



**AGENDA
CITY COMMISSION
APRIL 16, 2024
ED “BOSH” FROEHLICH MEETING ROOM
MANDAN CITY HALL
5:30 PM
WWW.CITYOFMANDAN.COM**

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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 noon 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

1. Outstanding Supporter presentation to Marathon Petroleum Mandan Refinery

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider approval of the following Board of City Commission minutes:
 - a. March 12, 2024 Board Portal Training Session
 - b. April 2, 2024 Board of Equalization Meeting
 - c. April 2, 2024 minutes of the Mandan City Commission regular meeting

F. PUBLIC HEARING

1. Consider a variance to Section 105-1-3 (g) of the City Code of Ordinances related to Incidental Uses, Accessory Structures, Size for Lots 1 & 2, Block 19, Southside Addition

G. BIDS

1. Consider 2024 Street Reconstruction Bids

H. CONSENT AGENDA

1. Consider approval of monthly bills
2. Consider the following Abatements:
 - a. Schell 2022 & 2023 Veterans Credit
 - b. Wutzke 2023 Veterans Credit
 - c. Foote 2022 & 2023 Veterans Credit
 - d. Schwind 2023 Veterans Credit
3. Consider approval of the following gaming site authorizations:
 - a. American Legion Post 91 at Send-It 24/7 from July 1, 2024 to June 30, 2025
 - b. Mandan Eagles Aerie 2451 at Mandan Eagles from June 30, 2024 to June 30, 2025
 - c. *Fort Abraham Lincoln Foundation at Aviators from April 23, 2024, to July 1, 2024*
4. Consider proclaiming April 22nd, 2024 as Arbor Day in the City of Mandan.
5. Consider closing City of Mandan administrative offices the day after Independence Day and Thanksgiving
6. Consider approval of a raffle permit for Bismarck State College Energy Club
7. Consider acceptance of a State Water Commission Grant
8. Consider approval of updates to the Grounds Maintenance Superintendent job description

I. OLD BUSINESS

J. NEW BUSINESS

1. Consider a development agreement for Cat Creek Addition
2. Consider an Engineering Service Amendment for the 2024 Street Reconstruction project

K. RESOLUTIONS AND ORDINANCES

1. Consider a resolution awarding a contract for the Northwest Trunk Sewer project

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- May 7, 2024 at 5:30 p.m.
- May 21, 2024 at 5:30 p.m.
- June 4, 2024 at 5:30 p.m.

N. ADJOURN



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 3, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Tim Helbling, Mayor
SUBJECT: Outstanding Supporter presentation to Marathon Petroleum Mandan Refinery

STATEMENT/PURPOSE:

To present Marathon with an Outstanding Supporter award and allow Josh Dorfmueller to introduce himself to the commission in his new role at Marathon Petroleum Mandan Refinery.

BACKGROUND/ALTERNATIVES:

In the last part of 2023, the City of Mandan was awarded three different grants from the Marathon Community Investment Program.

- Mandan Police Department received \$35,000 in funding for two Brinc drones and the associated training. These drones are designed to enter dangerous situations including hazmat, search and rescue, negotiations, hostage rescues, de-escalation, special event security, fire/flooding response and nearly any other public safety situation. These two drones differ from the departments current drones in their capabilities.
- The Grounds Maintenance division of Public Works received \$20,000 for a green space improvement project. This funding will allow grounds maintenance to plant trees along the recently reconstruction portion of Cemetery Road; expand the irrigation system along west Main street, east of the welcome sign; and help the boulevard tree planting program.
- The Business Development & Communications Department received \$13,240 to replace existing street pole banners along Main Street and Memorial Highway. These banners highlight different attributes of the community and will be displayed annually during the warmer months.

City staff and officials thank Marathon Petroleum Mandan Refinery for the grant award and their continued commitment to the community and would like to recognize them as an Outstanding Supporter.

ATTACHMENTS:

None

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

No action required. Presentation and photo opportunity only.

SUGGESTED MOTION:

No action required. Presentation and photo opportunity only.

The City of Mandan issued a potential quorum notice on March 11, 2024 for a training session with City Commissioners on March 12 at 1:30 p.m. in the Dykshoorn Conference Room at Mandan City Hall.

Those present were Mayor Helbling and Commissioners Braun, Olson, and Rohr. City Administrator Neubauer, Communications Specialist Schmidt and Administrative Assistant Johnston were also in attendance. Staff provided board portal training for the City's new agenda and meeting management system. The training adjourned at 2:30 p.m.

James Neubauer
City Administrator

Timothy Helbling
Board of City Commissioners

The City of Mandan Board of Equalization met at 7:00 p.m. on April 2, 2024 in the Ed “Bosh” Froehlich Room at City Hall.

Roll Call

Present: Mayor Helbling and Commissioners Braun, Rohr, Olson and Camisa. Also present were City Administrator Neubauer, City Assessor Markley, City Attorney Oster, Senior Real Property Appraiser Johnson, Real Property Appraiser Fleischer, Senior Real Property Appraiser Tech Tuggle, Finance Director Welch and Police Chief Ziegler. Steve Kroh, Marshall Feland, Luke Nasers, Morton Co. Tax Director LaFleur, Morton County Commissioner Boehm, and Craig Sjoberg were also in attendance.

Mayor Helbling called the meeting to order and invited Assessor Markley to come forward to present the 2024 Annual Board of Equalization Report. Link for report: <https://mandannd.portal.civicclerk.com/event/153/files/attachment/235>

Assessor Markley answered questions from the Board.

Assessor Markley respectfully recommended motion for approval of the 2024 annual assessment roll.

Commissioner Braun moved to approve the recommendation of the 2024 Assessment Roll as presented by City Assessor Markley. Commissioner Camisa seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Camisa: Yes; Commissioner Olson: Yes; Commissioner Braun: Yes; Mayor Helbling: Yes. The motion passed.

Mayor Helbling opened the meeting to the public for anyone in person, online or via telephone to ask questions or provide comments or concerns against the 2024 Assessments.

Steve Kroh spoke about his property at Lakewood Shop Condos concerning the value for his shop condo. Mayor Helbling asked if the property had been reviewed by the assessing office yet. An appointment has been arranged for later in the week.

Assessor Markley recommended approval of the recommendations for the 2024 appeals list that was submitted today with the following additions Steve Kroh property at 3860 21st St SE to be reviewed before County Board of Equalization, Karen Jordan 510 3rd St NW email received late this afternoon, Jerri Farland 2905 Hwy 1806 N exemption application. Assessor Markley explained parcel # 65-1548000 and 65-1548200 involved combining and splitting some parcels and 65-6137525 & 65-6110310 are late appeals and are being reviewed for the Morton County Board of Equalization.

Mayor Helbling asked some questions about parcels 65-1548000 & 65-1548200. After discussion Assessor Markley recommended that the parcels be reviewed for the Morton County Board of Equalization. Link for updated list of appeals: <https://mandannd.portal.civicclerk.com/event/153/files/attachment/303>

Commissioner Camisa made a motion to approve the recommendations as revised as submitted by City Assessor Markley. Seconded by Commissioner Rohr. Roll call vote: Commissioner Rohr: Yes; Commissioner Olson: Yes; Commissioner Braun: Yes; Commissioner Camisa: Yes; Mayor Helbling: Yes. The motion passed.

Commissioner Camisa moved to adjourn the City Board of Equalization. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present. The meeting was adjourned at 7:28 p.m.

Kimberly Markley
Mandan City Assessor

Tim Helbling, President
Mayor, Mandan Board of Equalization

The Mandan City Commission met in regular session at 5:30 PM on April 2, 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 Joe Camisa, Dennis Rohr, Mike Braun, Brad Olson, Tim Helbling. Department heads present were City Administrator Neubauer, Finance Director Welch, Assessor Markley, Engineering Director Wigness, Police Chief Ziegler, Building Official Singer, Fire Chief/Public Works Director Bitz, and Planner Stromme and Attorney Oster.

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.* Commissioner Camisa moved and Commissioner Braun seconded to approve the minutes of the March 19, 2024 Board of City Commission regular meeting. Roll Call vote: Aye 5, Nay 0. The motion passed.

F. PUBLIC HEARING

G. BIDS

1. *Consider Northwest Trunk Sewer Project Bids.* Engineer Wigness presented the bids received and recommended awarding to the lowest bidder, Site Worx. Commissioner Camisa moved and Commissioner Braun seconded to award the contract to Site Worx. Roll call vote: Aye 5, Nay 0. The Motion passed.

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 Branich 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.* Commissioner Camisa moved and Commissioner Rohr seconded to approve consent items one through ten, including all sub items. Roll call vote: Aye 5, Nay 0. The motion passed

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.* Administrator Neubauer presented the assignment of residential trash pickup from Armstrong Sanitation to Eco Sanitation. Commissioner Camisa moved and Commissioner Braun seconded an assignment to Armstrong Sanitation and roll off contract for residential trash collection agreement to Eco Sanitation LLC with an amendment to the contract requiring that Eco Sanitation LLC have a local individual answer the phones and assist with customer service. Roll call vote: Aye 5, Nay 0. The motion passed.
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.* Administrator Neubauer presented an update on the initiated measure to add an additional 1/2 cent sales tax for the June ballot.

K. RESOLUTIONS AND ORDINANCES

L. OTHER BUSINESS

1. *Construction Project Updates.* Engineer Wigness presented updates on construction projects for 8th Avenue NW, 19th Street Trail and Memorial Highway.

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 There being no other business to come before the Board, Commissioner Rohr moved and Commissioner Braun seconded to adjourn the meeting at 06:20 PM. The motion received unanimous approval of all the members present.

James Neubauer

Timothy Helbling

City Administrator

Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 12, 2024
SUBMITTING DEPARTMENT: Planning & Zoning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a variance to Section 105-1-3 (g) of the City Code of Ordinances related to Incidental Uses, Accessory Structures, Size for Lots 1 & 2, Block 19, Southside Addition

STATEMENT/PURPOSE:

Jerry Stryker is requesting approval for a variance to construct a detached garage larger than permitted by City Ordinance. The proposed garage would match the size of the home, whereas the ordinance permits it to be only 75% or 3/4 of the home's size.

BACKGROUND/ALTERNATIVES:

Jerry Stryker seeks approval of a zoning variance from Section 105-1-3 (g) of the City of Mandan Code of Ordinances related to Incidental Uses - Accessory Structures - Size for a proposed detached garage to be constructed. The City Ordinance allows detached accessory buildings to be up to 75% or 3/4 the size of the home they are accessory to. The property is located in southwest Mandan, east of 10th Ave SW, south of 3rd Street SW on the southwest corner of 4th Street SW and 9th Avenue SW. Said property is Lots 1 & 2, Block 19, Southside Addition to the City of Mandan, Morton County, North Dakota in Section 33, Township 139, Range 81.

Project Overview

The applicant proposes to construct a detached three-stall garage south of the existing home. The garage would adhere to building setbacks and be accessed from the alleyway. The variance requested would allow the garage to be 180sf larger than allowed by City Ordinance (720sf instead of the allowed 540sf).

Requested Variance

Sec. 105-1-3 (g) of the City Code of Ordinances permits accessory buildings in the R3.2 - Residential district provided that the total area of all accessory buildings is less than 75% of the size of the principal structure on the property it is an accessory to. The

applicant states that this ordinance, when applied to the lot and nearly 100 year old home, is preventing the construction of a garage that is common by 2024 standards. The applicant is requesting to be able to construct a detached garage that is equal in size to the home on the property.

Property History

Southside Addition was platted in 1883 and the property was developed with a single family home in 1929. The home previously had a detached single-stall garage that was recently demolished.

Adjacent Properties Zoning, Land Use and Future Land Use

Adjacent properties to the north, south, east and west are zoned R3.2 - Residential and are primarily residential in nature. Mary Stark Elementary School is northeast of the subject property. The future land use designation is medium-density residential.

Additional Information and Public Outreach:

- Application and fee of \$400 was received on Feb. 14.
- 17 letters were sent to adjacent property owners.
- Legal notice was published on March 15.

Findings of Fact Zoning Variance

1. The need for a variance is not based on special circumstances or conditions unique to the specific parcel of land involved that are not generally applicable to other properties in this area or within the R3.2 - Residential District.
2. The hardship is not caused by the provisions of the Zoning Ordinance.
3. Strict application of the provisions of the Zoning Ordinance would deprive the property owner of the reasonable use of the property.
4. The requested variance is not the minimum variance that would accomplish the relief sought by the applicant.
5. The granting of the variance is not in harmony with the general purposes and intent of the Zoning Ordinance.

ATTACHMENTS:

1. Variance Application
2. Variance Additional Submittal
3. Images
4. Location Map - Southside Lots 1 & 2 variance

FISCAL IMPACT:

City Commission

Agenda Documentation

April 16, 2024

Subject: Consider a variance to Section 105-1-3 (g) of the City Code of Ordinances related to Incidental Uses, Accessory Structures, Size for Lots 1 & 2, Block 19, Southside Addition

Page 3 of 3

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

This item has been reviewed as part of the agenda packet

RECOMMENDATION:

The Planning and Zoning Commission considered this request at its March 25th meeting and recommends approval of the request.

SUGGESTED MOTION:

I move to approve the variance request for Lots 1-2, Block 19, Southside Addition.

CITY OF MANDAN	
Development Review Application	
Minor Plat (\$300)	Zone Change (\$600)
Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
Preliminary Plat more than 20 acres (\$500)	Land Use and Transportation Plan Amendment (\$1,000)
Final Plat up to 20 lots (\$450)	Vacation (\$500)
Final Plat 21 to 40 lots (\$600)	☒ Variance (\$400)
Final Plat more than 40 lots (\$750)	Special Use Permit (\$450)
Annexation (\$450)	Stormwater submittal (\$300)
Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
Summary of Request (Add separate sheet(s), as necessary) Seeking FAR Ratio Variance for proposed Detached garage	

Engineer/Surveyor			Property Owner or Applicant		
Name			Name Jerry Stryker		
Address			Address 1001 4th St S.W		
City	State	Zip	City	State	Zip
			Mandan	ND	58554
email			Main St 3711@gmail.com		
Phone		Fax	Phone		Fax
			928-301-7177		
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name
City	ETA	New	Addition	R 3.2	R 3.2	Stryker Garage
Property Address				Legal Description		
				Lots 1 & 2 Block 19		
Current Use				South Side Addition		
Proposed Use						
				Section 33	Township 139	Range 81
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking

Print Name Jerry Stryker	Signature 	Date 2-14-24
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Office Use Only			
Date Received:	Initials: nm	Fees Paid: \$400	Date 2-14-2024
Notice in paper	Mailed to neighbors	P&Z meeting	
Approved	Approved with conditions:		
Denied			

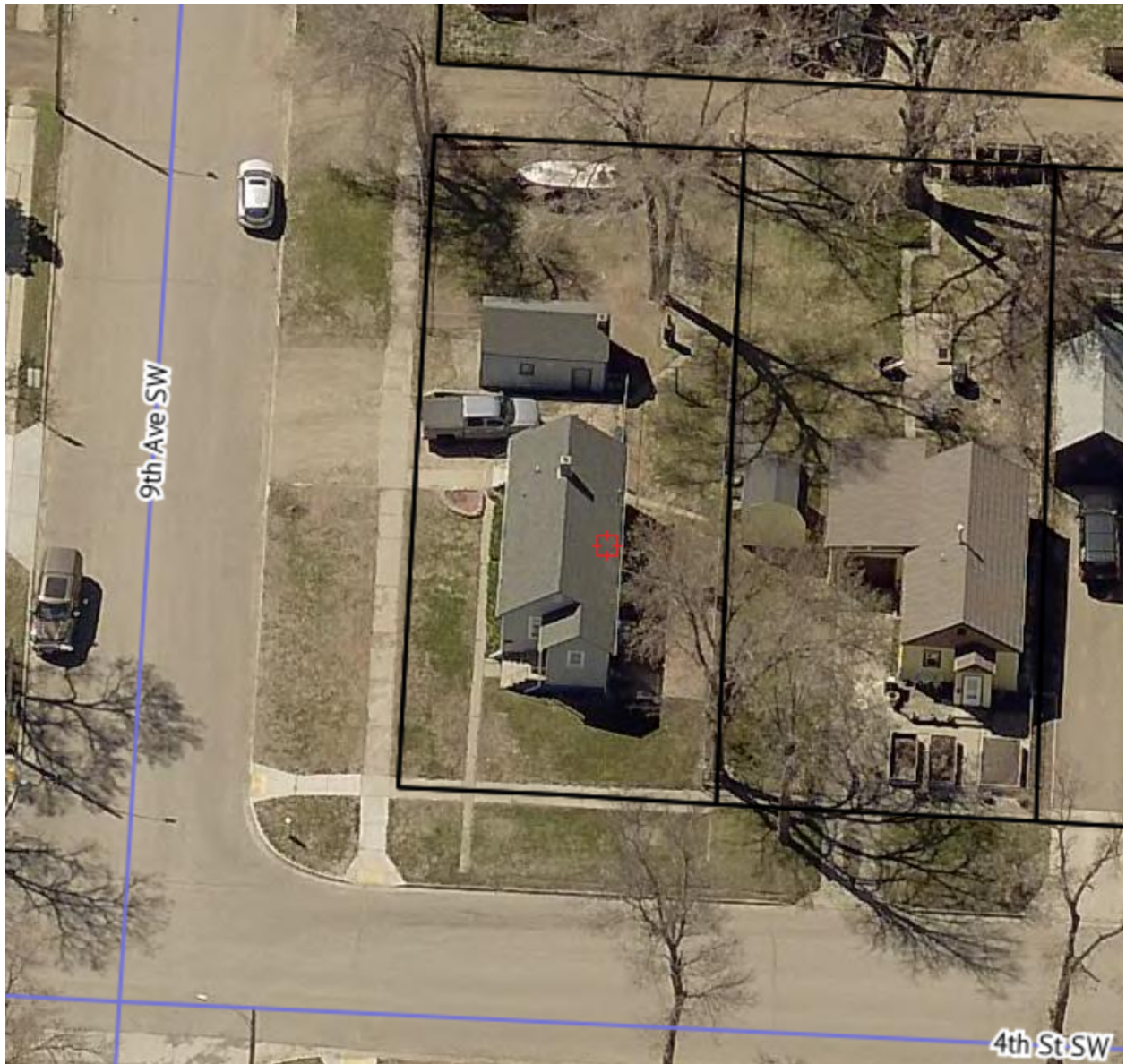
Additional Submittals

Variance

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

1. The circumstances or conditions applying to the land or buildings for which the variance is sought. *Current Zoning says we can only build a building (garage) no larger than 75% of our home square footage which is 720. This would only allow for a garage size of 21' x 23'.*
2. How the applicant is deprived of a reasonable use of said land or building; *Homes built back in 1929 were built for the current life style and living conditions of that time. Same goes for the homes we build today. which are much bigger to accomodate our larger trucks, boats and Personal Storage needs.*
3. How the grant of a variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and *Our neighborhood has been slowly changing for the better. Several homes have been redone. We have also started several projects on our own home. Fencing, windows - Spring we will be doing siding and our roof and hopefully the garage and the yard. I believe these projects will only improve our aging neighborhood.*
4. The minimum variance that will accomplish the relief sought. *Please Allow us to build this garage to 100% of our homes square footage 720 or 24' x 30'. We Will match our house and it will be aesthetically Pleasing to look at as well as Functional.*

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



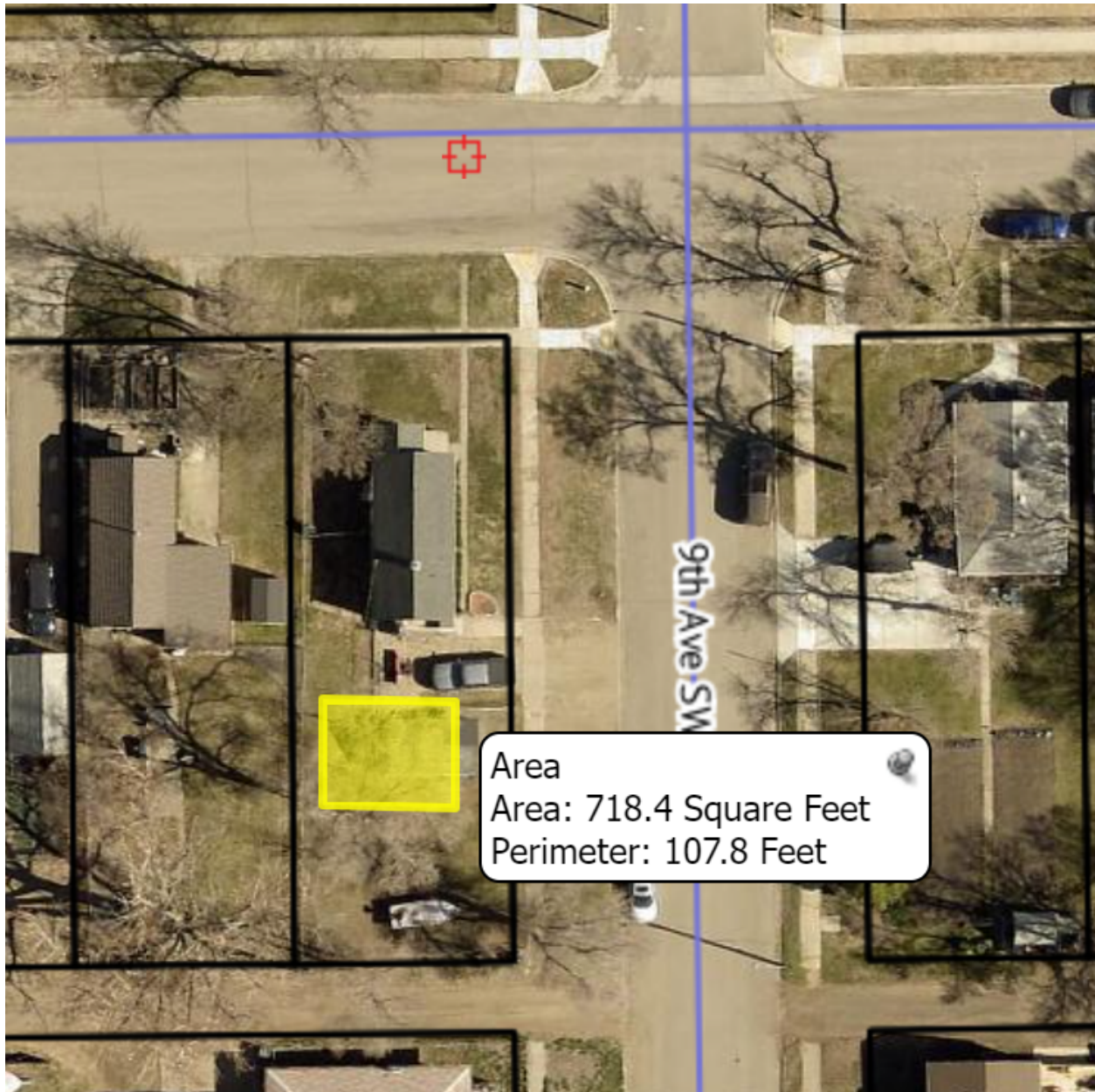
View looking south towards home



View looking SW towards property



View looking west towards home with approximate building area shaded.



Aerial of property with proposed building area highlighted.



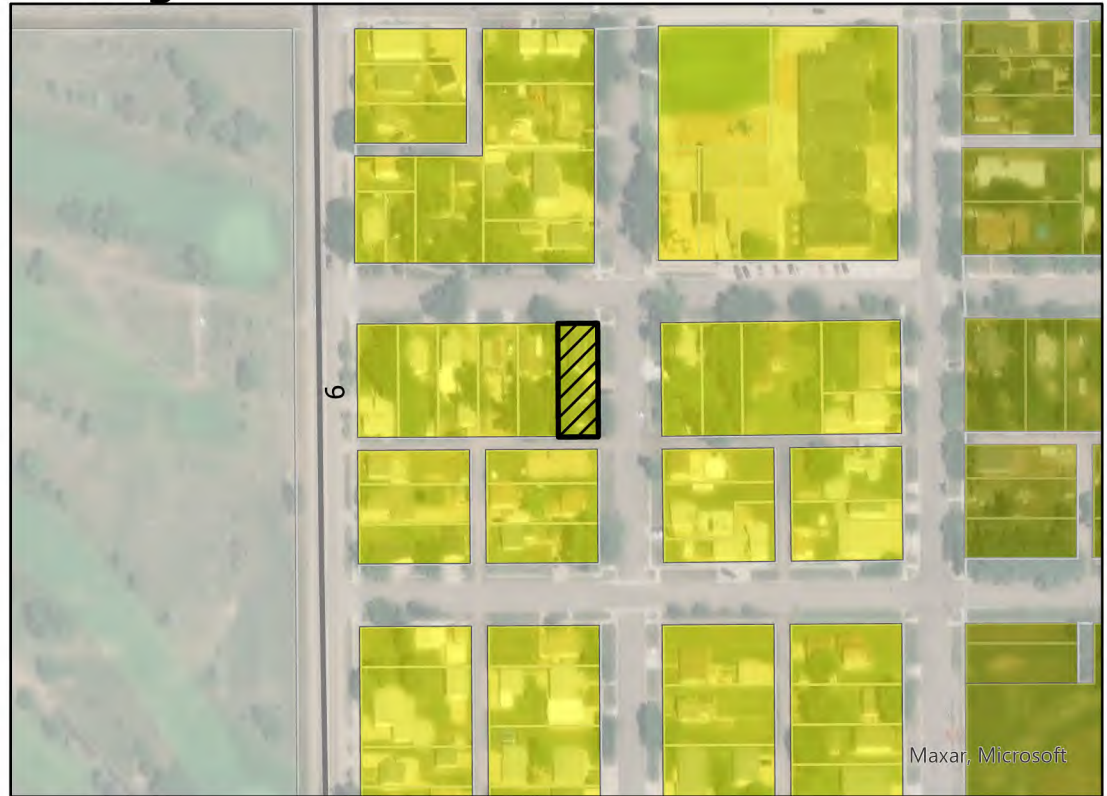
Zoning and Future Land Use Reference Map

Lots 1 & 2, Southside Addition

Zoning

Zoning Map Key

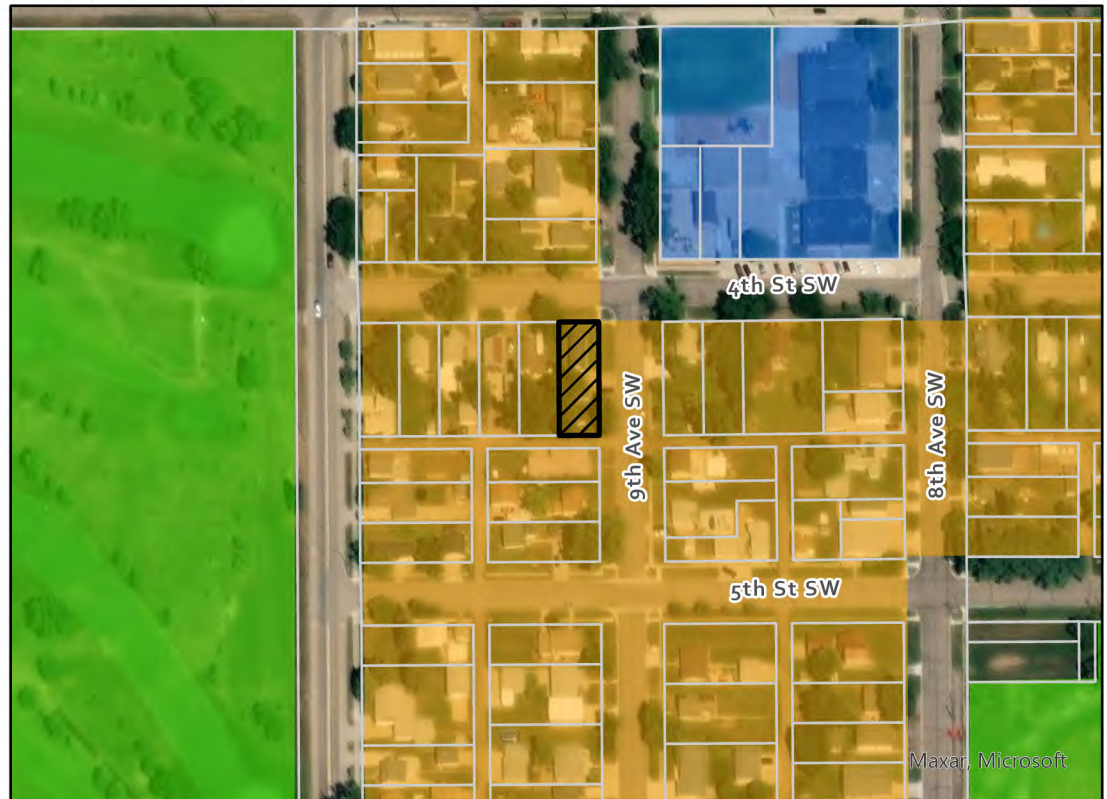
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light Industrial
- MB - Heavy Commercial/Heavy Industrial
- MC - Heavy Commercial/Light Industrial Restricted
- MD - Heavy Commercial/Heavy Industrial Restricted
- MHS - Trailer Park
- PUD - Planned Unit Development
- R3.2 - Residential Single & Two Family
- R7 - Residential Single Family
- RH - Residential Mobile Home Park
- RM - Residential Multi-family Dwellings
- RMH - Residential Mobile Home Subdivision
- Residential - County Residential Zoning
- ROW - Right-of-Way
- Parcels
- RGB
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- March '24 Planning Items



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
- March '24 Planning Items

Future Land Use Plan





City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 10, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider 2024 Street Reconstruction Bids

STATEMENT/PURPOSE:

To review bids and consider awarding a General and Electrical Construction contract for the Mandan 2024 Street Rehabilitation Project (SID 235).

BACKGROUND/ALTERNATIVES:

Based on an existing street and utilities study conducted by Moore Engineering, the City is proposing to undertake a project containing approximately 60 blocks of street rehabilitation and 9 blocks of utility rehabilitation.

The project was publicly advertised and bid on April 4th with project plans and specifications prepared by Moore Engineering. The project received 2 bids for the general construction, and 3 bids for the electrical construction. The low bidder for the general construction contract was Strata Corporation with a bid of \$6,222,569.05. The low bidder for the electrical construction contract was Edling Electric, Inc. with a bid of \$641,953.50. The bids came in lower than the previously estimated construction cost of \$7,203,000 due to a combination of value engineering and competitive bids. The City previously received a DWR preconstruction grant for \$136,133, and has since been awarded an additional \$1,544,189 in construction grant funding for watermain construction. The anticipated project completion date is October 2025

ATTACHMENTS:

1. Bid Tabulation
2. Resolution Approving Contracts

FISCAL IMPACT:

The low bidders for the project were Strata Corporation with a bid of \$6,222,569.05, and Edling Electric, Inc. with a bid of \$641,953.50. These contracts would be paid for by a

combination of special assessments, utility funds, and municipal infrastructure funds.

STAFF IMPACT:

Significant effort working alongside Moore Engineering during the project.

LEGAL REVIEW:

The City Attorney was provided with all commission documents to review and comment.

RECOMMENDATION:

Award a general construction contract to Strata Corporation and an electrical contract to Edling Electric, Inc. for the Mandan 2024 Street Rehabilitation Project (SID 235).

SUGGESTED MOTION:

1. I move to award the general construction contract for the 2024 Street Reconstruction Project to Strata Corporation, as presented.
2. I move to award the electrical construction contract for the 2024 Street Reconstruction Project to Edling Electric, Inc, as presented.

**BID TABULATION****Mandan Street Improvement District 235 - Project 2024-2****City of Mandan, ND****Mandan, North Dakota****Project No. 23590****Bid Date: April 4, 2024**

Edling Electric, Inc.

PO Box 1456

Bismarck, ND 58502

Fetzer Electric, LLC

2104 Lee Ave.

Bismarck, ND 58504

Strata Corporation

1771 W. Calvalry Dr.

Bismarck, ND 58504

Northern Improvement Company

PO Box 1254

Bismarck, ND 58502

BID ITEM NO. & DESCRIPTION			ESTIMATED									
			UNIT	QUANTITY	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE
Contract 1 - Base Bid - Area 2												
1	12000	Mobilization	LSUM	1	\$0.00	\$0.00	\$0.00	\$0.00	\$125,000.00	\$125,000.00	\$564,143.80	\$564,143.80
2	704.11	Traffic Control	LSUM	1	\$0.00	\$0.00	\$0.00	\$0.00	\$12,000.00	\$12,000.00	\$128,000.00	\$128,000.00
3	15000	Storm Water Management	LSUM	1	\$0.00	\$0.00	\$0.00	\$0.00	\$8,000.00	\$8,000.00	\$5,860.00	\$5,860.00
4	15000	Temporary Water	LSUM	1	\$0.00	\$0.00	\$0.00	\$0.00	\$29,000.00	\$29,000.00	\$51,368.60	\$51,368.60
5	708.154	Inlet Protection-Special	EA	32	\$0.00	\$0.00	\$0.00	\$0.00	\$175.00	\$5,600.00	\$456.50	\$14,608.00
6	202.0114	Removal of Concrete Pavement	SY	4350	\$0.00	\$0.00	\$0.00	\$0.00	\$36.00	\$156,600.00	\$50.20	\$218,370.00
7	202.013	Removal of Curb & Gutter	LF	5600	\$0.00	\$0.00	\$0.00	\$0.00	\$6.00	\$33,600.00	\$7.70	\$43,120.00
8	203.0101	Common Excavation-Type A	CY	100	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00	\$4,000.00	\$90.40	\$9,040.00
9	203.0109	Topsoil - 4"	SY	4000	\$0.00	\$0.00	\$0.00	\$0.00	\$1.19	\$4,760.00	\$3.40	\$13,600.00
10	230.00001	Subgrade Preparation-Type A-12In	SY	25300	\$0.00	\$0.00	\$0.00	\$0.00	\$2.00	\$50,600.00	\$4.70	\$118,910.00
11	306.037	Remove And Relay Blended Material - 6 in	SY	17500	\$0.00	\$0.00	\$0.00	\$0.00	\$6.00	\$105,000.00	\$15.00	\$262,500.00
12	306.037	Remove And Relay Blended Material - 8 in	SY	12800	\$0.00	\$0.00	\$0.00	\$0.00	\$7.00	\$89,600.00	\$21.70	\$277,760.00
13	203.0138	Common Excavation-Subcut (P)	CY	1200	\$0.00	\$0.00	\$0.00	\$0.00	\$19.50	\$23,400.00	\$42.60	\$51,120.00
14	202.0021	Remove Surface Aggregate	SY	820	\$0.00	\$0.00	\$0.00	\$0.00	\$6.50	\$5,330.00	\$8.00	\$6,560.00
15	411.0105	Milling Pavement Surface - 2"	SY	18250	\$0.00	\$0.00	\$0.00	\$0.00	\$2.32	\$42,340.00	\$4.60	\$83,950.00
16	412.0105	Milling Pavement Surface - 2" Taper	SY	15400	\$0.00	\$0.00	\$0.00	\$0.00	\$1.85	\$28,490.00	\$4.20	\$64,680.00
17	306.051	Full Depth Reclamation	SY	25300	\$0.00	\$0.00	\$0.00	\$0.00	\$9.15	\$231,495.00	\$3.40	\$86,020.00
18	1207-4.1	Geogrid Reinforcement	SY	25300	\$0.00	\$0.00	\$0.00	\$0.00	\$5.25	\$132,825.00	\$7.30	\$184,690.00
19	SP01-001	Pavement Reinforcing Fabric	SY	33650	\$0.00	\$0.00	\$0.00	\$0.00	\$2.90	\$97,585.00	\$3.20	\$107,680.00
20	302.012	Aggregate Base Course Cl 5	TON	2900	\$0.00	\$0.00	\$0.00	\$0.00	\$37.00	\$107,300.00	\$60.80	\$176,320.00
21	430.0043	Superpave FAA 42/43 - 2"	SY	33650	\$0.00	\$0.00	\$0.00	\$0.00	\$13.66	\$459,659.00	\$16.50	\$555,225.00
22	431.0043	Superpave FAA 42/43 - 4"	SY	14500	\$0.00	\$0.00	\$0.00	\$0.00	\$27.32	\$396,140.00	\$32.80	\$475,600.00
23	432.0043	Superpave FAA 42/43 - 5"	SY	10800	\$0.00	\$0.00	\$0.00	\$0.00	\$34.00	\$367,200.00	\$40.30	\$435,240.00
24	302.032	Aggregate Surface Course CL5	TON	30	\$0.00	\$0.00	\$0.00	\$0.00	\$70.00	\$2,100.00	\$118.50	\$3,555.00
25	430.00001	Patching	SY	5000	\$0.00	\$0.00	\$0.00	\$0.00	\$21.00	\$105,000.00	\$71.60	\$358,000.00
26	432.0043	Superpave FAA 42/43 - Patching	TON	700	\$0.00	\$0.00	\$0.00	\$0.00	\$135.00	\$94,500.00	\$272.90	\$191,030.00
27	430.1	Cored Sample	EA	100	\$0.00	\$0.00	\$0.00	\$0.00	\$66.00	\$6,600.00	\$60.00	\$6,000.00
28	405-8.1	Emulsion and Asphalt Cement Sealants	LF	35000	\$0.00	\$0.00	\$0.00	\$0.00	\$1.00	\$35,000.00	\$0.70	\$24,500.00
29	405-8.6	Routed/Sawn Cracks	LF	5000	\$0.00	\$0.00	\$0.00	\$0.00	\$2.50	\$12,500.00	\$1.60	\$8,000.00

[C]=CORRECTED AMOUNT

**BID TABULATION****Mandan Street Improvement District 235 - Project 2024-2****City of Mandan, ND****Mandan, North Dakota****Project No. 23590****Bid Date: April 4, 2024**

Edling Electric, Inc.

PO Box 1456

Bismarck, ND 58502

Fetzer Electric, LLC

2104 Lee Ave.

Bismarck, ND 58504

Strata Corporation

1771 W. Calvalry Dr.

Bismarck, ND 58504

Northern Improvement Company

PO Box 1254

Bismarck, ND 58502

BID ITEM NO. & DESCRIPTION			ESTIMATED		BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE
			UNIT	QUANTITY								
30	420.0111	Crs2P Emulsified Asphalt	GAL	27200	\$0.00	\$0.00	\$0.00	\$0.00	\$4.08	\$110,976.00	\$5.50	\$149,600.00
31	420.0125	Cover Coat Material CI 41M	TON	850	\$0.00	\$0.00	\$0.00	\$0.00	\$61.62	\$52,377.00	\$39.60	\$33,660.00
32	401.06	Fog Seal	SY	65000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.70	\$45,500.00	\$0.80	\$52,000.00
33	748.00001	Valley Gutter Special	SY	1250	\$0.00	\$0.00	\$0.00	\$0.00	\$130.00	\$162,500.00	\$194.50	\$243,125.00
34	748.05	Curb Header-Type I	LF	300	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00	\$12,000.00	\$71.70	\$21,510.00
35	748.014	Curb & Gutter-Type I	LF	6300	\$0.00	\$0.00	\$0.00	\$0.00	\$28.50	\$179,550.00	\$69.90	\$440,370.00
36	750.01	Sidewalk Concrete	SY	2750	\$0.00	\$0.00	\$0.00	\$0.00	\$85.00	\$233,750.00	\$90.40	\$248,600.00
37	750.1	Driveway Concrete	SY	850	\$0.00	\$0.00	\$0.00	\$0.00	\$93.00	\$79,050.00	\$122.80	\$104,380.00
38	750.003	Pigmented Imprinted Concrete	SY	275	\$0.00	\$0.00	\$0.00	\$0.00	\$145.00	\$39,875.00	\$168.70	\$46,392.50
39	750.2115	Detectable Warning Panels	SF	850	\$0.00	\$0.00	\$0.00	\$0.00	\$28.00	\$23,800.00	\$90.50	\$76,925.00
40	1212-4	Furnish & Install Sign	SF	90	\$0.00	\$0.00	\$0.00	\$0.00	\$34.00	\$3,060.00	\$33.00	\$2,970.00
41	1212-4	Remove & Reset Sign	EA	10	\$0.00	\$0.00	\$0.00	\$0.00	\$56.00	\$560.00	\$110.00	\$1,100.00
42	1212-4	Galvanized Stl. Posts - Telescoping Perf Tube	EA	4	\$0.00	\$0.00	\$0.00	\$0.00	\$275.00	\$1,100.00	\$220.00	\$880.00
43	1212-4	Remove Sign Panel	EA	32	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	\$3,520.00	\$110.00	\$3,520.00
44	766.012	Remove & Reset Mailbox	EA	12	\$0.00	\$0.00	\$0.00	\$0.00	\$275.00	\$3,300.00	\$330.00	\$3,960.00
45	1210-4.43	Pavement Marking Film Grooved - 24" Line	LF	110	\$0.00	\$0.00	\$0.00	\$0.00	\$45.00	\$4,950.00	\$38.50	\$4,235.00
46	235.02	Hydraulic Mulch	SY	4000	\$0.00	\$0.00	\$0.00	\$0.00	\$1.19	\$4,760.00	\$1.00	\$4,000.00
47	1202-4.2	Seeding Class III	SY	4000	\$0.00	\$0.00	\$0.00	\$0.00	\$1.19	\$4,760.00	\$1.00	\$4,000.00
48	1206-4.2	Furnish & Adjust Manhole Casting	EA	72	\$0.00	\$0.00	\$0.00	\$0.00	\$1,400.00	\$100,800.00	\$3,911.60	\$281,635.20
49	1206-4.11	Adjust Valve Box	EA	23	\$0.00	\$0.00	\$0.00	\$0.00	\$650.00	\$14,950.00	\$2,240.50	\$51,531.50
50	1205-2.6	Replace Inlet Casting	EA	5	\$0.00	\$0.00	\$0.00	\$0.00	\$1,100.00	\$5,500.00	\$896.80	\$4,484.00
51	203.0505	Exploratory Excavation	HR	10	\$0.00	\$0.00	\$0.00	\$0.00	\$560.00	\$5,600.00	\$985.60	\$9,856.00
52	724.043	Remove Hydrant	EA	8	\$0.00	\$0.00	\$0.00	\$0.00	\$1,100.00	\$8,800.00	\$520.10	\$4,160.80
53	901-4.10	6 Inch Water Main	LF	255	\$0.00	\$0.00	\$0.00	\$0.00	\$140.00	\$35,700.00	\$70.10	\$17,875.50
54	901-4.11	8 Inch Water Main	LF	4850	\$0.00	\$0.00	\$0.00	\$0.00	\$100.00	\$485,000.00	\$85.30	\$413,705.00
55	901-4.12	12 Inch Water Main	LF	600	\$0.00	\$0.00	\$0.00	\$0.00	\$122.00	\$73,200.00	\$133.60	\$80,160.00
56	901-4.50	6" Gate Valve And Box	EA	8	\$0.00	\$0.00	\$0.00	\$0.00	\$5,000.00	\$40,000.00	\$5,177.10	\$41,416.80
57	901-4.51	8" Gate Valve And Box	EA	20	\$0.00	\$0.00	\$0.00	\$0.00	\$5,700.00	\$114,000.00	\$5,977.60	\$119,552.00
58	901-4.52	12" Gate Valve And Box	EA	5	\$0.00	\$0.00	\$0.00	\$0.00	\$10,300.00	\$51,500.00	\$8,179.10	\$40,895.50
59	901-4.70	6" Hydrant	EA	9	\$0.00	\$0.00	\$0.00	\$0.00	\$10,500.00	\$94,500.00	\$6,949.60	\$62,546.40

[C]=CORRECTED AMOUNT

**BID TABULATION****Mandan Street Improvement District 235 - Project 2024-2****City of Mandan, ND****Mandan, North Dakota****Project No. 23590****Bid Date: April 4, 2024**

Edling Electric, Inc.

PO Box 1456

Bismarck, ND 58502

Fetzer Electric, LLC

2104 Lee Ave.

Bismarck, ND 58504

Strata Corporation

1771 W. Calvalry Dr.

Bismarck, ND 58504

Northern Improvement Company

PO Box 1254

Bismarck, ND 58502

BID ITEM NO. & DESCRIPTION			UNIT	ESTIMATED QUANTITY	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE
60	901-XXX	Adjust Watermain (12 Inch and Under)	EA	4	\$0.00	\$0.00	\$0.00	\$0.00	\$11,000.00	\$44,000.00	\$4,008.70	\$16,034.80
61	1209-4.11	1" Water Service Line	LF	2370	\$0.00	\$0.00	\$0.00	\$0.00	\$38.75	\$91,837.50	\$50.40	\$119,448.00
62	1209-4.40	1" Water Service Connection	EA	78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,450.00	\$113,100.00	\$897.70	\$70,020.60
63	1209-4.50	1" Curb Stop And 1" Curb Box	EA	78	\$0.00	\$0.00	\$0.00	\$0.00	\$660.00	\$51,480.00	\$923.60	\$72,040.80
64	28213.33	Removal of Asbestos Concrete Pipe	LF	100	\$0.00	\$0.00	\$0.00	\$0.00	\$225.00	\$22,500.00	\$96.20	\$9,620.00
65	801-XXXX	Sanitary Sewer Main Repair	LF	90	\$0.00	\$0.00	\$0.00	\$0.00	\$185.00	\$16,650.00	\$89.40	\$8,046.00
66	1205-XXXX	Manhole Cone	EA	1	\$0.00	\$0.00	\$0.00	\$0.00	\$7,700.00	\$7,700.00	\$3,301.80	\$3,301.80
67	1205-XXXX	Manhole Riser-FT	VF	3	\$0.00	\$0.00	\$0.00	\$0.00	\$4,300.00	\$12,900.00	\$978.90	\$2,936.70
68	201-3.8	Tree Pruning	EA	150	\$0.00	\$0.00	\$0.00	\$0.00	\$115.00	\$17,250.00	\$110.00	\$16,500.00
69	201-3.9	Shrub Pruning	LF	220	\$0.00	\$0.00	\$0.00	\$0.00	\$5.65	\$1,243.00	\$5.50	\$1,210.00
70	201-3.2	Tree Removal	EA	4	\$0.00	\$0.00	\$0.00	\$0.00	\$1,450.00	\$5,800.00	\$1,650.00	\$6,600.00
TOTAL:						\$0.00		\$0.00		\$5,150,622.50		\$7,420,255.30
Contract 1 - Base Bid Testing Allowance												
71	12000	Testing Allowance (Must Enter \$15,000)	ALLOW	1	\$0.00	\$0.00	\$0.00	\$0.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
TOTAL:						\$0.00		\$0.00		\$15,000.00		\$15,000.00
Contract 1 - Alternate A - Area 1												
A1	12000	Mobilization	LSUM	1	\$0.00	\$0.00	\$0.00	\$0.00	\$26,000.00	\$26,000.00	\$33,418.30	\$33,418.30
A2	704.11	Traffic Control	LSUM	1	\$0.00	\$0.00	\$0.00	\$0.00	\$5,500.00	\$5,500.00	\$4,500.00	\$4,500.00
A3	15000	Storm Water Management	LSUM	1	\$0.00	\$0.00	\$0.00	\$0.00	\$2,000.00	\$2,000.00	\$1,450.40	\$1,450.40
A4	708.154	Inlet Protection-Special	EA	13	\$0.00	\$0.00	\$0.00	\$0.00	\$175.00	\$2,275.00	\$456.50	\$5,934.50
A5	202.0114	Removal of Concrete Pavement	SY	875	\$0.00	\$0.00	\$0.00	\$0.00	\$36.00	\$31,500.00	\$50.20	\$43,925.00
A6	202.013	Removal of Curb & Gutter	LF	1550	\$0.00	\$0.00	\$0.00	\$0.00	\$6.00	\$9,300.00	\$7.70	\$11,935.00
A7	202.0293	Remove Retaining Wall	LF	15	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	\$375.00	\$59.10	\$886.50
A8	203.0109	Topsoil - 4"	SY	1750	\$0.00	\$0.00	\$0.00	\$0.00	\$1.19	\$2,082.50	\$3.40	\$5,950.00
A9	230.00001	Subgrade Preparation-Type A-12In	SY	2850	\$0.00	\$0.00	\$0.00	\$0.00	\$2.00	\$5,700.00	\$4.70	\$13,395.00
A10	306.037	Remove And Relay Blended Material - 6 in	SY	2850	\$0.00	\$0.00	\$0.00	\$0.00	\$6.00	\$17,100.00	\$15.00	\$42,750.00
A11	203.0138	Common Excavation-Subcut (P)	CY	120	\$0.00	\$0.00	\$0.00	\$0.00	\$24.00	\$2,880.00	\$90.40	\$10,848.00
A12	411.0105	Milling Pavement Surface - 2"	SY	3030	\$0.00	\$0.00	\$0.00	\$0.00	\$2.95	\$8,938.50	\$4.80	\$14,544.00
A13	412.0105	Milling Pavement Surface - 2" Taper	SY	11750	\$0.00	\$0.00	\$0.00	\$0.00	\$2.54	\$29,845.00	\$4.70	\$55,225.00
A14	306.051	Full Depth Reclamation	SY	2850	\$0.00	\$0.00	\$0.00	\$0.00	\$9.15	\$26,077.50	\$3.40	\$9,690.00

[C]=CORRECTED AMOUNT

**BID TABULATION****Mandan Street Improvement District 235 - Project 2024-2****City of Mandan, ND****Mandan, North Dakota****Project No. 23590****Bid Date: April 4, 2024**Edling Electric, Inc.
PO Box 1456
Bismarck, ND 58502Fetzer Electric, LLC
2104 Lee Ave.
Bismarck, ND 58504Strata Corporation
1771 W. Calvalry Dr.
Bismarck, ND 58504Northern Improvement Company
PO Box 1254
Bismarck, ND 58502

BID ITEM NO. & DESCRIPTION			UNIT	ESTIMATED QUANTITY	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE
A15	1207-4.1	Geogrid Reinforcement	SY	2850	\$0.00	\$0.00	\$0.00	\$0.00	\$5.25	\$14,962.50	\$7.00	\$19,950.00
A16	SP01-001	Pavement Reinforcing Fabric	SY	14780	\$0.00	\$0.00	\$0.00	\$0.00	\$2.90	\$42,862.00	\$2.40	\$35,472.00
A17	302.012	Aggregate Base Course CI 5	TON	300	\$0.00	\$0.00	\$0.00	\$0.00	\$45.00	\$13,500.00	\$60.80	\$18,240.00
A18	430.0043	Superpave FAA 42/43 - 2"	SY	14780	\$0.00	\$0.00	\$0.00	\$0.00	\$13.66	\$201,894.80	\$16.50	\$243,870.00
A19	430.0043	Superpave FAA 42/43 - 4"	SY	2850	\$0.00	\$0.00	\$0.00	\$0.00	\$27.32	\$77,862.00	\$32.80	\$93,480.00
A20	430.00001	Patching	SY	2000	\$0.00	\$0.00	\$0.00	\$0.00	\$22.57	\$45,140.00	\$71.60	\$143,200.00
A21	430.0043	Superpave FAA 42/43 -Patching	TON	230	\$0.00	\$0.00	\$0.00	\$0.00	\$145.00	\$33,350.00	\$272.90	\$62,767.00
A22	430.1	Cored Sample	EA	20	\$0.00	\$0.00	\$0.00	\$0.00	\$66.00	\$1,320.00	\$60.00	\$1,200.00
A23	405-8.1	Emulsion and Asphalt Cement Sealants	LF	22000	\$0.00	\$0.00	\$0.00	\$0.00	\$1.00	\$22,000.00	\$0.70	\$15,400.00
A24	405-8.6	Routed/Sawn Cracks	LF	3000	\$0.00	\$0.00	\$0.00	\$0.00	\$2.50	\$7,500.00	\$1.60	\$4,800.00
A25	420.0111	Crs2P Emulsified Asphalt	GAL	14100	\$0.00	\$0.00	\$0.00	\$0.00	\$4.08	\$57,528.00	\$5.50	\$77,550.00
A26	420.0125	Cover Coat Material CI 41M	TON	425	\$0.00	\$0.00	\$0.00	\$0.00	\$61.62	\$26,188.50	\$39.60	\$16,830.00
A27	401.06	Fog Seal	SY	33250	\$0.00	\$0.00	\$0.00	\$0.00	\$0.70	\$23,275.00	\$0.80	\$26,600.00
A28	748.00001	Valley Gutter Special	SY	300	\$0.00	\$0.00	\$0.00	\$0.00	\$144.00	\$43,200.00	\$194.50	\$58,350.00
A29	550.01	8In Reinf Concrete Pavement CI Ye	SY	200	\$0.00	\$0.00	\$0.00	\$0.00	\$165.00	\$33,000.00	\$127.00	\$25,400.00
A30	748.05	Curb Header-Type I	LF	15	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00	\$600.00	\$71.70	\$1,075.50
A31	748.014	Curb & Gutter-Type I	LF	1500	\$0.00	\$0.00	\$0.00	\$0.00	\$28.50	\$42,750.00	\$69.90	\$104,850.00
A32	750.01	Sidewalk Concrete	SY	520	\$0.00	\$0.00	\$0.00	\$0.00	\$85.00	\$44,200.00	\$90.40	\$47,008.00
A33	750.1	Driveway Concrete	SY	110	\$0.00	\$0.00	\$0.00	\$0.00	\$93.00	\$10,230.00	\$122.80	\$13,508.00
A34	750.003	Pigmented Imprinted Concrete	SY	75	\$0.00	\$0.00	\$0.00	\$0.00	\$145.00	\$10,875.00	\$168.70	\$12,652.50
A35	750.2115	Detectable Warning Panels	SF	250	\$0.00	\$0.00	\$0.00	\$0.00	\$28.00	\$7,000.00	\$90.50	\$22,625.00
A36	802-4.1	18" Storm Sewer Pipe	LF	135	\$0.00	\$0.00	\$0.00	\$0.00	\$116.00	\$15,660.00	\$99.40	\$13,419.00
A37	1205-4.1	Concrete Manhole	EA	2	\$0.00	\$0.00	\$0.00	\$0.00	\$7,750.00	\$15,500.00	\$6,794.70	\$13,589.40
A38	802-2.10	Flared End Sections w/ Trash Rack	EA	1	\$0.00	\$0.00	\$0.00	\$0.00	\$5,000.00	\$5,000.00	\$1,795.00	\$1,795.00
A39	202.0171	Removal Of RCP-All Types & Sizes	LF	20	\$0.00	\$0.00	\$0.00	\$0.00	\$110.00	\$2,200.00	\$43.80	\$876.00
A40	1212-4	Furnish & Install Sign	SF	55	\$0.00	\$0.00	\$0.00	\$0.00	\$34.00	\$1,870.00	\$33.00	\$1,815.00
A41	1212-4	Remove & Reset Sign	EA	4	\$0.00	\$0.00	\$0.00	\$0.00	\$56.00	\$224.00	\$110.00	\$440.00
A42	1212-4	Galvanized Stl. Posts - Telescoping Perf Tube	EA	8	\$0.00	\$0.00	\$0.00	\$0.00	\$275.00	\$2,200.00	\$220.00	\$1,760.00
A43	1212-4	Remove Sign Panel	EA	10	\$0.00	\$0.00	\$0.00	\$0.00	\$34.00	\$340.00	\$110.00	\$1,100.00
A44	766.012	Remove & Reset Mailbox	EA	1	\$0.00	\$0.00	\$0.00	\$0.00	\$275.00	\$275.00	\$330.00	\$330.00

[C]=CORRECTED AMOUNT

**BID TABULATION****Mandan Street Improvement District 235 - Project 2024-2****City of Mandan, ND****Mandan, North Dakota****Project No. 23590****Bid Date: April 4, 2024**

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BID ITEM NO. & DESCRIPTION			UNIT	ESTIMATED QUANTITY	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE
A45	1210-4.43	Pavement Marking Film Grooved - 24" Line	LF	64	\$0.00	\$0.00	\$0.00	\$0.00	\$55.00	\$3,520.00	\$38.50	\$2,464.00
A46	235.02	Hydraulic Mulch	SY	1750	\$0.00	\$0.00	\$0.00	\$0.00	\$1.19	\$2,082.50	\$1.00	\$1,750.00
A47	1202-4.2	Seeding Class III	SY	1750	\$0.00	\$0.00	\$0.00	\$0.00	\$1.19	\$2,082.50	\$1.00	\$1,750.00
A48	1206-4.2	Furnish & Adjust Manhole Casting	EA	22	\$0.00	\$0.00	\$0.00	\$0.00	\$1,600.00	\$35,200.00	\$3,911.60	\$86,055.20
A49	1206-4.11	Adjust Valve Box	EA	21	\$0.00	\$0.00	\$0.00	\$0.00	\$650.00	\$13,650.00	\$2,240.50	\$47,050.50
A50	1205-2.6	Replace Inlet Casting	EA	5	\$0.00	\$0.00	\$0.00	\$0.00	\$1,100.00	\$5,500.00	\$896.80	\$4,484.00
A51	203.0505	Exploratory Excavation	HR	10	\$0.00	\$0.00	\$0.00	\$0.00	\$550.00	\$5,500.00	\$985.60	\$9,856.00
A52	201-3.8	Tree Pruning	EA	45	\$0.00	\$0.00	\$0.00	\$0.00	\$115.00	\$5,175.00	\$110.00	\$4,950.00
A53	201-3.8	Shrub Pruning	LF	125	\$0.00	\$0.00	\$0.00	\$0.00	\$5.65	\$706.25	\$5.50	\$687.50
A54	201-3.2	Tree Removal	EA	1	\$0.00	\$0.00	\$0.00	\$0.00	\$1,450.00	\$1,450.00	\$1,650.00	\$1,650.00
TOTAL:						\$0.00		\$0.00		\$1,046,946.55		\$1,495,101.30
<u>Contract 1 - Alternate A Testing Allowance</u>												
A55	12000	Testing Allowance (Must Enter \$10,000)	ALLOW	1	\$0.00	\$0.00	\$0.00	\$0.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
TOTAL:						\$0.00		\$0.00		\$10,000.00		\$10,000.00
<u>Contract 2 - Electrical Base Bid - Area 2</u>												
E1	Division 16	Remove Feedpoint	EA	4	\$1,700.00	\$6,800.00	\$1,100.00	\$4,400.00	\$1,800.00	\$7,200.00	\$0.00	\$0.00
E2	Division 16	Remove Metal Pole and Base	EA	6	\$2,000.00	\$12,000.00	\$1,900.00	\$11,400.00	\$3,200.00	\$19,200.00	\$0.00	\$0.00
E3	Division 16	Remove Wood Pole	EA	10	\$1,300.00	\$13,000.00	\$1,200.00	\$12,000.00	\$1,250.00	\$12,500.00	\$0.00	\$0.00
E4	Division 16	Existing Pole Connection	EA	30	\$3,000.00	\$90,000.00	\$1,600.00	\$48,000.00	\$2,220.00	\$66,600.00	\$0.00	\$0.00
E5	Division 16	Type B Street Light Unit	EA	31	\$6,000.00	\$186,000.00	\$6,400.00	\$198,400.00	\$9,200.00	\$285,200.00	\$0.00	\$0.00
E6	Division 16	#4 AWG Circuitry	LF	1360	\$8.85	\$12,036.00	\$10.00	\$13,600.00	\$6.00	\$8,160.00	\$0.00	\$0.00
E7	Division 16	#6 AWG Circuitry	LF	7825	\$5.10	\$39,907.50	\$9.00	\$70,425.00	\$6.00	\$46,950.00	\$0.00	\$0.00
E8	Division 16	Trenching (27" Deep)	LF	5130	\$0.00	\$0.00	\$18.50	\$94,905.00	\$6.00	\$30,780.00	\$0.00	\$0.00
E9	Division 16	2" Conduit (Laid)	LF	5130	\$19.00	\$97,470.00	\$3.50	\$17,955.00	\$7.00	\$35,910.00	\$0.00	\$0.00
E10	Division 16	Directional Boring	LF	1970	\$19.00	\$37,430.00	\$22.00	\$43,340.00	\$13.00	\$25,610.00	\$0.00	\$0.00
E11	Division 16	Junction Boxes	EA	12	\$2,000.00	\$24,000.00	\$2,100.00	\$25,200.00	\$3,200.00	\$38,400.00	\$0.00	\$0.00
E12	Division 16	New Feedpoint	EA	1	\$18,000.00	\$18,000.00	\$20,000.00	\$20,000.00	\$22,350.00	\$22,350.00	\$0.00	\$0.00
TOTAL:						\$536,643.50		\$559,625.00		\$598,860.00		\$0.00



BID TABULATION

Mandan Street Improvement District 235 - Project 2024-2

City of Mandan, ND

Mandan, North Dakota

Project No. 23590

Bid Date: April 4, 2024

Edling Electric, Inc.

PO Box 1456

Bismarck, ND 58502

Fetzer Electric, LLC

2104 Lee Ave.

Bismarck, ND 58504

Strata Corporation

1771 W. Calvalry Dr.

Bismarck, ND 58504

Northern Improvement Company

PO Box 1254

Bismarck, ND 58502

BID ITEM NO. & DESCRIPTION			UNIT	ESTIMATED QUANTITY	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE	BID UNIT PRICE	BID PRICE
Contract 2 - Electrical Alternate A - Area 1												
AE1	Division 16	Remove Feedpoint	EA	1	\$1,700.00	\$1,700.00	\$1,100.00	\$1,100.00	\$1,800.00	\$1,800.00	\$0.00	\$0.00
AE2	Division 16	Remove Metal Pole and Base	EA	4	\$2,000.00	\$8,000.00	\$2,200.00	\$8,800.00	\$3,200.00	\$12,800.00	\$0.00	\$0.00
AE3	Division 16	Type B Street Light Unit	EA	7	\$6,000.00	\$42,000.00	\$6,400.00	\$44,800.00	\$7,490.00	\$52,430.00	\$0.00	\$0.00
AE4	Division 16	#4 AWG Circuitry	LF	590	\$8.85	\$5,221.50	\$10.00	\$5,900.00	\$6.00	\$3,540.00	\$0.00	\$0.00
AE5	Division 16	#6 AWG Circuitry	LF	835	\$5.10	\$4,258.50	\$9.00	\$7,515.00	\$6.00	\$5,010.00	\$0.00	\$0.00
AE6	Division 16	Trenching (27" Deep)	LF	710	\$0.00	\$0.00	\$18.50	\$13,135.00	\$6.00	\$4,260.00	\$0.00	\$0.00
AE7	Division 16	2" Conduit (Laid)	LF	710	\$19.00	\$13,490.00	\$3.50	\$2,485.00	\$7.00	\$4,970.00	\$0.00	\$0.00
AE8	Division 16	Directional Boring	LF	560	\$19.00	\$10,640.00	\$22.00	\$12,320.00	\$13.00	\$7,280.00	\$0.00	\$0.00
AE9	Division 16	Junction Boxes	EA	1	\$2,000.00	\$2,000.00	\$2,100.00	\$2,100.00	\$3,250.00	\$3,250.00	\$0.00	\$0.00
AE10	Division 16	New Feedpoint	EA	1	\$18,000.00	\$18,000.00	\$20,000.00	\$20,000.00	\$21,500.00	\$21,500.00	\$0.00	\$0.00
TOTAL:						\$105,310.00		\$118,155.00		\$116,840.00		\$0.00
GENERAL TOTAL:						\$0.00		\$0.00		\$6,222,569.05		\$8,940,356.60
ELECTRICAL TOTAL:						\$641,953.50		\$677,780.00		\$715,700.00		\$0.00

RESOLUTION
APPROVING CONTRACTS AND CONTRACTORS' BONDS FOR
STREET IMPROVEMENT DISTRICT NO. 235

(Project No. 2024-02)

BE IT RESOLVED by the governing body of the City of Mandan, North Dakota (the "City"), as follows:

1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Street Improvement District No. 235 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement is hereby ordered to be constructed in accordance with the plans and specifications therefore as heretofore adopted by this Board pursuant to a resolution duly adopted by this Board.
3. It is hereby found and determined that the lowest responsible bidder for various categories of the work, material and skill required for said improvement is Strata Corporation whose bid provides for the construction of said improvement at a total estimated base price of \$6,222,569.05. The lowest responsible bidder for various electrical categories of the work, material and skill required for said improvement is Edling whose bid provides for the construction of said improvement at a total estimated base price of \$641,953.50.
4. The President of the Board of City Commissioners of the City of Mandan and City Auditor are hereby authorized and directed to make and enter into contracts with said bidders on the part of the City, in the form prescribed by §40-22-35 and §40-22-35, N.D.C.C. as amended, provided that said bidders shall within ten (10) days from this date execute said contract and a construction bond conditioned in accordance with the provisions of §40-22-30 and 40-22-32 of said Code.

Dated this 16th day of April, 2024

President Board of City Commissioners

Attest:

James Neubauer,
City Administrator



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 3, 2024
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Veterans Credit for Judith Schell

STATEMENT/PURPOSE:

To consider the 2022 & 2023 Applications for Disabled Veterans Property Tax Credit for property located at 3136 Bay Shore Bend SE.

BACKGROUND/ALTERNATIVES:

This parcel is also known as parcel #65-1805575 with a legal description of Lot 1 Block 5 Lakewood 1st.

Reason for Abatement: I have reviewed the Disabled Veterans Property Tax Credit Applications and documentation, which are on file in my office. This applicant qualifies for the Disabled Veterans Property Tax Credit for 2022 & 2023. This abatement is to correct the percentage of disability compensation rating that was given in 2022 & 2023.

ATTACHMENTS:

1. 2022-2023 Schell Abatement Forms
2. Vet Credit Flyer

FISCAL IMPACT:

No fiscal impact on the City since the Tax Credit is reimbursed by the State of ND.

STAFF IMPACT:

N/A

LEGAL REVIEW:

Submitted to City Attorney Amy Oster

RECOMMENDATION:

I recommend a motion to recommend approval to the Morton County Commission of the 2022 & 2023 Abatement Applications for Judith Schell at 3136 Bay Shore Bend SE as presented.

SUGGESTED MOTION:

I move to recommend approval to the Morton County Commission of the 2022 & 2023 Abatement Applications for Judith Schell at 3136 Bay Shore Bend SE as presented.

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of COUNTY OF MORTON

Property I.D. No. 65-1805575

Name SCHELL/LAWRENCE F & JUDITH F

Telephone No. _____

Address 3136 BAY SHORE BND SE, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 1 BLOCK 5 LAKEWOOD 1ST

Total true and full value of the property described above for the year 2022 is:

Land \$ 75,000
Improvements \$ 384,900
Total \$ 459,900
(1)

Total true and full value of the property described above for the year 2022 should be:

Land \$ 75,000
Improvements \$ 384,900
Total \$ 459,900
(2)

The difference of \$ 0.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☒ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that 2022 Homestead Credit be approved.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant Judith F Schell

Date 02-29-24

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of COUNTY OF MORTON

Property I.D. No. 65-1805575

Name SCHELL/LAWRENCE F & JUDITH F

Telephone No. _____

Address 3136 BAY SHORE BND SE, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 1 BLOCK 5 LAKEWOOD 1ST

Total true and full value of the property described above for the year 2023 is:

Land \$ 85,000
Improvements \$ 390,800
Total \$ 475,800
(1)

Total true and full value of the property described above for the year 2023 should be:

Land \$ 85,000
Improvements \$ 390,800
Total \$ 475,800
(2)

The difference of \$ 0.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☒ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that 2023 Homestead Credit be approved.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant Judith Schell

Date 02-29-24



DISABLED VETERANS

PROPERTY TAX CREDIT

The Disabled Veterans Credit is a property tax credit that is available to veterans of the United States Armed Forces with service-connected disability.

It may reduce the taxable value of a residence and associated taxes due.



ELIGIBILITY

1. You must be a disabled veteran of the United States Armed Forces with an armed forces service-connected disability of 50% or greater in the year for which your application is made.
2. You must have received an honorable discharge or be retired from the United States Armed Forces.
3. You must reside on and have an interest in the property, as of the assessment date.

APPLY

Applicants will need to provide their DD214 and the determination of disability by the VA to your local assessor or county director of tax equalization.

To apply, submit the Application for Disabled Veterans Property Tax Credit to your local assessor. The applications can be found at www.tax.nd.gov/veterans.



ADDITIONAL INFORMATION

The following table shows how taxable values may reduce with the credit.

Disability Percentage	Maximum Reduction
100%	\$8,100
90%	\$7,290
80%	\$6,480
70%	\$5,670
60%	\$4,860
50%	\$4,050

To qualify, veterans must meet all eligibility requirements and file an application with the local assessor or county director of tax equalization, by February 1 in the year that the property is assessed and credit is requested.

To obtain disability and honorable discharge documentation, contact your Veterans Service Office or the United State Department of Veterans Affairs at 866-634-8387.

Office of State Tax Commissioner
600 E. Boulevard Ave. Dept. 127
Bismarck, N.D. 58505-0599
701-328-7088
tax.nd.gov



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 3, 2024
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Veterans Credit for Ricky Wutzke

STATEMENT/PURPOSE:

To consider the 2023 Application for Disabled Veterans Property Tax Credit for property located at 209 4th Ave NW.

BACKGROUND/ALTERNATIVES:

This parcel is also known as parcel #65-2442000 with a legal description of Lot 2 Block 18 Mandan Proper.

Reason for Abatement: I have reviewed the Disabled Veterans Property Tax Credit Application and documentation, which are on file in my office. This applicant qualifies for the Disabled Veterans Property Tax Credit for 2023.

ATTACHMENTS:

1. Wutzke 2023 Abatement Form
2. Vet Credit Flyer

FISCAL IMPACT:

No fiscal impact on the City since the Tax Credit is reimbursed by the State of ND.

STAFF IMPACT:

N/A

LEGAL REVIEW:

Submitted to City Attorney Amy Oster

RECOMMENDATION:

I recommend a motion to recommend approval to the Morton County Commission of the

2023 Abatement Application for Ricky Wutzke at 209 4th Ave NW as presented.

SUGGESTED MOTION:

I move to recommend approval to the Morton County Commission of the 2023 Abatement Application for Ricky Wutzke at 209 4th Ave NW as presented.

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota Assessment District CITY OF MANDAN
County of COUNTY OF MORTON Property I.D. No. 65-2442000
Name WUTZKE/RICKY E & BETH Telephone No. _____
Address 209 4TH AVE NW, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 2 BLOCK 18 MANDAN PROPER (OT)

Total true and full value of the property described
above for the year 2023 is:

Land \$ 35,000
Improvements \$ 215,400
Total \$ 250,400
(1)

Total true and full value of the property described
above for the year 2023 should be:

Land \$ 35,000
Improvements \$ 215,400
Total \$ 250,400
(2)

The difference of \$ 0.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☒ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that 2023 Veterans Credit be approved.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant Ricky Wutzke

Date 2 Apr 2024



DISABLED VETERANS

PROPERTY TAX CREDIT

The Disabled Veterans Credit is a property tax credit that is available to veterans of the United States Armed Forces with service-connected disability.

It may reduce the taxable value of a residence and associated taxes due.



ELIGIBILITY

1. You must be a disabled veteran of the United States Armed Forces with an armed forces service-connected disability of 50% or greater in the year for which your application is made.
2. You must have received an honorable discharge or be retired from the United States Armed Forces.
3. You must reside on and have an interest in the property, as of the assessment date.

APPLY

Applicants will need to provide their DD214 and the determination of disability by the VA to your local assessor or county director of tax equalization.

To apply, submit the Application for Disabled Veterans Property Tax Credit to your local assessor. The applications can be found at www.tax.nd.gov/veterans.



ADDITIONAL INFORMATION

The following table shows how taxable values may reduce with the credit.

Disability Percentage	Maximum Reduction
100%	\$8,100
90%	\$7,290
80%	\$6,480
70%	\$5,670
60%	\$4,860
50%	\$4,050

To qualify, veterans must meet all eligibility requirements and file an application with the local assessor or county director of tax equalization, by February 1 in the year that the property is assessed and credit is requested.

To obtain disability and honorable discharge documentation, contact your Veterans Service Office or the United State Department of Veterans Affairs at 866-634-8387.

Office of State Tax Commissioner
600 E. Boulevard Ave. Dept. 127
Bismarck, N.D. 58505-0599
701-328-7088
tax.nd.gov



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 5, 2024
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Veterans Credit for Sylvester Foote

STATEMENT/PURPOSE:

To consider the 2022 & 2023 Applications for Disabled Veterans Property Tax Credit for property located at 1309 19th ST SE.

BACKGROUND/ALTERNATIVES:

This parcel is also known as parcel #65-4068000 with a legal description of Lot 1 Block 1 Plainview Heights 1st.

Reason for Abatement: I have reviewed the Disabled Veterans Property Tax Credit Applications and documentation, which are on file in my office. This applicant qualifies for the Disabled Veterans Property Tax Credit for 2022 & 2023. This abatement is to correct the percentage of disability compensation rating that was given in 2022 & 2023.

ATTACHMENTS:

1. Foote 2022 & 2023 Abatement Forms
2. Vet Credit Flyer

FISCAL IMPACT:

No fiscal impact on the City since the Tax Credit is reimbursed by the State of ND.

STAFF IMPACT:

N/A

LEGAL REVIEW:

Submitted to City Attorney Amy Oster

RECOMMENDATION:

I recommend a motion to recommend approval to the Morton County Commission of the 2022 & 2023 Abatement Applications for Sylvester Foote at 1309 19th ST SE as presented.

SUGGESTED MOTION:

I move to recommend approval to the Morton County Commission of the 2022 & 2023 Abatement Applications for Sylvester Foote at 1309 19th ST SE as presented.

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota

Assessment District CITY OF MANDAN

County of COUNTY OF MORTON

Property I.D. No. 65-4068000

Name FOOTE/SYLVESTER D & EVELYN F

Telephone No. _____

Address 1309 19TH ST SE, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 1 BLOCK 1 PLAINVIEW HEIGHTS 1ST

Total true and full value of the property described above for the year 2022 is:

Land \$ 45,000

Improvements \$ 233,300

Total \$ 278,300

(1)

Total true and full value of the property described above for the year 2022 should be:

Land \$ 45,000

Improvements \$ 233,300

Total \$ 278,300

(2)

The difference of \$ 0.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☒ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ yes/no Estimated value: \$ _____
2. Has the property been offered for sale on the open market? _____ yes/no If yes, how long? _____
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ yes/no Purpose of appraisal: _____
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that Veterans Credit rating change be approved.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant Sylvester D. Foote

Date 03/27/24

North Dakota Century Code § 57-23-04

State of North Dakota

Assessment District CITY OF MANDAN

County of COUNTY OF MORTON

Property I.D. No. 65-4068000

Name FOOTE/SYLVESTER D & EVELYN F

Telephone No. _____

Address 1309 19TH ST SE, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 1 BLOCK 1 PLAINVIEW HEIGHTS 1ST

Land	\$ 50,000
Improvements	\$ 248,000
Total	\$ 298,000

Land	\$ 50,000
Improvements	\$ 248,000
Total	\$ 298,000

The difference of \$ 0.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☒ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain)

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no _____
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no _____
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no _____
_____ Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that Veterans Credit rating change be approved.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant)

Date _____

Signature of Applicant

1546



DISABLED VETERANS

PROPERTY TAX CREDIT

The Disabled Veterans Credit is a property tax credit that is available to veterans of the United States Armed Forces with service-connected disability.

It may reduce the taxable value of a residence and associated taxes due.



ELIGIBILITY

1. You must be a disabled veteran of the United States Armed Forces with an armed forces service-connected disability of 50% or greater in the year for which your application is made.
2. You must have received an honorable discharge or be retired from the United States Armed Forces.
3. You must reside on and have an interest in the property, as of the assessment date.

APPLY

Applicants will need to provide their DD214 and the determination of disability by the VA to your local assessor or county director of tax equalization.

To apply, submit the Application for Disabled Veterans Property Tax Credit to your local assessor. The applications can be found at www.tax.nd.gov/veterans.



ADDITIONAL INFORMATION

The following table shows how taxable values may reduce with the credit.

Disability Percentage	Maximum Reduction
100%	\$8,100
90%	\$7,290
80%	\$6,480
70%	\$5,670
60%	\$4,860
50%	\$4,050

To qualify, veterans must meet all eligibility requirements and file an application with the local assessor or county director of tax equalization, by February 1 in the year that the property is assessed and credit is requested.

To obtain disability and honorable discharge documentation, contact your Veterans Service Office or the United State Department of Veterans Affairs at 866-634-8387.

Office of State Tax Commissioner
600 E. Boulevard Ave. Dept. 127
Bismarck, N.D. 58505-0599
701-328-7088
tax.nd.gov



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 8, 2024
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Veterans Credit for Darrin Schwind

STATEMENT/PURPOSE:

To consider the 2023 Application for Disabled Veterans Property Tax Credit for property located at 805 6th Ave NE.

BACKGROUND/ALTERNATIVES:

This parcel is also known as parcel #65-0588000 with a legal description of Lot 1 Block 6 Diane's 1st.

Reason for Abatement: I have reviewed the Disabled Veterans Property Tax Credit Application and documentation, which are on file in my office. This applicant qualifies for the Disabled Veterans Property Tax Credit for 2023.

ATTACHMENTS:

1. Schwind 2023 Abatement Form
2. Disabled Veterans Credit Flyer

FISCAL IMPACT:

No fiscal impact on the City since the Tax Credit is reimbursed by the State of ND.

STAFF IMPACT:

N/A

LEGAL REVIEW:

Submitted to City Attorney Amy Oster

RECOMMENDATION:

I move to recommend approval to the Morton County Commission of the 2023

Abatement Application for Darrin Schwind at 805 6th Ave NE as presented.

SUGGESTED MOTION:

I move to recommend approval to the Morton County Commission of the 2023 Abatement Application for Darrin Schwind at 805 6th Ave NE as presented.

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1 of the year following the year in which the tax becomes delinquent.

State of North Dakota
County of COUNTY OF MORTON
Name SCHWIND/DARRIN & CARA
Address 805 6TH AVE NE, MANDAN, ND 58554-0000

Assessment District CITY OF MANDAN
Property I.D. No. 65-0588000
Telephone No. _____

Legal description of the property involved in this application:

LOT 1 BLOCK 6 DIANE'S 1ST

Total true and full value of the property described above for the year 2023 is:

Land \$ 40,000
Improvements \$ 234,700
Total \$ 274,700
(1)

Total true and full value of the property described above for the year 2023 should be:

Land \$ 40,000
Improvements \$ 234,700
Total \$ 274,700
(2)

The difference of \$ 0.00 true and full value between (1) and (2) above is due to the following reason(s):

- ☐ 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- ☐ 2. Residential or commercial property's true and full value exceeds the market value
- ☐ 3. Error in property description, entering the description, or extending the tax
- ☐ 4. Nonexisting improvement assessed
- ☐ 5. Complainant or property is exempt from taxation. Attach a copy of Application for Property Tax Exemption.
- ☐ 6. Duplicate assessment
- ☐ 7. Property improvement was destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- ☐ 8. Error in noting payment of taxes, taxes erroneously paid
- ☒ 9. Property qualifies for Homestead Credit (N.D.C.C. § 57-02-08.1) or Disabled Veterans Credit (N.D.C.C. § 57-02-08.8). Attach a copy of the application.
- ☐ 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly to question #5.

1. Purchase price of property: \$ _____ Date of purchase: _____
Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
Was there personal property involved in the purchase price? _____ Estimated value: \$ _____
yes/no
2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
yes/no
Asking price: \$ _____ Terms of sale: _____
3. The property was independently appraised: _____ Purpose of appraisal: _____
yes/no
Market value estimate: \$ _____
Appraisal was made by whom? _____
4. The applicant's estimate of market value of the property involved in this application is \$ _____
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that 2023 Veterans Credit be approved.

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant Darrin Schwind

Date 8 APR. 2024



DISABLED VETERANS

PROPERTY TAX CREDIT

The Disabled Veterans Credit is a property tax credit that is available to veterans of the United States Armed Forces with service-connected disability. It may reduce the taxable value of a residence and associated taxes due.



ELIGIBILITY

1. You must be a disabled veteran of the United States Armed Forces with an armed forces service-connected disability of 50% or greater in the year for which your application is made.
2. You must have received an honorable discharge or be retired from the United States Armed Forces.
3. You must reside on and have an interest in the property, as of the assessment date.

APPLY

Applicants will need to provide their DD214 and the determination of disability by the VA to your local assessor or county director of tax equalization.

To apply, submit the Application for Disabled Veterans Property Tax Credit to your local assessor. The applications can be found at www.tax.nd.gov/veterans.



ADDITIONAL INFORMATION

The following table shows how taxable values may reduce with the credit.

Disability Percentage	Maximum Reduction
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50%	\$4,050

To qualify, veterans must meet all eligibility requirements and file an application with the local assessor or county director of tax equalization, by February 1 in the year that the property is assessed and credit is requested.

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Office of State Tax Commissioner
600 E. Boulevard Ave. Dept. 127
Bismarck, N.D. 58505-0599
701-328-7088
tax.nd.gov



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 4, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Authorization for American Legion Post 91 at Send-It 24/7

STATEMENT/PURPOSE:

To approve a gaming site authorization.

BACKGROUND/ALTERNATIVES:

We received a gaming site authorization for American Legion Post 91 at Send-it 24/7 in March and realized it has not come before City Commission yet.

ATTACHMENTS:

1. AMERICAN LEGION POST 91 - SEND IT 24-7 Gaming Site Authorization

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

Approve as presented

SUGGESTED MOTION:

I move to approve the gaming site authorization for American Legion Post 91 at Send-It 24/7 from July 1, 2024 to June 30, 2025.

City Commission

Agenda Documentation

April 16, 2024

Subject: American Legion Post 91 at Send-It 24/7 from July 1, 2024 to June 30, 2025

Page 2 of 2



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

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

Full, Legal Name of Gaming Organization

American Legion Post 91

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

Name of Location

Send It 24/7

Street 1700 East Main	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/2024	Ending Date(s) Authorized 6/30/2025	Number of Twenty-One tables, if zero, enter "0" 0	

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

entire establishment excluding the restrooms

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

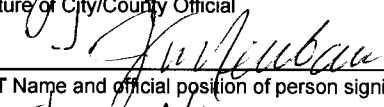
☒ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☐ Raffles	☐ Seal Board	☐ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☒ Prize Board	☐ Paddlewheel with Tickets
☒ Pull Tab Dispensing Device	☒ Prize Board Dispensing Device	☐ Paddlewheel 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 3/5/24
Signature of City/County Official 	Date 3/5/24
PRINT Name and official position of person signing on behalf of city/county above Jim NEUBAUER, City Administrator	

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) Send It! 24/7 Cornhole Inc		Site Name Send It 24/7		Site Phone Number (701) 781-2359	
Site Address 1700 E Main St		City Mandan	State ND	Zip Code 58554	County Morton
Organization American Legion Post 91		Rental Period July 1, 2024 to June 30, 2025			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 _____ X Rent per Table \$ _____					
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____					\$
3. Is Paddlewheels conducted at this site?			☒ No	☐ Yes	\$
Number of Tables _____ X Rent per Table \$ _____					
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?			☐ No	☒ Yes	\$ 400
Please Check: ☐ Jar Bar ☒ Standard Dispensing Device					
5. Are Electronic Pull-Tabs conducted at this site?			☐ No	☒ Yes	\$ 1,250
If "Yes" please indicate the number of devices 10					
Total Monthly Rent					\$ 1,650

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 2/21/2024
Signature of Lessee	Title GAMING MANAGER	Date 1-26-24



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 4, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Mandan Eagles Gaming Site Authorization

STATEMENT/PURPOSE:

To approve a gaming site authorization

BACKGROUND/ALTERNATIVES:

The Finance Department received a gaming site authorization on April 4, 2024 for the Mandan Eagles Aerie 2451 at Mandan Eageles from June 30, 2024 to June 30, 2025.

ATTACHMENTS:

1. Mandan Eagles Gaming Site Authorization

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

Approve as presented

SUGGESTED MOTION:

I move to approve the gaming site authorization for the Mandan Eagles Aerie 2451 at Mandan Eagles from June 30, 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

Mandan Eagles Aerie 2451

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

Name of Location

Mandan Eagles Aerie 2451

Street 1400 Collins Ave	City Mandan	ZIP Code ND	County 58554
Beginning Date(s) Authorized 06/30/2024	Ending Date(s) Authorized 06/30/2025	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)

Lounge, Bar, Dining Room

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

April & October-raffles October-poker

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)

Monday though Saturday

Hours of gaming (if restricted)

11:00 AM-12:45 PM

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

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 15, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Fort Abraham Lincoln Foundation at Aviators from April 23, 2024 to July 1, 2024

STATEMENT/PURPOSE:

To approve a gaming site authorization

BACKGROUND/ALTERNATIVES:

Received an application on April 9, 2024

ATTACHMENTS:

1. Gaming Site Authorization_Ft Lincoln

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve a gaming site authorization

SUGGESTED MOTION:

I move to approve a gaming site authorization for Fort Abraham Lincoln Foundation at Aviators from April 23, 2024 to July 1, 2024



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

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

Full, Legal Name of Gaming Organization

Fort Abraham Lincoln Foundation

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

Aviators

Street 200 W. Main Ave. #202	City Mandan	ZIP Code 58554	County Morton
--	-----------------------	--------------------------	-------------------------

Beginning Date(s) Authorized 04/23/2024	Ending Date(s) Authorized 06/30/2024 7/1/2024	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)

The whole Bar area except 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) AV8BS LLC DBA Aviators		Site Name Aviators		Site Phone Number 701-391-9489	
Site Address 300 W. Main Ave Unit 207		City Morton	State ND	Zip Code 58554	County Morton
Organization The Fort Abraham Lincoln Foundation		Rental Period to 6/30/2024			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	\$ N/A
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				☒ No ☐ Yes	\$ N/A
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____					\$ N/A
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____				☒ No ☐ Yes	\$ N/A
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	\$ 400.00
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 4				☐ No ☒ Yes	\$ 700.00
Total Monthly Rent					\$ 1,100.00
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 [Signature]	Title Member	Date 4-4-2024
Signature of Lessee [Signature]	Title Director	Date 4/4/2024



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 5, 2024
SUBMITTING DEPARTMENT: Public Works (Forestry)
DEPARTMENT DIRECTOR: Mitch Bitz
PRESENTER: Mitch Bitz, Public Works Director
SUBJECT: Proclaiming April 22nd, 2024 as Arbor Day in the City of Mandan.

STATEMENT/PURPOSE:

Consider proclaiming April 22nd, 2024 as Arbor Day in the City of Mandan.

BACKGROUND/ALTERNATIVES:

Each year the Forestry Department (Public Works) meets with a class at one of the local elementary schools (This year Mary Stark has been chosen) to expand the students' knowledge of trees and to plant a new tree on said school grounds. In doing so, we meet one of the requirements to maintain our Tree City USA status. Thus, we proclaim this day as Arbor Day in the City of Mandan.

ATTACHMENTS:

1. Arbor Day Official Proclamation 2024

FISCAL IMPACT:

Purchasing of said tree to be planted. (Less than \$500)

STAFF IMPACT:

Staff will meet with said class of students, plant said tree on school grounds, and document the process.

LEGAL REVIEW:

Attorney Oster's office has reviewed this document.

RECOMMENDATION:

To proclaim April 22nd, 2024 as Arbor Day in the City of Mandan.

City Commission

Agenda Documentation

April 16, 2024

Subject: Consider proclaiming April 22nd, 2024 as Arbor Day in the City of Mandan.

Page 2 of 2

SUGGESTED MOTION:

I move to proclaim April 22nd 2024 as Arbor Day in the City of Mandan.



OFFICIAL PROCLAMATION

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, _____, Mayor of the City of _____, do hereby proclaim _____ as **ARBOR DAY**

In the City of _____, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS _____ day of _____, _____

Mayor _____



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 8, 2024
SUBMITTING DEPARTMENT: Human Resources
DEPARTMENT DIRECTOR: Amy Berger
PRESENTER: Amy Berger, HR Director
SUBJECT: Day after Independence Day and Thanksgiving

STATEMENT/PURPOSE:

To allow the administrative offices to be closed to the public the day after Independence Day and the day after Thanksgiving.

BACKGROUND/ALTERNATIVES:

The day after Independence Day falls on a Friday in 2024. Because of this, it is requested to have administrative offices closed to the public the day after the holiday. Employees take vacation or comp time if they wish to do so, otherwise, they must receive permission to work from their respective department head.

A long-standing tradition has been to have administrative offices closed to the public the day after Thanksgiving. Employees take vacation or comp time if they wish to do so, otherwise, they must receive permission to work from their respective department head.

ATTACHMENTS:

None

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

City Commission

Agenda Documentation

April 16, 2024

Subject: Consider closing City of Mandan administrative offices the day after Independence Day and Thanksgiving

Page 2 of 2

RECOMMENDATION:

To approve as presented.

SUGGESTED MOTION:

I move to approve that the administrative offices be closed to the public the day after Independence Day and the day after Thanksgiving.



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 8, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Raffle Permit for Bismarck State College Energy Club

STATEMENT/PURPOSE:

Consider approval of a raffle permit for Bismarck State College Energy Club on 5/2/24 at Bismarck State College Lineman Campus.

BACKGROUND/ALTERNATIVES:

Raffle for Bismarck State College Energy Club

ATTACHMENTS:

1. 0532_001

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

Approve raffle permit for Bismarck State College Energy Club

SUGGESTED MOTION:

I move to approve the raffle permit for Bismarck State College Energy Club



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

Permit Number
2024-27

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 State College Energy Club		Dates Authorized (Read Instruction 2) 05/02/2024	
Organization or Group Contact Person Bill Gieser	E-mail william.gieser@ndus.edu	Telephone Number 701-224-5558	
Mailing Address PO Box 5587	City Bismarck	State ND	ZIP Code 58506

SITE INFO

Site Name Bismarck State College Lineman Campus		County Morton	
Site Address 3205 Nygren Dr NW	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.) One time ticket raffle drawing on 5/2/24.			

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:

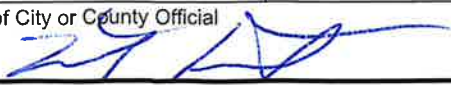
a. Only one licensed organization or organization that has a permit may conduct games at an authorized site on a day, except that a raffle may be conducted for a special occasion by another licensed organization or organization that has a permit when one of these conditions is met:

(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 04/08/2024	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)

Ad 25-
4-5-24

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 State College Energy Club		Dates of Activity (Does not include dates for the sales of tickets) 5/2/24	
Organization or Group Contact Person Bill Gieser	E-mail william.gieser@ndus.edu	Telephone Number 701-224-5558	
Business Address 3201 Nygren Dr	City Mandan	State ND	ZIP Code 58554
Mailing Address (if different) P.O. Box 5587	City Bismarck	State ND	ZIP Code 58506

SITE INFO

Site Name Bismarck State College Lineman Campus		County Morton	
Site Physical Address 3205 Nygren Dr NW	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.) one raffle Drawing 5/2/24			

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

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	Scheels Gift card	\$500.00
Raffle	Scheels Gift Card	\$200.00
Raffle	Scheels Gift Card	\$100.00
Total (limit \$40,000 per year)		\$ \$800.00

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds Donation to Burn Center (Regions Hospital)	
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 Bill Gieser	Telephone Number 701-224-5558	E-mail Address william.gieser@ndus.edu
Signature of Organization Group's Permit Organizer [Signature]	Title Assistant Professor of Lineworker	Date 4-5-24



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 10, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider State Water Commission Grant Acceptance

STATEMENT/PURPOSE:

To accept funding in the form of a 60% cost share from the ND Department of Water Resources (DWR) for water-eligible items for the Mandan 2024 Street Rehabilitation Project (SID 235).

BACKGROUND/ALTERNATIVES:

Moore Engineering recently bid Mandan Street Rehabilitation Project (SID 235). The project includes approximately 60 blocks of roadway rehabilitation and 9 blocks of cast iron watermain replacement. The project is eligible for a 60% cost share for all water eligible items with the Department of Water Resources.

The City has already received a DWR preconstruction grant for \$136,133, and on April 11, 2024, was offered an additional \$1,544,189 in construction cost share for watermain construction

ATTACHMENTS:

None

FISCAL IMPACT:

The City will receive \$1,544,189 in cost-share funding for water-eligible construction items, lessening the financial burden on the City's utility fund. The City has budgeted \$500,000 from the utility fund for these improvements as well.

STAFF IMPACT:

Significant effort working alongside Moore Engineering during the project.

LEGAL REVIEW:

The City Attorney was provided with all commission documents to review and comment.

RECOMMENDATION:

Accept the \$1,544,189 construction grant for water main reconstruction awarded by the DWR.

SUGGESTED MOTION:

I move to accept the \$1,544,189 Department of Water Resources construction grant funding for the Mandan 2024 Street Rehabilitation Project (SID 235).



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 10, 2024
SUBMITTING DEPARTMENT: HR
DEPARTMENT DIRECTOR: Amy Berger
PRESENTER: Amy Berger, HR Director
SUBJECT: Consider approval of updated Grounds Superintendent Job Description

STATEMENT/PURPOSE:

To approve the updates in the Grounds Maintenance Superintendent Job Description.

BACKGROUND/ALTERNATIVES:

The City has had an Arborist position in the past and because it no longer does, the Grounds Maintenance Superintendent and the City would highly benefit from the Arborist certifications identified. It is required to wait 3 years after obtaining the ISA to test for Municipal ISA.

Link to details of the certification: [ISA Certification](#)

Updates to the Ground Maintenance Superintendent's current job description include:

Grade 20: Possession of a current International Society of Arboriculture (ISA) Certified Arborist certification.

Grade 21: Possession of a current International Society of Arboriculture (ISA) Certified Arborist Municipal Specialist certification.

Condrey has recommended the updated grade changes after the certifications are obtained.

ATTACHMENTS:

1. PW3 - Grounds Maintenance Superintendent - 4.2024_Draft

FISCAL IMPACT:

Currently at Grade 19 - \$29.50 -\$44.26

ISA certification at Grade 20 - \$31.00 - \$46.50

Municipal ISA certification at Grade 21 - \$34.22 - \$51.32

STAFF IMPACT:

NA

LEGAL REVIEW:

NA

RECOMMENDATION:

To approve as presented.

SUGGESTED MOTION:

I move to approve the Grounds Maintenance Superintendent's job description updates as presented.

City of Mandan
Grounds Maintenance Superintendent (PW/3)

Revised:	Condrey 2021; Condrey 2024
Department:	Public Works
Reports to:	Public Works Director
Grade	19; 20 (ISA) 21 (Municipal ISA)
Dept. Manager Signature:	
Human Resources Signature:	
Finance Director Signature:	
City Administrator Signature:	
Employee Signature:	

JOB SUMMARY

This position is responsible for directing the city's grounds maintenance operations.

MAJOR DUTIES

- Directs, supervises, and participates in grounds maintenance operations; prioritizes and makes work assignments for grounds maintenance personnel.
- Directs grounds and landscape maintenance, forestry, and cemetery maintenance activities.
- Trains, assigns, directs, supervises, evaluates, and disciplines personnel.
- Completes a variety of reports, forms, email, and correspondence.
- Coordinates burials and headstone installations; lays-out burial locations; assists in the opening of graves.
- Repairs graves; maintains cemetery grounds.
- Maintain material and equipment inventory; makes purchases as needed.
- Coordinates equipment repairs and maintenance.
- Supervises and participates in the mowing of city property and vacant/delinquent lots.
- Assists the City Arborist with tree trimming and removal.
- Coordinates snow and ice removal for city sidewalks and properties.
- Responds to questions and concerns from the general public.
- Reviews and approves timesheets.

City of Mandan
Grounds Maintenance Superintendent (PW/3)

- Ensures compliance with safety rules and regulations.
- Assists in budget preparation and monitoring.
- Operates a variety of equipment and tools as needed.
- Responds to after-hours and weather-related emergencies.
- Performs related duties.

KNOWLEDGE REQUIRED BY THE POSITION

- Knowledge of city personnel policies.
- Knowledge of grounds maintenance principles.
- Knowledge of cemetery operations principles and practices.
- Knowledge of work safety principles and practices.
- Knowledge of city purchasing policies.
- Knowledge of equipment operation and maintenance principles.
- Skill in the operation of a variety of vehicles and equipment.
- Skill in the operation of hand and power tools.
- Skill in prioritizing and planning.
- Skill in interpersonal relations.
- Skill in oral and written communication.

SUPERVISORY CONTROLS

The Public Works Director assigns work in terms of very general instructions. The supervisor spot-checks completed work for compliance with procedures and the nature and propriety of the final results.

GUIDELINES

Guidelines include city codes and ordinances, cemetery rules and regulations, OSHA regulations, WSI guidelines, and department and city policies and procedures. These guidelines require judgment, selection, and interpretation in application.

COMPLEXITY/SCOPE OF WORK

- The work consists of varied supervisory and technical duties. Inclement weather contributes to the complexity of the position.
- The purpose of this position is to direct the city's grounds maintenance and cemetery operations. Successful performance ensures safe and well-maintained city grounds and facilities.

CONTACTS

- Contacts are typically with coworkers, other city personnel, monument company employees, funeral home directors, clergy, vendors, and the general public.
- Contacts are typically to exchange information, motivate persons, resolve problems, and provide services.

PHYSICAL DEMANDS/ WORK ENVIRONMENT

- The work is typically performed while sitting at a desk or table or while intermittently sitting, standing, walking, bending, crouching, or stooping. The employee frequently lifts light and occasionally heavy objects, uses tools or equipment requiring a high degree of dexterity, utilizes the sense of smell, and distinguishes between shades of color.
- The work is performed in an office or outdoors, occasionally in cold or inclement weather. The employee may be exposed to noise, dirt, grease, and machinery with moving parts. Work requires the use of protective devices such as masks, goggles, gloves, etc.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY

This position has direct supervision over City Arborist, Equipment Operator, and other seasonal personnel.

MINIMUM QUALIFICATIONS

- Knowledge and level of competency commonly associated with completion of specialized training in the field of work, in addition to basic skills typically associated with a high school education.
- Experience sufficient to thoroughly understand the work of subordinate positions to be able to answer questions and resolve problems, usually associated with one to three years' experience or service.

- Possession of or ability to readily obtain a valid driver's license issued by the State of North Dakota for the type of vehicle or equipment operated.
- Possession of or ability to readily obtain North Dakota Pesticide Applicators License.

Grade 20:

- Possession of a current International Society of Arboriculture (ISA) Certified Arborist certification.

Grade 21:

- Possession of a current International Society of Arboriculture (ISA) Certified Arborist Municipal Specialist certification.



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 1, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a development agreement for Cat Creek Addition.

STATEMENT/PURPOSE:

Consider a development agreement between the landowners and City of Mandan for Cat Creek Addition.

BACKGROUND/ALTERNATIVES:

Cat Creek Addition is a two lot, one block subdivision west of Mandan in the extraterritorial area that was platted for residential purposes. The subdivision includes one existing home and a lot for a second home to be built on, as well as an access easement connecting this property to Old Red Trail.

The City of Mandan Future Land Use Plan and other plans and studies indicate a future east-west arterial road will be planned for this area. This agreement, in addition to general agreements, would require the preservation of this corridor and restrict additional development in this area until a point in time that access is improved to this property. The development agreement speaks to the immediate uses of the property and restricts improvements in areas where future City infrastructure is planned.

ATTACHMENTS:

1. Land Use and Development Agreement - Cat Creek
2. Cat Creek Addition Final Plat revised 3-21-24
3. 23087 Developers Agreement Exhibit with photo
4. 23087 Developers Agreement Exhibit
5. Cat Creek Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

This agreement has been reviewed by the City Attorney as part of the agenda packet.

RECOMMENDATION:

Staff recommends entering into the Development Agreement for Cat Creek Addition.

SUGGESTED MOTION:

I move to approve the Development Agreement for Cat Creek Addition.

Land Use and Development Agreement

Cat Creek Addition

This Land-Use and Development Agreement (hereinafter referred to as “Agreement”) is made and entered into on the ____ of _____, 2024, (hereinafter the “effective date”) by and between the City of Mandan (hereinafter referred to as the “City”) and Casey Lillis and Brooke Lillis (hereinafter referred to as “Casey/Brooke Lillis”) and Bob Lillis and Danita Lillis (hereinafter referred to as “Bob/Danita Lillis”). The address for the City of Mandan is 205 2nd Avenue NW, Mandan, North Dakota, 58554. The addresses of owners are:

- Casey/Brooke Lillis:
- Bob/Danita Lillis:

This Agreement is a covenant running with the Property and binding upon any and all future owners of the Property.

This Agreement is made between the City of Mandan and two property owners, each owning a specific parcel in the Cat Creek Addition, located in the City of Mandan, Morton County, North Dakota. The legal descriptions of the respective lots and their corresponding owners are as follows:

- Lot 1, Block 1, Cat Creek Addition, owned by Casey/Brooke Breuer
- Lot 2, Block 1, Cat Creek Addition, owned by Bob/Danita Lillis

Collectively, the aforementioned properties and their owners shall be referred to as the "Property" throughout this Agreement.

WHEREAS, the Property, encompassing approximately seventeen point three (17.3) acres, has been platted as Cat Creek Addition, consisting of two lots; and

WHEREAS, the agreement provides the developer a means to achieve the desired outcome of the Development of one additional single family home, for a total of two, and to preserve the remaining land for future development to its highest and best use relative to the land use plan; and

WHEREAS, said agreement utilizes for reference a document (hereinafter referred to as “Developers Agreement Exhibit” showing future right-of-way as proof of concept for future

development to align with the present alignment for a future east-west arterial road as identified in the Mandan Future Land Use and Transportation Plan and Fringe Area Road Masterplan; and

WHEREAS, the City requires certain restrictions to ensure proper development and future planning in the area; and

WHEREAS, nothing in this agreement prohibits the Owners from revising the layout of lots subject to the necessary jurisdictional approvals including Mandan Planning and Zoning Commission and the Mandan Board of City Commissioners; and

WHEREAS, nothing in this agreement prohibits the City from adopting alternative land uses through a new land use plan or amendment to the Plan affecting the Property as prescribed by State law and the Mandan Code of Ordinances and requiring any future development to align with said plan.

NOW THEREFORE, it is agreed between the parties as follows:

1. The owners are prohibited from constructing permanent improvements or buildings within the designated area marked for a future road corridor, as delineated in the attached Developers Agreement Exhibit.
2. No improvements, whether permitted or not, above or below ground, shall be situated within the specified area designated for a future road corridor.
3. The Mandan Building Official shall receive, alongside the building permit, an exhibit outlining the boundaries of the future road corridor area. This ensures that the proposed home's location is planned in consideration of the future road corridor.
4. Further development in the area will not receive approval until alternative access is established, in accordance with the City of Mandan's and other agencies requirements.
5. All land usage must comply with relevant zoning regulations.
6. Any future development on the Property must align with the City of Mandan's adopted land use and transportation plan at the time of application, unless otherwise approved by the Board of City Commissioners.

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

Timothy Helbling
Mayor, City of Mandan

James Neubauer
Administrator, City of Mandan

Bob Lillis:

State of _____ County of _____

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

Notary Public

Danita Lillis:

State of _____ County of _____

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

Notary Public

Casey Breuer:

State of _____ County of _____

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

Land Use and Development Agreement
Cat Creek Addition
April 16, 2024
Page 4 of 4

Notary Public

Brooke Breuer:

State of _____ County of _____

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

Notary Public

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

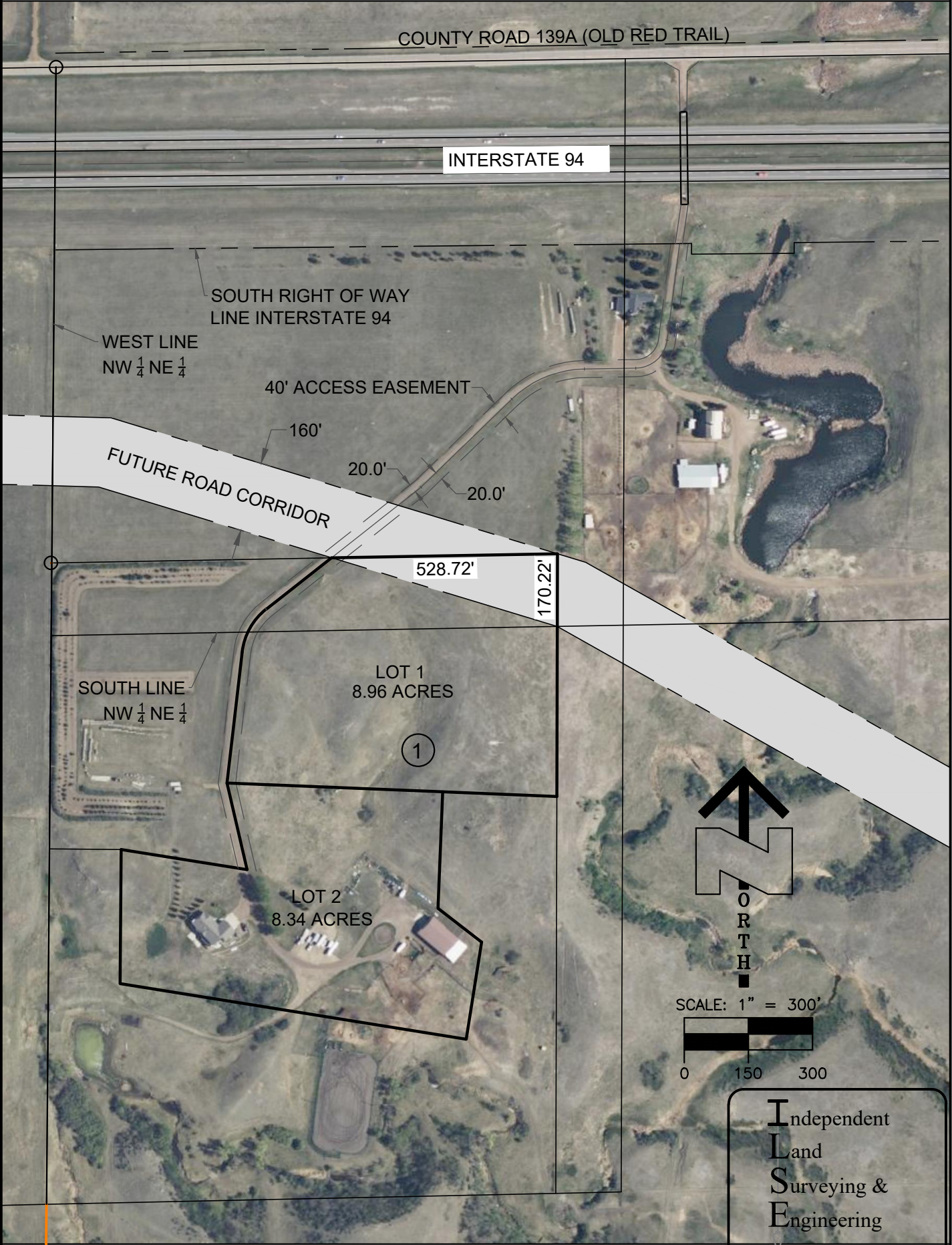
CAT CREEK ADDITION
AUDITORS LOT A AND
PART OF THE NE 1/4
SECTION 13, T-139-N, R-82-W
MORTON CO., NORTH DAKOTA

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

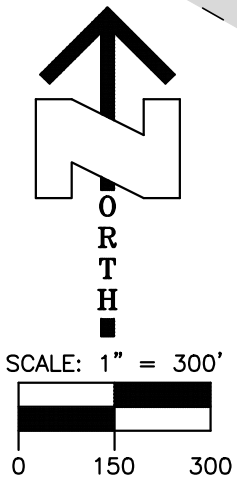
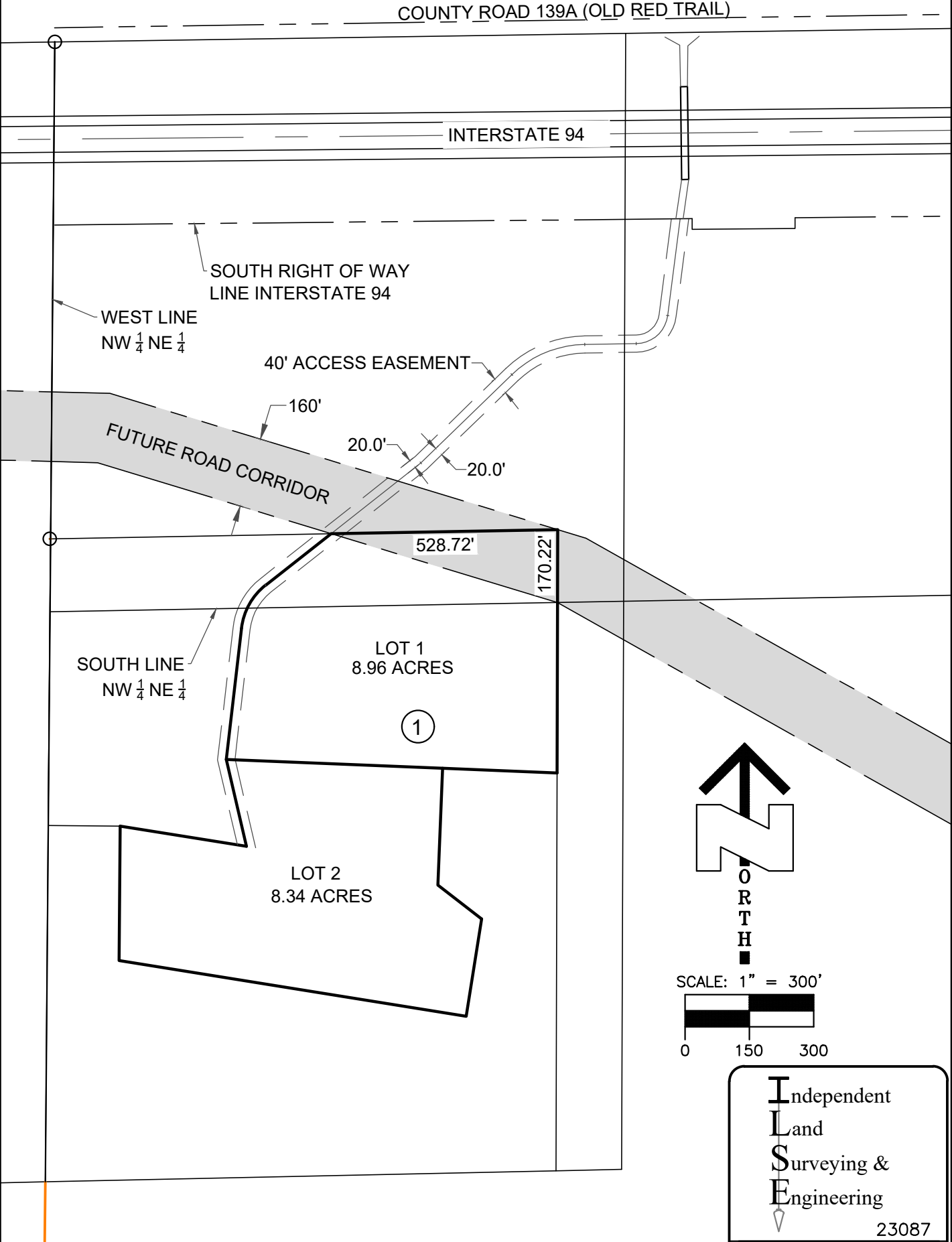


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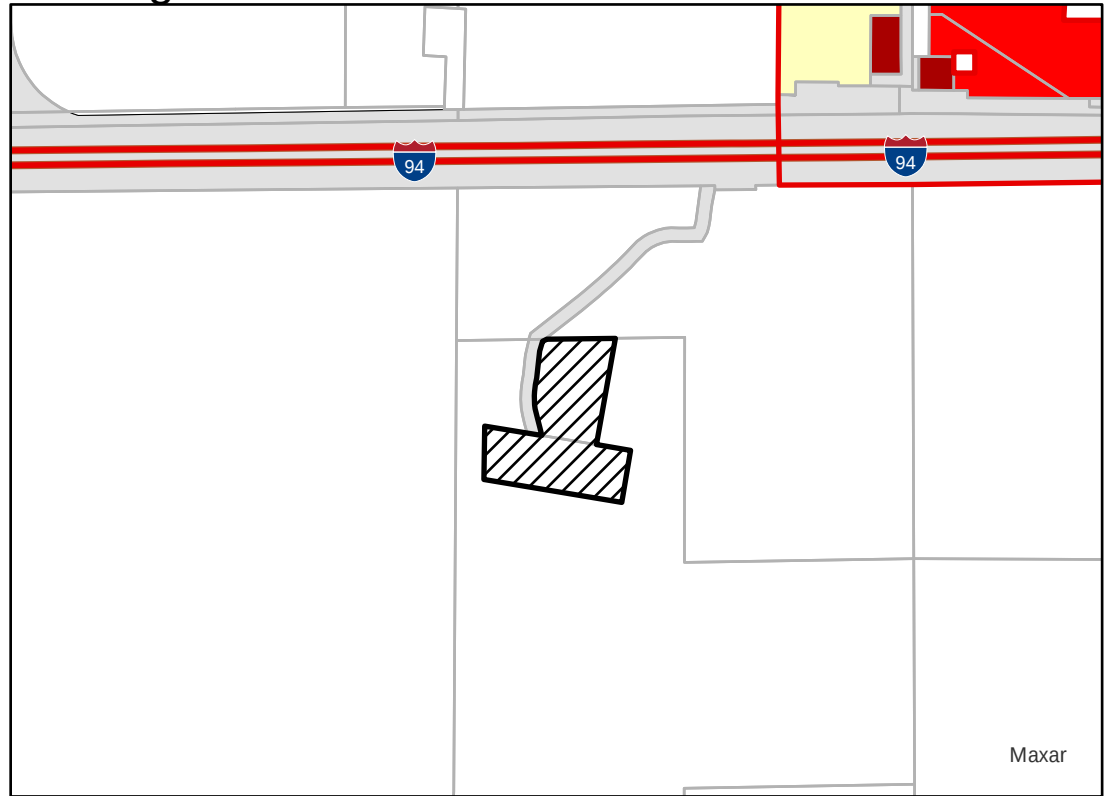
Zoning and Future Land Use Reference Map

Cat Creek Addition

Zoning Map Key

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

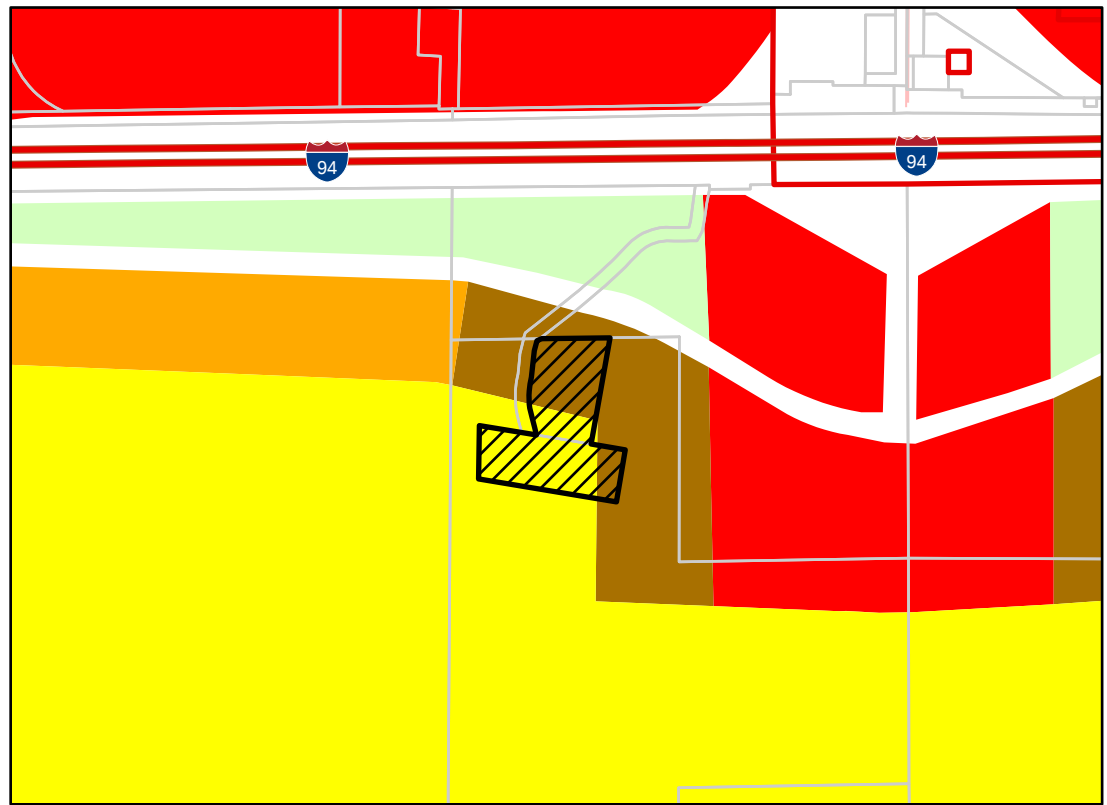
Zoning



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 16, 2024
PREPARATION DATE: April 10, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Engineering Service Amendment for the 2024 Street Reconstruction Project

STATEMENT/PURPOSE:

To consider and possibly enter into an agreement with Moore Engineering for construction engineering services for the 2024 Street Rehabilitation Project (SID #235).

BACKGROUND/ALTERNATIVES:

On October 17, 2023 the City of Mandan directed Moore Engineering to complete an engineering study/report for the 2024 Mandan Street Rehabilitation Project. Moore Engineering worked with City staff to study existing street and utility conditions in the identified areas. The report was approved, and a Street Improvement District was created on December 19, 2023.

On February 6, 2024, the City of Mandan directed Moore Engineering to prepare detailed plans and specifications for the proposed 2024 project. These plans and specifications were approved on March 5, 2024, and the project was advertised and bid on April 4, 2024.

The 2024 project includes approximately 60 blocks of street rehabilitation and 9 blocks of utility rehabilitation.

The Construction Services Task Order amendment presented would provide full time construction inspection, construction administration, staking, and post construction engineering services from Moore Engineering for the duration of the project. The amendment is based around the estimated construction schedule (4-5 months).

ATTACHMENTS:

1. Amendment 2 to Task Order

FISCAL IMPACT:

The project received 60% cost share for all water related engineering items from the State Water Commission. The engineering task order is for \$517,880.00.

STAFF IMPACT:

Significant time and effort working alongside Moore Engineering on this project

LEGAL REVIEW:

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

RECOMMENDATION:

Approve Task Order Amendment 2 with Moore Engineering for Construction Engineering services for the 2024 Street Rehabilitation Project.

SUGGESTED MOTION:

I move to approve Task Order Amendment 2 with Moore Engineering to perform construction engineering services for the 2024 Street Rehabilitation Project.

Amendment No. 2 To Task Order No. 23590

1. Background Data:

- A. Effective Date of Task Order: October 17, 2023
- B. Owner: City of Mandan
- C. Engineer: Moore Engineering, Inc.
- D. Specific Project: Mandan 2024 Street Rehabilitation (SID #235)

2. Description of Modifications

- A. The purpose of this Amendment is to add Construction Phase and Post Construction Phase services to the Task Order. Engineer shall perform Additional Services (and related terms and conditions) set forth in the sections of Exhibit A and Exhibit D listed below, as attached to the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated September 5, 2023 ("Agreement"), such sections being hereby incorporated by reference.
 - 1. Construction Phase Services (Exhibit A, Paragraph A1.05)
 - 2. Post-Construction Phase Services (Exhibit A, Paragraph A1.06)
 - 3. Resident Project Representative (RPR) Services (Exhibit D)
 - 4. The following summary comprises the basis of Engineer's compensation:
 - a. Construction is anticipated to last 19 weeks, beginning May 28, 2024, and be substantially complete by October 4, 2024, and that Contractor will work 5 days per week. Engineer's Exhibit D budgeted hours are for two full-time RPRs based on 55 hours per week during this timeframe.
 - b. Engineer's services are included for two prime construction contracts, and it is anticipated that both Contractors will complete respective Work concurrently while Engineer's personnel are present on the Site during the 2024 construction season. If it becomes apparent that Engineer's services related to A1.05, A1.06 or Exhibit D will require more time than anticipated, Engineer shall notify Owner and prepare a subsequent Task Order Amendment.
 - c. Construction surveys and staking will include:
 - 1) Establish benchmarks (1 mobilization)
 - 2) Stake road subgrade (2 mobilizations)
 - 3) Bluetop aggregate base course (2 mobilizations)
 - 4) Stake watermain and appurtenances (6 mobilizations)

- d. Engineer's compensation includes a limited amount of time to assist Owner and Contractor with minor Work Change Directives and Change Orders that do not require re-design or otherwise modifying the Contract Documents. If a significant change is requested that entails modifications to the Contract Documents, Engineer will proceed with Additional Services in accordance with A2.01.B.1 of the Agreement.
- B. The Scope of Services currently authorized to be performed by Engineer in accordance with the Task Order and previous amendments, if any, is modified as follows: N/A
- C. The responsibilities of Owner with respect to the Task Order are modified as follows: N/A
- D. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation: **\$517,880.00** (items 1.e-1.g below). Part 6.A of the Task Order is modified as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services (Part 1 of Exhibit A)		
a. Study and Report Phase	\$95,621	Hourly, Standard Rates
b. Preliminary and Final Design Phase	\$330,913	Hourly, Standard Rates
c. Special Assessment Phase	\$22,285	Hourly, Standard Rates
d. Bidding or Negotiating Phase	\$24,745	Hourly, Standard Rates
e. Construction Phase *	\$184,485	Hourly, Standard Rates
f. Resident Project Representative Services *	\$320,900	Hourly, Standard Rates
g. Post-Construction Phase	\$12,495	Hourly, Standard Rates
TOTAL COMPENSATION	\$991,444	
2. Additional Services (Part 2 of Exhibit A)	TBD	Hourly, Standard Rates

*Based on a 4-month continuous construction period.

- E. The schedule for rendering services under this Task Order is modified as follows: See above schedule-related assumptions as the basis for Engineer's compensation. It is anticipated that Substantial Completion will occur in 2024 and Final Completion in 2025.
- F. Other portions of the Task Order (including previous amendments, if any) are modified as follows: N/A
- G. Attachments:
 1. Work Breakdown Structure (tasks and hours)

3. Task Order Summary (Reference only)

A.	Original Task Order amount:	\$171,229
B.	Net change for prior amendments:	\$302,335
C.	This amendment amount:	\$517,880
D.	Adjusted Task Order amount:	\$991,444

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is April 16, 2024.

OWNER: **City of Mandan**

ENGINEER: **Moore Engineering, Inc.**

Signed: _____

Signed: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date _____

Date _____

Signed: _____

Signed: _____



City Commission

Agenda Documentation

MEETING DATE: April 16, 2024
PREPARATION DATE: April 10, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Resolution Awarding a Contract for Northwest Trunk Sewer Project

STATEMENT/PURPOSE:

To approve a resolution necessary for the contract award 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. Resolution Awarding Sewer Improvement District 64

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 approve the resolution, as presented.

SUGGESTED MOTION:

I move to approve the resolution necessary for awarding the Northwest Trunk Sewer Project, as presented.

RESOLUTION
APPROVING CONTRACT AND CONTRACTOR'S BOND FOR
SEWER IMPROVEMENT DISTRICT NO. 64
(Project No. 2023-02)

BE IT RESOLVED by the governing body of the City of Mandan, North Dakota (the "City"), as follows:

1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Sewer Improvement District No. 64 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement is hereby ordered to be constructed in accordance with the plans and specifications therefore as heretofore adopted by this Board pursuant to a resolution duly adopted by this Board.
3. It is hereby found and determined that the lowest responsible bidder for various categories of the work, material and skill required for said improvement is SiteWorx whose bid provides for the construction of said improvement at a total estimated base price of \$388,236.00.
4. The President of the Board of City Commissioners of the City of Mandan and City Auditor are hereby authorized and directed to make and enter into a contract with said bidder on the part of the City, in the form prescribed by §40-22-35 and §40-22-35, N.D.C.C. as amended, provided that said bidder shall within ten (10) days from this date execute said contract and a construction bond conditioned in accordance with the provisions of §40-22-30 and 40-22-32 of said Code.

Dated this 16th day of April, 2024

President Board of City Commissioners

Attest:

James Neubauer,
City Administrator