



**AGENDA
CITY COMMISSION
JUNE 4, 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. Thank You to our Community Litter Clean-Up Month Volunteers

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider approval of the minutes from the May 21, 2024 Board of City Commission regular meeting

F. PUBLIC HEARING

1. Consider Right-of-Way Vacation for portion of right-of-way south of McKenzie Drive SE in Lakewood 6th Addition

G. BIDS

H. CONSENT AGENDA

1. Consider an amendment to the lease agreement with Marathon Petroleum Co & City of Mandan related to the property which houses the raw water intake
2. Consider approval of the special event permit for St. Joseph's 100th Anniversary
3. Consider approval of the special event permit for Lyons Heart Gravel Classic
4. Consider approval of a raffle permit for Mandan Rodeo Days
5. Consider approval of a gaming site authorization for Mandan Fastpitch Association at 501 PowerHouse Bar & Grill from July 1, 2024 to June 30, 2025
6. Consider the issuance of a new Class A Liquor License to Big Stick Cigar Lounge (BSCL) LLC at 104 2nd Ave NW, Mandan ND
7. Consider approval of the Class A, B, BWO, C, D, D1, E, F, H, Special B, and WB liquor license renewals effective July 1, 2024
8. Consider authorization of loan applications for Collins Reservoir and Water Treatment Plant projects
9. Consider approval of the special event permit for Festive Fridays.

I. OLD BUSINESS

J. NEW BUSINESS

1. Consider approval of a Request for Qualifications for Building Inspections
2. Consider Approval of 8th Ave NW Project Change Order 2
3. Consider a Highway 6 Trail project construction engineering task order

K. RESOLUTIONS AND ORDINANCES

1. Resolution of Vacation for portion of right-of-way in Lakewood 6th Addition
2. Second Consideration of Shores at Lakewood 2nd Addition Zone Change Ord 1447

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- June 18, 2024 at 5:30 p.m.
- July 2, 2024 at 5:30 p.m.
- July 16, 2024 at 5:30 p.m.

N. ADJOURN



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 29, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Kari Schmidt, Communications Specialist
SUBJECT: Thank You Litter Clean-Up Month Volunteers

STATEMENT/PURPOSE:

Thank you to volunteers

BACKGROUND/ALTERNATIVES:

Mandan's Litter Clean-Up Month took place in May with over 200 volunteers picking up litter in ditches along major roadways. Thank you to all those who cleaned up routes:

- Deb Hopfauf & Family
- American Family Insurance
- Sara Hertz & Family
- Dennis Friesz & Family
- David Leingang & Family
- Justin Belohavek & Family
- Annette Kary
- Sharon Johnson
- Delphine Marshall
- John Brashears & Family
- HDR Inc.
- Dave Berger & Family
- Kaylee Barbie & Friends
- ABRA Mandan
- Gate City Bank
- Brian Dehnert & Family
- Moore Engineering
- AE2S
- Comfort Inn & Suites
- Mandan Walmart

- Mandan High School Staff
- Cub Scout Pack 153
- Willing Workers 4-H Club
- North Dakota GeoCaching Association
- Easter Seals Goodwill North Dakota
- Centre Inc.
- Martina Dvorak & Family
- Savannah Boltz & Family
- Amy Schmidt & Family - Amy also goes out every year and helps get door prizes for our volunteers.

These volunteers pick up litter along the routes and then the Grounds Maintenance crew picks up the bags along the route. Clean ditches wouldn't be possible without all our volunteers, supporters and organizers. Thank you! Our community looks better because of your efforts.

ATTACHMENTS:

None

FISCAL IMPACT:

n/a

STAFF IMPACT:

Minimal

LEGAL REVIEW:

n/a

RECOMMENDATION:

No action required. Presentation only.

SUGGESTED MOTION:

No action required. Presentation only.

The Mandan City Commission met in regular session at 5:30 PM on May 21, 2024 in the Ed “Bosh” Froehlich Meeting Room at City Hall, Mandan, North Dakota. Mayor Helbling called the meeting to order.

A. ROLL CALL

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

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Introduction of new employees: .*

a. *GIS Coordinator Karla Schulz.*

b. *Assistant City Engineer Riley McAdoo-Roesler.*

Engineering Director Wigness introduced the new employees, GIS Coordinator Schulz and Assistant City Engineer McAdoo-Roesler.

2. Mayor Helbling expressed his concerns regarding the Commission's action related to the COPS grant application.

D. APPROVAL OF AGENDA

E. MINUTES

1. *Consider approval of the minutes from the May 7, 2024 Board of City Commission regular meeting.*

Commissioner Braun moved and Commissioner Olson seconded to approve the minutes as presented.

Roll Call vote: Aye 5, Nay 0. The motion passed.

F. PUBLIC HEARING

1. *Consider Preliminary Plat and Zone Change from A - Agriculture and R7 - Residential to PUD - Planned Unit Development for Shores at Lakewood Second Addition.*

Planner Stromme presented the request from TRX Developers for preliminary plat and zone change to Shores at Lakewood Second Addition. A public hearing was opened by Mayor Helbling. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Camisa moved, and Commissioner Olson seconded to approve the preliminary plat and zone change for Shores at Lakewood Second Addition. Roll Call Vote: Aye 5, Nay 0. The motion passed.

G. BIDS

H. CONSENT AGENDA

1. *Consider approval of monthly bills.*

2. *Consider the following abatements:.*

-
- a. *2022 & 2023 Abatement application for MDI Limited Partnership #81, 100 1 ST NW.*
 - b. *2022 & 2023 Abatement application for Wells Fargo Bank, 111 2nd Ave NW.*
 - c. *2022 & 2023 Veterans Credit Job.*
 3. *Consider approval of the following gaming site authorizations: .*
 - a. *Furry Friends Rockin Rescue at Stryker Enterprises LLC dba Main Street Drive Thru Liquor from July 1, 2024 to June 30, 2025.*
 - b. *Mandan Moose Lodge #425 at Mandan Moose Lodge #425 from July 1, 2024 to June 30, 2025.*
 - c. *Mandan Baseball Club at The Drink from July 1, 2024 to June 30, 2025.*
 - d. *Mandan Baseball Club at Broken Oar from July 1, 2024 to June 30, 2025.*
 - e. *Mandan Baseball Club at Seven Seas from July 1, 2024 to June 30, 2025.*
 - f. *Mandan Baseball Club at Silver Dollar Bar from July 1, 2024 to June 30, 2025.*
 - g. *Fort Abraham Lincoln Foundation at the Lonesome Dove from July 1, 2024 to June 30, 2025.*
 - h. *Fort Abraham Lincoln Foundation at Midway Lanes from July 1, 2024, to June 20, 2025.*
 - i. *Fort Abraham Lincoln Foundation at The Paddle Trap from July 1, 2024 to June 30, 2025.*
 - j. *Fort Abraham Lincoln Foundation at Aviators from July 1, 2024 to June 30, 2025.*
 4. *Consider approval of Raffle Permit for RoughRider AMBUCS.*
 5. *Consider a Letter of Support for Northern Plains National Heritage Area / Missouri Valley Arts and Culture Collective.*
 6. *Consider a Minor Plat for Ramblewood 14th Addition.*
 7. *Consider a Minor Plat for Riverside 2nd Addition.*
 8. *Consider approving sole sourcing and pre-negotiating for the paste slakers on the Water Treatment Plant Phase III Optimization Project.*
 9. *Consider 1806 Mill and Overlay Preliminary Engineering Reimbursement Agreement.*
 10. *Consider 8th Avenue NW Trail project grant acceptance.*
 11. *Consider for approval the City of Mandan, Mandan Depot lease to Signature Events.*
 12. *Consider approval of the special event permit for the Pre-Summer Kick-off Party.*
 13. *Consider approval of the special event permit for East Main Investment-July 3rd Street Dance.*

Commissioner Braun moved, and Commissioner Camisa seconded to approve consent items 1 through 13, including all subitems. Roll Call vote: Aye 5, Nay 0. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider an update on City of Mandan Brownfields Assessment Grant.*

Planner Stromme presented an update on Mandan's Brownfield Assessment Grant.

2. *Consider Amendment 1 for the Water Treatment Plant Phase III Optimization project*

Engineering Service Agreement.

Engineer Wigness presented Amendment 1 to the Water Treatment Plant Phase III Optimization project Engineering Service Agreement and recommended approval of the agreement. Commissioner Camisa moved and Commissioner Rohr seconded to approve the amendment. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider approval of Water Service Agreements for Meadow Park and Gateway Mobile Home Communities.*

Administrator Neubauer presented the water service agreements and contracts for Meadow Park and Gateway Mobile Home Communities. Commissioner Camisa moved and Commissioner Rohr seconded the water service agreements and contracts. Roll Call vote: Aye 5, Nay 0. The motion passed.

K. RESOLUTIONS AND ORDINANCES

1. *Second consideration of Ordinance 1445, a zone change from MHS - Trailer Park District to RH - Residential Mobile Home Park for Meadow Park.*

Planner Stromme presented the second consideration of Ordinance 1445, a zone change for Meadow Park from MHS, trailer park district, to RH, residential mobile home park district, and recommended approval. Commissioner Camisa moved, and Commissioner Olson seconded to approve the second consideration of Ordinance 1445 and zone changes. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Second consideration of Ordinance 1446, a zone change from CB - Commercial District to RH - Residential Mobile Home Park for Gateway Park.*

Planner Stromme presented second consideration of Ordinance 1446, a zone change from CB, Commercial District to RH, Residential Mobile Home Park District for Gateway Park and recommended approval. Commissioner Camisa moved and Commissioner Rohr seconded to approve Ordinance 1446. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *First Consideration of Shores at Lakewood 2nd Addition Zone Change Ord 1447.*

Planner Stromme presented the first consideration of Ordinance 1447 to be applied to phase 2 for Shores at Lakewood 2nd Addition Zone Change and recommended approval contingent on services utility plan. Commissioner Rohr moved, and Commissioner Camisa seconded to approve the first consideration of Ordinance 1447. Roll Call vote: Aye 5, Nay 0. The motion passed.

L. OTHER BUSINESS

Commissioner Camisa requested to raise new business under other business with regard to Mayor Helbling's statements under Announcements concerning the Police Department's application for a grant to hire more police officers and the actions of the City Commission at the previous meeting.

Mayor Helbling stated he would not allow Commissioner Camisa to speak. Commissioner Camisa moved to call the Chair out of order and to overrule the Chair's decision not to allow Commissioner Camisa to speak. Commissioner Olson seconded the motion to allow Commissioner Camisa to speak. Roll Call vote: Aye 2 (Commissioner Camisa and Commissioner Olson), Nay 3, (Commissioner Braun, Commissioner Rohr and Mayor Helbling). The motion failed.

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

June 4, 2024 at 5:30 p.m..

June 18, 2024 at 5:30 p.m..

July 2, 2024 at 5:30 p.m..

N. ADJOURN

There being no other business to come before the board, Mayor Helbling entertained motion to adjourn and Commissioner Braun seconded the motion to adjourn the meeting. Roll Call vote: Aye 4 (Commissioner Rohr, Commissioner Olson, Commissioner Braun and Mayor Helbling), Nay 1 (Commissioner Camisa). The motion passed. The meeting ended at 6:23 p.m.

James Neubauer
City Administrator

Timothy Helbling
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 30, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider Right-of-Way Vacation for portion of ROW south of McKenzie Drive SE in Lakewood 6th Addition

STATEMENT/PURPOSE:

Consider Right-of-Way Vacation for portion of ROW south of McKenzie Drive SE in Lakewood 6th Addition

BACKGROUND/ALTERNATIVES:

TRX Developers is requesting the vacation of a portion of the right of way originally platted in Lakewood 6th Addition, located south of McKenzie Drive near its intersection with 34th Avenue SE.

This area was initially designated as a right of way due to the limited space between the planned east-west alignment of McKenzie Drive SE, leaving minimal land between the oxbow and the road for development.

The current developer of The Shores at Lakewood plans to develop lots west of this area, where there is more space, on land previously zoned R7 - Residential, now part of The Shores at Lakewood development. This request is in response to the City's review of various access proposals, which resulted in a lack of support for a hybrid private-public street in this area, and subsequently directing that it be vacated and incorporated into the private street network for the lots in the northern end of The Shores at Lakewood development.

The westernmost sixty-six feet of the portion of the right of way would be vacated and included in Phase 2 of The Shores at Lakewood, serving as an access point for a private drive for homes in the northernmost part of the 2nd addition. This private road would align with 34th Avenue SE, creating the appearance of a four-leg intersection.

The City scheduled a public hearing for this request at its May 7th meeting, and the

request was appropriately noticed. An exhibit of the area to be vacated and the updated plat for Shores at Lakewood 2nd Addition are attached.

Staff has met with the applicant/developer and will permit the vacation contingent upon assistance in relocating the City's grass dump site. It has been verbally agreed that the grass dump site could be moved to the northwest corner of the wastewater treatment plant, and residents would use the roads in Shores at Lakewood Phase 2 to access it.

ATTACHMENTS:

1. Application
2. DRAFT Resolution of Vacation
3. Vacation Exhibit
4. Shores at Lakewood 2nd Addition
5. Lakewood 6th Addition
6. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

Staff has been involved in multiple conversations regarding the location for a grass-dump site. The vacation should be approved contingent on the approval of the Shores at Lakewood 2nd Final Plat.

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends to conduct a public hearing and to approve the agenda under resolutions and ordinances.

SUGGESTED MOTION:

N/A - go to Resolutions and Ordinances.

CITY OF MANDAN		
Development Review Application		
☐	Minor Plat (\$300)	☐ Zone Change (\$600)
☐	Preliminary Plat up to 20 acres (\$400)	☐ Planned Unit Development (\$700)
☐	Preliminary Plat more than 20 acres (\$450)	☐ Land Use and Transportation Plan Amendment (\$1,000)
☐	Final Plat up to 20 lots (\$400)	☒ Vacation (\$500)
☐	Final Plat 21 to 40 lots (\$550)	☐ Variance (\$400)
☐	Final Plat more than 40 lots (\$700)	☐ Special Use Permit (\$450)
☐	Annexation (\$450)	☐ Stormwater submittal (\$300)
☐	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	☐ Stormwater 2 nd & subsequent resubmittal (\$50)
☐	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	
Summary of Request (Add separate sheet(s) as necessary)		
To vacate part of McKenzie Drive SE right-of-way (Lakewood Sixth Addition). The vacated right-of-way would become part of the Shores at Lakewood 2nd Addition plat. See attached map for clarity.		

Engineer/Surveyor			Property Owner or Applicant		
Name Nick Nustad - Mountain Plains, LLC			Name Arthur Goldammer - TRX Developers, LLC		
Address 1300 Tacoma Ave, Suite A			Address 3100 North 14th Street		
City Bismarck	State ND	Zip 58504	City Bismarck	State ND	Zip 58503
email nnustad@mntnplains.com			email arthur@verityhomes.com		
Phone 7019553122		Fax	Phone 7014260197		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
☒ City	☐ ETA	☐ New	☐ Addition	N/A	N/A	Shores at Lakewood 2nd Addition	
Property Address				Legal Description			
McKenzie Drive SE				Lakewood Sixth Addition			
Current Use							
public right-of-way							
Proposed Use							
For Shores at Lakewood 2nd Addition private drive connection.				Section 1	Township 138	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	

Print Name Arthur Goldammer	Signature 	Date 4/24/24
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Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: \$ 500	Date: 5-2-2024
Notice in paper		Mailed to neighbors	P&Z meeting
☐ Approved	Approved with conditions:		
☐ Denied			

RESOLUTION OF VACATION
Board of City Commissioners
City of Mandan, North Dakota

WHEREAS, the owners of the properties located in Lakewood Sixth Addition in Section 1, Township 138N, Range 81 W of the 5th Principal Meridian, City of Mandan, Morton County, North Dakota have requested that a portion of McKenzie Drive SE right-of-way, as further described in the attached exhibit, be vacated; and

WHEREAS, the subject property was not fully constructed; and

WHEREAS, the City of Mandan has no plans to construct public infrastructure at this location and deems this portion of the right-of-way unnecessary; and

WHEREAS, the required public notices were published for four consecutive weeks on May 10, 17, 24 and 31, 2024.

WHEREAS, the required public hearing was conducted by the Board of City Commissioners on June 4, 2024.

NOW, THEREFORE, BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, Morton County, North Dakota, that the above described public right-of-way be and the same is hereby vacated.

BE IT FURTHER RESOLVED, that the within and foregoing Resolution shall become effective from the time of its passage and publication.

Approved and passed February 6, 2024 by at least two-thirds vote of all the members of the Board of City Commissioners.

President, Board of City Commissioners

ATTEST:

City Administrator

Public Notice Dates: May 10, 17, 24, and 31, 2024

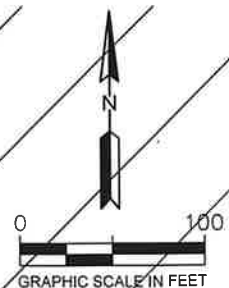
Public Hearing: June 4, 2024

Final Passage:

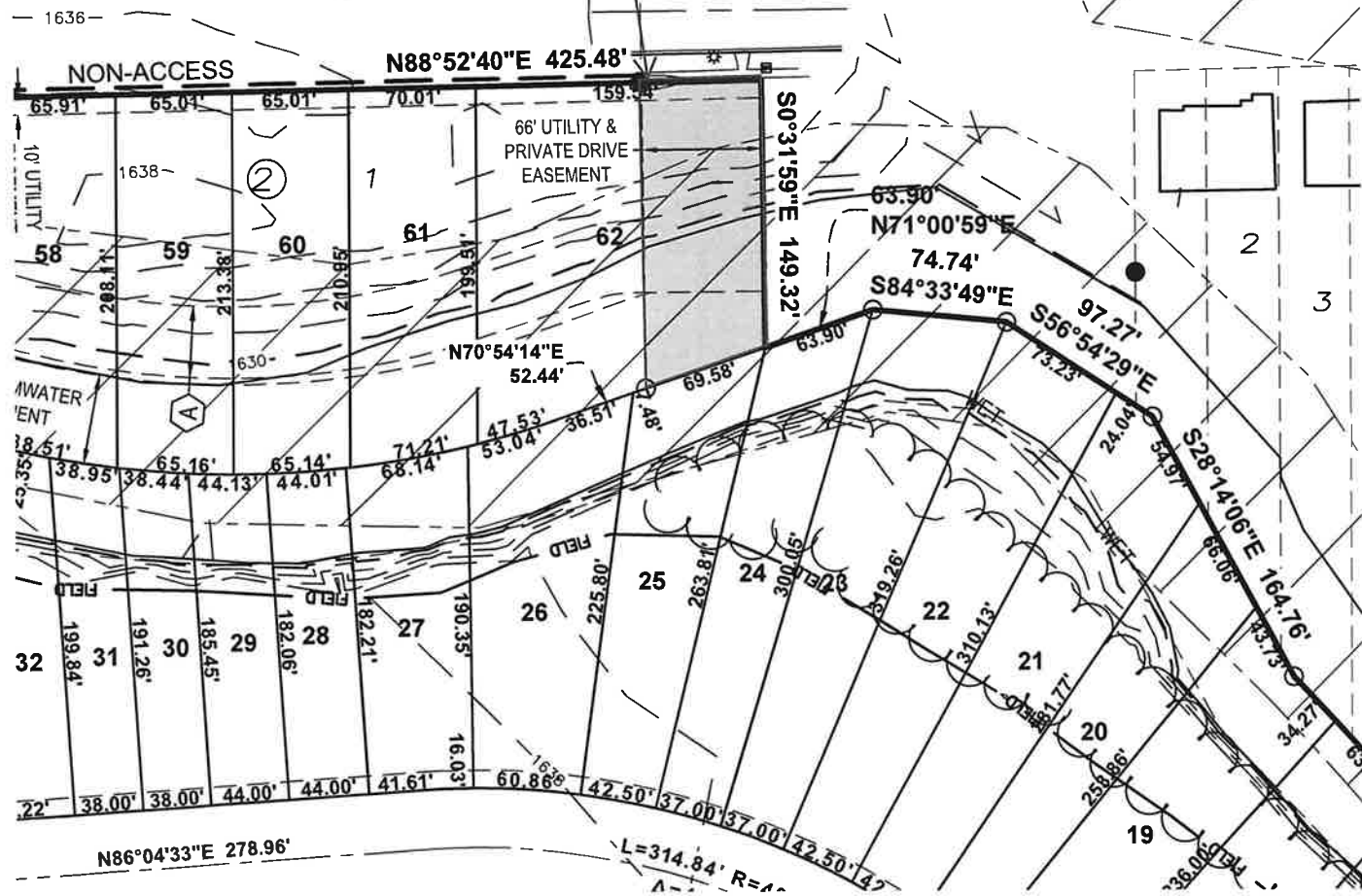
100' DOD
ADDITION

VACATE 66' OF CITY OF MANDAN
RIGHT-OF-WAY TO BE USED BY
DEVELOPER FOR PRIVATE DRIVE
CONNECTION.

34TH AVE SE



THIS EXHIBIT IS FOR VISUAL
REPRESENTATION ONLY TO SHOW
THE PROPOSED AREA TO BE VACATED
ON MCKENZIE DR SE FOR SHORES AT
LAKEWOOD 2ND ADDITION.



SHORES AT LAKEWOOD VACATE RIGHT OF WAY EXHIBIT



NO. DATE DESCRIPTION

DATE:

April 24, 2024

SHEET NO:

1

PROJECT NO:

20.003672

DRWN BY:

NWN

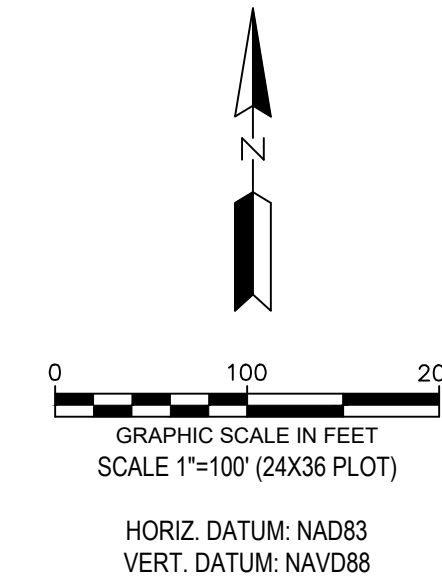
APPD BY:

SHEET TITLE:

EXHIBIT A

PRELIMINARY PLAT SHORES AT LAKEWOOD 2ND ADDITION

TO THE CITY OF MANDAN
A REPLAT OF LOT 1, BLOCK 2 OF LAKEWOOD 7TH ADDITION AND THE
UNPLATTED PORTION OF LOT 1 OF LOT B AND OUTLOT A
OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 81 WEST
OF THE FIFTH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA



LEGEND	
●	FOUND MONUMENT
⊙	SET MONUMENT
○	CALCULATED POSITION
—	PLAT BOUNDARY
- - -	PROPOSED LOT LINE
- - -	SECTION LINE
- - -	PROPOSED EASEMENT
- - -	EXISTING EASEMENT
- - -	100-YEAR FLOODPLAIN
- - -	EL. 1654.79' NAVD88

KEYNOTES	
(A)	30' UTILITY & PRIVATE DRIVE EASEMENT
(B)	10' IRRIGATION EASEMENT

BASIS OF BEARINGS: BEARINGS SHOWN ARE GRID BEARINGS BASED ON NORTH DAKOTA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83, INTERNATIONAL FEET

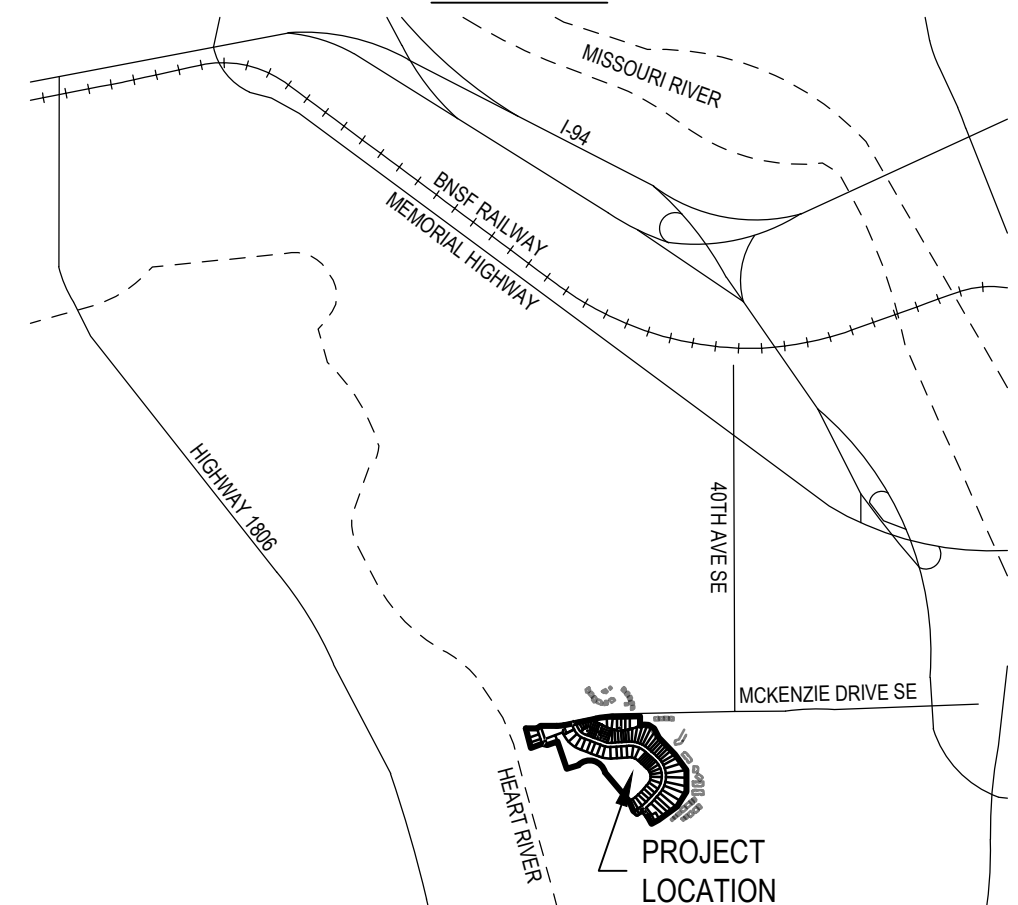
CLIENT:
TRX DEVELOPERS LLC
3100 N 14TH STREET
BISMARCK, ND, 58503
(701) 426-0197

SURVEYOR:
MICHAEL J. TARNOWSKI, PLS
MOUNTAIN PLAINS, LLC
1300 TACOMA AVE, SUITE A
BISMARCK, ND, 58504
(701) 557-3348

- NOTES:
1. PRELIMINARY PLAT DATED 5/14/2024.
 2. BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
 3. SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
 4. TOTAL LOTS: 103
 5. TOTAL PLAT: 48.82 ACRES
 6. PROPOSED ZONING: PUD - RESIDENTIAL
 7. FRONT YARD SETBACK IS 25 FEET SIDE YARD SETBACK IS 5 FEET, AND BACK YARD SETBACK IS 20 FEET.
 8. 100 YEAR FLOOD PLAN: FEMA ZONE X. DOCUMENT #38059C0515D. EFFECTIVE DATE: 4/9/2015

PLAT BOUNDARY DESCRIPTION
A REPLAT OF LOT 1, BLOCK 2 OF LAKEWOOD 7TH ADDITION AND THE UNPLATTED PORTION OF LOT 1 OF LOT B AND OUTLOT A OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

VICINITY MAP



SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1		SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1		SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1		SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1		SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1		SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1		SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 1	
LOT	AREA (SF)	LOT	AREA (SF)	LOT	AREA (SF)	LOT	AREA (SF)	LOT	AREA (SF)	LOT	AREA (SF)	LOT	AREA (SF)
1	25994	11	21350	21	19354	31	9647	41	3472	51	6116	61	14421
2	22164	12	13298	22	18311	32	8926	42	3472	52	3991	62	28099
3	20152	13	14646	23	17369	33	9368	43	3472	53	3868	63	9402
4	26018	14	11723	24	15996	34	6673	44	3471	54	3868		
5	29398	15	10623	25	13032	35	5518	45	8374	55	6434		
6	36225	16	11334	26	10355	36	5449	46	7122	56	18880		
7	30796	17	11501	27	8024	37	5379	47	5392	57	14706		
8	34084	18	10245	28	6455	38	5310	48	4244	58	15339		
9	29163	19	11720	29	6477	39	6612	49	4721	59	13740		
10	29007	20	16585	30	9221	40	5712	50	4994	60	13833		

SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 2		SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 2		SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 2		SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 2	
LOT	AREA (SF)	LOT	AREA (SF)	LOT	AREA (SF)	LOT	AREA (SF)
1	11832	12	8815	23	15210	34	14407
2	11832	13	8721	24	13680	35	55323
3	11832	14	6180	25	17453	36	17392
4	11136	15	6124	26	19210	37	491364
5	11050	16	6124	27	15317		
6	11050	17	6120	28	15840		
7	11741	18	6120	29	14040		
8	12831	19	6572	30	15840		
9	12831	20	16201	31	16098		
10	9130	21	13570	32	19457		
11	8912	22	15721	33	19659		

SHORES AT LAKEWOOD 2ND ADDITION, BLOCK 3	
LOT	AREA (SF)
1	21345
2	14390
3	14880

Line Table		
Line #	Length	Direction
L1	26.13	S11°41'11"E

Curve Table				
Curve #	Length	Radius	Delta	Chord Distance
C1	18.16	100.00	10°24'21"	18.14

Chord Bearing
S32°59'40"E



LAKEWOOD SIXTH ADDITION

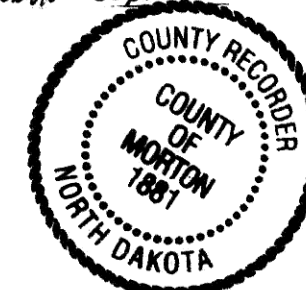
TO THE CITY OF MANDAN

A PORTION OF OUTLOT A AND AN UNPLATTED PORTION OF THE EAST 1/2 OF SECTION 1, TOWNSHIP 138 NORTH,
RANGE 81 WEST OF THE FIFTH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA

Return to:
Morton County
Mandan ND 58554
Mandan ND 58554

County Recorder 442259
Morton County
Mandan ND 58554
Page 1 of 1

COUNTY RECORDER, MORTON COUNTY, ND 442259
I certify that this instrument was filed and recorded
in the County Recorder's Office, Morton County, ND
on June 6, 2012 at 3:59:27 PM



OWNER:
MANDAN PUBLIC SCHOOL DISTRICT NO. 1
901 DIVISION STREET NW
MANDAN, ND 58554
PHONE 701-751-8500

OWNER:
MITZEL BUILDERS INC.
2401 46TH AVE SE #101
MANDAN, ND 58554
PHONE 701-224-8083

ENGINEER/SURVEYOR:
KADRMAS, LEE & JACKSON, INC.
128 500 LINE DRIVE
BISMARCK, NORTH DAKOTA 58501
PHONE 701-355-8400

DESCRIPTION

A PORTION OF OUTLOT A AND AN UNPLATTED PORTION OF THE EAST 1/2 OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 81 WEST, MORTON COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 1; THENCE ALONG THE EAST LINE OF SAID SECTION 1 S 00°03'48" E FOR 1984.20 FEET; THENCE N 89°30'02" E FOR 290.01 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, LAKEWOOD COMMERCIAL PARK 4TH ADDITION WHICH IS THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING ALONG THE WEST LINE OF SAID LOT 1, S 00°03'48" E FOR 345.43 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE NORTH LINE OF LOT 2 OF SAID BLOCK 3, N 89°46'20" W FOR 128.77 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE ALONG THE WEST LINE OF SAID LOT 2, S 00°04'10" E FOR 355.36 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MCKENZIE DRIVE; THENCE THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, N 89°59'15" W FOR 64.27 FEET TO THE NORTHWESTERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF 39TH AVENUE SE; THENCE ALONG THE NORTHWESTERLY EXTENSION OF SAID WEST RIGHT-OF-WAY LINE, S 00°03'48" E FOR 1348.34 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 29TH STREET SE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, S 00°03'48" E FOR 481.00 FEET TO THE EAST LINE OF SAID SECTION 1; THENCE ALONG SAID EAST LINE, S 00°03'48" E FOR 759.55 FEET; THENCE N 89°42'28" W FOR 2027.48 FEET; THENCE N 00°03'00" W FOR 178.02 FEET; THENCE N 89°56'00" E FOR 451.80 FEET; THENCE N 82°12'30" E FOR 425.50 FEET; THENCE N 53°49'05" E FOR 357.60 FEET; THENCE N 32°43'00" E FOR 269.53 FEET; THENCE N 00°03'54" W FOR 342.86 FEET; THENCE N 38°44'02" W FOR 304.58 FEET; THENCE N 43°29'31" W FOR 358.14 FEET; THENCE N 28°14'08" W FOR 164.78 FEET; THENCE N 56°54'29" W FOR 97.27 FEET; THENCE N 84°33'49" W FOR 74.74 FEET; THENCE S 71°00'59" W FOR 133.48 FEET; THENCE N 00°03'59" W FOR 305.06 FEET; THENCE ALONG A TANGENTIAL CURVE TO THE LEFT A RADIUS OF 400.00 FEET, AN INTERIOR ANGLE OF 40°04'47", AND AN ARC LENGTH OF 278.81 FEET; THENCE TANGENTIAL TO THE LAST DESCRIBED CURVE, N 40°38'48" W FOR 171.77 FEET; THENCE ALONG A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET, AN INTERIOR ANGLE OF 39°41'28", AND AN ARC LENGTH OF 277.10 FEET; THENCE TANGENTIAL TO THE LAST DESCRIBED CURVE, N 00°55'18" W FOR 315.54 FEET; THENCE N 89°08'01" E FOR 126.62 FEET; THENCE ALONG A TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 380.00 FEET, AN INTERIOR ANGLE OF 28°46'12", AND AN ARC LENGTH OF 180.77 FEET; THENCE TANGENTIAL TO THE LAST DESCRIBED CURVE, S 62°07'47" E FOR 447.60 FEET; THENCE ALONG A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 440.00 FEET, AN INTERIOR ANGLE OF 28°47'37", AND AN ARC LENGTH OF 221.12 FEET; THENCE TANGENTIAL TO THE LAST DESCRIBED CURVE, N 89°04'36" E FOR 664.41 FEET TO THE SAID POINT OF BEGINNING.
SAID TRACT CONTAINS 2,861,630 SQUARE FEET OR 65.694 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, KENT A. ORVIG, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION, AND THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)
ON THIS 6th DAY OF May, 2012, BEFORE ME, PERSONALLY APPEARED KENT A. ORVIG, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE WITHIN CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.
TERRI ANDERSON
Notary Public
State of North Dakota
My Commission Expires May 13, 2017
KENT A. ORVIG
REGISTERED PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 100000000
COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES May 13, 2017

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MANDAN, ON THE 6th DAY OF May, 2012, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA. ORDINANCES OF THE SAID CITY OF MANDAN, AND REGULATIONS ADOPTED BY THE PLANNING COMMISSION OF SAID CITY OF MANDAN, IN WITNESS WHEREOF ARE SET THE HANDS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA.
BILL ROBINSON - CHAIRMAN
DAVE BECHTEL - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MANDAN, HAS ACCEPTED THE DEDICATION OF ALL PARKS AND PUBLIC GROUNDS SHOWN HEREON, FURTHERMORE, SAID BOARD OF CITY COMMISSIONERS HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS SHOWN HEREON AS AN AMENDMENT TO THE MASTER STREET PLAN OF THE CITY OF MANDAN. THE FOREGOING ACTION BY THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, WAS TAKEN BY RESOLUTION THIS 6th DAY OF May, 2012.
TIMOTHY A. HELBLING - PRESIDENT, BOARD OF CITY COMMISSIONERS

APPROVED: CITY OF MANDAN, NORTH DAKOTA, IN COMPLIANCE WITH SECTION 16-02 OF THE NORTH DAKOTA CENTURY CODE AS AMENDED.

AUDITORS OFFICE, MORTON COUNTY, NORTH DAKOTA
DELINQUENT TAXES AND SPECIAL ASSESSMENTS OR
INSTRUMENTS OF SPECIAL ASSESSMENTS, PAID AND
TRANSFER ACCEPTED.

DAWN RHONE, COUNTY AUDITOR
BY: Kim Pittman, DEPUTY
6-6-12

APPROVED BY THE COUNTY AUDITORS OFFICE

DAWN RHONE, COUNTY AUDITOR
BY: Kim Pittman, DEPUTY
DATE: 6-6-12

PLAT INFORMATION

- NUMBER OF LOTS: 13
- LOT ACREAGE - 56.399 ACRES
- R.O.W. ACREAGE - 9.295 ACRES
- TOTAL ACREAGE - 65.694 ACRES

PLAT LEGEND

- NON-ACCESS LINE
- EASEMENT LINE
- BLOCK/LOT NUMBERS
- DENOTES CENTERLINE OF ROADWAY NOT TO BE SET
- DENOTES LOT CORNERS
- DENOTES BOUNDARY CORNERS TO BE SET
- DENOTES BOUNDARY CORNERS FOUND

OWNERS CERTIFICATE AND DEDICATION

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

Lee R. Mitzel
LEEROY MITZEL, MITZEL BUILDERS INC.
LOTS 1-10, BLOCK 2
COUNTY OF Morton, ND

ON THIS 25th DAY OF April, 2012, APPEARED BEFORE ME, LEEROY MITZEL, MITZEL BUILDERS INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE AND DID ACKNOWLEDGE TO ME THAT HE EXECUTED THE SAME AS HIS OWN FREE ACT AND DEED.

KIM GER
Notary Public
State of North Dakota
My Commission Expires Feb. 13, 2016

Kim Ger
COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES Feb. 13, 2016

Kirsten Baesler
KIRSTEN BAESLER, MANDAN SCHOOL BOARD PRESIDENT
LOT 1, BLOCK 3

STATE OF North Dakota
COUNTY OF Morton, ND

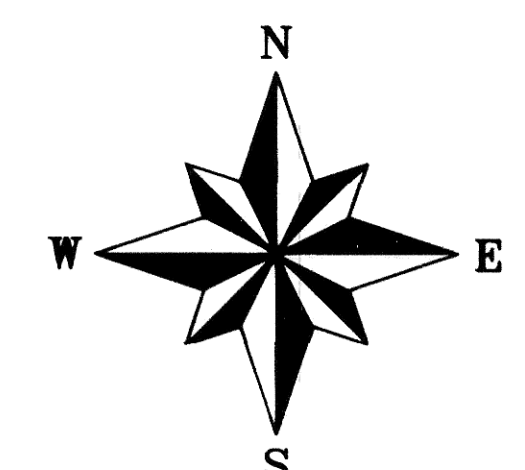
ON THIS 1st DAY OF May, 2012, APPEARED BEFORE ME, KIRSTEN BAESLER, MANDAN SCHOOL BOARD PRESIDENT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE AND DID ACKNOWLEDGE TO ME THAT HE EXECUTED THE SAME AS HIS OWN FREE ACT AND DEED.

LINDSAY KOSTELECKY
Notary Public
State of North Dakota
My Commission Expires Aug. 25, 2017

Lindsay Kostelecky
COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES Aug. 25, 2017

LOT CURVE DATA			
SEGMENT	LENGTH	RADIUS	DELTA
C1	568.23'	630.00'	51°40'42"
C2	87.41'	200.00'	25°02'28"
C3	621.09'	400.00'	88°57'51"
C4	621.09'	400.00'	88°57'51"
C5	597.44'	663.00'	51°37'48"
C6	72.96'	167.00'	25°02'28"
C7	548.01'	433.00'	72°30'52"
C8	134.32'	433.00'	16°28'59"
C9	101.83'	233.00'	25°02'28"
C10	568.85'	367.00'	88°57'51"
C11	209.15'	540.00'	22°11'30"
C12	302.89'	433.00'	40°04'47"
C13	254.24'	367.00'	39°41'28"
C14	231.38'	334.00'	39°41'28"
C15	325.98'	488.00'	40°04'47"

PARCELS		
LOT	S.F.	ACRES
1	19295	0.443
2	17577	0.404
3	19859	0.364
4	14121	0.324
5	11548	0.265
6	8588	0.197
7	22730	0.522
8	21012	0.482



DATUM: NGVD 29
DATE: APRIL 2012
BASIS OF BEARING - STATE PLANE COORDINATES

Kadmas
Lee &
Jackson
Engineers Surveyors
Planners

LAKEWOOD 6TH ADD

LAKEWOOD SIXTH ADDITION



Zoning and Future Land Use Reference Map

Shores at Lakewood 2nd ROW Vacation

Zoning Map Key

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

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 |
| May '24 Planning Items |

Future Land Use Plan





City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 8, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Amendment to lease agreement with Marathon Petroleum

STATEMENT/PURPOSE:

To consider an amendment to the lease agreement between the City of Mandan and Marathon Petroleum Co LP related to the property housing the water intake.

BACKGROUND/ALTERNATIVES:

The City of Mandan entered into a lease agreement with Marathon Petroleum August 6, 2020 for property at which the raw water intake was constructed. The lease included two parcels. Those parcels are being combined into one parcel, thus the need to amend the original lease. All other terms and conditions remain the same.

ATTACHMENTS:

1. Amendment to Lease Agreement - Marathon -

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

City Attorney Oster has been in consultation with Assessor Markley and representatives from Marathon regarding the proper wording and Marathon is in agreement with the wording.

RECOMMENDATION:

i recommend the amendment to the lease agreement be approved.

City Commission

Agenda Documentation

June 4, 2024

Subject: Consider an amendment to the lease agreement with Marathon Petroleum Co & City of Mandan related to the property which houses the raw water intake

Page 2 of 2

SUGGESTED MOTION:

I move to approve the amendment to the August 6, 2020 lease agreement between the City of Mandan and Marathon Petroleum Company.

AMENDMENT TO LEASE AGREEMENT

This First Amendment to Lease Agreement is made and entered into this ____ day of _____, 2024, by and between Marathon Petroleum Company LP, a Delaware limited partnership, hereinafter referred to as “Lessor,” whose address is c/o Real Estate Department, 539 South Main Street, Findlay, Ohio 45840, and City of Mandan, a municipal corporation, whose address is 205 Second Avenue NW, Mandan, North Dakota 58554, hereinafter referred to as “Lessee.”

WHEREAS, Lessor and Lessee entered into a Lease Agreement (“Lease”) dated August 6, 2020, for the real property originally described in Exhibit A to the Lease, then commonly known and numbered as 2300 River Drive NE, Mandan, North Dakota 58554 (Parcel 654320000) and 2304 River Drive NE, Mandan, North Dakota 58554 (Parcel 654321000).

WHEREAS, Parcels 654320000 and 654321000 have been combined into Parcel 65-4321000, now commonly known and numbered as 2298 River Drive NE, Mandan, North Dakota 58554 (Lessor) and 2304 River Drive NE, Mandan, North Dakota 58554 (Lessee).

NOW, THEREFORE, the parties agree that Exhibit A to the Lease is hereby amended to read as follows. All of the other terms and conditions of the Lease not amended by the below language shall remain in full force and effect.

EXHIBIT “A”

TO LEASE BETWEEN

**Marathon Petroleum Company LP
(Lessor)**

AND

**City of Mandan
(Lessee)**

Legal Description:

Parcel 65-4321000: Lots 15 and 16, Block 2, Riverbend 2nd Addition to the City of Mandan, Morton County, North Dakota

<signature pages follow >

WITNESS:

(LESSEE)
City of Mandan

By: _____
Name: _____
Title: _____

LESSEE'S ACKNOWLEDGMENT

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

Before me, the undersigned, a Notary Public in and for said State and County aforesaid, personally appeared Timothy Helbing, Mayor of the City of Mandan, named as Lessee in the foregoing agreement, known to me to be the same, and acknowledged the execution of the foregoing agreement as his/her free act and deed for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Mandan, North Dakota, the day and year last above written.

Notary Public

My Commission Expires:



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 22, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the special event permit for St. Joseph's 100th Anniversary.

STATEMENT/PURPOSE:

Consider approval of the special event permit for St. Joseph's 100th Anniversary

BACKGROUND/ALTERNATIVES:

Beer, hamburgers and socializing. See attached special event permit.

ATTACHMENTS:

1. 100th Anniversary-St Joseph

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the special event permit for St. Joseph 100th Anniversary.

SUGGESTED MOTION:

I move to approve the special event permit for St. Joseph's 100th Anniversary.

Permit Application #: _____ Date Complete: _____
(For office use only)

Special Events Permit Application

City of Mandan, ND

Mandan Police Department (Special Events) • 205 1st Ave. NW • Mandan, ND 58554
• Phone 701-667-3250 • FAX 701-667-3463

Date of Application: 5/9/23

30 days prior to the event with a **non-refundable administration application fee of \$25 attached**. Late applications are permitted and subject to an **additional \$50 processing fee** for those submitted within 20 days of an event. **Any application not submitted prior to 20 days before the event will not be accepted for consideration.**

The payment of fees does not guarantee event approval if submitted late. Permits are \$30 per day/Sunday Permit will be \$45, to a maximum of \$150.00 per event not to exceed 14 days (Includes Sundays).

All applicants will be charged fees as appropriate and are expected to fully reimburse the city for all services related to event production which may include, but are not limited to, Police Services, Fire/EMS, Park and Facility Maintenance, Field Services, Sanitation, Street Engineering and Site Supervisors. (See Below Fee and Charges)

A storage fee of **\$500** will be assessed for all equipment not removed from any public venue or premises within 24 hours of the end of the event. Any vendor may request an extension for equipment removal and may be granted by the City Administrator. Full payment is due upon receipt of final invoice. Any property that is abandoned over 15 days will become property of the City of Mandan and may be sold to recoup any expenses accrued by the city.

Comprehensive site plans must accompany this application.

Street Dance: ☐ Beer Garden: ☒ Both: ☐ Parade or Other Public Event: ☐

Section 1 – Applicant Information

Name of Event Manager: Fr. Josh Waltz
Driver's License Number: WAL-79-6528 State ND
Date of Birth: 11/11/1979 Phone Number: 701-471-5758 Email: frjoshwaltz@gmail.com
Address: 108 3rd St. NE City: Mandan State: ND Zip: 58554
Have you ever been convicted of a crime? ☐ YES ☒ NO
If yes please list charge(s) and year of conviction(s):

(List all Jurisdictions where you have been charged with a crime, also list any other names you have used when charged)

Name of Event Manager: _____
Driver's License Number: _____ State _____
Date of Birth: _____ Phone Number: _____ Email: _____
Address: _____ City: _____ State: _____ Zip: _____
Have you ever been convicted of a crime? ☐ YES ☐ NO
If yes please list charge and year of conviction:

(List all Jurisdictions where you have been charged with a crime, also list any other names you have used when charged)

Permit Application #: _____ **Date Complete:** _____
(For office use only)

Business Address: 108 3rd St. NE City: Mandan State: ND Zip: 58554
Corporation/Organization: St. Joseph Catholic Church State of Incorporation: ND
Tax ID #: 88-1171461 501(c)3 #: _____ City Sales Tax ID #: _____
Have you ever coordinated/promoted another event/s? ☐ YES ☒ NO

If yes, please provide the following:

Last event/s Location: _____ Date: _____
Contact Name: _____ Phone: _____
E-mail Contact: _____

Section 2 – Event Information

Event Name: 100th Anniversary St. Joseph Anticipated Daily Attendance: 200-300
Event Date(s): June 23rd 2024 Set-up Date: June 22nd 2024 Hours: 6pm-9pm
Hours of event each day: 11:30am-3pm
(begin and end times)
Take Down Date(s): June 23rd 2024 Hours: 3pm-6pm
E-Mail address for public information: frjoshwaltz@gmail.com
WEB address for public information: https://stjosephmandan.com
Location of Event/physical address: 108 3rd St. NE Mandan ND 58554
Sponsors of the Event: St. Joseph Parish
Brief Description of Event:
beer and hamburgers and socializing.

Has this event been held in another location? ☐ YES ☒ NO

If yes, please provide the following:

Last event/s Location: _____
Date: _____ Contact Name and Phone: _____

Section 3 – Event Features

Will there be an admission charge? ☐ Yes ☒ No

If yes, Printed ticket count: _____ Tickets for presale count: _____

Will there be entertainment? ☐ Yes ☒ No

If yes, please attach an itemized complete list of all entertainment.

(A complete list of entertainment will be required before final approval. Once approved, no changes may be made unless authorized by the City Administrator.)

Will merchandise and/or food items be sold? ☐ Yes ☒ No

If yes, please attach a complete list of vendors.

(Each vender must have all valid permits and license to sell their product)

Permit Application #: _____ Date Complete: _____
(For office use only)

What type of advertising/promotion will be done prior to the event?

(Attach all promotional material.)

Radio: ☐ Yes ☒ No What Stations? _____

TV: ☐ Yes ☒ No What Stations? _____

Fliers/Posters: ☒ Yes ☐ No How many? 500 _____

Press Releases: ☐ Yes ☒ No How many? _____

Newspaper Ads: ☐ Yes ☒ No What publication? _____

Is any other promoter/producer assisting you with your event? ☐ Yes ☒ No

Name of Promoter and Promotion Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Will the event include any of the following? (Indicate on site plan and/or vendor list)

Tents or Canopies: ☒ Yes ☐ No

Number of Tents: 1 _____

(Tents require permits from the Fire Department and inspection fees will be applied.)

Fireworks or Pyrotechnics: ☐ Yes ☒ No

(Fireworks or Pyrotechnics require permits from the Fire Department and inspection fees will be applied.)

Fireworks or Pyrotechnics Production Company's name: _____

(A copy of the Production Company's License and Insurance is required with this application, only if fireworks or pyrotechnics are being requested for this event.) *A separate bond may be required for this event.

Require permits from the City of Mandan

Any person for on- or off-sale alcoholic beverage licensee desiring to conduct a public beer garden shall make application for a special permit to do so to the board, 30 days in advance of the proposed event.

Temporary Fencing: ☒ Yes ☐ No

Provide accurate dimensions of fenced area on site plan along with the site plan.

Company Contact Name: Fr. Josh Waltz _____

Contact phone: 701-471-5758 _____

Restroom Accommodations: Parish toilets will be available _____

Number of required portable toilets: 0 _____

Approved By: Fr. Josh Waltz _____ Date Approved: 5-9-24 _____ Initials: JKW _____

Placement of sanitary toilet facilities must be on site plan.

Permit Application #: _____ **Date Complete:** _____
(For office use only)

Attach a copy of the letter from the Western Plains Public Health that indicates the site plan has been reviewed and the required number of proper sanitation facilities is attendance.

Company Contact name: _____
Contact phone: _____

Electrical Services/Generators ☐ Yes ☒ No

Generators must be separated from tents by a minimum of 20' and shall be isolated from contact by fencing or other approved means.

Company Contact name: _____
Contact phone: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Carnival/Amusement Rides: ☐ Yes ☒ No

A separate permit from the Fire Department may be required.

Company Contact name: _____
Contact phone: _____

Bonded and Insured Amount: _____
Approved By: _____ **Date Approved:** _____ **Initials:** _____

Signs / Banners ☐ Yes ☒ No

Company Contact name: _____
Contact phone: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Inflatables ☐ Yes ☒ No

Company Contact name: _____
Contact phone: _____

Bonded and Insured Amount: _____
Approved By: _____ **Date Approved:** _____ **Initials:** _____

Raffles

Will this event have a raffle? ☐ Yes ☒ No

If yes you must apply for a City Permit \$25 Raffle Permit (Attach copy of State Gaming License if issued)

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 4 – Transportation

Does the event propose **using, closing** or **blocking** any of the following:

*If yes, specify location and duration on site map, **if on a DOT Highway or Roadway DOT authorization will be required.***

City Streets ☐ Yes ☒ No (Number of locations: _____ attach list of locations.)

City Sidewalks ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Bus Stops ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Public Parking Lots ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Public Bicycle Parking ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Multiuse Paths ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Alleys ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Right-of-Ways ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Approved By: _____ Date Approved: _____ Initials: _____
(Section 4 must be approved by Mandan City Engineer, and be approved by the City Commission before the event)

Section 5 – Use of City Utilities

Will any City electric hookups be used? ☐ Yes ☒ No

Electric Location including amperage _____

Approved By: _____ Date Approved: _____ Initials: _____

Will any City water hookups be used? ☐ Yes ☒ No

Water Location(s) _____

Approved By: _____ Date Approved: _____ Initials: _____

Will waste water/gray water be generated? ☐ Yes ☒ No

If so, how will it be disposed? _____

Approved By: _____ Date Approved: _____ Initials: _____

Section 6 – Alcohol

Will there be alcohol at the event? ☒ Yes ☐ No

Will alcohol be given away? ☒ Yes ☐ No

Will the alcohol be sold? ☐ Yes ☒ No

Will the alcohol be donated? ☐ Yes ☒ No

Who is the alcohol being donated by or purchased through: Captain Jacks Silver Dollar

Is alcohol included in the admission price of the event? ☐ Yes ☒ No

Approved By: Fr. Josh Waltz Date Approved: 5-9-24 Initials: JKW

If you answered *Yes to any of the above*, a City and State Liquor License will be required. Attach copy(s) of all liquor licenses with this application. (If a City Liquor License is needed please contact the City of Mandan's Finance Department to apply at Phone: (701) 667-3213)

Has the applicant/organization ever had a liquor license or event permit denied, revoked or suspended? ☐ Yes ☒ No

If yes, please explain:

How will attendees be identified as minors or age 21 and over?

N/A

Have the alcohol servers received training in sale/service of alcoholic beverages? ☒ Yes ☐ No

If yes, who provided the training: The bar they own

Date and time of most recent training: N/A

Request Mandan Police Server Training: ☐ Yes ☒ No

If yes provide a contact person and contact information::

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 7 – Event Security

Are you requesting off-duty Mandan Police officers? ☒ Yes ☒ No

Number of personnel requested: 2

After reviewing the event application, the Chief of Police may require the use of the City of Mandan Off-Duty Police Officers for the event.

To schedule Off-Duty Police Officers, please call 701-667-3250.

Officers must be requested 2 weeks prior to any event and there will be a minimum of 4 work hours per officers per event at \$45 per-hour per officer.

Are you requesting private security? ☒ Yes ☐ No

Number of security personnel onsite: 2

Include security points and duties on event plans

The City of Mandan requires only security companies that are licensed and bonded in the State of North Dakota.

Security Company and Contact Info: _____

Attach a copy of Company's License

Section 8 – Emergency Medical Services

Are you requesting off-duty Mandan EMT's? ☒ Yes ☐ No

Number of personnel requested: 2

After reviewing the event application the Fire Chief may require the use of the City of Mandan Off-Duty EMT's or paramedics for the event.

EMTs or paramedics must be requested 2 weeks prior to any even and there will be the minimum of 4 work hours per employee per event \$35

Section 9 – Event Maintenance and Cleanup Plan Required

What is your trash removal and cleanup plan?

throw garbage in the main parish dumpster

(Attach a detailed Cleanup Plan)

Outside refuse company Company's Name: _____

Contact Name: _____ Phone: _____

All costs for containers, dumping and the removing all trash are the responsibility of the applicant/promoter. The City of Mandan's property and or the event site must be returned to its original condition and all equipment removed or daily fees will be accessed.

Section 10 – ADA Accessibility Requirements

Parking plan requirements

Attach a copy of your parking plan and include in the plan the necessary handicap parking areas and any code required handicap accessibility requirements. Also include medical access points and safe medical response routes for the event.

Section 11– Insurance and Bond Requirements

The City of Mandan has established insurance requirements for those facility users, vendors and contractors entering into agreements with the City for the purpose of special events and activities. Before commencing use or services under an agreement with the City of Mandan, a certificate of insurance or a copy of the required bond that complies with the requirements referenced below must be attached.

All special event applicants shall name the City of Mandan as an “Additional Insured”, per item one below, on all policy(ies), except workers compensation and shall reflect this on a Certificate of Insurance. Applicant agrees that any insurance available to the applicant shall be primary and non-contributory to the city’s self-insured retention.

Applicant shall obtain certificates of insurance from all vendors participating in this event unless covered under applicant’s insurance policy. Vendors must comply with all requirements listed in this section. Complete and accurate certificates must be received by the Special Events Office a minimum of five (5) working days prior to the event. Separate certificates of insurance shall be provided by all carnival and amusement companies and firework production companies with the limits shown in this section and shall name the City of Mandan as “Additional Insured” as per item one below. Additional coverage may be required depending upon the nature and scope of the event. For more information or questions regarding insurance requirements, please contact our City Administrator’s Office at 701-667-3214. The City Administrator reserves the right to evaluate the liability of each event and assess the required insurance limits. Event permits will not be issued until all insurance requirements are satisfactorily met.

The certificate must show:

1. The City of Mandan, its agents, officers, employees and volunteers are named as “Additional Insured.” All Certificate of Insurance policies must reflect this with the exception of workers compensation.
2. The City of Mandan shall be notified at least 30 days prior to cancellation or alteration of any insurance coverage. A 10-day notice of cancellation for non-payment of premium is required..
3. Workers Compensation Policies shall contain a Waiver of Subrogation clause in favor of the City of Mandan.
4. General Liability Including: Bodily Injury Contractual Independent Contractors
Comprehensive Form Product/Completed Operations Hazard
Premises Operation Personal injury Broad Form Property Damage

Permit Application #: _____ Date Complete: _____
(For office use only)

In addition, specific date(s) and locations(s) of the event, to include set up and take down, must be stated clearly on the certificate. Certificates shall be received no less than thirty (30) working days prior to the event.

City Services

Police..... \$45 per hour, per officer, 4 hour minimum

Fire/EMS..... \$35 per hour, per staff 4 hour minimum

Barricades..... Amount charged by contracted barricade provider 0

Trash Container drop-off/pick-up..... \$ prices vary

Custodial..... \$0 per hour, per staff person

Miscellaneous fees 0

Tent/Canopy Permit..... \$ per tent or canopy (Check with the Fire Department to ascertain if a permit is necessary) N/A

Fireworks Permit..... \$ per location

The Park District may require separate fees or permit if on Park District property. It is required that the event host checks with the Park District when planning an event on Park District property to avoid delays with the permitting process.

Permit Application #: _____ Date Complete: _____
(For office use only)

Fee Cost Worksheet

Police Services:

No. of Officers ¹ _____ x No. of Hours ⁴ _____ = ⁴ _____ x \$45 = \$ ¹⁸⁰ _____

Fire/EMT Services

No. of EMT's ² _____ x No. of Hours ⁴ _____ = ⁴ _____ x \$35 = \$ ¹⁴⁰ _____

Finance application processing Fee \$ _____

Trash Container Fee \$ _____

Custodial Fee \$ _____

Tent/Canopy Inspection and Permit \$ _____

Fireworks/Pyrotechnics Permit and Inspection Fee \$ _____

\$25 Application Fee \$ _____

\$50 Late application Processing Fee (if Applicable) \$ _____

Event Application Fee (See Attached Fee Schedule) \$ _____

TOTAL: \$ ³⁴⁵ _____ ¹⁶⁵ _____

Fees assessed by the Park District are not included.

Date Fees Paid: 5-14-24 Initials: mf 25' permit fee paid

Permit Application #: _____ Date Complete: _____

(For office use only)

Signature Page from City Officials and Department Heads

Mitch L. Bitz	5/22/24	☐	Approved	☐	Denied	☒	Conditional—See Narrative
Fire Department	Date						
Patrick B Haug	05/21/2024	☒	Approved	☐	Denied	☐	Conditional—See Narrative
Police Department	Date						
Jarek Wigness	5/21/24	☒	Approved	☐	Denied	☐	Conditional—See Narrative
Engineering Department	Date						
Brian Dirk	5/21/24	☒	Approved	☐	Denied	☐	Conditional—See Narrative
Public Works	Date						

Fire Department Narrative:

Math does not compute for the EMT request, and not sure if they are required for this event. Also we will need to ensure the tent is properly fire rated once it is setup and the venue will need to schedule that inspection once they are ready.

Police Department Narrative:

None.

Engineering Narrative:

Public Works Narrative:

Special Event Guide

Sec. 12-9-1. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Public concert: means a musical performance by one or more groups held either indoors or outdoors where the audience is seated by reserve or general admission, free of charge or otherwise, with the audience being present primarily for the purpose of listening to music and the location of such musical performance having a seating capacity of at least 1,000 people, or, if the concert is outdoors, the site has a capacity of at least 300 persons.

Public dance: means any dance held either indoors or outdoors where the public may participate, whether an admission fee is charged or not, and is present primarily for the sole purpose of dancing, and where the location of the dance has a capacity of at least 100 persons.

Public event: means a music festival, public dance or public concert.

(Code 1979, § 10-04-07; Code 1994, § 12-03-09; Ord. No. 744, § 2, 1989)

ARTICLE 4. – AMUSEMENTS

Sec. 12-4-1. - Required to operate public amusements.

- a) It is unlawful to conduct or operate any amusement which is open to the public and for which an admittance fee is charged without having first secured a license from the city. The license fee for amusements shall be determined by resolution of the board.
- b) No license fee is required if a show, exhibition, entertainment, gallery, stand or other device is operated or given under the auspices of and for the benefit of a church or school, or charitable, fraternal or political organization. (Code 1979, § 10-04-01; Code 1994, § 13-04-01)

Sec. 12-4-2. - Public amusements for which license is required.

A person may not conduct, operate or maintain the following activities without first obtaining a license from the city:

- (1) Public dance, as that term is defined by N.D.C.C. § 53-02-01.
- (2) Any circus, carnival or similar event.
- (3) Any theatrical exhibition, motion picture show, vaudeville performance, opera or variety theater.
- (4) Any show, entertainment, gallery, stand or device of any description on the streets, alleys or public grounds within the city.
- (5) Any merry-go-round, rides or similar devices.

(Code 1979, §§ 10-04-02—10-04-05; Code 1994, § 13-04-02)

Sec. 12-4-3. - Liability insurance or bond required.

A person may not conduct, operate, manage or sponsor any Ferris wheel, merry-go-round or other amusement ride operated for hire, or for the purpose of promoting or advertising any trade or business, without first filing with the city license officer a bond indemnifying the public against damages sustained by reason of operation of the ride, or **certificate of liability insurance**, in the amount of **at least \$500,000.00**. Such bond or certificate of insurance is subject to the approval of the city attorney. This section applies to all persons, whether or not such persons are exempted from any other provision of this article. (Code 1994, § 13-04-03)

Sec. 12-4-4. - Licensee to maintain order.

Any licensee engaged in giving or conducting any public amusement for pay shall preserve good order in and about the place of exhibition or public amusement, and if necessary for that purpose, shall employ, at the licensee's own expense, a sufficient security force. (Code 1979, § 10-04-06; Code 1994, § 13-04-04)

Sec. 12-4-5. - Policing of dances, music festivals or public concerts.

A public dance or public dancing place or hall may not be conducted, maintained or operated, unless the same is policed as provided by N.D.C.C. § 53-02-08. A music festival or public concert, as defined in N.D.C.C. § 53-02-01, shall be policed as provided in N.D.C.C. § 53-02-08. The cost of the policing, as determined by the chief of police, must be paid by the applicant at the time of the license application or, at the discretion of the chief of police, a cash bond in a reasonable amount may be posted, which shall be refunded upon payment of costs of policing following the event. (Code 1994, § 13-04-05)

Sec. 12-4-6. - Use of streets.

It is unlawful for any person to play any game, sport or amusement upon any public right-of-way of the city, except as permitted by the board. (Code 1994, § 13-04-06)

Sec. 12-9-2. - Penalty.

Any person who gives, holds or conducts a public event in violation of this article or in violation of the conditions of the public event permit, who furnishes information required by this article which is false or misleading, or who violates any provision of this chapter shall be guilty of a Class B misdemeanor. (Code 1979, § 10-04-07; Code 1994, § 12-03-17; Ord. No. 744, § 2, 1989)

Sec. 12-9-3. - Required; nontransferable; fees.

No person shall give, hold or conduct a public event unless the owner of the place where the public event is given, or the person giving the same or in charge thereof, first shall have procured a permit to give, hold and conduct such public event. A permit may be issued for one or more public dances or public concerts. If a permit is issued to any person to conduct a public event, the event may be conducted in such place only by the person to whom the permit is issued. Such permit shall not be transferable. A permit fee shall be assessed for each event held within a 24-hour period or an annual permit fee may be assessed if the site location is intended to be a permanent site, and the amount of the fees shall be set from time to time by resolution of the board. A permit, other than an annual permit, shall not be valid for a period of greater than three consecutive days. (Code 1979, § 10-04-07; Code 1994, § 12-03-10; Ord. No. 744, § 2, 1989)

Sec. 12-9-4. - Application; special permits.

Any person desiring to conduct a public event at a public building or site or any outdoor location shall make application for a permit to do so to the board, 30 days in advance of the proposed event. In the event the applicant proposes to sell or dispense or permit the consumption of alcoholic beverages at such public event, an application for a special permit under the provisions of sections [4-2-16](#) and [4-2-20](#) shall accompany the application for the public event. Four copies of the application shall be filed with the city license officer and shall set forth the following information:

Sec. 4-2-20. - Sunday alcoholic beverage permit.

Permit required. No person may dispense, sell or permit the consumption of alcoholic beverages within a licensed premises or publicly owned or operated facility on any Sunday unless said person has been granted a permit under the provisions of this section. The authority to issue a Sunday alcoholic beverage permit rests solely with the board.

- 1) Identification of applicant. The application shall include the name, address and driver's license number of the applicant and the name, address and driver's license number of the person who will manage or conduct the public event. The application shall also state whether the applicant or the person who will manage or conduct the event has been convicted of any crime relating to the sale of alcoholic beverages or controlled substances or within the past five years has been convicted of any crime against persons, including assault, disorderly conduct, sexual assault, rape or murder, and whether the applicant or the person who will manage or conduct the event has ever had a license of any kind revoked or cancelled by any municipal, state or federal authority.
- 2) Date, time and place. The place, date and hours of the proposed event shall be clearly identified.
- 3) Site plan. The person conducting the event shall include in the application a site plan which details the exact placement of the stage, lighting and other electrical equipment, public seating, toilet facilities, fencing or other barricades, parking, marked fire lanes, and the proximity of public roadways. The site plan submitted by the applicant shall be reviewed by the city engineer, who shall submit Estimate of attendance. his recommendations to the board.
- 4) The applicant shall provide an estimate of the number of persons that the person conducting the event has determined can be safely accommodated within the chosen site and an estimate of the number of persons expected to attend.
- 5) Ticket sales. The application shall contain information relating to ticket sales, which addresses the control of attendance to meet the site plan limitations, if any. If the person conducting the event intends to open the event to the general public without prior ticket sales, the application shall address the manner in which the person intends to limit the size of the crowd to meet the site plan limitations.
- 6) Traffic control. The application shall specify the proximity of public roadways to the site of the event and to the proposed parking area and shall contain a description of the manner in which traffic control will be handled to ensure the safe ingress and egress of pedestrians and vehicles. Appropriate arrangements shall be made by the person conducting the event to ensure that no interference will occur with the public use of any adjacent public roadways. The traffic control proposal shall be subject to the approval of the city engineer.
- 7) Parking. The application and site plan shall specify the planned accommodations for public parking. The person conducting the event shall provide adequate parking for persons in attendance commensurate with the estimated number of persons that the selected site can accommodate. Under no circumstances will parking be permitted upon public roadways if said parking would be in violation of posted parking restrictions.
- 8) Sanitation. The application shall include the number and placement of sanitary toilet facilities which will be provided by the person conducting the event. The application shall be accompanied by a letter from the city health officer that indicates that he has reviewed the site plan and estimate of the number of persons in attendance and has determined that the number and kind of proposed toilet facilities is adequate to meet the needs of persons in attendance at the event.
- 9) Garbage. The application shall include a description of the size and number of available garbage disposal units on the site of the event in addition to the arrangements made to clean up the site after the event has ended.
- 10) Fencing and barricades. The application shall contain a description of the fencing and barricade system which is intended to control access to the event site, if such event is to be outdoors, and the location of the fencing and barricade system shall be noted on the site plan. If alcoholic beverages are to be dispensed or consumed at the public event, which event is outdoor, the perimeter of the site must be surrounded by a six-foot cyclone-style fence or enclosed within a tent which has four sides. For all events, whether outdoors or indoors, adequate provisions for entrances and exits and access by fire, police and other emergency personnel or vehicles shall also be noted in the application and on the site plan.
- 11) Signing. The application shall contain a description of the signing which is proposed to control pedestrian and vehicular traffic, parking, and provide appropriate notices to the persons in

attendance at the event. The size, wording and placement of the signs shall be included in the description and shall be subject to the approval of the city engineer.

- 12) Sale or consumption of alcoholic beverages. If the applicant intends to sell or allow the consumption of alcoholic beverages at the public event the identity of the alcoholic beverage licensee who will be dispensing said beverages shall be provided. The board may, by resolution or by condition attached to the permit, restrict the sale, dispensing and consumption of alcoholic beverages to beer or beer and wine only at the event or series of events. Therefore, the person holding the event shall include within the application a description of the efforts that will be taken to prevent the consumption of other alcoholic beverages at the event, including those alcoholic beverages attempted to be brought in by members of the public. At all such events the dispensing of alcoholic beverages in glass bottles, glass drinking cups or any other glass containers shall be prohibited.
- 13) Security. N.D.C.C. § 53-02-08 requires the city police department to police the event at the expense of the person conducting the event, which payment must be received by the city license officer 72 hours in advance of the event. The application shall contain, in addition to the estimated number of persons in attendance, an estimate of the number of police officers which will be needed to adequately police the event. The chief of police will be responsible for making the final determination of the number of officers that will be required.
- 14) Bond required. The person conducting the event shall file with the city license officer a cash bond in an amount to be set by resolution of the board. The bond shall be returned to the person after the event if the site has been adequately cleaned and if no additional costs or property damage has resulted from or as a result of the event.
- 15) Cost to the city. If the proposed event necessitates any expenditures on the part of the city, excluding the cost of providing police security, such costs shall be paid to the city by the person conducting the event. The posted cash bond shall be used by the city to cover the costs associated with the event and the balance, if any, will be returned to the person conducting the event. If the cash bond does not cover the costs resulting from the public event, the person conducting the event shall be assessed the additional costs. Costs within this section include, but are not limited to, the following:
 - a. Costs of cleanup or garbage removal;
 - b. Costs of traffic signing, fencing or barricades;
 - c. Any property damage to public property which occurred during or as a result of the event; and
 - d. Any additional costs associated with crowd control, including injury to city employees or other persons, which occurred during or as a result of the event.
- 16) Temporary vacation of streets. If the site plan proposed by the applicant requires the use of any public street, alley or right-of-way, the application and the site plan shall clearly designate the portion of the public street, alley or right-of-way to be temporarily vacated. In no event shall more of a public street adjoining one-half of a public block be vacated and, in each instance, adequate access for emergency vehicles shall be provided. The temporary vacation of any public street or right-of-way shall be subject to the approval of the city engineer. The board shall determine whether any public street, alley or right-of-way may be temporarily vacated for a public event on a case-by-case basis.
(Code 1979, § 10-04-07; Code 1994, § 12-03-11; Ord. No. 744, § 2, 1989)

Sec. 12-9-5. - Inquiry and investigation.

The board shall make such inquiry and investigation as to the propriety of granting or refusing such permit as shall be deemed necessary.

(Code 1979, § 10-04-07; Code 1994, § 12-03-12; Ord. No. 744, § 2, 1989)

Sec. 12-9-6. - Refusal and revocation of public event permit for cause.

- (a) The board may revoke the public event permit at any time for violation of any of the provisions of this chapter. The board shall refuse to issue such permit, and shall revoke a permit already issued, where it appears that:
- 1) The permitted site is or is likely to become a public nuisance or detrimental to public health, safety or order;
 - 2) The provisions of this chapter are being violated;
 - 3) An alcoholic beverage or controlled substance is being sold, or given away, except as authorized by terms of the permit;
 - 4) Any of the city ordinances or state laws are being violated;
 - 5) The chief of police determines that adequate security cannot be provided to the public event either by city police officers, special police or a combination thereof; or
 - 6) The board has determined that the number of like events needs to be limited in order to ensure the health, safety and security of the public.
 - 7) The chief of police shall report any violations of the permit or violations of city ordinances or state laws immediately to the board. Notwithstanding any of the provisions of this chapter, if the chief of police determines that the conduct of any public event has become a public nuisance or injurious to the public peace, health or safety, the chief of police shall immediately cause said event to be closed to the public and thereafter notify the board of the action and reasons therefor.
- (Code 1979, § 10-04-07; Code 1994, § 12-03-14; Ord. No. 744, § 2, 1989)

Sec. 12-9-7. - Restrictions and conditions attached to public event permit.

If the board determines that the public event will not unduly interfere with the peace, health or safety of the public or the neighborhood in which the event will occur and that the applicant is in compliance with the requirements for sanitation and garbage disposal; parking, fencing, traffic and crowd control; security; and regulation of alcoholic beverage consumption, the board may approve the issuance of the permit to be effective for the dates designated and subject to any necessary restrictions and conditions, including the following restrictions and conditions:

- 1) Alcoholic beverages may be distributed and consumed, and dancing may be permitted only in those areas specifically designated in the site plan and approved by the board;
 - 2) Dancing and the distribution of alcoholic beverages shall be permitted only during the hours designated by the board, which in no event shall be before the hour of 12:00 noon on the date specified in the permit and after 1:00 a.m. of the following day;
 - 3) No person having a permit to hold a public event at which alcoholic beverages are to be sold, distributed or consumed shall permit in any such event any person who is obviously intoxicated or who is under 21 years of age, except persons under 21 years of age may be permitted at a public event if the sale and consumption of alcoholic beverages is segregated and constricted to an area barricaded from the public event by a six-foot cyclone-style fence or structure to which access by such persons is prohibited;
 - 4) The licensee as a condition to the issuance of such permit consents and agrees that any city police officer or special police officer may enter upon and inspect the licensed premises or site or any part at any time for the purpose of determining compliance with the conditions of the permit and city ordinances; and
 - 5) The licensee shall comply with all other applicable ordinances and laws relating to health and sanitation and the use and sale of alcoholic beverages in the city.
- (Code 1979, § 10-04-07; Code 1994, § 12-03-14; Ord. No. 744, § 2, 1989)

Sec. 12-9-8. - Limits on number of public event permits.

The board may, by resolution, set a maximum limit on the number of public event permits which will be granted during any period of time. Notwithstanding any restrictions on the number of events, the board may deny any application for a permit if it determines that adequate provision for traffic control, health, safety or security cannot be provided for the event.

(Code 1979, § 10-04-07; Code 1994, § 12-03-15; Ord. No. 744, § 2, 1989)

Sec. 12-9-9. - Indemnification of city.

A person may not give, hold or conduct a public event, nor may the board approve a permit for such public event, without the person having first filed with the city license officer a bond or certificate of insurance in the amount as specified by resolution of the board, indemnifying the city and the public against personal injury or property damages occurring at or as a result of the public event. The person giving, holding or conducting the public event agrees to save and hold harmless the city for any personal injury or property damage resulting from actions of any city employees, police officers or special officers in the course of their employment, which actions are directly related to the conduct of the public event.

(Code 1979, § 10-04-07; Code 1994, § 12-03-16; Ord. No. 744, § 2, 1989)

Sec. 24-9-3. - Parade permit required.

No person shall engage in, participate in, aid, form or start any parade without a parade permit issued by the city.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-4. - Application for parade permit.

- a. A person desiring a parade permit shall file an application with the city on forms provided by the city. Such application shall be filed not less than seven days nor more than 60 days before the date on which it is proposed to conduct the parade.
- b. The application for a parade permit shall contain all information deemed necessary by the city in order to fully evaluate the request
- c. The city, where good cause is shown therefor, may consider any application which is filed less than seven days before the date such parade is proposed to be conducted.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-5. - Standards for issuance of parade permit.

The city shall issue a parade permit when, from a consideration of the application and from such other information as may otherwise be obtained, it finds that:

- 1) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
- 2) The conduct of the parade will not require the diversion of so great a number of police officers to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city.

- 3) The conduct of such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed line of march and areas contiguous thereto.
- 4) The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas.
- 5) The conduct of such parade will not interfere with the movement of firefighting equipment en route to a fire.
- 6) The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance.
- 7) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.
- 8) The parade is not to be held for the sole purpose of advertising any product, cause, goods or events and is not designed to be held purely for private profit.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-6. - Notice of denial of parade permit.

If the city disapproves the application for a parade permit, the city shall mail to the applicant, within three days after the date upon which the application was filed, a notice of such action.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-7. - Alternative parade permit.

The city, in denying an application for a parade permit, may authorize the conduct of the parade on a date, at a time or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five days after notice of such action, file a written notice of acceptance with the city. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this article.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-8. - Contents of parade permit.

Each parade permit shall state the following information:

- 1) Starting time.
- 2) Minimum speed.
- 3) Maximum speed.
- 4) Maximum interval of space to be maintained between the units of the parade.
- 5) The portions of the streets to be traversed that may be occupied by the parade.
- 6) The maximum length of the parade in miles or fractions thereof.
- 7) Such other information as the governing body shall find necessary to the enforcement of this article.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Permit Application #: _____ **Date Complete:** _____
(For office use only)

Sec. 24-9-9. - Carrying parade permit.

The parade chairperson or other person heading or leading such activity shall carry the parade permit upon their person during the conduct of the parade.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-10. - Revocation of parade permit.

The city may, after a hearing affording due process, revoke a parade permit issued under this article upon application of the standards for issuance as set forth in this article.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Certificate of Coverage

Date: 5/10/2023

Certificate Holder
 Diocese of Bismarck
 Pastoral Ministry Center
 PO Box 1137
 Bismarck ND 58502

This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below.

Company Affording Coverage
 THE CATHOLIC MUTUAL RELIEF
 SOCIETY OF AMERICA
 10843 OLD MILL RD
 OMAHA, NE 68154

Covered Location
 ST JOSEPH'S CHURCH
 108 3RD STREET NE

 MANDAN, ND 58554-0000

Coverages

This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.

Type of Coverage	Certificate Number	Coverage Effective Date	Coverage Expiration Date	Limits	
Property				Real & Personal Property	
D. General Liability ☒ Occurrence ☐ Claims Made	8508	7/1/2023	7/1/2024	Each Occurrence	500,000
				General Aggregate	
				Products-Comp/OP Agg	
				Personal & Adv Injury	
				Fire Damage (Any one fire)	
				Med Exp (Any one person)	
Excess Liability				Each Occurrence	
				Annual Aggregate	
Other				Each Occurrence	
				Claims Made	
				Annual Aggregate	
				Limit/Coverage	

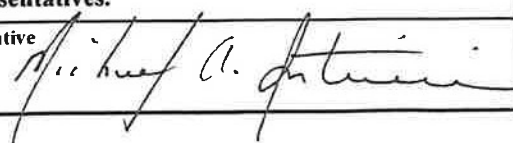
Description of Operations/Locations/Vehicles/Special Items (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language)
 Coverage is verified for the St. Joseph Little Workers, 108 3rd Street NE, Mandan, ND 58554 for the term of the certificate.

Holder of Certificate

Cancellation

Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative



0083000443



Signature: Patrick B Haug
Patrick B Haug (May 21, 2024 14:13 CDT)
Email: phaug@mandanpd.com

Signature: Jarek Wigness
Email: jarek.wigness@cityofmandan.com

Signature: Mitch L. Bitz
Mitch L. Bitz (May 22, 2024 08:12 CDT)
Email: mbitz@cityofmandan.com

Signature: Brian Dirk
Brian Dirk (May 21, 2024 14:04 CDT)
Email: brian.dirk@cityofmandan.com

100th Anniversary St. Joseph

Final Audit Report

2024-05-22

Created:	2024-05-21
By:	Tasha Scott (tasha.scott@mandanpd.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAYS-jXomliCfbEVK-JBzK_McDSQjWhhWL

"100th Anniversary St. Joseph" History

-  Document created by Tasha Scott (tasha.scott@mandanpd.com)
2024-05-21 - 6:39:12 PM GMT
-  Document emailed to Pat Haug (phaug@mandanpd.com) for signature
2024-05-21 - 6:39:19 PM GMT
-  Document emailed to Mitch Bitz (mbitz@cityofmandan.com) for signature
2024-05-21 - 6:39:19 PM GMT
-  Document emailed to Jarek Wigness (jarek.wigness@cityofmandan.com) for signature
2024-05-21 - 6:39:19 PM GMT
-  Document emailed to Brian Dirk (brian.dirk@cityofmandan.com) for signature
2024-05-21 - 6:39:19 PM GMT
-  Email viewed by Brian Dirk (brian.dirk@cityofmandan.com)
2024-05-21 - 6:59:11 PM GMT
-  Document e-signed by Brian Dirk (brian.dirk@cityofmandan.com)
Signature Date: 2024-05-21 - 7:04:59 PM GMT - Time Source: server
-  Email viewed by Jarek Wigness (jarek.wigness@cityofmandan.com)
2024-05-21 - 7:11:33 PM GMT
-  Email viewed by Pat Haug (phaug@mandanpd.com)
2024-05-21 - 7:11:43 PM GMT
-  Signer Pat Haug (phaug@mandanpd.com) entered name at signing as Patrick B Haug
2024-05-21 - 7:13:13 PM GMT
-  Document e-signed by Patrick B Haug (phaug@mandanpd.com)
Signature Date: 2024-05-21 - 7:13:15 PM GMT - Time Source: server



Document e-signed by Jarek Wigness (jarek.wigness@cityofmandan.com)

Signature Date: 2024-05-21 - 7:15:01 PM GMT - Time Source: server



Email viewed by Mitch Bitz (mbitz@cityofmandan.com)

2024-05-22 - 1:04:55 PM GMT



Signer Mitch Bitz (mbitz@cityofmandan.com) entered name at signing as Mitch L. Bitz

2024-05-22 - 1:12:09 PM GMT



Document e-signed by Mitch L. Bitz (mbitz@cityofmandan.com)

Signature Date: 2024-05-22 - 1:12:11 PM GMT - Time Source: server



Agreement completed.

2024-05-22 - 1:12:11 PM GMT





City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 24, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the special event permit for Lyons Heart Gravel Classic.

STATEMENT/PURPOSE:

Consider approval of the special event permit for Lyons Heart Gravel Classic

BACKGROUND/ALTERNATIVES:

Lyons Heart Gravel Classic is a 35, 65 and 100 mile bike race starting and ending at Dykshoorn park on July 12th and 13th, 2024. See attached special event permit.

ATTACHMENTS:

1. 2024 Lyons Heart Gravel Classic Event Permit Packet

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the special event permit for Lyons Heart Gravel Classic.

SUGGESTED MOTION:

I move to approve the special event permit for Lyons Heart Gravel Classic.

Permit Application #: _____ Date Complete: _____
(For office use only)

Special Events Permit Application

City of Mandan, ND

Mandan Police Department (Special Events) • 205 1st Ave. NW • Mandan, ND 58554
• Phone 701-667-3250 • FAX 701-667-3463

Date of Application: 4/11/2023

30 days prior to the event with a **non-refundable administration application fee of \$25 attached**. Late applications are permitted and subject to an **additional \$50 processing fee** for those submitted within 20 days of an event. **Any application not submitted prior to 20 days before the event will not be accepted for consideration.**

The payment of fees does not guarantee event approval if submitted late. Permits are \$30 per day/Sunday Permit will be \$45, to a maximum of \$150.00 per event not to exceed 14 days (Includes Sundays).

All applicants will be charged fees as appropriate and are expected to fully reimburse the city for all services related to event production which may include, but are not limited to, Police Services, Fire/EMS, Park and Facility Maintenance, Field Services, Sanitation, Street Engineering and Site Supervisors. (See Below Fee and Charges)

A storage fee of **\$500** will be assessed for all equipment not removed from any public venue or premises within 24 hours of the end of the event. Any vendor may request an extension for equipment removal and may be granted by the City Administrator. Full payment is due upon receipt of final invoice. Any property that is abandoned over 15 days will become property of the City of Mandan and may be sold to recoup any expenses accrued by the city.

Comprehensive site plans must accompany this application.

Street Dance: ☐ Beer Garden: ☐ Both: ☐ Parade or Other Public Event: ☐

Section 1 – Applicant Information

Name of Event Manager: David Kramer

Driver's License Number: KRA-90-6449 State ND

Date of Birth: 03/20/1990 Phone Number: 701-221-9833 Email: dj@701cycleandsport.com

Address: 411 Fraine Barracks Rd City: Bismarck State: ND Zip: 58504

Have you ever been convicted of a crime? ☐ YES ☒ NO

If yes please list charge(s) and year of conviction(s):

(List all Jurisdictions where you have been charged with a crime, also list any other names you have used when charged)

Name of Event Manager: Matt Schanandore

Driver's License Number: SCH-83-6204 State

Date of Birth: 7/10/1983 Phone Number: 7019344540 Email: Matt@Mandanprogress

Address: 2209 Westview Place City: Mandan State: ND Zip: 58554

Have you ever been convicted of a crime? ☐ YES ☒ NO

If yes please list charge and year of conviction:

(List all Jurisdictions where you have been charged with a crime, also list any other names you have used when charged)

Permit Application #: _____ **Date Complete:** _____
(For office use only)

Business Address: 411 West Main St City: Mandan State: ND Zip: 58554
Corporation/Organization: Mandan Progress Organization State of Incorporation: ND
Tax ID #: 40-0439012 501(c)3 #: _____ City Sales Tax ID #: _____
Have you ever coordinated/promoted another event/s? ☒ YES ☐ NO

If yes, please provide the following:

Last event/s Location: 2023 Summer events in Mandan Date: _____
Contact Name: Matt Schanandore Phone: 7019344540
E-mail Contact: matt@mandanprogress.org

Section 2 – Event Information

Event Name: Lyons Heart Gravel Classic Anticipated Daily Attendance: 800
Event Date(s): July 12th and 13th Set-up Date: July 11th Hours: 9 am to 5 pm
Hours of event each day: SEE ATTACHED DAILY SCHEDULE
(begin and end times)
Take Down Date(s): July 14th Hours: 9 am to 5 pm
E-Mail address for public information: info@mandanprogress.org
WEB address for public information: www.visitmandan.com
Location of Event/physical address: Dykshoorn Park Mandan
Sponsors of the Event: See Attached Sponsor List
Brief Description of Event:
Lyon Heart - is 35, 65 and 100 mile bike race starting at Dykshoorn Park in Mandan and taking place on Gravel Roads in Southern Morton County
races will finish at Dykshoorn Park

Has this event been held in another location? ☐ YES ☒ NO

If yes, please provide the following:

Last event/s Location: _____
Date: _____ Contact Name and Phone: _____

Section 3 – Event Features

Will there be an admission charge? ☐ Yes ☒ No
If yes, Printed ticket count: _____ Tickets for presale count: _____

Will there be entertainment? ☒ Yes ☐ No

If yes, please attach an itemized complete list of all entertainment.

(A complete list of entertainment will be required before final approval. Once approved, no changes may be made unless authorized by the City Administrator.)

Will merchandise and/or food items be sold? ☒ Yes ☐ No

If yes, please attach a complete list of vendors.

(Each vender must have all valid permits and license to sell their product)

Permit Application #: _____ **Date Complete:** _____

(For office use only)

What type of advertising/promotion will be done prior to the event?

(Attach all promotional material.)

Radio: ☐ Yes ☒ No What Stations? _____

TV: ☐ Yes ☒ No What Stations? _____

Fliers/Posters: ☒ Yes ☐ No How many? 50

Press Releases: ☒ Yes ☐ No How many? 2

Newspaper Ads: ☐ Yes ☒ No What publication? _____

Is any other promoter/producer assisting you with your event? ☐ Yes ☒ No

Name of Promoter and Promotion Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Will the event include any of the following? (Indicate on site plan and/or vendor list)

Tents or Canopies: ☒ Yes ☐ No

Number of Tents: 6 to 12 vendors

(Tents require permits from the Fire Department and inspection fees will be applied.)

Fireworks or Pyrotechnics: ☐ Yes ☒ No

(Fireworks or Pyrotechnics require permits from the Fire Department and inspection fees will be applied.)

Fireworks or Pyrotechnics Production Company's name: _____

(A copy of the Production Company's License and Insurance is required with this application, only if fireworks or pyrotechnics are being requested for this event.) *A separate bond may be required for this event.

Require permits from the City of Mandan

Any person for on- or off-sale alcoholic beverage licensee desiring to conduct a public beer garden shall make application for a special permit to do so to the board, 30 days in advance of the proposed event.

Temporary Fencing: ☐ Yes ☒ No

Provide accurate dimensions of fenced area on site plan along with the site plan.

Company Contact Name: _____

Contact phone: _____

Restroom Accommodations: _____

Number of required portable toilets: _____

Approved By: _____ Date Approved: _____ Initials: _____

Placement of sanitary toilet facilities must be on site plan.

Permit Application #: _____ **Date Complete:** _____

(For office use only)

Attach a copy of the letter from the Custer Health that indicates the site plan has been reviewed and the required number of proper sanitation facilities is attendance.

Company Contact name: _____

Contact phone: _____

Electrical Services/Generators ☐ Yes ☒ No

Generators must be separated from tents by a minimum of 20' and shall be isolated from contact by fencing or other approved means.

Company Contact name: _____

Contact phone: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Carnival/Amusement Rides: ☐ Yes ☒ No

A separate permit from the Fire Department may be required.

Company Contact name: _____

Contact phone: _____

Bonded and Insured Amount: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Signs / Banners ☐ Yes ☒ No

Company Contact name: _____

Contact phone: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Inflatables ☐ Yes ☒ No

Company Contact name: _____

Contact phone: _____

Bonded and Insured Amount: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Raffles

Will this event have a raffle? ☐ Yes ☒ No

If yes you must apply for a City Permit \$25 Raffle Permit (Attach copy of State Gaming License if issued)

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 4 – Transportation

Does the event propose **using, closing or blocking** any of the following:

*If yes, specify location and duration on site map, **if on a DOT Highway or Roadway DOT authorization will be required.***

City Streets ☒ Yes ☐ No (Number of locations: 3rd Ave to 6th ave attach list of locations.)

City Sidewalks ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Bus Stops ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Public Parking Lots ☒ Yes ☐ No (Number of locations Dykshoorn attached list of locations)

Public Bicycle Parking ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Multiuse Paths ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Alleys ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Right-of-Ways ☒ Yes ☐ No (Number of locations Main attached list of locations)

Approved By: _____ **Date Approved:** _____ **Initials:** _____

(Section 4 must be approved by Mandan City Engineer, and be approved by the City Commission before the event)

Section 5 – Use of City Utilities

Will any City electric hookups be used? ☒ Yes ☐ No

Electric Location including amperage Food Vendors Dykshoorn Park

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Will any City water hookups be used? ☒ Yes ☐ No

Water Location(s) Dykshoorn Park

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Will waste water/gray water be generated? ☒ Yes ☐ No

If so, how will it be disposed? Deuces Wild

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 6 – Alcohol

Will there be alcohol at the event? ☒ Yes ☐ No

Will alcohol be given away? ☐ Yes ☒ No

Will the alcohol be sold? ☒ Yes ☐ No

Will the alcohol be donated? ☐ Yes ☒ No

Who is the alcohol being donated by or purchased through: Laughing Sun

Is alcohol included in the admission price of the event? ☐ Yes ☒ No

Approved By: _____ Date Approved: _____ Initials: _____

If you answered *Yes to any of the above*, a City and State Liquor License will be required. Attach copy(s) of all liquor licenses with this application. (If a City Liquor License is needed please contact the City of Mandan's Finance Department to apply at Phone: (701) 667-3213)

Has the applicant/organization ever had a liquor license or event permit denied, revoked or suspended? ☐ Yes ☒ No

If yes, please explain:

How will attendees be identified as minors or age 21 and over?

Wristbands

Have the alcohol servers received training in sale/service of alcoholic beverages? ☒ Yes ☐ No

If yes, who provided the training: Laughing Sun

Date and time of most recent training: _____

Request Mandan Police Server Training: ☐ Yes ☐ No

If yes provide a contact person and contact information::

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 7 – Event Security

Are you requesting off-duty Mandan Police officers? ☐ Yes ☒ No

Number of personnel requested: _____

After reviewing the event application, the Chief of Police may require the use of the City of Mandan Off-Duty Police Officers for the event.

To schedule Off –Duty Police Officers, please call 701-667-3250.

Officers must be requested 2 weeks prior to any event and there will be a minimum of 4 work hours per officers per event at \$45 per-hour per officer.

Are you requesting private security? ☒ Yes ☐ No

Number of security personnel onsite: 2

Include security points and duties on event plans

The City of Mandan requires only security companies that are licensed and bonded in the State of North Dakota.

Security Company and Contact Info: Spartan Security

Attach a copy of Company's License

Section 8 – Emergency Medical Services

Are you requesting off-duty Mandan EMT's? ☐ Yes ☒ No

Number of personnel requested: _____

After reviewing the event application the Fire Chief may require the use of the City of Mandan Off-Duty EMT's or paramedics for the event.

EMTs or paramedics must be requested 2 weeks prior to any even and there will be the minimum of 4 work hours per employee per event \$35

Section 9 – Event Maintenance and Cleanup Plan Required

What is your trash removal and cleanup plan?

Volunteer Cleanup through 701 Cycle and MPO

(Attach a detailed Cleanup Plan)

Outside refuse company Company's Name: ECO-Sanitation

Contact Name: _____ Phone: _____

All costs for containers, dumping and the removing all trash are the responsibility of the applicant/promoter. The City of Mandan's property and or the event site must be returned to its original condition and all equipment removed or daily fees will be accessed.

Section 10 – ADA Accessibility Requirements

Parking plan requirements

Attach a copy of your parking plan and include in the plan the necessary handicap parking areas and any code required handicap accessibility requirements. Also include medical access points and safe medical response routes for the event.

Section 11– Insurance and Bond Requirements

The City of Mandan has established insurance requirements for those facility users, vendors and contractors entering into agreements with the City for the purpose of special events and activities. Before commencing use or services under an agreement with the City of Mandan, a certificate of insurance or a copy of the required bond that complies with the requirements referenced below must be attached.

All special event applicants shall name the City of Mandan as an “Additional Insured”, per item one below, on all policy(ies), except workers compensation and shall reflect this on a Certificate of Insurance. Applicant agrees that any insurance available to the applicant shall be primary and non-contributory to the city’s self-insured retention.

Applicant shall obtain certificates of insurance from all vendors participating in this event unless covered under applicant’s insurance policy. Vendors must comply with all requirements listed in this section. Complete and accurate certificates must be received by the Special Events Office a minimum of five (5) working days prior to the event. Separate certificates of insurance shall be provided by all carnival and amusement companies and firework production companies with the limits shown in this section and shall name the City of Mandan as “Additional Insured” as per item one below. Additional coverage may be required depending upon the nature and scope of the event. For more information or questions regarding insurance requirements, please contact our City Administrator’s Office at 701-667-3214. The City Administrator reserves the right to evaluate the liability of each event and assess the required insurance limits. Event permits will not be issued until all insurance requirements are satisfactorily met.

The certificate must show:

1. The City of Mandan, its agents, officers, employees and volunteers are named as “Additional Insured.” All Certificate of Insurance policies must reflect this with the exception of workers compensation.
2. The City of Mandan shall be notified at least 30 days prior to cancellation or alteration of any insurance coverage. A 10-day notice of cancellation for non-payment of premium is required..
3. Workers Compensation Policies shall contain a Waiver of Subrogation clause in favor of the City of Mandan.
4. General Liability Including: Bodily Injury Contractual Independent Contractors
Comprehensive Form Product/Completed Operations Hazard
Premises Operation Personal injury Broad Form Property Damage

Permit Application #: _____ **Date Complete:** _____
(For office use only)

In addition, specific date(s) and locations(s) of the event, to include set up and take down, must be stated clearly on the certificate. Certificates shall be received no less than thirty (30) working days prior to the event.

City Services

Police..... \$45 per hour, per officer, 4 hour minimum
Fire/EMS..... \$35 per hour, per staff 4 hour minimum
Barricades.....Amount charged by contracted barricade provider
Trash Container drop-off/pick-up..... \$____ prices vary
Custodial..... \$____ per hour, per staff person

Miscellaneous fees

Tent/Canopy Permit.....\$____ per tent or canopy (Check with the Fire Department to ascertain if a permit is necessary)
Fireworks Permit..... \$____ per location
The Park District may require separate fees or permit if on Park District property. It is required that the event host checks with the Park District when planning an event on Park District property to avoid delays with the permitting process.

Permit Application #: _____ Date Complete: _____

(For office use only)

Fee Cost Worksheet

Police Services:

No. of Officers _____ x No. of Hours _____ = _____ x \$45 = \$ _____

Fire/EMT Services

No. of EMT's _____ x No. of Hours _____ = _____ x \$35 = \$ _____

Finance application processing Fee \$ _____

Trash Container Fee..... \$ _____

Custodial Fee..... \$ _____

Tent/Canopy Inspection and Permit..... \$ _____

Fireworks/Pyrotechnics Permit and Inspection Fee..... \$ _____

\$25 Application Fee..... \$ **25.00**

\$50 Late application Processing Fee (if Applicable)..... \$ _____

Event Application Fee (See Attached Fee Schedule)..... \$ _____

TOTAL: \$ **25.00**

Fees assessed by the Park District are not included.

Date Fees Paid: _____ **Initials:** _____

Permit Application #: _____ Date Complete: _____

(For office use only)

Signature Page from City Officials and Department Heads



Engineering Department

Date

☐

Approved

☐

Denied

☒

Conditional—See Narrative

Brian Dirk

Brian Dirk (May 24, 2024 09:48 CDT)

Public Works

Date

☒

Approved

☐

Denied

☐

Conditional—See Narrative

Patrick Haug

Patrick Haug (May 24, 2024 08:53 CDT)

Police Department

Date

☒

Approved

☐

Denied

☐

Conditional—See Narrative

Mitch L. Bitz

Mitch L. Bitz (May 24, 2024 11:35 CDT)

Fire Department

Date

☒

Approved

☐

Denied

☐

Conditional—See Narrative

Engineering Narrative:

Install: Road closed ahead on I94BL, west of 10th.

Install: Local Traffic Only and Detour Left signs on Type 3 Barricades at east leg of 10th Ave NW/Main Street intersection.

Install: No Thru Traffic/No Outlet/Dead End on Type 3 Barricades on south leg of 6th Ave NW/1st Street intersection

Revise: Existing detour sign corner locations.

Public Works Narrative:

Police Department Narrative:

Fire Department Narrative:

Special Event Guide

Sec. 12-9-1. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Public concert: means a musical performance by one or more groups held either indoors or outdoors where the audience is seated by reserve or general admission, free of charge or otherwise, with the audience being present primarily for the purpose of listening to music and the location of such musical performance having a seating capacity of at least 1,000 people, or, if the concert is outdoors, the site has a capacity of at least 300 persons.

Public dance: means any dance held either indoors or outdoors where the public may participate, whether an admission fee is charged or not, and is present primarily for the sole purpose of dancing, and where the location of the dance has a capacity of at least 100 persons.

Public event: means a music festival, public dance or public concert.

(Code 1979, § 10-04-07; Code 1994, § 12-03-09; Ord. No. 744, § 2, 1989)

ARTICLE 4. – AMUSEMENTS

Sec. 12-4-1. - Required to operate public amusements.

- a) It is unlawful to conduct or operate any amusement which is open to the public and for which an admittance fee is charged without having first secured a license from the city. The license fee for amusements shall be determined by resolution of the board.
- b) No license fee is required if a show, exhibition, entertainment, gallery, stand or other device is operated or given under the auspices of and for the benefit of a church or school, or charitable, fraternal or political organization. (Code 1979, § 10-04-01; Code 1994, § 13-04-01)

Sec. 12-4-2. - Public amusements for which license is required.

A person may not conduct, operate or maintain the following activities without first obtaining a license from the city:

- (1) Public dance, as that term is defined by N.D.C.C. § 53-02-01.
- (2) Any circus, carnival or similar event.
- (3) Any theatrical exhibition, motion picture show, vaudeville performance, opera or variety theater.
- (4) Any show, entertainment, gallery, stand or device of any description on the streets, alleys or public grounds within the city.
- (5) Any merry-go-round, rides or similar devices.

(Code 1979, §§ 10-04-02—10-04-05; Code 1994, § 13-04-02)

Sec. 12-4-3. - Liability insurance or bond required.

A person may not conduct, operate, manage or sponsor any Ferris wheel, merry-go-round or other amusement ride operated for hire, or for the purpose of promoting or advertising any trade or business, without first filing with the city license officer a bond indemnifying the public against damages sustained by reason of operation of the ride, or certificate of liability insurance, in the amount of at least \$500,000.00. Such bond or certificate of insurance is subject to the approval of the city attorney. This section applies to all persons, whether or not such persons are exempted from any other provision of this article. (Code 1994, § 13-04-03)

Sec. 12-4-4. - Licensee to maintain order.

Any licensee engaged in giving or conducting any public amusement for pay shall preserve good order in and about the place of exhibition or public amusement, and if necessary for that purpose, shall employ, at the licensee's own expense, a sufficient security force. (Code 1979, § 10-04-06; Code 1994, § 13-04-04)

Sec. 12-4-5. - Policing of dances, music festivals or public concerts.

A public dance or public dancing place or hall may not be conducted, maintained or operated, unless the same is policed as provided by N.D.C.C. § 53-02-08. A music festival or public concert, as defined in N.D.C.C. § 53-02-01, shall be policed as provided in N.D.C.C. § 53-02-08. The cost of the policing, as determined by the chief of police, must be paid by the applicant at the time of the license application or, at the discretion of the chief of police, a cash bond in a reasonable amount may be posted, which shall be refunded upon payment of costs of policing following the event. (Code 1994, § 13-04-05)

Sec. 12-4-6. - Use of streets.

It is unlawful for any person to play any game, sport or amusement upon any public right-of-way of the city, except as permitted by the board. (Code 1994, § 13-04-06)

Sec. 12-9-2. - Penalty.

Any person who gives, holds or conducts a public event in violation of this article or in violation of the conditions of the public event permit, who furnishes information required by this article which is false or misleading, or who violates any provision of this chapter shall be guilty of a Class B misdemeanor. (Code 1979, § 10-04-07; Code 1994, § 12-03-17; Ord. No. 744, § 2, 1989)

Sec. 12-9-3. - Required; nontransferable; fees.

No person shall give, hold or conduct a public event unless the owner of the place where the public event is given, or the person giving the same or in charge thereof, first shall have procured a permit to give, hold and conduct such public event. A permit may be issued for one or more public dances or public concerts. If a permit is issued to any person to conduct a public event, the event may be conducted in such place only by the person to whom the permit is issued. Such permit shall not be transferable. A permit fee shall be assessed for each event held within a 24-hour period or an annual permit fee may be assessed if the site location is intended to be a permanent site, and the amount of the fees shall be set from time to time by resolution of the board. A permit, other than an annual permit, shall not be valid for a period of greater than three consecutive days.

(Code 1979, § 10-04-07; Code 1994, § 12-03-10; Ord. No. 744, § 2, 1989)

Sec. 12-9-4. - Application; special permits.

Any person desiring to conduct a public event at a public building or site or any outdoor location shall make application for a permit to do so to the board, 30 days in advance of the proposed event. In the event the applicant proposes to sell or dispense or permit the consumption of alcoholic beverages at such public event, an application for a special permit under the provisions of sections [4-2-16](#) and [4-2-20](#) shall accompany the application for the public event. Four copies of the application shall be filed with the city license officer and shall set forth the following information:

Sec. 4-2-20. - Sunday alcoholic beverage permit.

Permit required. No person may dispense, sell or permit the consumption of alcoholic beverages within a licensed premises or publicly owned or operated facility on any Sunday unless said person has been granted a permit under the provisions of this section. The authority to issue a Sunday alcoholic beverage permit rests solely with the board.

Permit Application #: _____ **Date Complete:** _____

(For office use only)

- 1) Identification of applicant. The application shall include the name, address and driver's license number of the applicant and the name, address and driver's license number of the person who will manage or conduct the public event. The application shall also state whether the applicant or the person who will manage or conduct the event has been convicted of any crime relating to the sale of alcoholic beverages or controlled substances or within the past five years has been convicted of any crime against persons, including assault, disorderly conduct, sexual assault, rape or murder, and whether the applicant or the person who will manage or conduct the event has ever had a license of any kind revoked or cancelled by any municipal, state or federal authority.
- 2) Date, time and place. The place, date and hours of the proposed event shall be clearly identified.
- 3) Site plan. The person conducting the event shall include in the application a site plan which details the exact placement of the stage, lighting and other electrical equipment, public seating, toilet facilities, fencing or other barricades, parking, marked fire lanes, and the proximity of public roadways. The site plan submitted by the applicant shall be reviewed by the city engineer, who shall submit Estimate of attendance, his recommendations to the board.
- 4) The applicant shall provide an estimate of the number of persons that the person conducting the event has determined can be safely accommodated within the chosen site and an estimate of the number of persons expected to attend.
- 5) Ticket sales. The application shall contain information relating to ticket sales, which addresses the control of attendance to meet the site plan limitations, if any. If the person conducting the event intends to open the event to the general public without prior ticket sales, the application shall address the manner in which the person intends to limit the size of the crowd to meet the site plan limitations.
- 6) Traffic control. The application shall specify the proximity of public roadways to the site of the event and to the proposed parking area and shall contain a description of the manner in which traffic control will be handled to ensure the safe ingress and egress of pedestrians and vehicles. Appropriate arrangements shall be made by the person conducting the event to ensure that no interference will occur with the public use of any adjacent public roadways. The traffic control proposal shall be subject to the approval of the city engineer.
- 7) Parking. The application and site plan shall specify the planned accommodations for public parking. The person conducting the event shall provide adequate parking for persons in attendance commensurate with the estimated number of persons that the selected site can accommodate. Under no circumstances will parking be permitted upon public roadways if said parking would be in violation of posted parking restrictions.
- 8) Sanitation. The application shall include the number and placement of sanitary toilet facilities which will be provided by the person conducting the event. The application shall be accompanied by a letter from the city health officer that indicates that he has reviewed the site plan and estimate of the number of persons in attendance and has determined that the number and kind of proposed toilet facilities is adequate to meet the needs of persons in attendance at the event.
- 9) Garbage. The application shall include a description of the size and number of available garbage disposal units on the site of the event in addition to the arrangements made to clean up the site after the event has ended.
- 10) Fencing and barricades. The application shall contain a description of the fencing and barricade system which is intended to control access to the event site, if such event is to be outdoors, and the location of the fencing and barricade system shall be noted on the site plan. If alcoholic beverages are to be dispensed or consumed at the public event, which event is outdoor, the perimeter of the site must be surrounded by a six-foot cyclone-style fence or enclosed within a tent which has four sides. For all events, whether outdoors or indoors, adequate provisions for entrances and exits and access by fire, police and other emergency personnel or vehicles shall also be noted in the application and on the site plan.
- 11) Signing. The application shall contain a description of the signing which is proposed to control pedestrian and vehicular traffic, parking, and provide appropriate notices to the persons in

attendance at the event. The size, wording and placement of the signs shall be included in the description and shall be subject to the approval of the city engineer.

- 12) Sale or consumption of alcoholic beverages. If the applicant intends to sell or allow the consumption of alcoholic beverages at the public event the identity of the alcoholic beverage licensee who will be dispensing said beverages shall be provided. The board may, by resolution or by condition attached to the permit, restrict the sale, dispensing and consumption of alcoholic beverages to beer or beer and wine only at the event or series of events. Therefore, the person holding the event shall include within the application a description of the efforts that will be taken to prevent the consumption of other alcoholic beverages at the event, including those alcoholic beverages attempted to be brought in by members of the public. At all such events the dispensing of alcoholic beverages in glass bottles, glass drinking cups or any other glass containers shall be prohibited.
- 13) Security. N.D.C.C. § 53-02-08 requires the city police department to police the event at the expense of the person conducting the event, which payment must be received by the city license officer 72 hours in advance of the event. The application shall contain, in addition to the estimated number of persons in attendance, an estimate of the number of police officers which will be needed to adequately police the event. The chief of police will be responsible for making the final determination of the number of officers that will be required.
- 14) Bond required. The person conducting the event shall file with the city license officer a cash bond in an amount to be set by resolution of the board. The bond shall be returned to the person after the event if the site has been adequately cleaned and if no additional costs or property damage has resulted from or as a result of the event.
- 15) Cost to the city. If the proposed event necessitates any expenditures on the part of the city, excluding the cost of providing police security, such costs shall be paid to the city by the person conducting the event. The posted cash bond shall be used by the city to cover the costs associated with the event and the balance, if any, will be returned to the person conducting the event. If the cash bond does not cover the costs resulting from the public event, the person conducting the event shall be assessed the additional costs. Costs within this section include, but are not limited to, the following:
 - a. Costs of cleanup or garbage removal;
 - b. Costs of traffic signing, fencing or barricades;
 - c. Any property damage to public property which occurred during or as a result of the event; and
 - d. Any additional costs associated with crowd control, including injury to city employees or other persons, which occurred during or as a result of the event.
- 16) Temporary vacation of streets. If the site plan proposed by the applicant requires the use of any public street, alley or right-of-way, the application and the site plan shall clearly designate the portion of the public street, alley or right-of-way to be temporarily vacated. In no event shall more of a public street adjoining one-half of a public block be vacated and, in each instance, adequate access for emergency vehicles shall be provided. The temporary vacation of any public street or right-of-way shall be subject to the approval of the city engineer. The board shall determine whether any public street, alley or right-of-way may be temporarily vacated for a public event on a case-by-case basis.
(Code 1979, § 10-04-07; Code 1994, § 12-03-11; Ord. No. 744, § 2, 1989)

Sec. 12-9-5. - Inquiry and investigation.

The board shall make such inquiry and investigation as to the propriety of granting or refusing such permit as shall be deemed necessary.

(Code 1979, § 10-04-07; Code 1994, § 12-03-12; Ord. No. 744, § 2, 1989)

Sec. 12-9-6. - Refusal and revocation of public event permit for cause.

- (a) The board may revoke the public event permit at any time for violation of any of the provisions of this chapter. The board shall refuse to issue such permit, and shall revoke a permit already issued, where it appears that:
- 1) The permitted site is or is likely to become a public nuisance or detrimental to public health, safety or order;
 - 2) The provisions of this chapter are being violated;
 - 3) An alcoholic beverage or controlled substance is being sold, or given away, except as authorized by terms of the permit;
 - 4) Any of the city ordinances or state laws are being violated;
 - 5) The chief of police determines that adequate security cannot be provided to the public event either by city police officers, special police or a combination thereof; or
 - 6) The board has determined that the number of like events needs to be limited in order to ensure the health, safety and security of the public.
 - 7) The chief of police shall report any violations of the permit or violations of city ordinances or state laws immediately to the board. Notwithstanding any of the provisions of this chapter, if the chief of police determines that the conduct of any public event has become a public nuisance or injurious to the public peace, health or safety, the chief of police shall immediately cause said event to be closed to the public and thereafter notify the board of the action and reasons therefor.
- (Code 1979, § 10-04-07; Code 1994, § 12-03-14; Ord. No. 744, § 2, 1989)

Sec. 12-9-7. - Restrictions and conditions attached to public event permit.

If the board determines that the public event will not unduly interfere with the peace, health or safety of the public or the neighborhood in which the event will occur and that the applicant is in compliance with the requirements for sanitation and garbage disposal; parking, fencing, traffic and crowd control; security; and regulation of alcoholic beverage consumption, the board may approve the issuance of the permit to be effective for the dates designated and subject to any necessary restrictions and conditions, including the following restrictions and conditions:

- 1) Alcoholic beverages may be distributed and consumed, and dancing may be permitted only in those areas specifically designated in the site plan and approved by the board;
 - 2) Dancing and the distribution of alcoholic beverages shall be permitted only during the hours designated by the board, which in no event shall be before the hour of 12:00 noon on the date specified in the permit and after 1:00 a.m. of the following day;
 - 3) No person having a permit to hold a public event at which alcoholic beverages are to be sold, distributed or consumed shall permit in any such event any person who is obviously intoxicated or who is under 21 years of age, except persons under 21 years of age may be permitted at a public event if the sale and consumption of alcoholic beverages is segregated and constricted to an area barricaded from the public event by a six-foot cyclone-style fence or structure to which access by such persons is prohibited;
 - 4) The licensee as a condition to the issuance of such permit consents and agrees that any city police officer or special police officer may enter upon and inspect the licensed premises or site or any part at any time for the purpose of determining compliance with the conditions of the permit and city ordinances; and
 - 5) The licensee shall comply with all other applicable ordinances and laws relating to health and sanitation and the use and sale of alcoholic beverages in the city.
- (Code 1979, § 10-04-07; Code 1994, § 12-03-14; Ord. No. 744, § 2, 1989)

Sec. 12-9-8. - Limits on number of public event permits.

The board may, by resolution, set a maximum limit on the number of public event permits which will be granted during any period of time. Notwithstanding any restrictions on the number of events, the board may deny any application for a permit if it determines that adequate provision for traffic control, health, safety or security cannot be provided for the event.

(Code 1979, § 10-04-07; Code 1994, § 12-03-15; Ord. No. 744, § 2, 1989)

Sec. 12-9-9. - Indemnification of city.

A person may not give, hold or conduct a public event, nor may the board approve a permit for such public event, without the person having first filed with the city license officer a bond or certificate of insurance in the amount as specified by resolution of the board, indemnifying the city and the public against personal injury or property damages occurring at or as a result of the public event. The person giving, holding or conducting the public event agrees to save and hold harmless the city for any personal injury or property damage resulting from actions of any city employees, police officers or special officers in the course of their employment, which actions are directly related to the conduct of the public event.

(Code 1979, § 10-04-07; Code 1994, § 12-03-16; Ord. No. 744, § 2, 1989)

Sec. 24-9-3. - Parade permit required.

No person shall engage in, participate in, aid, form or start any parade without a parade permit issued by the city.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-4. - Application for parade permit.

- a. A person desiring a parade permit shall file an application with the city on forms provided by the city. Such application shall be filed not less than seven days nor more than 60 days before the date on which it is proposed to conduct the parade.
- b. The application for a parade permit shall contain all information deemed necessary by the city in order to fully evaluate the request
- c. The city, where good cause is shown therefor, may consider any application which is filed less than seven days before the date such parade is proposed to be conducted.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-5. - Standards for issuance of parade permit.

The city shall issue a parade permit when, from a consideration of the application and from such other information as may otherwise be obtained, it finds that:

- 1) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
- 2) The conduct of the parade will not require the diversion of so great a number of police officers to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city.

- 3) The conduct of such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed line of march and areas contiguous thereto.
- 4) The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas.
- 5) The conduct of such parade will not interfere with the movement of firefighting equipment en route to a fire.
- 6) The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance.
- 7) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.
- 8) The parade is not to be held for the sole purpose of advertising any product, cause, goods or events and is not designed to be held purely for private profit.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-6. - Notice of denial of parade permit.

If the city disapproves the application for a parade permit, the city shall mail to the applicant, within three days after the date upon which the application was filed, a notice of such action.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-7. - Alternative parade permit.

The city, in denying an application for a parade permit, may authorize the conduct of the parade on a date, at a time or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five days after notice of such action, file a written notice of acceptance with the city. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this article.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-8. - Contents of parade permit.

Each parade permit shall state the following information:

- 1) Starting time.
- 2) Minimum speed.
- 3) Maximum speed.
- 4) Maximum interval of space to be maintained between the units of the parade.
- 5) The portions of the streets to be traversed that may be occupied by the parade.
- 6) The maximum length of the parade in miles or fractions thereof.
- 7) Such other information as the governing body shall find necessary to the enforcement of this article.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Permit Application #: _____ **Date Complete:** _____
(For office use only)

Sec. 24-9-9. - Carrying parade permit.

The parade chairperson or other person heading or leading such activity shall carry the parade permit upon their person during the conduct of the parade.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)

Sec. 24-9-10. - Revocation of parade permit.

The city may, after a hearing affording due process, revoke a parade permit issued under this article upon application of the standards for issuance as set forth in this article.

(Code 1979, § 9-01-01; Code 1994, § 20-09-02; Ord. No. 658, § 1, 1982; Ord. No. 789, § 1-3, 1991)



Closed to thru traffic
except to enter
Runnings of Mandan
Library

Main Street Closure Plan G - 10th Ave NW to 3rd Ave NW - 4th Ave closed to Traffic at Alleys

- Full Closure - July 13th
- Temporary Closure (Morning Start of Races) - July 13th
- Parking Lane Closure (Finishing Lane) - July 13th

Coned Avenues

Lyons-Heart Gravel Classic Tentative Schedule of Events:

Friday, July 12, 2024:

- 8:00am [Copper Dog Waffles & Coffee] Group Ride
- 10:00am-6:00pm Industry Vendor Expo, Craft Vendors, & Food Trucks (set up from 8-10/tear down from 6-8?) Dykshoorn Park
- 10:00am-7:00pm All Racer Packet Pickup – Community Room @ Morton Mandan Public Library
- 5:00pm Racer Meeting Community Room (Mandatory for 100mi racers)

Saturday, July 13, 2024:

- 7:00am 100-mile Race Start
- 7:30-8:30am 60-mi/35-mile ONLY Packet Pickup - Community Room @ Morton Mandan Public Library
- 9:00am 60-/35-Mile Race Start
- 9:00am-7:00pm Art Vendors/Food Vendors @ Dykshoorn Park
- 11:00am-7:30pm Beer Vendor @ Dykshoorn Park
- 3:00pm 60-Mile Awards - Bandshell
- 4:00pm 100-Mile Awards - Bandshell
- 5:00pm-8:00pm Finish Line Party @ Dykshoorn Park (Food Trucks, Beer Garden, Live Music)

LYONS HEART VENDORS, SPONOSORS, and FOOD TRUCKS

Lyons Gate Gravel Classic

July 12th, 2024 – Lyons Gate – Dykshoorn Park
MPO Offices – 411 West Main St.
Event: Overnight
Contact Matt 701-934-4540
Time 7:00pm to 7:00am – 1 Guard

July 13th, 2023 – Lyons Gate – Dykshoorn Park
MPO Offices – 411 West Main St.
Event: Beer Garden
Contact Matt 701-934-4540
Time 11:00am to 7:30pm – 2 Guards

Vendors: [These plan to set up on Friday only]

- 701 Cycle & Sport
- SRAM - Group
- Specialized -Group
- Skratch Labs – Group
- Oakley – Group
- KB Leather & Things **[Plans to be set up on Friday & Saturday] Regular**
- Natural Grocers Regular

I'm assuming Visit Mandan will have a tent set up with visitor info? Also, what about Fort Lincoln?

Sponsors:

- UBL Design Group
- Cedric Theel Toyota
- Missouri River Dental
- Frontier Precision
- First Western Bank & Trust
- Paramount Real Estate
- Old 10 Bar & Grill
- Bravera Bank
- Bismark-Mandan Convention & Visitors Bureau
- Comfort Inn & Suites of Mandan
- Copper Dog Waffles & Coffee
- Chamois Butt'r
- CamelBak

- Headwaters Studio

Lyons Heart Gravel Race Food

Business Name

FOMO 10/40 Creamery

Hensley's Tasty Truck



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 29, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Raffle Permit for Mandan Rodeo Days.

STATEMENT/PURPOSE:

Consider approval of the raffle permit for Mandan Rodeo Days on July 4th, 2024 at Dale Pahlke Arena.

BACKGROUND/ALTERNATIVES:

Raffle for Mandan Rodeo Days on July 4th, 2024 at Dale Pahlke Arena.

ATTACHMENTS:

1. Raffle Permit 2024-37

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

Approve the raffle permit for Mandan Rodeo Days.

SUGGESTED MOTION:

I move to approve the raffle permit for Mandan Rodeo Days.



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

Permit Number
2024-37

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 Mandan Rodeo Days		Dates Authorized (Read Instruction 2) 07/04/2024	
Organization or Group Contact Person Laura White	E-mail laurawhite@bektel.com	Telephone Number 701-400-5388	
Mailing Address 3801 Memorial Hwy Ste A PMB 153	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Dale Pahlke Arena		County Morton	
Site Address 2428 LongSpur Trail	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.) Ticket Raffle Drawing to be held on 7/4/24 at the Rodeo Grounds (Dale Pahlke Arena)			

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:
- 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 05/29/2024	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)

DD 25.00 cash
5-15-24 SM

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 Mandan Rodeo Days		Dates of Activity (Does not include dates for the sales of tickets) 03-01-2024 to 07-04-2024	
Organization or Group Contact Person Laura White	E-mail laurawhite@bektel.com	Telephone Number 701-400-5388	
Business Address 3801 Memorial Hwy Ste A PMB 153	City Mandan	State ND	ZIP Code 58554
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Dale Pahlke Arena		County	
Site Physical Address 2428 Longspur Trail	City Mandan	State ND	ZIP Code 58554
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) Raffle drawing on 7/4/24			

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

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle	see attached	
Total (limit \$40,000 per year)		\$

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds Cancer Center Foundation and Alzheimer's Association (50/50 split)	
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 Heather Jacobson-Bauer	Telephone Number 701-527-3089	E-mail Address hibnp@kotmail.com
Signature of Organization Group's Permit Organizer Heather Jacobson-Bauer	Title Chairman Mandan Rodeo Days	Date 5/15/24

Information required to be preprinted on a standard raffle ticket:

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

PRIZE RESTRICTIONS:

A single cash prize cannot exceed \$8,000

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

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

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

LOCAL PERMIT AND RESTRICTED EVENT PERMIT DIFFERENCES:

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

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

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

2024 Mandan Rodeo Days Raffle Prize Package & Values

Donation	Donated By	Value
Epoxy American Flag	Kilber Woodworks - Pierre SD	\$300.00
Meat Bundle	3B Meats	\$400.00
Cash	Dutton's Portable Welding	\$100.00
Pit Boss Grill	Extreme Heating & Air	\$350.00
Rossi R92 SS 44 Mag Gun	Keith Benz	\$750.00
Ruger 1103	Mandan Sporting Goods	\$350.00
Ruger American Flag Gen 2 223	Mandan Sporting Goods	\$600.00
Rossi 92 357	Mandan Sporting Goods	\$750.00
		\$3,600.00
Possilby a Yeti with a value of \$400		\$4,000.00



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 30, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Authorization - Mandan Fastpitch Assoc at 501/Powerhouse Bar & Grill

STATEMENT/PURPOSE:

Consider a gaming site authorization for Mandan Fastpitch Association

BACKGROUND/ALTERNATIVES:

The gaming site authorization was received on May 30, 2024.

ATTACHMENTS:

1. Gaming Site Auth - Mandan Fastpitch Assoc at 501/Powerhouse Bar & Grill

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

Approve as presented

SUGGESTED MOTION:

I move to approve a gaming site authorization for Mandan Fastpitch Association at 501 PowerHouse Bar & Grill from July 1, 2024 to June 30, 2025

**GAMING SITE AUTHORIZATION**

ND OFFICE OF ATTORNEY GENERAL

SFN 17996 (4-2023)

G - _____ (_____) _____

Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

Mandan Fastpitch Association

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

501/PowerHouse Bar and Grill

Street

501 Burlington Dr

City

Mandan

ZIP Code

58554

County

Morton

Beginning Date(s) Authorized

July 1 2024

Ending Date(s) Authorized

June 30 2025Number of Twenty-One
tables, if zero, enter "0"**2**

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

Main Bar area west side of building

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

RESTRICTIONS FOR CITY/COUNTY USE ONLYThe 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) Gina Leingang		Site Name PowerHouse/ 501 bar and grill		Site Phone Number 701-663-3020
Site Address 501 Burlington ST SE	City Mandan	State ND	Zip Code 58554	County Morton
Organization Mandan Fastpitch	Rental Period to			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☒ No	☒ Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		☐ No	☐ Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 <u> </u> X Rent per Table \$ <u> </u>		☐ No	☐ Yes	\$
Number of Tables with wagers over \$5 <u> 2 </u> X Rent per Table \$ <u> 25 </u>				\$ 600.00
3. Is Paddlewheels conducted at this site? Number of Tables <u> </u> X Rent per Table \$ <u> </u>		☐ No	☐ Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☒ Standard Dispensing Device		☐ No	☒ Yes	\$ 325.00
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices <u> 10 </u>		☐ No	☐ Yes	\$ 1250.00
Total Monthly Rent				\$
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐				

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

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

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

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

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

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

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

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

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

Signature of Lessor <i>Gina Leingang</i>	Title Owner	Date 5-28-24
Signature of Lessee	Title	Date



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 31, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Issuance of New Class A Liquor License to Big Stick Cigar Lounge (BSCL) LLC

STATEMENT/PURPOSE:

To consider the issuance of a new Class A liquor License to Big Stick Cigar Lounge at 104 2nd Ave NW

BACKGROUND/ALTERNATIVES:

BSCL LLC is requesting the issuance of a new Class A Liquor License for the 104 2nd Ave NW location. Building renovations have commenced in preparation of meeting all code requirements for a Cigar Lounge. Those requirements have not yet been met, but are in the process of doing so.

The applicant has also paid the annual license fee (prorated for one month) for June 2024.

ATTACHMENTS:

None

FISCAL IMPACT:

Issuance fee of \$60,000 has been received, in addition to the pro-rated annual license renewal fee for the month of June 2024.

STAFF IMPACT:

Background checks by the Mandan Police Department, Building Inspections & Fire Department

LEGAL REVIEW:

Attorney Oster is aware of the application.

Subject: Consider the issuance of a new Class A Liquor License to Big Stick Cigar Lounge (BSCL) LLC at 104
2nd Ave NW, Mandan ND
Page 2 of 2

RECOMMENDATION:

I recommend approval of the Class A Liquor License for BSCL LLC pending approval from the Mandan Police Department along with meeting all applicable code requirements related to Building Inspection, Fire and Western Plains Health.

SUGGESTED MOTION:

I move to approve the Class A Liquor License for BSCL LLC pending approval from the Mandan Police Department along with meeting all applicable code requirements related to Building Inspection, Fire and Western Plains Health.



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 30, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Annual Liquor License Renewals

STATEMENT/PURPOSE:

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

BACKGROUND/ALTERNATIVES:

All applications and fees have been received by the liquor license applicants in the attached file. The applications have been reviewed by the Mandan Police Department and no apparent issues were found.

ATTACHMENTS:

1. 2024-06-04 Liquor Licenses for Approval

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

To approve the liquor license renewals for the year from July 1, 2024 to June 30, 2025 contingent of the establishment meeting all fire, health, safety, and building inspection codes and all property taxes being paid.

SUGGESTED MOTION:

City Commission

Agenda Documentation

June 4, 2024

Subject: Consider approval of the Class A, B, BWO, C, D, D1, E, F, H, Special B, and WB liquor license renewals effective July 1, 2024

Page 2 of 2

I move to approve the liquor license renewals for the year from July 1, 2024 to June 30, 2025 contingent of the establishment meeting all fire, health, safety, and building inspection codes and all property taxes being paid.

2024-2025

Approved Liquor License Applications

Licenses expire on 6/30/2025

Class A – General Retail On & Off Sale Beer and Liquor - \$4,100

1. Broken Oar Bar
2. Midway Lanes
3. Stage Stop
4. Vicky's Sports Bar
5. Old Town Tavern
6. Powerhouse 501
7. Lonesome Dove
8. Stryker Enterprises
9. The Drink at Lakewood
10. The Paddle Trap
11. Strawberry LLC
12. HideAway (non-transferable)
13. Send It! 24/7 Cornhole, Inc
14. Silver Dollar Bar
15. Central Station
16. Whiskey Gypsi (non-transferable)
17. LC Bar Inc (non-transferable)
18. Big Stick Cigar Lounge, LLC (non-transferable)

Class B – Club On & Off Sale Beer and Liquor - \$3,720

1. Mandan Moose Lodge #425
2. Fraternal Order of Eagles #2451

Class BWO – Retail On Sale Beer and Wine - \$1,210

1. Ten Spot Lanes
2. V3NU3 LLC
3. Av8rs LLC

Class C – Motel & Hotel On & Off Sale Beer and Liquor - \$3,850

1. Baymount Inn & Suites
2. OM Kanch LLC dba Blackstone Tavern

Class D – Exclusive Off Sale Beer and Liquor – \$4,100

1. Coborn's, Incorporated dba Captain Jack's #7049
2. Walmart #2033
3. Bayside, LLC

Class D1 – Exclusive Off Sale Beer and Wine - \$820

1. Miller & Holmes dba M&H Gas
2. Farmers Union Oil Company of Moorhead, MN dba PetroServe USA #78
3. Farmers Union Oil Company of Moorhead, MN dba PetroServe USA #79
4. Parkland USA Corporation dba Superpumper Inc #80238 (non-transferable)
5. Parkland USA Corporation dba Superpumper #80152
6. Parkland USA Corporation dba Superpumper #80141
7. Tri Energy Cooperative dba Tri Energy Cenex

Class E – Restaurant On Sale Beer and Liquor – \$2,630

1. Mandan Bennigans
2. A&B Pizza
3. Thomas & Moriarty's
4. Old Ten
5. La Cantina ND LLC
6. TNC INC dba OHMS CAFÉ
7. G.D. Hooker LLC dba Black Lions

Class F – Restaurant On Sale Beer and Wine – \$1,210

1. Rice Bowl LLC dba Rice Bowl Chinese Restaurant
2. Pit Masters LLC dba Dickey's Barbecue Pit LLC
3. Taqueria El Guerro LLC

Class H - Catered Retail Beer, Wine & Liquor On-Premises - \$650

1. Bareknuckle Events dba Funatix Events

Class Spec. B – Facilities On Sale Beer – \$380

1. BisMan Stock Car Association
2. Legendary Beverage LLC
3. Weber's Golf Shop dba Prairie West Golf Course (non-transferable)
4. Weber's Golf Shop dba Mandan Municipal Golf Course (non-transferable)
5. Bareknuckle Events LLC dba Funatix Events

Class WB – Winery or Brewery – \$820

1. Dialectic Brewing Company LLC dba Dialectic Brewing Company and Cider House
2. Buffalo Commons Brewing Co LLC



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 30, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider authorization of loan applications for Collins Reservoir and Water Treatment Plant projects

STATEMENT/PURPOSE:

To consider authorizing staff to complete loan applications and furnish relevant information to the North Dakota Department of Environmental Quality for the Collins Reservoir and Water Treatment Plant Phase III optimization projects.

BACKGROUND/ALTERNATIVES:

The two aforementioned projects are currently in the design phase. We are expecting both projects to be ready to bid in the fall of 2024, with construction following in 2025.

For larger utility improvement projects, the City often utilizes low-interest State Revolving Fund (SRF) loans for financing. These loans require a resolution from the governing body authorizing the application itself, as well as the furnishing of all information required.

ATTACHMENTS:

1. Resolution of Governing Body

FISCAL IMPACT:

The preliminary estimates for these projects are:

Collins Avenue Reservoir: \$5.47M

Water Treatment Plant Phase III Optimization: \$13.86M

The interest rate for the SRF loan program is 2%. The City would finance these projects through the program and structure utility rates to accommodate annualized loan payments.

STAFF IMPACT:

Moderate staff effort would be required to facilitate the loan applications.

LEGAL REVIEW:

Agenda documents have been made available to the City Attorney for review.

RECOMMENDATION:

To authorize staff to apply for the loans, as presented.

SUGGESTED MOTION:

I move to approve the resolution to authorize staff to apply for the SRF loans, as presented.

RESOLUTION OF GOVERNING BODY OF APPLICANT

Resolution authorizing filing of application with the North Dakota Department of Environmental Quality for a loan under the Clean Water Act and/or the Safe Drinking Water Act.

WHEREAS, under the terms of the Clean Water Act and/or the Safe Drinking Water Act, the United States of America has authorized the making of loans to authorized applicants to aid in the construction of specific public projects: Now, Therefore, BE IT RESOLVED the Mandan City Commission:

1. That Jim Neubauer, City Administrator, be and is hereby authorized to execute and file an application on behalf of the Mandan City Commission with the North Dakota Department of Environmental Quality for a loan to aid in the construction of:

The Water Treatment Plant Phase III Optimization Project; and
The Collins Reservoir Replacement Project.

2. That Jim Neubauer, City Administrator, be and is hereby authorized and directed to furnish such information as the North Dakota Department of Environmental Quality may reasonably request in connection with the application which is herein authorized to be filed, to sign all necessary documents, and, on behalf of loan recipient, to accept loan offer and receive payment of loan funds.

CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting Administrator of the City of Mandan does hereby certify:

That the attached resolution is true and correct copy of the resolution, authorizing the filing of application with the North Dakota Department of Environmental Quality, as regularly adopted at a legally convened meeting of the Mandan City Commission, duly held on the ____ day of June, 2024; and further that such resolution has been fully recorded in the journal of proceedings and records in my office.

In WITNESS WHEREOF, I have hereunto set my hand this ____ day of June, 2024.

Signature of Recording Officer
Title of Recording Officer
City Administrator



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: June 3, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the special event permit for Festive Fridays.

STATEMENT/PURPOSE:

Consider approval of the special event permit for Festive Fridays.

BACKGROUND/ALTERNATIVES:

Celebration of National Days on June 21, 2024. See attached special event permit.

ATTACHMENTS:

1. Festive Fridays 2024 Final

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the special event permit for Festive Fridays.

SUGGESTED MOTION:

I move to approve the special event permit for Festive Fridays.

Permit Application #: _____ Date Complete: _____
(For office use only)

PD
2500
cc
5-28-24
JPH

Special Events Permit Application

City of Mandan, ND

Mandan Police Department (Special Events) • 205 1st Ave. NW • Mandan, ND 58554
• Phone 701-667-3250 • FAX 701-667-3463

Date of Application: _____

30 days prior to the event with a **non-refundable administration application fee of \$25 attached**. Late applications are permitted and subject to an **additional \$50 processing fee** for those submitted within 20 days of an event. **Any application not submitted prior to 20 days before the event will not be accepted for consideration.**

The payment of fees does not guarantee event approval if submitted late. Permits are \$30 per day/Sunday Permit will be \$45, to a maximum of \$150.00 per event not to exceed 14 days (Includes Sundays).

All applicants will be charged fees as appropriate and are expected to fully reimburse the city for all services related to event production which may include, but are not limited to, Police Services, Fire/EMS, Park and Facility Maintenance, Field Services, Sanitation, Street Engineering and Site Supervisors. (See Below Fee and Charges)

A storage fee of **\$500** will be assessed for all equipment not removed from any public venue or premises within 24 hours of the end of the event. Any vendor may request an extension for equipment removal and may be granted by the City Administrator. Full payment is due upon receipt of final invoice. Any property that is abandoned over 15 days will become property of the City of Mandan and may be sold to recoup any expenses accrued by the city.

Comprehensive site plans must accompany this application.

Street Dance: ☐ Beer Garden: ☐ Both: ☐ Parade or Other Public Event: ☒

Section 1 – Applicant Information

Name of Event Manager: Marlo Anderson

Driver's License Number: AND - 62 - 8616 State ND

Date of Birth: 10-23-62 Phone Number: 701-391-8955 Email: Marlo@NationalDayCalendar.com

Address: 1305 6th Ave NE City: Mandan State: ND Zip: 58554

Have you ever been convicted of a crime? ☐ YES ☒ NO.

If yes please list charge(s) and year of conviction(s):

(List all Jurisdictions where you have been charged with a crime, also list any other names you have used when charged)

Name of Event Manager: _____

Driver's License Number: _____ State _____

Date of Birth: _____ Phone Number: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Have you ever been convicted of a crime? ☐ YES ☒ NO

If yes please list charge and year of conviction:

(List all Jurisdictions where you have been charged with a crime, also list any other names you have used when charged)

Permit Application #: _____ Date Complete: _____
(For office use only)

Business Address: _____ City: _____ State: _____ Zip: _____
Corporation/Organization: _____ State of Incorporation: _____
Tax ID #: _____ 501(c)3 #: _____ City Sales Tax ID #: _____
Have you ever coordinated/promoted another event/s? ☐ YES ☐ NO
If yes, please provide the following:
Last event/s Location: _____ Date: _____
Contact Name: _____ Phone: _____
E-mail Contact: _____

Section 2 – Event Information

Event Name: Festive Fridays Anticipated Daily Attendance: _____
Event Date(s): 6-21, 22, 23 Set-up Date: 6-21, 22 Hours: 12:00 - 3:00
Hours of event each day: 3:00 - 8:00 pm
(begin and end times)
Take Down Date(s): 6-21 Hours: 8:00 - 9:00
E-Mail address for public information: Alice @ National Day Calendar.com
WEB address for public information: National Day Calendar.com
Location of Event/physical address: Dykshoorn Park
Sponsors of the Event: National Day Calendar
Brief Description of Event:
Celebration of National Days

Has this event been held in another location? ☐ YES ☒ NO

If yes, please provide the following:

Last event/s Location: _____
Date: _____ Contact Name and Phone: _____

Section 3 – Event Features

Will there be an admission charge? ☐ Yes ☒ No

If yes, Printed ticket count: _____ Tickets for presale count: _____

Will there be entertainment? ☐ Yes ☒ No

If yes, please attach an itemized complete list of all entertainment.

(A complete list of entertainment will be required before final approval. Once approved, no changes may be made unless authorized by the City Administrator.)

Will merchandise and/or food items be sold? ☒ Yes ☐ No

If yes, please attach a complete list of vendors.

(Each vendor must have all valid permits and license to sell their product)

PENDING

Permit Application #: _____ Date Complete: _____
(For office use only)

What type of advertising/promotion will be done prior to the event?
(Attach all promotional material.)

Radio: ☐ Yes ☒ No What Stations? _____

TV: ☐ Yes ☒ No What Stations? _____

Fliers/Posters: ☒ Yes ☐ No How many? 500

Press Releases: ☒ Yes ☐ No How many? 10

Newspaper Ads: ☐ Yes ☒ No What publication? _____

Is any other promoter/producer assisting you with your event? ☐ Yes ☒ No

Name of Promoter and Promotion Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Will the event include any of the following? (Indicate on site plan and/or vendor list)

Tents or Canopies: ☐ Yes ☒ No

Number of Tents: _____

(Tents require permits from the Fire Department and inspection fees will be applied.)

Fireworks or Pyrotechnics: ☐ Yes ☒ No

(Fireworks or Pyrotechnics require permits from the Fire Department and inspection fees will be applied.)

Fireworks or Pyrotechnics Production Company's name: _____
*(A copy of the Production Company's License and Insurance is required with this application, only if fireworks or pyrotechnics are being requested for this event.) *A separate bond may be required for this event.*

Require permits from the City of Mandan

Any person for on- or off-sale alcoholic beverage licensee desiring to conduct a public beer garden shall make application for a special permit to do so to the board, 30 days in advance of the proposed event.

Temporary Fencing: ☐ Yes ☒ No

Provide accurate dimensions of fenced area on site plan along with the site plan.

Company Contact Name: _____

Contact phone: _____

Restroom Accommodations: _____

Number of required portable toilets: _____

Approved By: _____ Date Approved: _____ Initials: _____

Placement of sanitary toilet facilities must be on site plan.

Permit Application #: _____ **Date Complete:** _____
(For office use only)

Attach a copy of the letter from the Western Plains Public Health that indicates the site plan has been reviewed and the required number of proper sanitation facilities is attendance.

We will be using the Library restrooms.

Company Contact name: _____

Contact phone: _____

Electrical Services/Generators ☐ Yes ☒ No

Generators must be separated from tents by a minimum of 20' and shall be isolated from contact by fencing or other approved means.

Company Contact name: _____

Contact phone: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Carnival/Amusement Rides: ☐ Yes ☒ No

A separate permit from the Fire Department may be required.

Company Contact name: _____

Contact phone: _____

Bonded and Insured Amount: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Signs / Banners ☐ Yes ☒ No

Company Contact name: _____

Contact phone: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Inflatables ☐ Yes ☒ No

Company Contact name: _____

Contact phone: _____

Bonded and Insured Amount: _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Raffles

Will this event have a raffle? ☐ Yes ☒ No

If yes you must apply for a City Permit \$25 Raffle Permit (Attach copy of State Gaming License if issued)

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 4 – Transportation

Does the event propose **using, closing or blocking** any of the following:

If yes, specify location and duration on site map, if on a DOT Highway or Roadway DOT authorization will be required.

City Streets ☐ Yes ☒ No (Number of locations: _____ attach list of locations.)

City Sidewalks ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Bus Stops ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Public Parking Lots ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Public Bicycle Parking ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Multiuse Paths ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Alleys ☐ Yes ☒ No (Number of locations _____ attached list of locations)

City Right-of-Ways ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Approved By: _____ **Date Approved:** _____ **Initials:** _____

(Section 4 must be approved by Mandan City Engineer, and be approved by the City Commission before the event)

Section 5 – Use of City Utilities

Will any City electric hookups be used? ☐ Yes ☒ No

Electric Location including amperage _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Will any City water hookups be used? ☐ Yes ☒ No

Water Location(s) _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Will waste water/gray water be generated? ☐ Yes ☒ No

If so, how will it be disposed? _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 6 – Alcohol

Will there be alcohol at the event? ☐ Yes ☒ No

Will alcohol be given away? ☐ Yes ☒ No

Will the alcohol be sold? ☐ Yes ☒ No

Will the alcohol be donated? ☐ Yes ☒ No

Who is the alcohol being donated by or purchased through: _____

Is alcohol included in the admission price of the event? ☐ Yes ☐ No

Approved By: _____ Date Approved: _____ Initials: _____

If you answered Yes to any of the above, a City and State Liquor License will be required.
Attach copy(s) of all liquor licenses with this application. (If a City Liquor License is needed
please contact the City of Mandan's Finance Department to apply at Phone: (701) 667-3213)

Has the applicant/organization ever had a liquor license or event permit denied, revoked or suspended? ☐ Yes ☒ No

If yes, please explain:

How will attendees be identified as minors or age 21 and over?

Have the alcohol servers received training in sale/service of alcoholic beverages? ☐ Yes ☐ No

If yes, who provided the training: _____

Date and time of most recent training: _____

Request Mandan Police Server Training: ☐ Yes ☐ No

If yes provide a contact person and contact information::

Permit Application #: _____ Date Complete: _____
(For office use only)

Section 7 – Event Security

Are you requesting off-duty Mandan Police officers? ☐ Yes ☒ No
Number of personnel requested: _____

After reviewing the event application, the Chief of Police may require the use of the City of Mandan Off-Duty Police Officers for the event.

To schedule Off-Duty Police Officers, please call 701-667-3250.

Officers must be requested 2 weeks prior to any event and there will be a minimum of 4 work hours per officers per event at \$45 per-hour per officer.

Are you requesting private security? ☐ Yes ☒ No
Number of security personnel onsite: _____

Include security points and duties on event plans

The City of Mandan requires only security companies that are licensed and bonded in the State of North Dakota.

Security Company and Contact Info: _____
Attach a copy of Company's License

Section 8 – Emergency Medical Services

Are you requesting off-duty Mandan EMT's? ☐ Yes ☒ No
Number of personnel requested: _____

After reviewing the event application the Fire Chief may require the use of the City of Mandan Off-Duty EMT's or paramedics for the event.

EMTs or paramedics must be requested 2 weeks prior to any even and there will be the minimum of 4 work hours per employee per event \$35

Section 9 – Event Maintenance and Cleanup Plan Required

What is your trash removal and cleanup plan?

Working with the MPO

(Attach a detailed Cleanup Plan)

Outside refuse company Company's Name: _____
Contact Name: _____ Phone: _____

All costs for containers, dumping and the removing all trash are the responsibility of the applicant/promoter. The City of Mandan's property and or the event site must be returned to its original condition and all equipment removed or daily fees will be accessed.

Section 10 – ADA Accessibility Requirements

Parking plan requirements

Attach a copy of your parking plan and include in the plan the necessary handicap parking areas and any code required handicap accessibility requirements. Also include medical access points and safe medical response routes for the event.

Section 11– Insurance and Bond Requirements

The City of Mandan has established insurance requirements for those facility users, vendors and contractors entering into agreements with the City for the purpose of special events and activities. Before commencing use or services under an agreement with the City of Mandan, a certificate of insurance or a copy of the required bond that complies with the requirements referenced below must be attached.

All special event applicants shall name the City of Mandan as an “Additional Insured”, per item one below, on all policy(ies), except workers compensation and shall reflect this on a Certificate of Insurance. Applicant agrees that any insurance available to the applicant shall be primary and non-contributory to the city’s self-insured retention.

Applicant shall obtain certificates of insurance from all vendors participating in this event unless covered under applicant’s insurance policy. Vendors must comply with all requirements listed in this section. Complete and accurate certificates must be received by the Special Events Office a minimum of five (5) working days prior to the event. Separate certificates of insurance shall be provided by all carnival and amusement companies and firework production companies with the limits shown in this section and shall name the City of Mandan as “Additional Insured” as per item one below. Additional coverage may be required depending upon the nature and scope of the event. For more information or questions regarding insurance requirements, please contact our City Administrator’s Office at 701-667-3214. The City Administrator reserves the right to evaluate the liability of each event and assess the required insurance limits. Event permits will not be issued until all insurance requirements are satisfactorily met.

The certificate must show:

1. The City of Mandan, its agents, officers, employees and volunteers are named as “Additional Insured.” All Certificate of Insurance policies must reflect this with the exception of workers compensation.
2. The City of Mandan shall be notified at least 30 days prior to cancellation or alteration of any insurance coverage. A 10-day notice of cancellation for non-payment of premium is required..
3. Workers Compensation Policies shall contain a Waiver of Subrogation clause in favor of the City of Mandan.
4. General Liability Including: Bodily Injury Contractual Independent Contractors
Comprehensive Form Product/Completed Operations Hazard
Premises Operation Personal injury Broad Form Property Damage

Permit Application #: _____ Date Complete: _____
(For office use only)

In addition, specific date(s) and locations(s) of the event, to include set up and take down, must be stated clearly on the certificate. Certificates shall be received no less than thirty (30) working days prior to the event.

City Services

Police..... \$45 per hour, per officer, 4 hour minimum

Fire/EMS..... \$35 per hour, per staff 4 hour minimum

Barricades..... Amount charged by contracted barricade provider

Trash Container drop-off/pick-up..... \$ ____ prices vary

Custodial..... \$ ____ per hour, per staff person

Miscellaneous fees

Tent/Canopy Permit.....\$ ____ per tent or canopy (Check with the Fire Department to ascertain if a permit is necessary)

Fireworks Permit..... \$ ____ per location

The Park District may require separate fees or permit if on Park District property. It is required that the event host checks with the Park District when planning an event on Park District property to avoid delays with the permitting process.

Permit Application #: _____ Date Complete: _____
(For office use only)

Fee Cost Worksheet

Police Services:

No. of Officers _____ x No. of Hours _____ = _____ x \$45 = \$ _____

Fire/EMT Services

No. of EMT's _____ x No. of Hours _____ = _____ x \$35 = \$ _____

Finance application processing Fee \$ _____

Trash Container Fee..... \$ _____

Custodial Fee..... \$ _____

Tent/Canopy Inspection and Permit..... \$ _____

Fireworks/Pyrotechnics Permit and Inspection Fee..... \$ _____

\$25 Application Fee..... \$ 25.00

\$50 Late application Processing Fee (if Applicable)..... \$ _____

Event Application Fee (See Attached Fee Schedule)..... \$ _____

TOTAL: \$ 25.00

Fees assessed by the Park District are not included.

Date Fees Paid: _____ **Initials:** _____

Permit Application #: _____ Date Complete: _____

(For office use only)

Signature Page from City Officials and Department Heads

<u>Mitch L. Bitz</u> Mitch L. Bitz (May 29, 2024 14:21 CDT)	<u>29/05/2024</u> Date	☒ Approved	☐ Denied	☐ Conditional—See Narrative
Fire Department				
<u>Patrick B Haug</u> Patrick B Haug (May 29, 2024 14:07 CDT)	<u>29/05/2024</u> Date	☒ Approved	☐ Denied	☐ Conditional—See Narrative
Police Department				
<u>Chuck Wagnon</u> Chuck Wagnon (May 29, 2024 14:07 CDT)	<u>29/05/2024</u> Date	☒ Approved	☐ Denied	☐ Conditional—See Narrative
Engineering Department				
<u>Brian Dirk</u> Brian Dirk (Jun 3, 2024 15:43 CDT)	<u>03/06/2024</u> Date	☒ Approved	☐ Denied	☐ Conditional—See Narrative
Public Works				

Fire Department Narrative:
N/A

Police Department Narrative:
None

Engineering Narrative:
None

Public Works Narrative:
None

Created:	2024-05-29
By:	Tasha Scott (tasha.scott@mandanpd.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAiRW7Bz1W9l8NLumSzlm_Hq6u6_zOa3YU

"1570_001" History

-  Document created by Tasha Scott (tasha.scott@mandanpd.com)
2024-05-29 - 7:05:36 PM GMT
-  Document emailed to Pat Haug (phaug@mandanpd.com) for signature
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-  Document emailed to Brian Dirk (brian.dirk@cityofmandan.com) for signature
2024-05-29 - 7:05:42 PM GMT
-  Document emailed to Mitch Bitz (mbitz@cityofmandan.com) for signature
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-  Document emailed to Jarek Wigness (jarek.wigness@cityofmandan.com) for signature
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-  Email viewed by Pat Haug (phaug@mandanpd.com)
2024-05-29 - 7:06:45 PM GMT
-  Signer Pat Haug (phaug@mandanpd.com) entered name at signing as Patrick B Haug
2024-05-29 - 7:07:42 PM GMT
-  Document e-signed by Patrick B Haug (phaug@mandanpd.com)
Signature Date: 2024-05-29 - 7:07:44 PM GMT - Time Source: server
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2024-05-29 - 7:16:30 PM GMT
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Signature Date: 2024-05-29 - 7:17:59 PM GMT - Time Source: server
-  Email viewed by Mitch Bitz (mbitz@cityofmandan.com)
2024-05-29 - 7:19:07 PM GMT

 Signer Mitch Bitz (mbitz@cityofmandan.com) entered name at signing as Mitch L. Bitz
2024-05-29 - 7:21:47 PM GMT

 Document e-signed by Mitch L. Bitz (mbitz@cityofmandan.com)
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 Email viewed by Brian Dirk (brian.dirk@cityofmandan.com)
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 Document e-signed by Brian Dirk (brian.dirk@cityofmandan.com)
Signature Date: 2024-06-03 - 8:43:36 PM GMT - Time Source: server

 Agreement completed.
2024-06-03 - 8:43:36 PM GMT



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 29, 2024
SUBMITTING DEPARTMENT: Building Inspections
DEPARTMENT DIRECTOR: Jordan Singer
PRESENTER: Jordan Singer, Building Official
SUBJECT: Building Inspections Request for Qualifications for commercial plan review

STATEMENT/PURPOSE:

To consider issuing a Request For Qualifications (RFQ) for plan review of the Women's Correctional Facility coming in August.

BACKGROUND/ALTERNATIVES:

We are seeking assistance for Commercial plan review on the upcoming Women's Correctional Facility. This project will take many hours of work because of the complexity of the project. Assistance will help the building inspections department with continued daily tasks and to continue providing the public without a backlog of work. We are seeking qualifications for this project until July 22, at 10:00 am. Final approval will be sent to the commission for consideration at the August 6th meeting.

ATTACHMENTS:

1. RFQ- Final

FISCAL IMPACT:

Building Permit Fees will cover the cost of this contract and costs associated with it. Final building permit fees will not be known until the building permit is taken out.

STAFF IMPACT:

Will help improve time associated with Commercial plan review

LEGAL REVIEW:

It has been sent for legal review

RECOMMENDATION:

Building Inspections recommends approving the RFQ.

SUGGESTED MOTION:

I move to approve the RFQ for Building Inspections related to plan review.

REQUEST FOR QUALIFICATIONS for Commercial Plan Review Services

The City of Mandan hereby solicits written qualifications proposals from Commercial Plan Review Services firms for the purpose of:

Providing commercial plan review services and assisting the City with completing the plan review process for the following project:

State Women's Correctional Facility

It is proposed that all State and Federal requirements be met and timed so as to facilitate a start date for project later this year 2024. Final plans and specifications are to be completed and submitted to applicant after they are received by the City. The selection committee's recommendation is to go before the Board of City Commissioners for its consideration. The scope of this project is as follows:

Provide Commercial Plan review for the project and assist the Building Official in getting comments back to the applicant. Complete an extensive plan review in a short time frame to be recommended after work load is factored on the project.

Written proposals shall address, as a minimum, the following items of consideration; the firm's:

- 1) Past performance
- 2) Ability of professional personnel
- 3) Willingness to meet time and budget requirements
- 4) Qualifications for plan review
- 5) Fee schedule

The selection of the firm will be based on the evaluation of the written proposals. The selection committee consisting of city staff will then forward its recommendations to the Board of City Commissioners for its consideration. Price will be negotiated with the successful firm. An agreement will be executed with a single contractor.

Written proposals from qualified consultants will be accepted until 10:00 a.m., Monday, July 22, 2024.

The Board of City Commissioners reserves the right to reject any proposal when it is in the best interest of the City.

Please submit one (1) hard copies, and one (1) electronic copy of said proposal to:

City of Mandan
Building Inspections
205 2nd Avenue NW
Mandan, ND 58554

Jordan.singer@cityofmandan.com



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 30, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Approval of 8th Ave NW Project Change Order 2

STATEMENT/PURPOSE:

To consider approval of 8th Ave NW Project change order 2.

BACKGROUND/ALTERNATIVES:

Construction is underway on the 8th Ave Reconstruction project. Staff were approached by Mandan High School to include driveways and ADA ramps in the city's project. Additionally, the school requested that the path along 8th Ave be changed from asphalt to concrete to match the school's path material. The costs for the additions and changes will be assessed back to the school. The school has acknowledged the additional costs they will incur due to these changes. Additionally, change order 2 adjusts two project quantities that have changed in the field. These changes are a reduction in the construction contract.

The costs at this time are not finalized but are a detailed estimate of the change order.

ATTACHMENTS:

None

FISCAL IMPACT:

The net project cost increase for Change Order 2 is \$135,848.50. These changes were requested by Mandan Public School District and will be assessed to the new high school property.

STAFF IMPACT:

Moderate time and effort working with Moore Engineering on the project.

LEGAL REVIEW:

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

RECOMMENDATION:

To approve the change order, as presented.

SUGGESTED MOTION:

I move to approve Change Order 2 for the 8th Avenue Northwest reconstruction project, as presented.



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 30, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Highway 6 Trail project construction engineering task order

STATEMENT/PURPOSE:

To consider Task Order 6 for construction engineering on the Highway 6 Trail project.

BACKGROUND/ALTERNATIVES:

The City of Mandan was awarded funding to complete the extension of an asphalt trail from 19th Street SE to the Heart River Bridge along ND 6. The project consists of grading, culvert installation, ADA's, signing and an asphalt trail.

The project was bid and awarded to Northern Improvement. Work will take place this summer and will need to meet all North Dakota Department of Transportation inspection and documentation standards.

Task Order 6 directs Moore Engineering to complete construction engineering for the project duration.

ATTACHMENTS:

1. Task Order 6

FISCAL IMPACT:

The construction engineering task order is for \$205,785.00. The entirety of the project cost would be special assessed to the Mandan Parks District.

STAFF IMPACT:

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

LEGAL REVIEW:

City Commission

Agenda Documentation

June 4, 2024

Subject: Consider a Highway 6 Trail project construction engineering task order

Page 2 of 2

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

RECOMMENDATION:

To approve Task Order 6 as presented.

SUGGESTED MOTION:

I move to approve task order 6, as presented.

TASK ORDER

This is Task Order No. 6,
consisting of four (4) pages.

Task Order No. 6: ND Highway 6 Trail CE Services

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated September 5, 2023 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- A. Effective Date of Task Order: June 4, 2024
- B. Owner: City of Mandan
- C. Engineer: Moore Engineering, Inc.
- D. Specific Project (title): ND Highway 6 Trail CE Services
Federal Aid Project TAU-1-006(029)066 PCN 23922
- E. Specific Project (description): HMA Trail and Curb Ramps from 19th St SE to the Heart River

GENERAL DESCRIPTION OF PROJECT: The Task Order includes construction engineering. The Project consists of 0.525 miles of HMA trail and ADA curb ramps along ND 6. The project connects to the existing trail at 19th St SE and runs North to the Heart River bridge.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are: the services (and related terms and conditions) set forth in the following sections of Exhibit A, as attached to the Agreement referred to above, 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 10 weeks, beginning August 1, 2024, and be complete by October 31, 2024, and that Contractor will work 6 days per week. Engineer's Exhibit D budgeted hours are for one full-time RPR based on 72 hours per week during this timeframe.
 - b. Engineer's services are included for one prime construction contract. If it becomes apparent that Engineer's services related to A1.05, A1.06 or Exhibit D will require more

time than anticipated, Engineer will notify Owner and prepare a subsequent Task Order Amendment.

- c. Construction surveys and staking will include:
 - 1) Establish control benchmarks (1 mobilization)
 - 2) Stake construction limits and subgrade (3 mobilizations)
 - 3) Stake culverts (1 mobilization)
 - 4) Bluetop aggregate base grades (2 mobilizations)
 - 5) Stake concrete ramps and HMA paving (3 mobilizations)
 - 6) Prepare reports and quantities (for pay items)
- d. Construction contract administration
 - 1) Project Manager contract administration, assigning personnel, budgets/invoicing, QC/QA (10 weeks)
 - 2) Pre-construction meetings (1 meeting)
 - 3) NDDOT CARS input and management (10 weeks)
 - 4) Site visits (1 per week)
- e. 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.

3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are:
as follows:
 - 1. Professional Land Surveying Services (5 Hours)
 - 2. Other requests by Owner (10 Hours)

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following:

- A. Attend meetings and provide direction as indicated in the above parts of this Task Order.

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule: See above schedule-related assumptions in the general description of project. Construction is expected to begin in August of 2024. Engineer shall proceed immediately and provide schedule updates to Owner. It is anticipated that Final Acceptance will occur in 2025.

6. Payments to Engineer

- A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services (Part 1 of Exhibit A)		
a. Resident Project Representative Services	\$115,110	Hourly, Standard Rates
b. Construction Staking	\$26,230	Hourly, Standard Rates
c. Construction Contract Administration	\$46,025	Hourly, Standard Rates
d. Post-Construction Phase (A1.06)	\$9,780	Hourly, Standard Rates
e. Subconsultants – Material Testing	\$5,865	Hourly, Standard Rates
2. Additional Services (Part 2 of Exhibit A)	\$2,775	Hourly, Standard Rates
TOTAL COMPENSATION	\$205,785	

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

- B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order:

- A. Terracon (Material Testing)

8. Other Modifications to Agreement and Exhibits: None

9. Attachments:

- A. Project Scope of Work Plan Sheet
- B. Work Breakdown Structure (tasks and hours)
- C. Moore Engineering, Inc. 2024 Billing Schedule

10. Other Documents Incorporated by Reference: None

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is June 4, 2024.

OWNER:

By: _____

Print Name: Tim Helbling

Title: Mayor

ENGINEER:

By: _____

Print Name: Kent Ritterman

Title: Civil Sector Leader

Engineer License or Firm's
Certificate No. (if required): 011C
State of: ND

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Jarek Wigness, PE

Title: City Engineer

Address: 205 2nd Ave NW
Mandan, ND 58554

E-Mail
Address: jarek.wigness@cityofmandan.com

Phone: (701) 667-3225

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Carl Jackson, PE

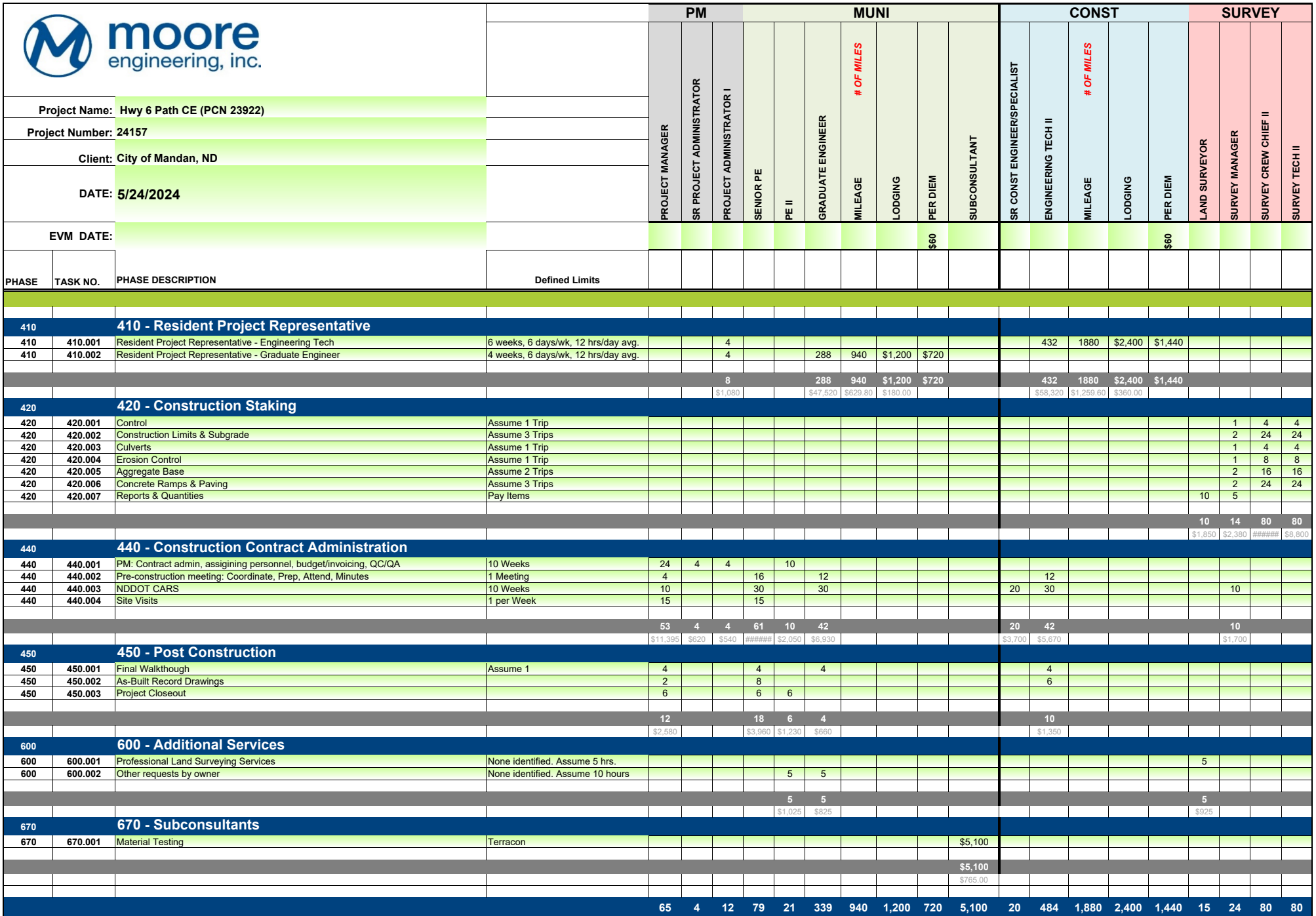
Title: Market Leader

Address: 4503 Coleman Street, Ste. 105
Bismark, ND 58503

E-Mail
Address: carl.jackson@mooreengineeringinc.com

Phone: (701) 751-8389





MOORE ENGINEERING, INC.

2024 BILLING SCHEDULE

Effective January 1, 2024

NOTE: Rates contained in this Billing Schedule are valid until December 31, 2024. After December 31, 2024, Hourly Billing Rates will be escalated annually and direct expenses may be adjusted to meet market conditions.

<u>Description</u>		<u>Billing Rate Per Hour</u>
1	Principal - SR Project Manager	\$225.00
2	Project Manager - SR PE - SR Technical Advisor	\$215 - \$220
3	Professional Engineer I, II	\$195 - \$205
4	Graduate - Project Engineer	\$165 - \$180
5	Engineering Designer I,II, SR	\$155 - \$180
6	Engineering Technician I, II, III	\$120 - \$145
7	Environmental Scientist I, II, II, SR	\$135 - \$210
8	Environmental Technician Intern, I, II	\$80 - \$120
9	Landscape Architect I, II, SR	\$155 - \$180
10	Project Manager Assistant I, II, III, SR	\$135 - \$155
11	Office Administrator I, II, III, SR	\$115 - \$165
12	CADD Technician I, II, III	\$140 - \$150
13	Senior GIS Coordinator - GIS Manager	\$195 - \$200
14	GIS Analyst - GIS Developer	\$165 - \$180
15	GIS Programmer I,II,III	\$150 - \$170
16	GIS Technician I, II, III	\$140- \$150
17	GIS Specialist I, II, III	\$145 - \$165
18	Land Surveyor - Senior Land Surveyor	\$180 - \$215
19	Survey Manager	\$170.00
20	Survey Crew Chief I, II - Survey Data Analyst	\$150 - \$165
21	Project Coordinator - CADD Standards Coordinator	\$180 - \$200
22	Funding Specialist	\$165.00
23	Survey Technician I,II, III	\$105 - \$120
24	Construction Engineer/Specialist, I, II, SR	\$165 - \$185
25	Administrative Assistant I, II, III	\$95 - \$105

Travel Expenses	Project Mileage	Per current IRS rate per mile	
	Lodging	Cost * 1.15	
	Meals	Cost * 1.15	
Survey Supplies	Per Diem	\$60.00	per day
	Iron Pins	\$1.25	each
	Fence Posts	\$5.00	each
	Motorized Offroad Vehicles	\$75.00	per day
Miscellaneous	Project Expenses	Cost * 1.15	
	Sub Consultants	Cost * 1.15	



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 30, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Resolution of Vacation for portion of ROW in Lakewood 6th Addition

STATEMENT/PURPOSE:

Resolution of Vacation for portion of ROW in Lakewood 6th Addition

BACKGROUND/ALTERNATIVES:

See Public Hearing 1 for background on this request.

ATTACHMENTS:

1. DRAFT Resolution of Vacation
2. Vacation Exhibit

FISCAL IMPACT:

N/A

STAFF IMPACT:

See public hearing.

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval.

SUGGESTED MOTION:

I move to approve the right of way as requested contingent upon the approval of the final plat for Shores at Lakewood 2nd addition.

City Commission

Agenda Documentation

June 4, 2024

Subject: Resolution of Vacation for portion of right-of-way in Lakewood 6th Addition

Page 2 of 2

RESOLUTION OF VACATION
Board of City Commissioners
City of Mandan, North Dakota

WHEREAS, the owners of the properties located in Lakewood Sixth Addition in Section 1, Township 138N, Range 81 W of the 5th Principal Meridian, City of Mandan, Morton County, North Dakota have requested that a portion of McKenzie Drive SE right-of-way, as further described in the attached exhibit, be vacated; and

WHEREAS, the subject property was not fully constructed; and

WHEREAS, the City of Mandan has no plans to construct public infrastructure at this location and deems this portion of the right-of-way unnecessary; and

WHEREAS, the required public notices were published for four consecutive weeks on May 10, 17, 24 and 31, 2024.

WHEREAS, the required public hearing was conducted by the Board of City Commissioners on June 4, 2024.

NOW, THEREFORE, BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, Morton County, North Dakota, that the above described public right-of-way be and the same is hereby vacated.

BE IT FURTHER RESOLVED, that the within and foregoing Resolution shall become effective from the time of its passage and publication.

Approved and passed February 6, 2024 by at least two-thirds vote of all the members of the Board of City Commissioners.

President, Board of City Commissioners

ATTEST:

City Administrator

Public Notice Dates: May 10, 17, 24, and 31, 2024

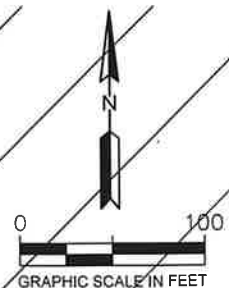
Public Hearing: June 4, 2024

Final Passage:

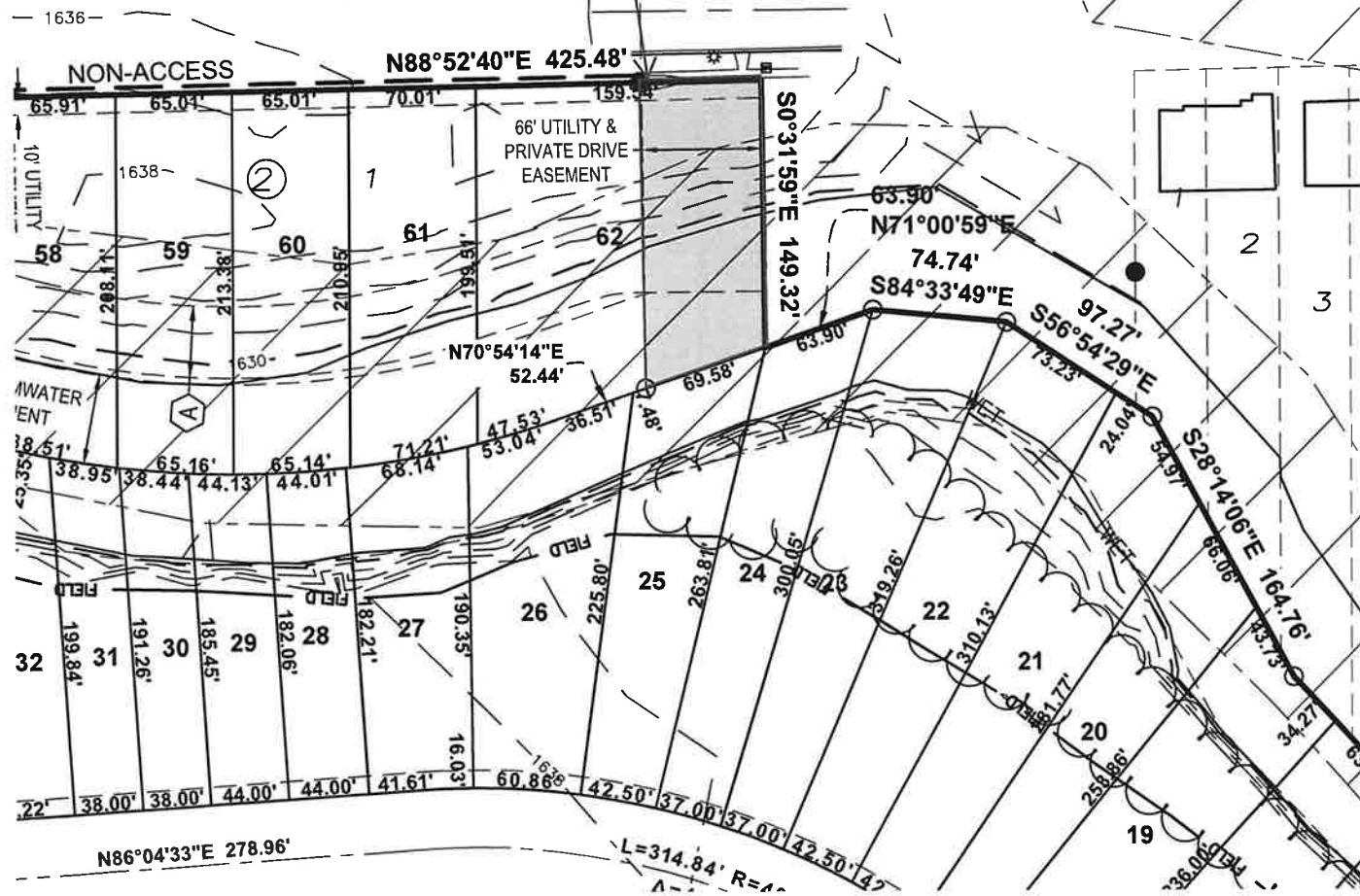
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ADDITION

VACATE 66' OF CITY OF MANDAN
RIGHT-OF-WAY TO BE USED BY
DEVELOPER FOR PRIVATE DRIVE
CONNECTION.

34TH AVE SE



THIS EXHIBIT IS FOR VISUAL
REPRESENTATION ONLY TO SHOW
THE PROPOSED AREA TO BE VACATED
ON MCKENZIE DR SE FOR SHORES AT
LAKEWOOD 2ND ADDITION.



SHORES AT LAKEWOOD VACATE RIGHT OF WAY EXHIBIT



NO.	DATE	DESCRIPTION	DATE:	SHEET NO:
			April 24, 2024	1
			PROJECT NO:	SHEET TITLE:
			20.003672	EXHIBIT A
			DRWN BY:	
			NWN	
			APPD BY:	



City Commission

Agenda Documentation

MEETING DATE: June 4, 2024
PREPARATION DATE: May 30, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Second Consideration of Shores at Lakewood 2nd
Addition Zone Change Ord 1447

STATEMENT/PURPOSE:

Second Consideration of Shores at Lakewood 2nd Addition Zone Change Ordinance 1447 from A - Agriculture and R7 - Residential to PUD - Planned Unit Development.

BACKGROUND/ALTERNATIVES:

TRX Developers seeks the rezoning of this property in association with the approval of the shores at Lakewood 2nd addition plat. The first consideration was held at the May 21, 2024 City Commission meeting. No changes have been made to the ordinance and no comments have been recieved.

ATTACHMENTS:

1. Draft Zone Change Ordinance

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

Staff recommends approval contingent upon approval of the Shores at Lakewood 2nd Addition Final Plat.

SUGGESTED MOTION:

City Commission

Agenda Documentation

June 4, 2024

Subject: Second Consideration of Shores at Lakewood 2nd Addition Zone Change Ord 1447

Page 2 of 2

I move to approve the second consideration of Ord. 1447 contingent on the Shores at Lakewood 2nd Addition Final Plat.

ORDINANCE NO. 14XX

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

WHEREAS, The Mandan Land Use and Transportation Plan designates the subject property as Low-Density Residential.

WHEREAS, The Open Space designation from the original future land use plan stems from being within the floodplain. The transition of Open Space to Low Density Residential and Commercial is supported due to the open area that will be preserved by the central pond, elevation out of the floodplain by LOMR-F, and flood-resilient basement proposed by the developer.

WHEREAS, Shores of Lakewood will be zoned and defined as a PUD as the overlay zoning with the R7 (Single-Family Residential), R4 (Single-Family Residential), R3.2 (Two-Family Residential), and CB (Commercial) as the underlying zoning. Housing types are limited to single-family attached (twin/town/row homes) and single-family detached homes.

WHEREAS, The Shores at Lakewood will be developed in 4 phases, as defined in the master plat and phasing map. Phase 1 of Shores at Lakewood will be zoned as a PUD (Planned Unit Development). Phases 2-4 will initially be identified as super blocks, requiring the developer to submit a final plat and PUD amendment, following the criteria defined in this master PUD plan, prior to development of each phase. Phases 2-4 will remain Ag (Agriculture) and be taxed as such, until development of each phase, independently, is complete and the lots are building permit ready.

WHEREAS, Lots may be combined to accommodate larger homes. For lots contained in blocks to be zoned R4 or R3.2, regulations governing R7 will apply.

WHEREAS, all residential lots shall be governed by the following setbacks:

- Front Yard – 25' from public street
- Front Yard – 15' for alley-accessed homes
- Side Yard – 5'
- Street Side Yard – 15'
- Rear Yard – 20'

WHEREAS, Except for regulations provided within the PUD District, the underlying zoning regulations shall apply to residential lots as follows:

- R7 – Residential
 - Lots 1-11 and 56-63, Block 1
 - Lots 1-36, Block 2
 - Lots 1-3, Block 3
- R3.2 – Residential

- Lots 12-55, Block 1
- Block 7 – CB limited
 - The following uses may be permitted:
 - **Utility Service Group**
 - **Service Group A**
 - In shop repair of carry in items
 - Furniture repair or upholstering
 - Dressmaker, Milliner or Tailor
 - Barber or beauty shop
 - Pet hospital or clinic
 - Pet grooming and dog daycare
 - Shoe and other leather goods repair
 - **Service Group B**
 - Self-Storage Units
 - Taxicab or Bus Company with Overnight Vehicle Parking
 - Kennel
 - Commercial garage or parking lot
 - Auto, truck or equipment repair
 - Animal hospital or clinic
 - Mobile cleaning, repair and restoration service

WHEREAS, Lot 21, Block 2, will be constructed as a community park and parking area for the use and enjoyment of the residents of Shores at Lakewood. This property will be owned and managed by the Home Owners Association.

WHEREAS, Block 7 shall be platted as a single block to be zoned CB – Limited as described in this ordinance. Occupied residential use shall not be allowed until such a time a tertiary access and right of way is granted from the south end of the property. Any development of this area shall be subject to a future EO 11988 USACE review, in addition to the City of Mandan review and site plan approval process. A PUD amendment process shall also be followed.

WHEREAS, Overall density upon buildout for residential units/area shall be between 2.5 to 4 units per gross acre.

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

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

ALL LOTS CONTAINED IN BLOCKS 1-7, SHORES AT LAKEWOOD ADDITION, SECTIONS 1 AND 12, TOWNSHIP 138N, RANGE 81W, CITY OF MANDAN,

MORTON COUNTY, NORTH DAKOTA SHALL BE REZONED FROM A – AGRICULTURE TO PUD - PLANNED UNIT DEVELOPMENT.

Said tract shall be included in the Planned Unit Development (PUD)

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

Tim Helbling, President
Board of City Commissioners

Attest:

Jim Neubauer
City Administrator

Planning and Zoning Commission:
First Consideration:
Second Consideration and Final Passage:
Recording Date:

March 25, 2024
May 21, 2024
June 4, 2024
