID CURVE HAS A CHORD BEARING NORTH 48° 11' 30" EAST A DISTANCE OF 98.21 FEET; THENCE NORTH 07° 17' 36" EAST A DISTANCE OF 227.44 FEET TO THE SOUTH RIGHT OF WAY LINE OF INTERSTATE 94 AND THE TERMINUS THEREOF.

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, ORINANCES 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, 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

TIM HELBLING - PRESIDENT OF THE BOARD
OF CITY COMMISSIONERS

OWNERS:
ROBERT E. & DANITA K. LILLIS
2424 CO. RD. 139A
MANDAN, ND 58554

OWNERS:
BRUCE & LAUREN J. STRINDEN
2424 CO. RD. 139A
MANDAN, ND 58554

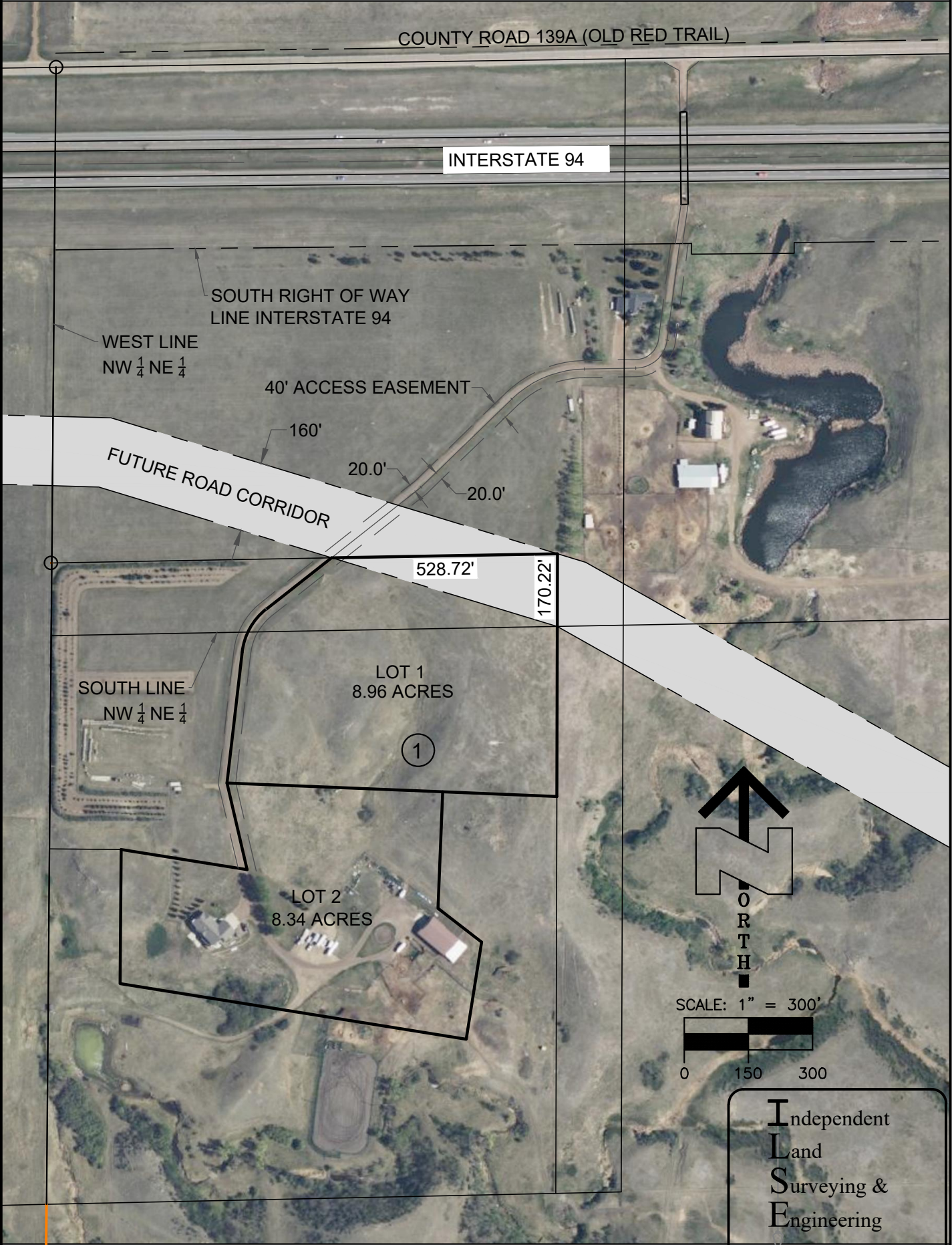
CAT CREEK ADDITION
AUDITORS LOT A AND
PART OF THE NE 1/4
SECTION 13, T-139-N, R-82-W
MORTON CO., NORTH DAKOTA

SHEET: 1 OF 1	JOB NUMBER: 23087
SCALE: 1"= 110'	DWG REVISION DATES
DRAWN BY: MRI	1/23/24 -
DWG DATE: 8/23/23	- -
DWG NAME: 23087 Final Plat Revised.dwg	

Independent
Land
Surveying &
Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-661-5184
Cell: 701-595-2079
mark@ilsurveynd.com

DEVELOPERS AGREEMENT EXHIBIT
LOTS 1 AND 2, BLOCK 1 IN A CAT CREEK ADDITION
MORTON COUNTY, NORTH DAKOTA
LYING WITHIN THE 1-MILE EXTRATERRITORIAL
JURISDICTION OF THE CITY OF MANDAN, NORTH DAKOTA
ALL IN SECTION 13, TOWNSHIP 139 NORTH, RANGE 82 WEST



Independent
Land
Surveying &
Engineering

23087

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
mark@ilsurveynd.com

COUNTY ROAD 139A (OLD RED TRAIL)

INTERSTATE 94

SOUTH RIGHT OF WAY
LINE INTERSTATE 94

WEST LINE
NW $\frac{1}{4}$ NE $\frac{1}{4}$

40' ACCESS EASEMENT-

-160'

FUTURE ROAD CORRIDOR

528.72'

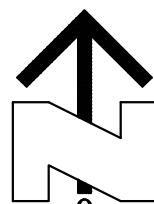
170 22"

LOT 1
8.96 ACRES

①

SOUTH LINE -
NW $\frac{1}{4}$ NE $\frac{1}{4}$

LOT 2
8.34 ACRES



OF THE

SCALE: 1" = 300'

0 150 300

Independent
Land
Surveying &
Engineering

23087

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
mark@ilsurveynd.com



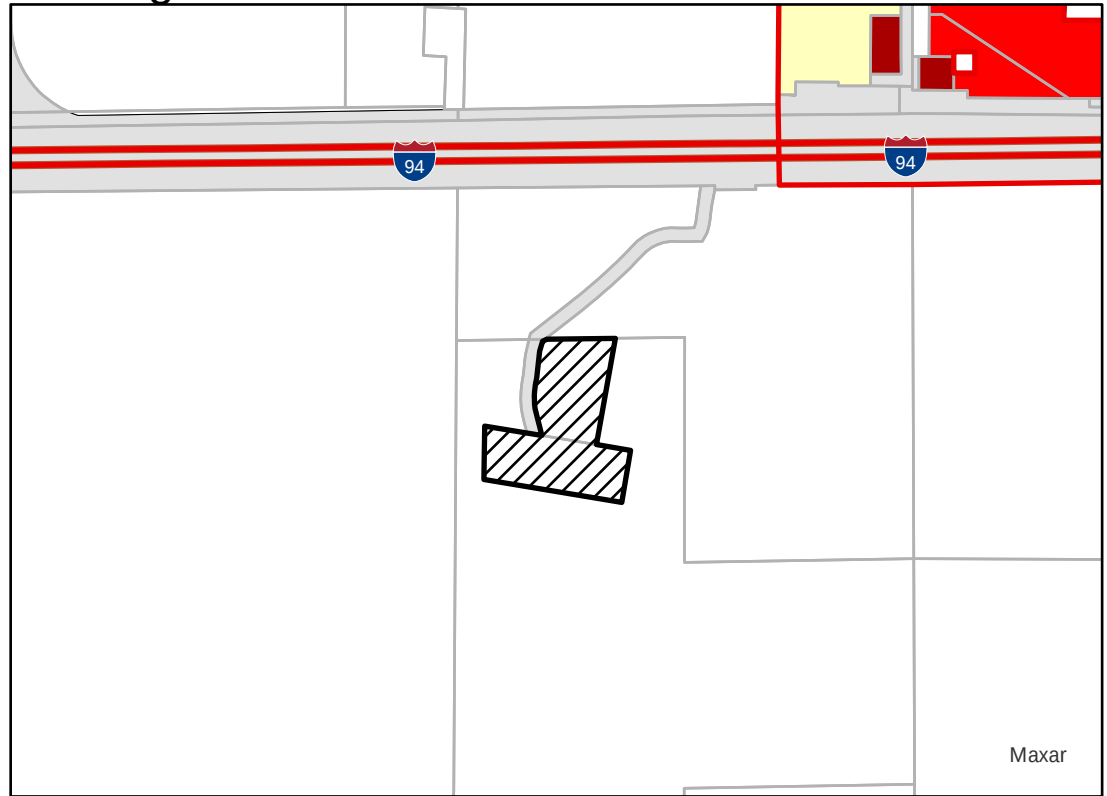
Zoning and Future Land Use Reference Map

Cat Creek Addition

Zoning Map Key

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

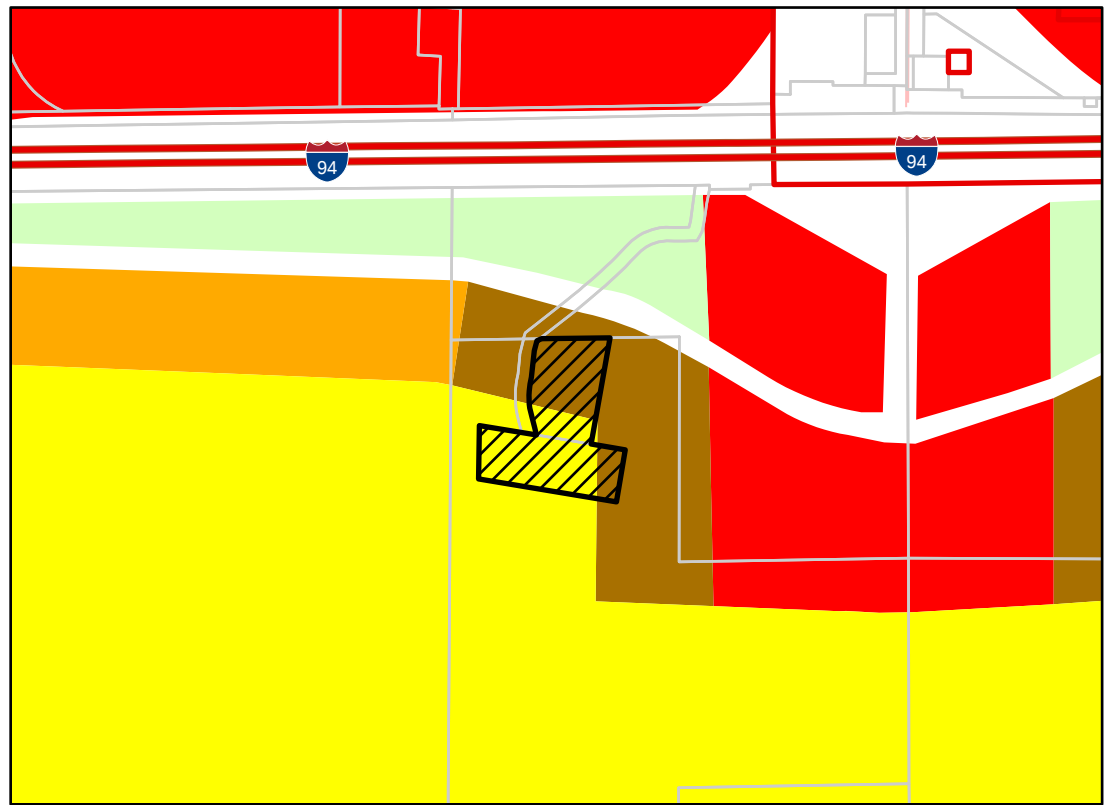
Zoning



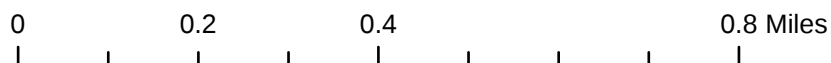
Future Land Use Plan Key

- | |
|-------------------------------|
| Rural Residential |
| Low Density Residential |
| Medium Density Residential |
| High Density Residential |
| Commercial |
| Industrial |
| Public/Semi-Public |
| Public Land |
| Park |
| Greenways |
| Open Space |
| Open Water |
| Parcels |
| City Limits |
| ETA Line |
| Interstate |
| State and Federal Roads |
| 08-City Primary Streets |
| 09-City Secondary Streets |
| 11-City Trailer Court Streets |

Future Land Use Plan



City of Mandan
Planning Department
8/1/23





City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 27, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider the assignment of residential trash collection agreement from Armstrong Sanitation & Roll-Off, Inc to Eco Sanitation LLC

STATEMENT/PURPOSE:

To consider the assignment of the residential trash collection agreement from Armstrong Sanitation & Roll-Off, Inc to Eco Sanitation LLC. City Commission approval of the assignment is required pursuant to Section 13.1 of the agreement.

*Section 13. Agreement Not Assignable Without Notice and Acceptance by City
13.1 This Agreement shall not be assignable by the Company without the written consent of the City. nor shall the Company sublet any part of the work or services agreed to be performed for the City without such consent.*

BACKGROUND/ALTERNATIVES:

The City of Mandan entered into a contract with Armstrong Sanitation for residential trash collection in 2017. The current contract is 10 years (November 1, 2017, through October 31, 2027), with a unilateral option of the City to extend the term for an additional 5 years unless sooner or terminated by mutual agreement of the parties.

Armstrong Sanitation is being sold to Eco Sanitation LLC. The intent of the new ownership group is to assume the existing contract with no changes in pricing and service. The partners/members of Eco Sanitation, LLC are Brad Balerud, Randy Rhone and Lance Selzer.

Eco Sanitation commits (pursuant to their March 27, 2024), correspondence) to the following:

- Pricing to remain the same as the current contract.
- To operate out of the Mandan location at 1800 Memorial Hwy.

- The same trucks will be utilized for the Mandan Route.
- Current route employees will continue to service the Mandan Route.
- The contact phone number will remain the same.
- Pick up dates and times for the residents will remain the same.
- The carts will remain the same.
- All Armstrong Sanitation employees will remain at Eco Sanitation, LLC

The \$150,000 bond is ready for execution upon City Commission approval of the assignment.

Should the City Commission approve this assignment, the transfer would be effective April 3, 2024.

ATTACHMENTS:

1. Letter of Notification-Armstrong Sanitation
2. Letter to Mandan-Eco
3. 2017-2027 Armstrong Sanitation Residentail Garbage Collection Contract - Signed

FISCAL IMPACT:

n/a

STAFF IMPACT:

LEGAL REVIEW:

Contract and related correspondence from Armstrong Sanitation & Roll Off and Eco Sanitation LLC., are included for Attorney Oster to review.

RECOMMENDATION:

In consultation with Public Works Director / Fire Chief Bitz, we recommend approval of the assignment of the contract to Eco Sanitation LLC.

SUGGESTED MOTION:

I move to approve the assignment of the Armstrong Sanitation & Roll-Off contract for residential trash collection agreement to Eco Sanitation LLC.

Armstrong Sanitation & Roll-off, Inc.

220 3rd Street SE, Ste. F1

Mandan, ND 58554-4751

March 27, 2024

Administration

City of Mandan

Attn: Jim Neubauer, City Administrator

205 Second Avenue NW

Mandan, ND 58554

Re: Trash Collection Agreement—Sale of Armstrong Sanitation to Eco Sanitation

Dear Mr. Neubauer,

Per the terms of the Residential Trash Collection Agreement and Solid Waste Hauling Agreement entered into November 1, 2017, by and between the City of Mandan and my company, Armstrong Sanitation & Roll-off, Inc. ("Agreement"), I write to inform you that I intend to sell Armstrong Sanitation to Eco Sanitation LLC.

Eco Sanitation will honor all terms and obligations of the Agreement. Eco Sanitation has agreed to provide the same the same services at the same prices as provided in the Agreement.

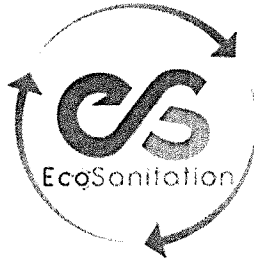
Per Section 13 of the Agreement, I respectfully request that the City of Mandan consent to this sale and to the assignment of the Agreement to Eco Sanitation LLC.

Sincerely yours,

Peggy Becker,

President of Armstrong Sanitation & Roll-off, Inc.

A handwritten signature in cursive script that reads "Peggy Becker". The signature is written in dark ink and is positioned below the typed name and title.



PO Box 113
Mandan, ND 58554
www.eco-nd.com
P: 701-595-555

March 27, 2024

Administration
City of Mandan
Attn: Jim Neubauer, City Administrator
205 Second Avenue NW
Mandan, ND 58554

Re: Trash Collection Agreement

Dear Mr. Neubauer,

I am writing to you to formally announce that Eco Sanitation LLC is acquiring Armstrong Sanitation and Roll-Off Inc.

We have reviewed the Residential Trash Collection Agreement and Solid Waste Hauling Agreement that Armstrong previously entered into with the City of Mandan. We respectfully ask that you honor Armstrong Sanitation's assignment of this Agreement to Eco Sanitation. We will assume all obligations of this Agreement and its terms.

We are committed to providing the City of Mandan and its residents with the highest level of service and customer care. We are a local company with over 20 years of combined experience in the industry and we currently provide garbage collection and recycling services to customers in Bismarck, Mandan, Lincoln, Wilton, New Salem, Steele, Sterling, Jamestown and surrounding areas.

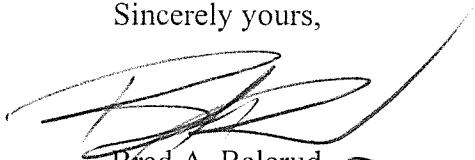
In an effort to provide a smooth transition, Eco Sanitation commits to the following:

- Pricing to remain the same as the current contract.
- To operate out of the Mandan location at 1800 Memorial Hwy.
- The same trucks will be utilized for the Mandan Route.

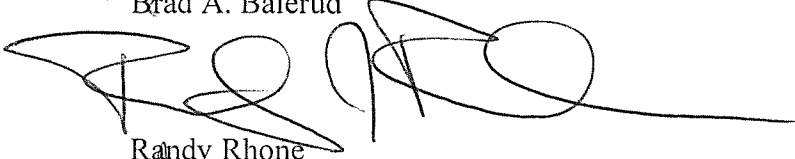
- Current route employees will continue to service the Mandan Route.
- The contact phone number will remain the same.
- Pick up dates and times for the residents will remain the same.
- The carts will remain the same.
- All Armstrong Sanitation employees will remain at Eco Sanitation, LLC.

We look forward to working with you in the future and appreciate your consideration on this request.

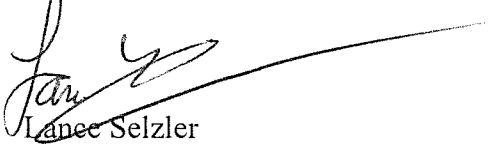
Sincerely yours,



Brad A. Balerud



Randy Rhone



Lance Selzler

Partners/Members of **Eco Sanitation, LLC**

RESIDENTIAL TRASH COLLECTION AGREEMENT AND SOLID WASTE HAULING AGREEMENT

THIS AGREEMENT, made and entered into as of the 1st day of November, 2017, by and between the CITY OF MANDAN, a municipal corporation, hereinafter called "City"; and ARMSTRONG SANITATION AND ROLL-OFF, INC., a corporation of the State of North Dakota, hereinafter called "Company."

Section 1. Term of Agreement

1.1 This Agreement shall be in full force and effect retroactively for the period commencing November 1, 2017, and ending October 31, 2027, with a unilateral option of the City to extend the term for an additional five (5) years as provided herein, unless sooner terminated by mutual Agreement of the parties or terminated due to a default of either of the parties in the performance of this Agreement.

Section 2. Obligations of Company

During the term of this Agreement and in consideration of the payment received, the Company agrees to perform the following tasks:

2.1 To collect from the entire residential section of the City of Mandan, North Dakota, and from all residences, dwellings and apartment houses therein all garbage and refuse as the same are defined by the ordinances of the city and amendments thereto, and all rubbish, which shall mean and include bottles, glass, scraps of iron or rubber, and other similar accumulations when the same is disposed in a garbage can or other container of similar size.

2.2 To make such residential collections at least once each week unless holidays, weather or street conditions make it impossible to do so. In the event holidays, weather or street conditions prevent the weekly trash collection or require a change in the day of the week on which the trash collection will occur, the Company will provide notice to the public of the change by the means of newspaper, radio or television, whichever is most apt due to the reason for the delay to provide adequate notices to the citizens of the City.

2.3 To furnish all labor, equipment, fuel and supplies required in connection with the rendering of said service and to furnish all labor and provide four (4) side-load trucks for street garbage pickup and two (2) rear-load trucks for alley garbage pickup, fully enclosed to prevent the loss or leakage of any such garbage and rubbish therefrom while such equipment is in operation on the streets and alleys of the City.

2.4 Company will furnish each Mandan household with a 96 gallon tote or 64 gallon tote as requested by resident for curbside or alley pickup.

2.5 To keep up and maintain trucks and equipment in good repair and operating condition and to replace the same with other equipment if necessary for the full performance of this Agreement.

2.6 To rectify all complaints concerning garbage collections within 24 hours of notice of such complaint given by the City or by any resident thereof.

2.7 To comply with all laws of the state and the rules and regulations of the state or local health authorities and directions from the city officials of the City relative to operation and maintenance of the services to be provided hereunder.

Section 3. Notice of Change in Schedule of Trash Collection

3.1 The Company must file with the City Administrator at least 30 days in advance of the date thereof, a schedule of times or any change in the time at which garbage will be collected within the various sections of the City and to make such collections within a reasonable time after the time set for such collections in said schedule and to notify the City Administrator 30 days in advance of any deviation from said schedule and the reason therefor.

3.2 The Company must provide a written notice to the occupants of property within any area of the City affected by a change in scheduling at least 15 days prior to the effective date of the scheduling change.

Section 4. Performance Bond Required of Company

4.1 The Company must furnish the City with a performance bond in the amount of \$150,000.00 to guarantee that the Company shall fully perform the provisions of this Agreement and to indemnify the City against all loss or damages which may result from a breach of contract by the Company or which result from the Company's operations under the terms of this Agreement.

Section 5. Transportation Services

5.1 The Company agrees to provide adequate transportation of Municipal Solid Waste (MSW) collected from Mandan residents to an approved MSW facility, the City of Bismarck Landfill (hereinafter "Facility").

5.2 The Company agrees to follow all applicable federal, state, or local laws or regulations as to not deliver regulated quantities of hazardous, radioactive, or toxic waste to the Facility. The Company shall notify the City of any such special waste and the City, at its sole discretion, shall either remove and dispose of this waste or pay the special handling cost as determined by the Company.

5.3 The City shall pay to the Company the total amount of \$35.00 per load of 6 (six) tons or more for the transportation of the MSW collected from Mandan residents, to the Facility. The cost to transport the garbage will not increase annually and will remain at \$35.00 per load of six (6) tons or more.

5.4 The disposal costs at the Facility shall be reimbursed to the Company at the Agreement rate of \$45.00 per ton. In the event there is a cost increase in disposal rates, the parties agree to review the terms and conditions of this Agreement for the purpose of modifying and amending the same to reflect these cost changes.

5.5 The Company must provide monthly bills to the City for transportation services and the disposal fees, including landfill scale receipts showing the amount of residential and commercial MSW disposed at the Facility.

5.6 The City shall have 21 days to pay the Company after receiving the billing and landfill scale receipts. The City may withhold payment, without penalty or interest, if the Company fails to submit adequate documentation of the amount of the City's residential MSW collected, transported to and disposed of at the Facility. Loads under six (6) tons will not be paid the transportation service fee of \$35.00 per load.

5.7 In the event the Company is precluded from using the Facility because of the actions of federal, state, or local government during the term of this Agreement, the Company and the City agree to meet and re-negotiate the terms of Sections 2 and 3 of this Agreement. If parties fail to reach an Agreement and the Agreement is terminated, the Company will be responsible for the hauling and disposal of the residential MSW collected, at the Agreement hauling and disposal rates, during the required 90 days' notice to terminate.

Section 6. Insurance Coverage

6.1 The Company shall carry and maintain comprehensive Commercial General Liability (CGL) insurance containing standard CGL coverages, subject to the following:

- 6.1.1 The coverages shall not be less than \$1 million combined single limit coverage for each occurrence of bodily injury or property damage. The policy shall include coverage for blanket contractual liability.
- 6.1.2 The insurance coverage shall name the City and its commissioners, officers, employees, and agents as additional insureds for all claims arising out of the Company's performance of its obligations under this Agreement and other work activities within the City of Mandan. The coverage shall also waive any claim of premium or commissions against the City. Finally, the coverage provided to the City as an additional insured shall be independent of and not limited by any contractual indemnity running in favor of the City.
- 6.1.3 The insurance coverage shall be primary without right of contribution from any other insurance carried by the City.
- 6.1.4 The Company shall provide to the City, a certificate of insurance, indicating the amount and coverage requirements noted above, including the naming of the City and its commissioners, officers, employees, and agents as additional insureds. The City's receipt of an insurance certificate containing terms and conditions different from that specified above shall not be deemed a waiver of any of the foregoing insurance requirements.

Section 7. Indemnification of City

7.1 The Company shall fully defend, indemnify, and hold harmless the City from and against any and all claims, liability, damages, or loss to persons or property caused or alleged to have been caused directly or indirectly by any act or omission on the part of the Company, any of its contractors, employees, or agents arising out of or in any way connected with the Company's performance of the terms of this Agreement.

Section 8. Location of Pick-up by Company

8.1 The Company shall make pick-up in the alleys behind the residence or at the curbside in front of the residence. A map has been provided to indicate where alley pick-ups shall be made within the City.

Section 9. Payment by City for Services Under Agreement

9.1 The City agrees to pay the Company monthly for the service performed by it during the term of this Agreement for each residence receiving such service in accordance with the following schedule, namely:

November 1, 2017 thru December 31, 2017	\$4.50 per household
January 1, 2018 thru December 31, 2018	\$5.05 per household
January 1, 2019 thru December 31, 2019	\$5.10 per household
January 1, 2020 thru December 31, 2020	\$5.15 per household
January 1, 2021 thru December 31, 2021	\$5.20 per household
January 1, 2022 thru December 31, 2022	\$5.25 per household
January 1, 2023 thru December 31, 2023	\$5.30 per household
January 1, 2024 thru December 31, 2024	\$5.35 per household
January 1, 2025 thru December 31, 2025	\$5.40 per household
January 1, 2026 thru December 31, 2026	\$5.45 per household
January 1, 2027 thru October 31, 2027	\$5.50 per household

9.2 The City calculates the monthly fee as follows: $\text{Total City Residential Garbage charges (per Utility Billing Department) / City Residential Garbage Base Rate} \times \text{Armstrong Sanitation Roll-Off rate per household} = \text{amount due to Armstrong Sanitation Roll-Off}.$

9.3 If the City exercises its option to renew this Agreement, payment for services performed during the term of the option will be based upon the rate paid during the last year of this Agreement.

Section 10. Penalty for Failure to Collect Trash

10.1 In the event the Company through neglect, mechanical failure or other cause, except weather and street conditions, shall fail to collect the garbage and rubbish from the entire residential section at least once each week, the sum of \$7,500.00 shall be deducted from the monthly payment set forth above as a penalty for each such failure to make any required collecting

during such month, or if the Company should fail to make such collections within any section of the City, the sum of \$10.00 per block or fraction thereof shall be deducted from such monthly sum for each time any block or fraction thereof shall not receive garbage service as required hereunder.

Section 11. Notice by City of Penalty Imposed

11.1 The City shall notify the Company in writing within 15 days of the occurrence of any event, neglect or other cause for which the City may impose a penalty on the Company within the preview of Section 11 hereof, such notice setting for the time, location and nature of the City's Complaint.

Section 12. Arbitration of Claim by City for Penalties

12.1 It is agreed that the Company may submit any claim the City for penalties as set forth in Section 3 hereof to arbitration, each party hereto to appoint one arbitrator and the two so appointed to appoint a third, and that such arbitrators shall then determine whether any such claims for penalty and the amount thereof made by the City is fair and equitable under the circumstances. Notice of the Company's election to submit such claim to arbitration shall be made in writing to the City Administrator within 30 days of any notice given by the City pursuant to Section 8 hereof.

Section 13. Agreement Not Assignable Without Notice and Acceptance by City

13.1 This Agreement shall not be assignable by the Company without the written consent of the City, nor shall the Company sublet any part of the work or services agreed to be performed for the City without such consent.

Section 14. Termination of Agreement

14.1 This Agreement may be terminated by the City at any time for just cause.

Section 15. Compliance with Applicable Law

15.1 The Company shall comply with all applicable federal, state and local laws, rules, regulations and ordinances relating to its performance under the terms of the Agreement.

Section 16. Entire Agreement

16.1 This Agreement constitutes the entire Agreement between the parties and supersedes any and all prior negotiations, undertakings, notices, memoranda, and Agreements between the parties, whether oral or written, in respect of the subject matter hereof.

Section 17. Notices

17.1 All notices required or permitted by this Agreement shall be deemed given when delivered to the receiving party in person or by United States certified mail, return receipt requested, postage prepaid, to the last known address of the party.

IN WITNESS WHEREOF, The parties hereto have caused this Agreement to be executed as of the date first above written.

CITY OF MANDAN

By: Timothy C. Wal
President, Board of City Commissioners

ATTEST:

By: Kim P. Pabian
City Administrator

ARMSTRONG SANITATION AND
ROLL-OFF, INC.

By: Reagan Becker
Title: President

ATTEST:

By: Katherine Becker
Title: office manager



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 28, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Initiated Measure for additional 1/2 cent sales tax

STATEMENT/PURPOSE:

To update the City Commission on the initiated measure to add an additional 1/2 cent sales tax dedicated exclusively to City Hall Accessibility, Public Safety and Public Transportation needs.

BACKGROUND/ALTERNATIVES:

We were presented with a few versions of the initiated measure. Approval was given as to the language, not content, on Jan. 12, 2024.

INITIATION OF CITY ORDINANCE TO ADD AN ADDITIONAL ½ CENT SALES, USE AND GROSS RECEIPTS TAX WITH THE PROCEEDS TO BE DEDICATED EXCLUSIVELY TO CITY HALL ACCESSIBILITY, PUBLIC SAFETY AND PUBLIC TRANSPORTATION NEEDS.

We the undersigned, being qualified electors of the City of Mandan request that Board of City Commissioners for the City of Mandan place the following proposed AMENDMENT TO THE MANDAN CODE OF ORDINANCES on the next city election ballot as provided by law for the creation of a half-cent sales tax to be dedicated exclusively to Public Safety, Public Transportation, and city hall accessibility needs.

FULL TEXT OF PROPOSED AMENDMENT

EFFECTIVE UPON PASSAGE, AN AMENDMENT TO CREATE AND ENACT A NEW SUBSECTION TO SECTION 22-2-2 OF THE MANDAN CODE OF ORDINANCES AS FOLLOWS:

(c) There is imposed a retail sales, use and gross receipts tax of no more than one-half percent from and after January 1, 2025 of those gross receipts taxed pursuant to

Chapters 57-39.2, 57-39.4, 57-40.2 57-39.5 and 57-39.6 N.D.C.C.

1. The proceeds of this one-half cent city sales, use and gross receipts tax shall be dedicated only to public safety and public transportation needs in the following proportions:

I. 3/10th of a cent dedicated to public safety: specifically costs associated with the building of police and fire stations, the acquisition of police and fire emergency vehicles, and city hall accessibility needs.

II. 2/10th of a cent dedicated to public transportation needs: specifically costs associated with providing reliable service for disabled, elderly, and socio-economically challenged residents.

The sponsoring committee needed 574 valid signatures. Committee members indicated they had over 700 signatures. We are currently working on the signatures to ensure their validity.

ATTACHMENTS:

None

FISCAL IMPACT:

STAFF IMPACT:

Time to validate signatures

LEGAL REVIEW:

The Commission does not need to take any action at this time. If the signatures are valid and the petition is sufficient, the Commission may either pass the ordinance itself or place the measure on the June ballot (see below and also Article 4 of our home rule charter).

N.D.C.C. 40-12-05. City auditor to determine sufficiency of initiative petition - Certificate attached to petition. Within ten days after the filing of a petition to initiate an ordinance, the city auditor shall examine the petition and ascertain from the voters' register whether or not the petition is signed by the requisite number of qualified electors. The governing body of the municipality shall allow such extra help for the examination of the petition as it deems necessary. The city auditor shall attach to the petition the city auditor's certificate showing the result of the examination and if the petition is insufficient, the city auditor shall state in the city auditor's certificate the reasons therefor. If the city auditor's certificate shows the petition to be insufficient, it

may be amended within ten days from the date of the certificate. Within ten days after any such amendment, the city auditor shall make an examination of the amended petition, and if the city auditor's certificate attached thereto shall show the amended petition to be insufficient, it shall be returned to the person filing the same without prejudice to the filing of a new petition to the same effect. If the petition is sufficient, the city auditor shall submit it to the governing body of the municipality without delay.

N.D.C.C. 40-12-06. Duty of governing body after receiving petition for proposed ordinance. After receiving the petition for the initiation of a proposed ordinance, the governing body of the municipality shall:

1. Pass the ordinance without alteration within twenty days after the attachment of the auditor's certificate to the accompanying petition;
2. Call a special election, unless a general city election is fixed within ninety days thereafter, and submit to the vote of the qualified electors of the municipality the initiated ordinance without alteration; or
3. If the petition is signed by not less than twenty-five percent of the qualified electors as defined in section 40-12-02, pass the ordinance without change within twenty days after the filing of the petition or submit the initiated ordinance at the next general municipal election, if the election occurs not more than thirty days after the city auditor's certificate of sufficiency is attached to the petition, and if no general municipal election is to be held within thirty days after the city auditor's certificate of sufficiency is attached to the petition, it shall call a special election.

RECOMMENDATION:

n/a

SUGGESTED MOTION:

n/a



City Commission

Agenda Documentation

MEETING DATE: April 2, 2024
PREPARATION DATE: March 27, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Construction Project Updates

STATEMENT/PURPOSE:

To provide information on three infrastructure projects to the commission and community.

BACKGROUND/ALTERNATIVES:

Due to commission and public interest, staff is providing an update on three infrastructure projects. These three projects are:

- 8th Avenue NW and 27th Street
 - 2024 Segment
 - 2028 Segment
- 19th Street Trail Phase II
 - Ponding Issue
- Memorial Highway
 - Project Schedule and Cost Update

ATTACHMENTS:

None

FISCAL IMPACT:

N/A

STAFF IMPACT:

Minimal

LEGAL REVIEW:

All commission agenda items have been forwarded to the City Attorney for review.

RECOMMENDATION:

N/A

SUGGESTED MOTION:

N/A