



**AGENDA
CITY COMMISSION
JUNE 18, 2024
ED “BOSH” FROEHLICH MEETING ROOM
MANDAN CITY HALL
5:30 PM
WWW.CITYOFMANDAN.COM**

The public may access the LIVE meeting at:

Watch & Listen

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

Or Telephone: +1 312 626 6799

Webinar ID: 885 6265 5419

Listen

Radio Access 102.5 FM

RadioAccess.org

Web: <https://us02web.zoom.us/j/88562655419>

A. ROLL CALL

1. Roll call of all City Commissioners

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. Quarterly work anniversary recognition
2. Retirement/Service recognition
3. Thank You to Allan and Debby Dykshoorn, Cottontail Way Greenhouse

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider approval of the minutes from the June 4, 2024 Board of City Commission regular meeting

F. PUBLIC HEARING

1. Consider a Preliminary Plat for Longhorn 3rd Addition

G. BIDS

H. CONSENT AGENDA

1. Consider approval of monthly bills
2. Consider Bicycle Friendly Community Renewal Application
3. Consider 2023 Veterans Credit Abatement for Bernard Kuntz
4. Consider approval of the following special event permits:
 - a. 4th of July kick-off party at Stage Stop
 - b. 4th of July weekend at Stage Stop
 - c. Mandan Rodeo Days Concert
5. Consider approval of 2023 Records Disposal for the following Departments:
 - i. Assessing
 - ii. Engineering
6. Consider Amending the 2024 Grounds Maintenance Budget
7. Consider Flex PACE letter of support for a loan to restructure the finance plan for West River Chiropractic Company
8. Consider the following gaming site authorizations:
 - a. Matpac Wrestling Club, Inc. at Stage Stop from June 21 to June 30, 2024
 - b. Bismarck Cancer Center Foundation at Dale Pahlke Arena Mandan Rodeo Grounds on July 1-4, 2024
 - c. Bismarck Cancer Center Foundation at Prairie West Golf Course on June 19, 2025
9. Consider Functional Classification update submittal
10. Consider a raffle permit for SCI-TR Safari Club International Theodore Roosevelt Chapter
11. Consider agreements between BNSF Railway, North Dakota State Historical Preservation Office and the City of Mandan regarding salvageable granite blocks
12. *Consider approving sole sourcing services from Electronic Communications Inc.*

I. OLD BUSINESS

J. NEW BUSINESS

1. Consider changes to parking violation fines
2. Presentation of the 2025 Preliminary CenCom Budget
3. *Consider request from TRX Developers to use City Right-of-Way for Shores at Lakewood Sprinklers*
4. *Consider Amendment 2 for the Water Treatment Plant Phase III Optimization Project*

K. RESOLUTIONS AND ORDINANCES

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- *June 25, 2024 at 9 a.m. (Special Meeting via Zoom)*
- July 2, 2024 at 5:30 p.m.
- July 16, 2024 at 5:30 p.m.
- August 6, 2024 at 5:30 p.m.

N. ADJOURN



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 7, 2024
SUBMITTING DEPARTMENT: HR
DEPARTMENT DIRECTOR: Amy Berger
PRESENTER: Amy Berger, HR Director
SUBJECT: Quarterly work anniversary recognition

STATEMENT/PURPOSE:

To recognize work anniversaries of quarter two.

BACKGROUND/ALTERNATIVES:

Beginning in 2024, employees that are eligible to receive a service award will be recognized each quarter. This was recognized annually in previous years.

Employees who have completed three, five, ten, fifteen, twenty, twenty-five, thirty, thirty-five, forty, forty-five, or fifty years of employment with the City will be recognized and receive a service award each quarter.

The City of Mandan would like to congratulate the following employees for their years of service. These employees will also be receiving an email on Wednesday to redeem their service award gift.

3 years:

Andrew Stromme - City Planner
Samuel Hay - PT Firefighter
Carter Kilen - PT Firefighter
Landen Veil - PT Firefighter
Ethan Eckholm - Public Service Coordinator

5 years:

Mersiha Arapovic - Firefighter
Kylan Williams - Firefighter

10 Years:

Sam Buckley – Public Works Seasonal Laborer

Bel Neibel - Outreach Service Driver

20 Years:

Denae Kautzmann – Municipal Judge

30 Years:

Steven Kilen –Fire Captain

ATTACHMENTS:

None

FISCAL IMPACT:

Five employees were awarded three years of service recognition gift not to exceed twenty-five dollars.

Two employees were awarded five years of service recognition gift not to exceed a value of fifty dollars.

Two employees were awarded ten years of service recognition gift not to exceed a value of one hundred dollars.

One employee was awarded twenty years of service recognition gift not to exceed a value of two hundred dollars.

One employee was awarded thirty years of service recognition gift not to exceed a value of two hundred dollars.

The total fiscal impact of the second quarter will be \$975.00

STAFF IMPACT:

NA

LEGAL REVIEW:

NA

RECOMMENDATION:

Recognition only. No action required.

SUGGESTED MOTION:

Recognition only. No action required.



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 12, 2024
SUBMITTING DEPARTMENT: HR
DEPARTMENT DIRECTOR:
PRESENTER: Amy Berger, HR Director
SUBJECT: Retirement/Service recognition

STATEMENT/PURPOSE:

BACKGROUND/ALTERNATIVES:

Retirement/Service recognition.

The City of Mandan would like to thank the following employees for their dedication to the City of Mandan.

These employees will be recognized individually by various management and presented with a plaque in honor of their commitment to the city over the years!

Bel Neibel - Outreach Service Driver

10 Years of service with the City of Mandan
Last day - August 23rd, 2024

DeNae Kautzmann - Municipal Judge

20 Years of service with the City of Mandan
Last day - June 30th, 2024

Tim Helbling - Mayor

22 years of service serving as Mayor and Commissioner
Last day - June 30th, 2024

Joe Camisa - City Commissioner

4 years of service serving as City Commissioner
Last day - June 30th, 2024

ATTACHMENTS:

None

FISCAL IMPACT:

Retirement awards:

A retirement award shall be provided to a benefit-eligible employee who has a minimum of ten years of service with the City, and who has not been previously recognized for retirement by the City, as follows:

1. A retirement certificate signed by the mayor and/or a plaque; and/or
2. A gift with a value not to exceed two hundred dollars.

Four plaques at \$55.95 each.

Three gifts with a value not to exceed two hundred dollars.

The total fiscal impact of plaques and gifts will be \$823.84.

STAFF IMPACT:

NA

LEGAL REVIEW:

NA

RECOMMENDATION:

Recognition only. No action required.

SUGGESTED MOTION:

Recognition only. No action required.



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 12, 2024
SUBMITTING DEPARTMENT: Planning, Business Development / Communications, Administration
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Thank You to Allan and Debby Dykshoorn, Cottontail Way Greenhouse

STATEMENT/PURPOSE:

Thank You to Allan and Debby Dykshoorn, Cottontail Way Greenhouse

BACKGROUND/ALTERNATIVES:

The City of Mandan is pleased to announce a generous donation from Allan and Debby Dykshoorn of Cottontail Way Greenhouse. The Dykshoorns donated flowers for the Main Street Planters project, which includes all five planters along Main Street, as well as additional flowers for the City Hall building. **The City extends its gratitude for this contribution.**

The petunias provided are exceptionally healthy and have significantly enhanced the vibrancy of the downtown area. The City is delighted to feature these beautiful flowers within the community.

ATTACHMENTS:

1. Dykshoorn Flowers Donation 1
2. Dykshoorn Flowers Donation 2

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

City Commission

Agenda Documentation

June 18, 2024

Subject: Thank You to Allan and Debby Dykshoorn, Cottontail Way Greenhouse

Page 2 of 2

N/A

RECOMMENDATION:

No action needed.

SUGGESTED MOTION:

No action needed.





The Mandan City Commission met in regular session at 5:30 PM on June 4, 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, Mayor Helbling and Commissioner Braun. Absent was Commissioner Olson. Department heads present were City Administrator Neubauer, Finance Director Welch, Assessor Markley, Human Resource Director Berger, Engineering Director Wigness, Deputy Chief, Bier, Building Official Singer, Fire Chief/Public Works Director Bitz, Business Development & Communications Director Cermak, Planner Stromme, Attorney Sand and Communications Specialist Schmidt.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Thank You to our Community Litter Clean-Up Month Volunteers.*

Communications Specialist Schmidt thanked the volunteers for our Community Litter Clean-Up Month. Special thanks was given to Jason Herman and the grounds maintenance cleanup crew.

2. Mayor Helbling announced several events going on in the City of Mandan sponsored by the Mandan Progress Organization, including Mandan Market Night, Morton County Charity Run, Races at the Dakota Speedway, Halloween in June, Dakota Mandan's Kite Flying ,a truck and tractor pull at Dakota Speedway, a classic parade for Buggies and Blues, Buggy and Blues party, Fly In Planes and Pancakes and Buggies and Blues car show going on this week and weekend in Mandan. .

D. APPROVAL OF AGENDA

E. MINUTES

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

Commissioner Camisa moved, and Commissioner Braun seconded to approve the minutes for the May 21st City Commission Meeting as presented. Roll Call vote: Aye 4, Nay 0. Commissioner Olson was absent. The motion passed.

F. PUBLIC HEARING

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

Planner Stromme presented a request from TRX Developers to consider Right-of-Way Vacation for a portion of right-of-way south of McKenzie Drive SE in Lakewood 6th Addition and recommended approval of the Right-of-Way Vacation contingent on the plat and developer helping with the relocation of the grass and leaf dump site. Mayor Helbling opened up for a public hearing. A second and final call was held. Hearing none, the public hearing was closed. Commissioner Braun moved and Commissioner Rohr seconded to approve the Right-of-Way Vacation. Roll Call vote: Aye 4, Nay 0. Commissioner Olson was absent. The Motion passed.

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..*

Mayor Helbling read items one through nine, and asked if anyone would like to remove any items for discussion. Commissioner Braun stated that he would like to remove Item Number 1 of the consent items. Commissioner Braun moved, and Commissioner Camisa seconded to approve consent items 2 to 9, including all subitems. Roll Call vote: Aye 4, Nay 0. Commissioner Olson was absent. The motion passed. Administrator Neubauer explained the amendment to the lease agreement regarding item No.1 to the Commission. Commissioner Braun moved to approve Item No.1 and Commissioner Rohr seconded it. Roll call vote: Aye 4, Nay 0. Commissioner Olson absent. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider approval of a Request for Qualifications for Building Inspections.*

Building Official Singer presented the request for qualifications for technical assistance on the review side of the women's correctional center coming to Mandan. Commissioner Rohr moved and Commissioner Camisa seconded the request for qualifications for building inspections. Roll Call vote: Aye 4, Nay 0. Commissioner Olson absent. The motion passed.

2. *Consider Approval of 8th Ave NW Project Change Order 2.*

Engineering Director Wigness presented consideration for approval as staff were approached by Mandan Public Schools (MPS) to include driveways, ADA ramps and the path along 8th Ave be changed from asphalt to concrete. MPS will be assessed the additional costs. Commissioner Braun moved, and Commissioner Camisa seconded the change order. Roll Call vote: Aye 4, Nay 0. Commissioner Olson absent. The motion passed.

3. *Consider a Highway 6 Trail project construction engineering task order.*

Engineering Director Wigness presented an agreement for the construction engineering and oversight for the Highway No. 6 trail, 19th Street to the bridge just south of the golf course. Commissioner Camisa moved and Commissioner Rohr seconded task order 6 as presented. Roll Call vote: Aye 4, Nay 0. Commissioner Olson absent. The motion passed. Engineer Wigness gave an update on the 19th Street Project. Mayor Helbling also expressed concerns regarding past projects that have not been completed properly and suggested a lawsuit against the construction company as a recourse. .

K. RESOLUTIONS AND ORDINANCES**1. *Resolution of Vacation for portion of right-of-way in Lakewood 6th Addition.***

Planner Stromme recommended approval contingent upon the final plat for Resolution of Vacation for portion of right-of-way for Shores 2nd Addition in Lakewood 6th Addition and mentioned that the motion should go under resolutions rather than public hearing. Mayor Helbling brought attention to the fact that a motion and second was made under public hearings on this matter and would have to be resolved. Commissioner Braun withdrew his motion and Commissioner Rohr removed his second of the motion. Commissioner Braun moved and Commissioner Rohr seconded to approve the resolution of vacation for portion of right-of-way for Shores of 2nd addition contingent of approval of final plat. Roll call vote: Aye 4, Nay 0. Commissioner Olson was absent. The motion passed.

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

Under Resolutions and Ordinances, Mayor Helbling indicated that Item #2 - Second Consideration of Shores at Lakewood 2nd Addition Zone Change Order # 1447 has been removed from the Agenda.

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

There being no other business to come before the Board, Mayor Helbling entertained a motion to adjourn. Commissioner Camisa moved and Commissioner Rohr seconded the motion to adjourn at 06:03 PM. The motion received unanimous approval of all the members present.

James Neubauer
City Administrator

Timothy Helbling
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 11, 2024
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a preliminary plat to be named Longhorn 3rd Addition. The property is located on Highway 1806 and 37th Street.

STATEMENT/PURPOSE:

The Central Dakota Humane Society is requesting approval of a preliminary plat to be named Longhorn 3rd Addition. Said property is located in the extra-territorial jurisdiction and would be a replat of Lot 1, Block 1, Longhorn 2nd Addition.

BACKGROUND/ALTERNATIVES:

Overview Of Request

The requested preliminary plat aims to adjust access to the property. The applicant, Central Dakota Humane Society (CDHS), plans to expand their operations and requires better access. The previous plat limited access to the current location of aprons and placed non-access lines and easements, directing all Longhorn 2nd traffic to use the existing aprons. Access to the CDHS lot was restricted to an offset location opposite Entzel Drive. The proposed modification would realign the approach to be in line with Entzel Drive, enhancing safety at the intersection by improving sight lines.

Preliminary Plat

The property to be replatted covers 11.69 acres and will be reconfigured into a one-lot, one-block subdivision. It dedicates no new rights-of-way. The section labels indicate the percentage of the property that was previously in Sections 9 and 10, but this does not mean the property is divided into two separate lots. The site is significantly encumbered by overhead electrical transmission infrastructure. Additionally, the access easement is intended for Lot 1, Block 1, Longhorn 3rd, and Lot 2, Block 1, Longhorn 2nd. Right-of-way for a future arterial road was acquired with the 2020 plat.

Property History

Longhorn was originally approved as a residential development. The Humane Society's

operations on this property began in 1994. In 2020, the property was rezoned from R7 - Residential to CB - Commercial (Ord. 1336) with restrictions in tandem with a section line vacation, land use and transportation plan amendment, and the approval of the Longhorn 2nd Addition plat.

Adjacent Properties Zoning, Land Use and Future Land Use

Property directly to the north lies within Morton County zoning jurisdiction. Properties lying to the west, east and south are A - Agriculture.

The Future Land Use Map identifies this property as Commercial, Low Density Residential to the west, open space to the north and west and rural residential to the north and south.

Additional Information and Public Outreach

- An application and fee of \$450 was received on April 26.
- 19 letters were sent to adjacent property owners.
- Legal notice was published June 7

Findings of Fact Preliminary Plat

1. All technical requirements for consideration of a preliminary plat have been met;
2. The proposed subdivision would likely not have substantial effects on the safety and circulation of public roadways in the vicinity, and therefore no traffic impact study is required;
3. The proposed plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision;
4. The City of Mandan and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision at the time of development, without improvements to City Sanitary Sewer that if not made, prevent the development from moving forward;
5. Portions of the subdivision are located in the Special Flood Hazard Area, however the subdivision is proposed to be developed according to the existing ordinance requirements pertaining to Floodplain Development and therefore, the proposed development should not adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development,
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed subdivision is consistent with the Comprehensive Plan, the Future Land Use Plan, and other plans and studies, policies and accepted planning practice;
8. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Staff Comments

- Staff began working on this project in 2022. The City has approved the adjustment to the site access and it has been vetted by Engineering. The plat is what will actually adjust the access. The access easement serving Lot 2, Block 1, Longhorn 2nd, is adjusted slightly to extend further west than previously depicted to ensure that it overlaps with the proposed new approach to 37th Street
- The CDHS Expansion was approved by Mandan Architecture Review Commission.
- Staff requests document numbers for recorded easements be added to the final plat, if/when they are available.

ATTACHMENTS:

1. Application - Longhorn 3rd
2. Longhorn 3rd Addition Preliminary Plat revised 5-24-24
3. Recorded Plat - Longhorn 2nd
4. Images - Longhorn 3rd
5. Location Map - Longhorn 3rd

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

The Planning & Zoning Commission recommended approval at the May 29th meeting.

SUGGESTED MOTION:

I move to approve the preliminary plat of Longhorn 3rd Addition.

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

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, PLS / ILSE, Inc.			Name Central Dakota Humane Society		
Address 4215 Old Red Trail NW			Address 2104 37th Street		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email mark@ilsurveynd.com			email cjkemmet@bis.midco.net		
Phone 701-595-2079		Fax	Phone 701-425-6397		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	X	ETA	New	X	Addition	CB	CB	Longhorn 3rd Addition		
Property Address						Legal Description				
2104 37th Street, Mandan, ND 58554						Lot 1, Block 1 in Longhorn 2nd Addition				
Current Use										
Humane Society										
Proposed Use										
Same						Section 10	Township 139 N	Range 81 W		
Parcel Size	Building Footprint		Stories	Building SF		Required Parking		Provided Parking		
11.69 Ac.										

Print Name Jerald C Kemmet	Signature Jerald C Kemmet	Date 4/26/24
-------------------------------	------------------------------	-----------------

Office Use Only			
Date Received: 4-26-24	Initials: nm	Fees Paid: \$450	Date
Notice in paper	Mailed to neighbors	P&Z meeting	
Approved	Approved with conditions:		
Denied			

PRELIMINARY PLAT

LONGHORN 3RD ADDITION

OF MORTON COUNTY, NORTH DAKOTA, LYING WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF MANDAN, NORTH DAKOTA

LOT 1, BLOCK 1 IN LONGHORN 2ND ADDITION

PART OF THE NE 1/4 OF SECTION 9, T139N, R81W

PART OF THE NW 1/4 OF SECTION 10, T139N, R81W

PROPERTY DESCRIPTION

ALL OF LOT 1, BLOCK 1 IN LONGHORN 2ND ADDITION SITUATED IN THE NORTHEAST QUARTER OF SECTION 9 AND IN THE NORTHWEST QUARTER OF SECTION 10 ALL BEING IN TOWNSHIP 139 NORTH, RANGE 81 WEST IN MORTON COUNTY, NORTH DAKOTA, CONTAINING 11.69 ACRES, MORE OR LESS, AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

OWNER'S CERTIFICATE OF DEDICATION

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

WE, DO HEREBY DEDICATE A 40 FOOT ACCESS EASEMENT FOR THE BENEFIT OF LOT 1, BLOCK 1 IN THIS PLAT AND LOT 2, BLOCK 1 IN LONGHORN 2ND ADDITION, WHICH WILL RUN WITH THE LANDS.

GERALD C. KEMMET
CENTRAL DAKOTA HUMANE SOCIETY

STATE OF _____ } SS
COUNTY OF _____ }

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

NOTARY PUBLIC _____

PLANNING COMMISSION APPROVAL

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

BILL ROBINSON - CHAIRMAN

NANCY MOSER - SECRETARY

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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

JIM NEUBAUER - CITY ADMINISTRATOR

TIM HELBLING - PRESIDENT OF THE BOARD
OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVES "LONGHORN 3RD ADDITION" LYING WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

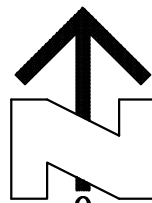
SURVEYOR'S CERTIFICATE

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

MARK R. ISAACS, RLS 9628

LEGEND

	EXISTING VEGETATION		EXISTING CONTOUR
	EXISTING POWER POLE		EXISTING BUILDING
	EXISTING GATE VALVE		EXISTING ASPHALT
	EXISTING ELECTRIC BOX		EXISTING CONCRETE
	EXISTING TV/TELEPHONE PEDESTAL		NON-ACCESS LINE
	EXISTING LIGHT POLE		
	EXISTING GUY WIRE		
	EXISTING FENCE LINE		
	EXISTING STORM SEWER		
	EXISTING SANITARY SEWER		
	EXISTING WATERMAIN		
	EXISTING FIBER OPTIC		
	EXISTING UNDERGROUND ELECTRIC		
	EXISTING EASEMENT		
	EXISTING OVERHEAD POWER		



SCALE: 1" = 60'

0 30 60

DATE: MAY 24TH, 2024

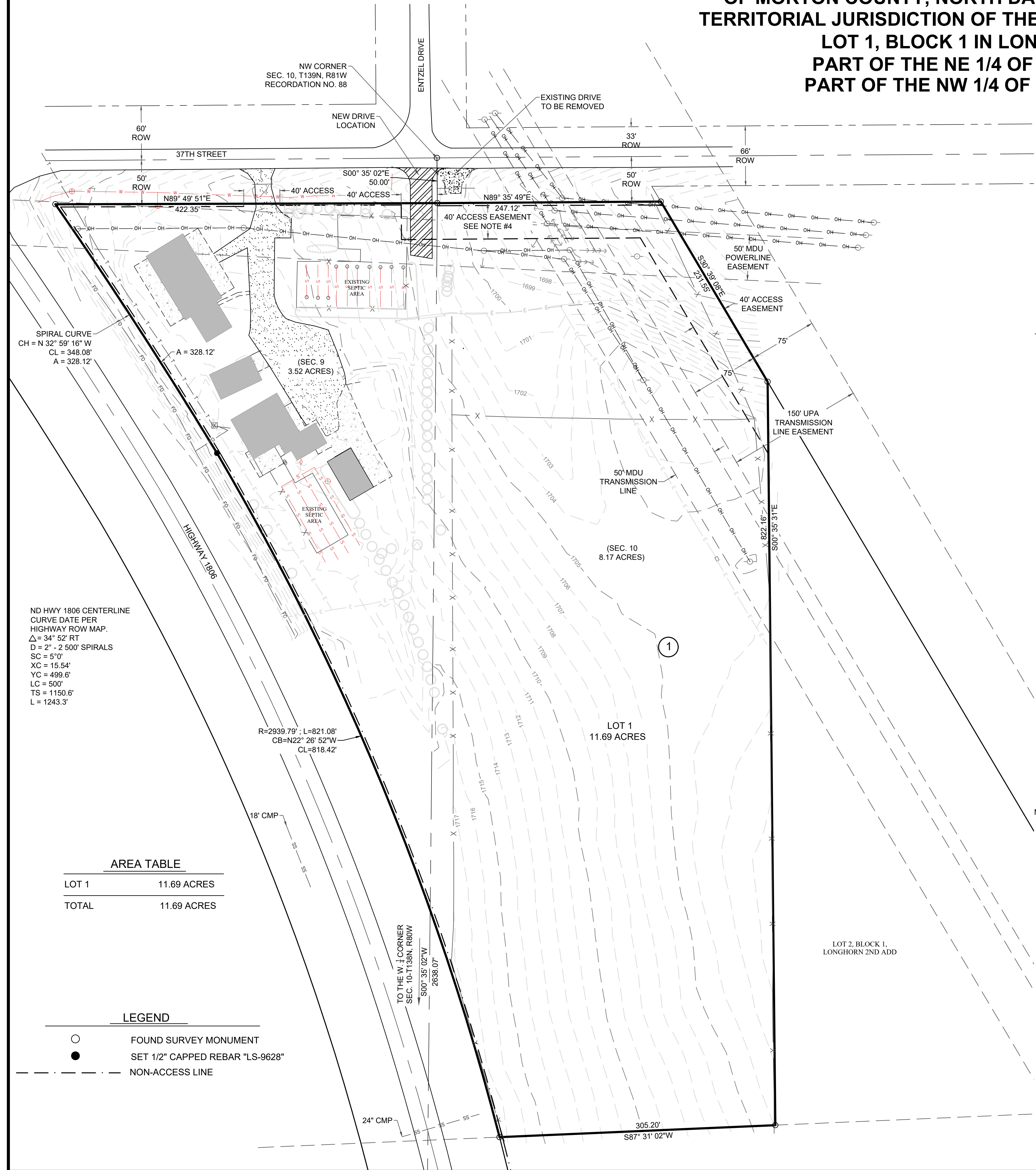
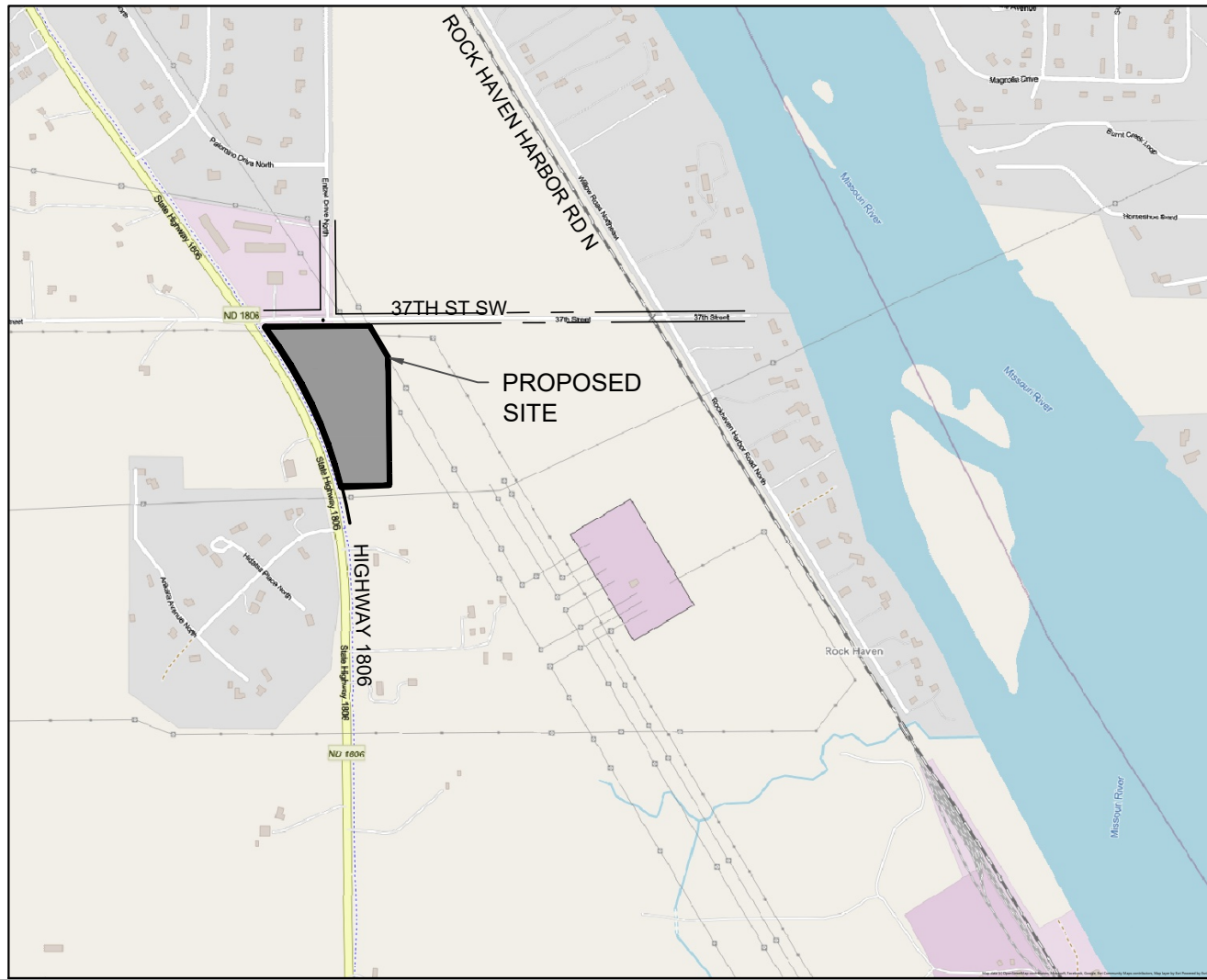
VERTICAL DATUMN - NAVD 1988.

BASED ON NORTH DAKOTA SOUTH
ZONE-NAD83, INTERNATIONAL FEET.

MEASUREMENTS HAVE BEEN ESTABLISHED
BY RTK FROM THE "BSMK" CORRS STATION
AND ARE REPORTED IN GRID.

NOTES:

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
- EXISTING ZONING IS CB RESTRICTED
- THE 40' ACCESS EASEMENT SHOWN HEREON IS FOR JOINT-USE, AND TO THE BENEFIT OF LOT 1, BLOCK 1 IN THIS PLAT AND LOT 2, BLOCK 1 IN LONGHORN 2ND ADDITION.



AREA TABLE

LOT 1	11.69 ACRES
TOTAL	11.69 ACRES

LEGEND

- FOUND SURVEY MONUMENT
- SET 1/2" CAPPED REBAR "LS-9628"
- NON-ACCESS LINE

LONGHORN 2ND ADDITION

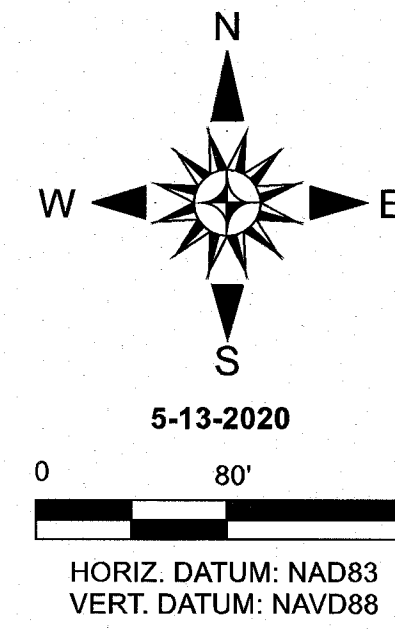
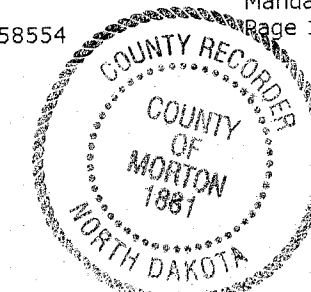
OF MORTON COUNTY, NORTH DAKOTA

ALL OF AUDITOR'S LOT "A" OF THE NE1/4 OF SECTION 9 AND LONGHORN 1ST ADDITION REPLAT (INCLUDING ENTZEL DRIVE) OF THE NW1/4 OF SECTION 10, T139N-R81W OF MORTON COUNTY, NORTH DAKOTA LYING WITHIN THE 1-MILE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MANDAN

COUNTY RECORDER, MORTON COUNTY, ND
I certify that this instrument was filed and recorded.
Nancy Seefeldt, County Recorder Fee \$20.00
By *[Signature]* July 9, 2020 11:41:46 AM

Return to:
MORTON COUNTY
210 2ND AVE NW
MANDAN ND 58554

County Recorder: 495939
Morton County
Mandan ND 58554
Page 1 of 1



LEGEND	
△	FOUND SECTION/QUARTER CORNER
○	FOUND REBAR MONUMENT
●	SET REBAR MONUMENT
---	NON-ACCESS LINE

OWNER:
CENTRAL DAKOTA HUMANE SOCIETY
2104 37TH ST
MANDAN, ND 58554

BASIS OF BEARING:
NORTH BOUNDARY LINE NE1/4 SEC. 9
NORTH 89°35'49" EAST

- NOTES:
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENT.
 - LOTS 1-6, BLOCK 1 AND THE RIGHT-OF-WAY OF ENTZEL DRIVE IN LONGHORN 1ST ADDITION REPLAT (DOC. #460938) SHALL BE VACATED BY THIS PLAT.
 - THE 40' ACCESS EASEMENT SHOWN HEREON IS FOR JOINT-USE, AND TO THE BENEFIT OF LOTS 1 AND 2 EQUALLY.
 - TOTAL LOTS: 20.82 ACRES
TOTAL ROW: 9.26 ACRES
TOTAL AREA: 21.08 ACRES

DESCRIPTION OF PROPERTY

A TRACT OF LAND BEING ALL OF AUDITOR'S LOT "A" OF THE NE1/4 OF SECTION 9, AND PART OF LONGHORN 1ST ADDITION REPLAT (INCLUDING ENTZEL DRIVE) NW1/4 OF SECTION 10, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, OF MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 9, T139N-R81W; THENCE SOUTH 00°35'02" EAST ALONG THE WEST BOUNDARY LINE OF SAID SECTION 9 FOR 33.00 FEET TO THE NORTHWEST CORNER OF LONGHORN 1ST ADDITION REPLAT OF MORTON COUNTY, NORTH DAKOTA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 89°35'49" EAST ALONG THE NORTH BOUNDARY LINE OF SAID LONGHORN 1ST ADDITION REPLAT FOR 237.26 FEET TO THE NORTHEAST CORNER OF SAID LONGHORN 1ST ADDITION REPLAT; THENCE SOUTH 30°39'08" EAST ALONG THE EAST BOUNDARY LINE OF SAID LONGHORN 1ST ADDITION REPLAT FOR 1486.69 FEET TO THE SOUTHEAST CORNER OF SAID LONGHORN 1ST ADDITION REPLAT; THENCE SOUTH 89°30'17" WEST ALONG THE SOUTH BOUNDARY LINE OF SAID LONGHORN 1ST ADDITION REPLAT FOR 875.91 FEET TO THE SOUTHWEST CORNER OF SAID LONGHORN 1ST ADDITION REPLAT, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF ND HIGHWAY 1806; SAID POINT ALSO BEGINNING ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2939.79 FEET; THENCE ALONG SAID CURVE TO THE LEFT, AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE (THE CHORD OF WHICH BEARS NORTH 20°06'15" WEST, 1055.81 FEET) AN ARC LENGTH OF 1061.56 FEET TO THE C.S. (CURVE TO SPIRAL) OF A CURVE TO THE LEFT HAVING A RADIUS OF 2939.79 FEET; THENCE ALONG SAID SPIRAL CURVE, AND CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE (THE CHORD OF WHICH BEARS NORTH 33°06'02" WEST, 348.70 FEET) A SPIRAL CURVE LENGTH OF 348.80 FEET TO THE NORTHWEST CORNER OF AUDITOR'S LOT "A" OF THE NE1/4 OF SECTION 10, T139N-R81W; THENCE NORTH 89°49'51" EAST ALONG THE NORTH BOUNDARY LINE OF SAID AUDITOR'S LOT "A" FOR 434.01 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 21.08 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

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

[Signature]
ANDRA L. MARQUARDT, SURVEYOR
LS 4623
DATE: 6/2/20
NORTH DAKOTA

STATE OF NORTH DAKOTA)
COUNTY OF MORTON)

ON THIS 2nd DAY OF June, 2020, THERE APPEARED BEFORE ME ANDRA L. MARQUARDT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE AND DID ACKNOWLEDGE TO ME THAT SHE EXECUTED THE SAME AS HER OWN FREE ACT AND DEED.

HARVEY SCHNEIDER
Notary Public
State of North Dakota
My Commission Expires Jan 14, 2022

[Signature]
HARVEY SCHNEIDER
NOTARY PUBLIC, NORTH DAKOTA

OWNER'S CERTIFICATE OF DEDICATION

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

[Signature]
GERALD C. KEMMET
CENTRAL DAKOTA HUMANE SOCIETY

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS 4th DAY OF June, 2020.

HARVEY SCHNEIDER
Notary Public
State of North Dakota
My Commission Expires Jan 14, 2022

[Signature]
HARVEY SCHNEIDER
NOTARY PUBLIC, COUNTY OF MORTON
MY COMMISSION EXPIRES: 1-14-2022

PLANNING COMMISSION APPROVAL

THE SUBDIVISION SHOWN HEREON HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MANDAN ON THIS 27th DAY OF April, 2020, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF SAID CITY OF MANDAN, AND REGULATIONS ADOPTED BY THE PLANNING COMMISSION OF SAID CITY, IN WITNESS WHEREOF ARE SET THE HANDS OF THE CHAIRMAN AND THE SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA.

[Signature]
BILL ROBINSON - CHAIRMAN

[Signature]
NANCY MOSER - 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, HAS TAKEN BY RESOLUTION THIS 5th DAY OF May, 2020.

[Signature]
JIM NEUBAUER
CITY ADMINISTRATOR

[Signature]
TIM HELBLING - PRESIDENT OF
THE BOARD OF CITY COMMISSIONERS

I, JUSTIN FROSETH, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA HEREBY APPROVES LONGHORN 2ND ADDITION, OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

[Signature]
JUSTIN J. FROSETH
REGISTERED PROFESSIONAL ENGINEER
DATE: 6-26-2020
NORTH DAKOTA

[Signature]
JUSTIN FROSETH, PE

AUDITOR'S OFFICE, MORTON CO., ND.
DELINQUENT TAXES AND SPECIAL
ASSESSMENTS OR INSTRUMENTS OF
SPECIAL ASSESSMENTS, PAID AND
TRANSFER ACCEPTED.

DAWN R. RHONE, COUNTY AUDITOR
BY *[Signature]* DEPUTY

7-9-2020

APPROVED BY COUNTY AUDITOR'S OFFICE
DAWN R. RHONE, AUDITOR

BY *[Signature]* DEPUTY

DATE: 7-9-2020

41-0037000 # 41-0325880
41-0325850 # 41-0325890
41-0325860 # 41-0325900
41-0325870



**TOMAN ENGINEERING
COMPANY**
501 1st Street NW, Mandan, ND 58554
Phone: 701-663-6483 * Fax: 701-663-0923

Property Images



View looking south towards property



View looking east towards property



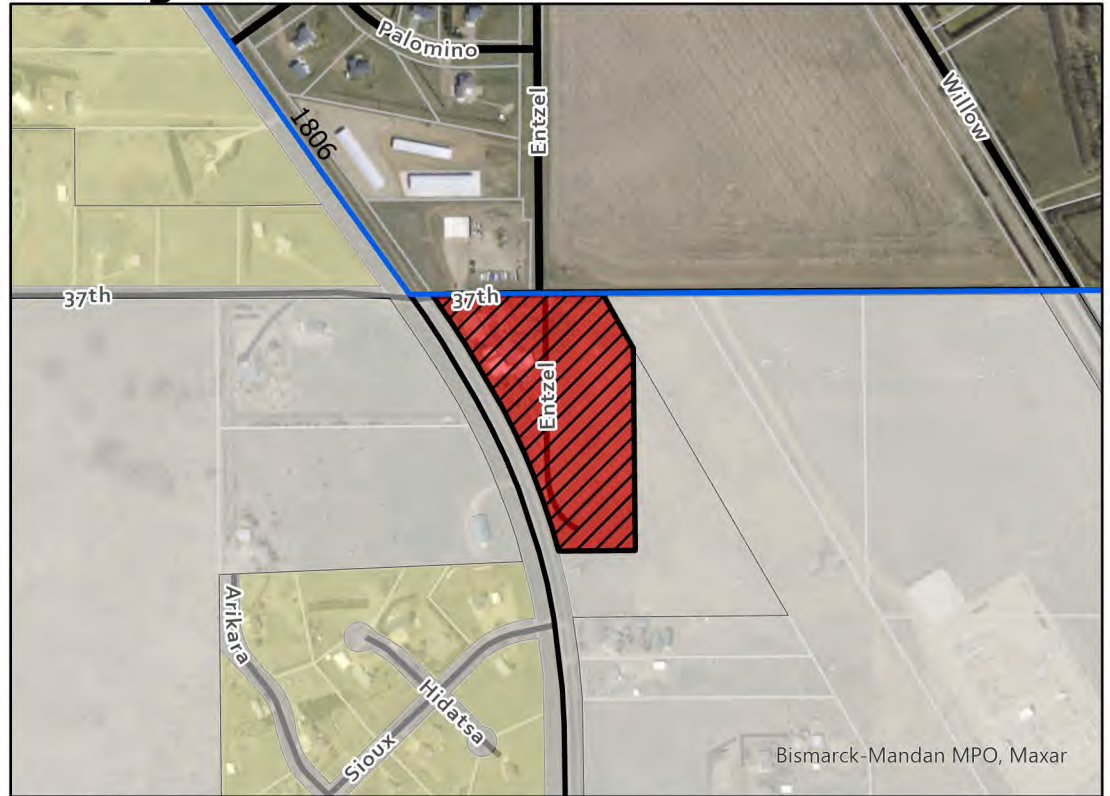
Zoning and Future Land Use Reference Map

Longhorn 3rd Addition

Zoning Map Key

- | | |
|---|---|
| Agriculture - City of Mandan | MD - Heavy Commercial/Heavy Industrial Restricted |
| Agriculture - Morton County | MHS - Trailer Park |
| CA - Neighborhood Commercial | PUD - Planned Unit Development |
| CB - Business Commercial | R3.2 - Residential Single & Two Family |
| CC - Commercial/Light Industrial Transition | R7 - Residential Single Family |
| DC - Downtown Core | RH - Residential Mobile Home Park |
| DF - Downtown Fringe | RM - Residential Multi-family Dwellings |
| Industrial - Morton County | RMH - Residential Mobile Home Subdivision |
| LSMHS - Trailer Park Subdivision | Residential - County Residential Zoning |
| MA - Heavy Commercial/Light Industrial | ROW - Right-of-Way |
| MB - Heavy Commercial/Heavy Industrial | Parcels |
| MC - Heavy Commercial/Light Industrial Restricted | ETA Line |
| City Limits | 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 18, 2024
PREPARATION DATE: June 4, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Kimberly Riepl
SUBJECT: Consider Bicycle Friendly Community Renewal Application

STATEMENT/PURPOSE:

To consider a request from the Bismarck-Mandan Metropolitan Planning Organization (BMMPO) to submit an application on behalf of the City of Mandan for renewal of its "Bicycle Friendly Community" designation.

BACKGROUND/ALTERNATIVES:

The League of American Bicyclists, a national organization dedicated to promoting bicycle education and opportunity, awarded the BMMPO, on behalf of the cities of Mandan, Lincoln, and Bismarck, the designation of "Bicycle Friendly Community" in 2016, and again in 2020. National recognition as a "Bicycle Friendly Community" through the League of American Bicyclists is important to the City of Mandan as research shows that bike-friendly improvements boost economies by increasing retail activity, attracting top talent to the community, improving property values through the inclusion of bikeways, and promoting greater health and reduced health care costs for the residents of the community.

The "Bicycle Friendly Community" designation is effective for four years, at which time it must be renewed through submittal of a new application. The BMMPO, with assistance from Mandan City staff, has begun completing an application to submit by the June 25, 2024 deadline.

The current Bicycle Friendly Community designation was awarded at a "Bronze" status and staff is hopeful that a "Silver" level might be achieved through the current application process. The renewal of a "Bronze" designation or the possible upgrade to "Silver" poses no financial liability to the City of Mandan.

ATTACHMENTS:

None

FISCAL IMPACT:

none

STAFF IMPACT:

Minimal

LEGAL REVIEW:

n/a

RECOMMENDATION:

It is recommended that the Mandan Board of City Commissioners grant the request to submit a Bicycle Friendly Community renewal application on behalf of the City of Mandan to the League of American Bicyclists.

SUGGESTED MOTION:

I move to approve request by Bismarck-Mandan MPO to submit a Bicycle Friendly Community renewal application on behalf of the City of Mandan.



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 4, 2024
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Veterans Credit for Bernard Kuntz

STATEMENT/PURPOSE:

To consider the 2023 Application for Disabled Veterans Property Tax Credit for property located at 505 6th Ave NE.

BACKGROUND/ALTERNATIVES:

This parcel is also known as parcel #65-0535000 with a legal description of Lot 31 Block 3 Diane's 1st.

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

ATTACHMENTS:

1. Kuntz 2023 Abatement Form
2. Vet Credit Flyer

FISCAL IMPACT:

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

STAFF IMPACT:

N/A

LEGAL REVIEW:

Submitted to City Attorney Amy Oster.

RECOMMENDATION:

I recommend a motion to recommend approval to the Morton County Commission of the 2023 Abatement Application for Bernard Kuntz at 505 6th Ave NE as presented.

SUGGESTED MOTION:

I move to recommend approval to the Morton County Commission of the 2023 Abatement Application for Bernard Kuntz at 505 6th Ave NE as presented.

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

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

State of North Dakota

Assessment District CITY OF MANDAN

County of MORTON

Property I.D. No. 65-0535000

Name KUNTZ/BERNARD A & GRACE I

Telephone No. 701-781-1234

Address 505 6TH AVE NE, MANDAN, ND 58554-0000

Legal description of the property involved in this application:

LOT 31 BLOCK 3 DIANE'S 1ST

RECEIVED
JUN 03 2024

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

Land \$ 40,000
Improvements \$ 282,000
Total \$ 322,000

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

Land \$ 40,000
Improvements \$ 282,000
Total \$ 322,000

The difference of \$ 0 true and full value between (1) and (2) above is due to the following reason(s):

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

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

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

Applicant asks that apply the new disability rating for exemption

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

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

Signature of Preparer (if other than applicant) _____

Date _____

Signature of Applicant Bernard A Kuntz

Date 6/3/2024



DISABLED VETERANS

PROPERTY TAX CREDIT

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

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



ELIGIBILITY

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

APPLY

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

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



ADDITIONAL INFORMATION

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

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

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

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

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



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 5, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the special event permit for the 4th of July kick-off party at Stage Stop.

STATEMENT/PURPOSE:

Consider approval of the special event permit for the 4th of July kick-off party at Stage Stop.

BACKGROUND/ALTERNATIVES:

4th of July kick off party with live music on an outdoor stage, July 3rd, from 7:00pm to 12:45 am. See attached special event permit. All City of Mandan Departments reviewed and signed off for the event. (The FD has a contingency based on the inspection)

ATTACHMENTS:

1. Stage Stop 7-3-24 - signed

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the special event permit for the 4th of July kick-off party at Stage Stop with the contingency that they pass all inspections by the Mandan Fire Department.

SUGGESTED MOTION:

I move to approve the special event permit for the 4th of July kick-off party at Stage Stop with the contingency that they pass all inspections by the Mandan Fire Department.

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

paid
ck# 11570
5-31-24

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: 05/29/2024

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: Jamie Haff
Driver's License Number: HAF-76-4835 State N.D.
Date of Birth: 06/03/1976 Phone Number: 701-202-1065 Email: jamiehaff1@gmail.com
Address: 111 oakes ave City: Mandan State: N.D. 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: 611 6th ave se City: Mandan State: N.D. Zip: 58554
Corporation/Organization: Stage Stop Liquors State of Incorporation: N.D.
Tax ID #: 30-1090561 501(c)3 #: _____ City Sales Tax ID #: 33951733
Have you ever coordinated/promoted another event/s? ☒ YES ☐ NO

If yes, please provide the following:

Last event/s Location: 611 6th ave se Date: 06/09/2023
Contact Name: Luke Clausen Phone: 701-260-3412
E-mail Contact: lclausen@dtcenergygroup.com

Section 2 – Event Information

Event Name: 4th of July kick off party Anticipated Daily Attendance: 500
Event Date(s): 07/03/2024 Set-up Date: 07/03/2024 Hours: 7 hours
Hours of event each day: 7:00pm to 12:45 am
(begin and end times)
Take Down Date(s): 07/07/2024 Hours: 5
E-Mail address for public information: info@stagestopsaloon.com
WEB address for public information: stagestopsaloon.com
Location of Event/physical address: 611 6th ave se Mandan, N.D. 58554
Sponsors of the Event: _____
Brief Description of Event:
We will have a band called frantic anarchy outside on the stage.

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? 96.5 fm _____

TV: ☐ Yes ☒ No What Stations? _____

Fliers/Posters: ☒ Yes ☐ No How many? 10 _____

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: 2 _____

(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: dakota fence _____

Contact phone: 701-202-1065 _____

Restroom Accommodations: Spiffy Biff _____

Number of required portable toilets: 4 _____

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.

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: Stage Stop
Contact phone: 701-202-1065

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?

21 and older will be identified with wristbands.

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

If yes, who provided the training: Jamie Haff, General Manager at Stage Stop

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: Bisman security 701-223-2328

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?

We will be using our own waste containers and company for removal.

(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..... \$ _____

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

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

TOTAL: \$ _____

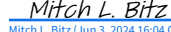
Fees assessed by the Park District are not included.

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

Permit Application #: _____ Date Complete: _____

(For office use only)

Signature Page from City Officials and Department Heads

 _____ Engineering Department	/ 03/06/2024 Date	☒ Approved	☐ Denied	☐ Conditional—See Narrative
 _____ Public Works	/ 04/06/2024 Date	☒ Approved	☐ Denied	☐ Conditional—See Narrative
 _____ Police Department	/ 03/06/2024 Date	☒ Approved	☐ Denied	☐ Conditional—See Narrative
 _____ Fire Department	/ 03/06/2024 Date	☐ Approved	☐ Denied	☒ Conditional—See Narrative

Engineering Narrative:

Public Works Narrative:

Police Department Narrative:

Fire Department Narrative:

Contingent on MFD satisfactory inspection, please notify MFD as soon as Venue is ready for inspection

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)

Bismark Mandan Security
Special Event Request

Company Name:

Stage Stop Saloon and Grill

Date: 4/30/2024

Address:

611 6th Ave. SE

Contact Name:

Jamie Haff

Address:

Telephone:

701-202-1065

City /State /Zip:

Mandan, ND 58554

Email:

jamiehaff1@gmail.com

Billing Address if Different than Above:

Event Start Date:

See Comments

Event End Date:

See Comments

Location:

Stage Stop Saloon and Grill: 611 6th Ave. SE, Mandan

Hours Wanted:

09:00pm -01:00am

Days Wanted:

See Comments

Number of Guards:

2

Patrol Type:

Unarmed Uniformed Guard

Hourly Rate:

\$38.00

Mileage:

Travel Rate:

Comments:

June 07th and 08th: (2) Guards /09:00pm -01:00am.....\$304.00

July 03rd: (2) Guards /09:00pm -01:00am.....\$304.00

July 05th and 06th: (2) Guards /09:00pm -01:00am.....\$304.00

July 27th: (2) Guards /09:00pm -01:00am.....\$304.00

Total Billing:

Other:

Signature:



Bismarck Mandan Security

Revised: 09/30/2020



1414 Continental Ave. Bismarck, ND 58504

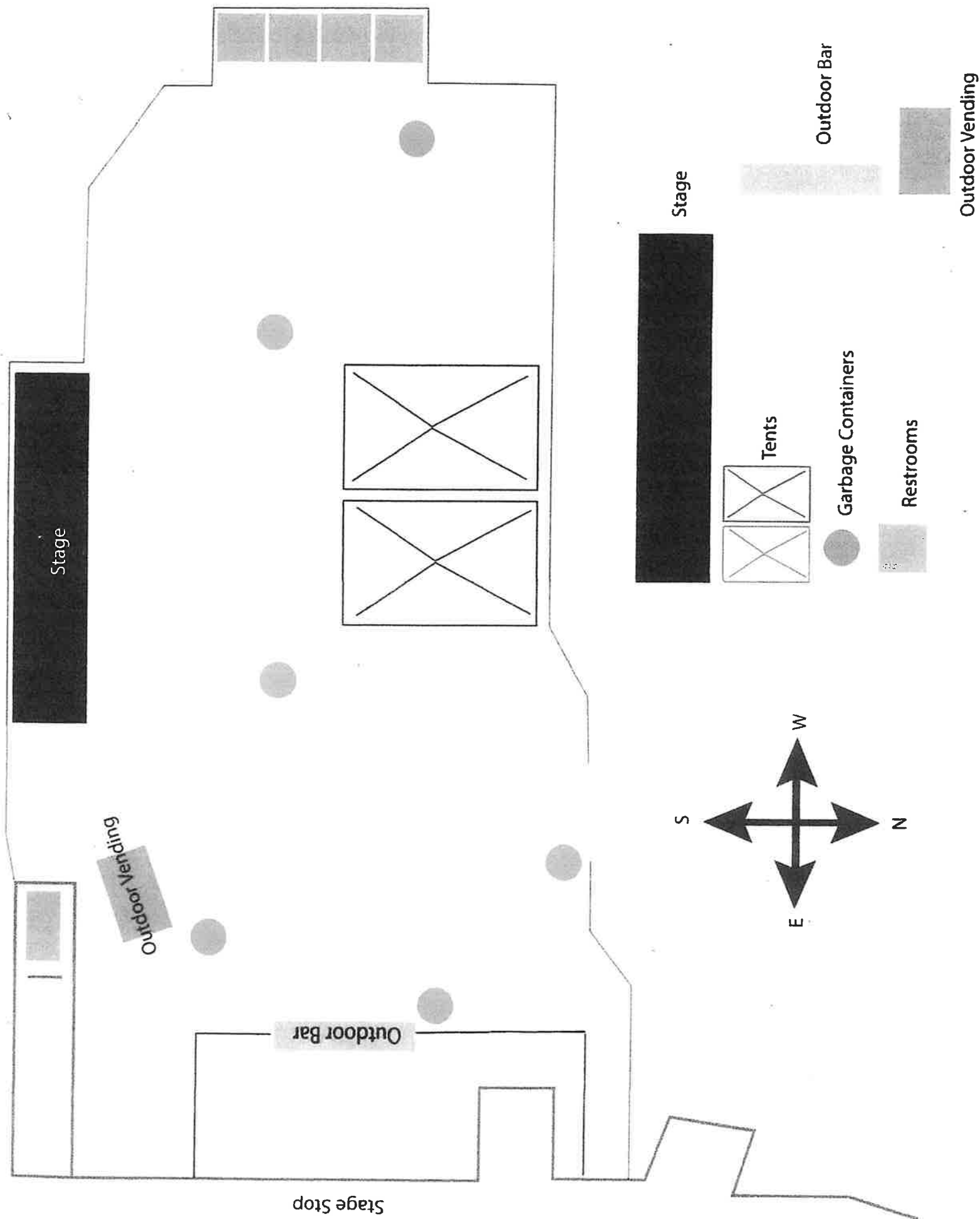
To Whom it May Concern,

Spiffy Biffs will be providing portable toilets for events at Stage Stop Saloon & Grill located at 611 6th Ave SE, Mandan, ND 58554 for the following dates in 2024: June 7-8, July 3-7, and July 26-28. We will provide toilets according to event attendance projections and type of activities as described by the event coordinators.

A handwritten signature in blue ink that reads "Lillian Hansen". The signature is written in a cursive, flowing style.

Lillian Hansen, Office Manager

The entertainment for July 3rd 2024 is Frantic
Anarchy starting at 9pm



Stage Stop 7-3-24

Final Audit Report

2024-06-04

Created:	2024-06-03
By:	Tasha Scott (tasha.scott@mandanpd.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAb47VHd6Z_ILzNGWn5iYuTka4BqgEqRS9

"Stage Stop 7-3-24" History

-  Document created by Tasha Scott (tasha.scott@mandanpd.com)
2024-06-03 - 3:15:07 PM GMT
-  Document emailed to Pat Haug (phaug@mandanpd.com) for signature
2024-06-03 - 3:15:21 PM GMT
-  Document emailed to Brian Dirk (brian.dirk@cityofmandan.com) for signature
2024-06-03 - 3:15:21 PM GMT
-  Document emailed to Mitch Bitz (mbitz@cityofmandan.com) for signature
2024-06-03 - 3:15:21 PM GMT
-  Document emailed to Jarek Wigness (jarek.wigness@cityofmandan.com) for signature
2024-06-03 - 3:15:22 PM GMT
-  Email viewed by Pat Haug (phaug@mandanpd.com)
2024-06-03 - 4:08:26 PM GMT
-  Signer Pat Haug (phaug@mandanpd.com) entered name at signing as Patrick B Haug
2024-06-03 - 4:09:06 PM GMT
-  Document e-signed by Patrick B Haug (phaug@mandanpd.com)
Signature Date: 2024-06-03 - 4:09:08 PM GMT - Time Source: server
-  Email viewed by Jarek Wigness (jarek.wigness@cityofmandan.com)
2024-06-03 - 8:45:36 PM GMT
-  Document e-signed by Jarek Wigness (jarek.wigness@cityofmandan.com)
Signature Date: 2024-06-03 - 8:45:57 PM GMT - Time Source: server
-  Email viewed by Mitch Bitz (mbitz@cityofmandan.com)
2024-06-03 - 9:01:33 PM GMT

 Signer Mitch Bitz (mbitz@cityofmandan.com) entered name at signing as Mitch L. Bitz
2024-06-03 - 9:04:05 PM GMT

 Document e-signed by Mitch L. Bitz (mbitz@cityofmandan.com)
Signature Date: 2024-06-03 - 9:04:07 PM GMT - Time Source: server

 Email viewed by Brian Dirk (brian.dirk@cityofmandan.com)
2024-06-04 - 8:10:13 PM GMT

 Document e-signed by Brian Dirk (brian.dirk@cityofmandan.com)
Signature Date: 2024-06-04 - 8:10:32 PM GMT - Time Source: server

 Agreement completed.
2024-06-04 - 8:10:32 PM GMT



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 5, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the special event permit for 4th of July weekend at Stage Stop.

STATEMENT/PURPOSE:

Consider approval of the special event permit for 4th of July weekend at Stage Stop.

BACKGROUND/ALTERNATIVES:

Kids karaoke on Friday with a DJ and live music Friday and Saturday evening on an outdoor stage. See attached special event permit. All departments have approved the permit with the FD having a contingency of approval once their inspection is completed.

ATTACHMENTS:

1. Stage Stop 7-5-24 to 7-7-24 - signed

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the special event permit for the 4th of July weekend at Stage Stop, with the contingency that they pass the Fire Departments inspection.

SUGGESTED MOTION:

I move to approve the special event permit for 4th of July weekend at Stage Stop, with

the contingency that they pass the Fire Departments inspection.

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

paid
ck# 11571
5-31-24

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: 05/29/2024

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: Jamie Haff
Driver's License Number: HAF-76-4835 State N.D.
Date of Birth: 06/03/1976 Phone Number: 701-202-1065 Email: jamiehaff1@gmail.com
Address: 111 oakes ave City: Mandan State: N.D. 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: 611 6th ave se City: Mandan State: N.D. Zip: 58554
Corporation/Organization: Stage Stop Liquors State of Incorporation: N.D.
Tax ID #: 30-1090561 501(c)3 #: _____ City Sales Tax ID #: 33951733
Have you ever coordinated/promoted another event/s? ☒ YES ☐ NO

If yes, please provide the following:

Last event/s Location: 611 6th ave se Date: 06/09/2023
Contact Name: Luke Clausen Phone: 701-260-3412
E-mail Contact: lclausen@dtcenergygroup.com

Section 2 – Event Information

Event Name: 4th of july weekend Anticipated Daily Attendance: 500
Event Date(s): 07/05/2024 thru 07/07/2024 Set-up Date: 07/03/2024 Hours: 7 hours
Hours of event each day: 1:00 pm to 12:45 am
(begin and end times)
Take Down Date(s): 07/07/2024 Hours: 5
E-Mail address for public information: info@stagestopsaloon.com
WEB address for public information: stagestopsaloon.com
Location of Event/physical address: 611 6th ave se Mandan, N.D. 58554
Sponsors of the Event: _____
Brief Description of Event:
Kids karaoke on Friday with a dj after following a band. Saturday we will have a band in the evening.

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? 96.5 fm _____

TV: ☐ Yes ☒ No What Stations? _____

Fliers/Posters: ☒ Yes ☐ No How many? 10 _____

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: 2 _____

(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: dakota fence _____

Contact phone: 701-202-1065 _____

Restroom Accommodations: Spiffy Biff _____

Number of required portable toilets: 4 _____

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.

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: Stage Stop
Contact phone: 701-202-1065

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:** _____

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?

21 and older will be identified with wristbands.

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

If yes, who provided the training: Jamie Haff, General Manager at Stage Stop

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: Bisman security 701-223-2328

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?

We will be using our own waste containers and company for removal.

(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..... \$ _____

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

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

TOTAL: \$ _____

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

 / 03/06/2024

Engineering Department

Date



Approved



Denied



Conditional—See Narrative

Brian Dirk / 03/06/2024
[Brian Dirk \(Jun 3, 2024 10:13 CDT\)](#)

Public Works

Date



Approved



Denied



Conditional—See Narrative

Patrick B Haug / 03/06/2024
[Patrick B Haug \(Jun 3, 2024 11:04 CDT\)](#)

Police Department

Date



Approved



Denied



Conditional—See Narrative

Mitch L. Bitz / 03/06/2024
[Mitch L. Bitz \(Jun 3, 2024 16:07 CDT\)](#)

Fire Department

Date



Approved



Denied



Conditional—See Narrative

Engineering Narrative:

Public Works Narrative:

Police Department Narrative:

Fire Department Narrative:

Contingent on satisfactory inspection by MFD, please notify MFD as soon as venue is ready for inspection

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)

Bismarck Mandan Security
Special Event Request

Company Name:

Stage Stop Saloon and Grill

Address:

611 6th Ave. SE

Address:

City /State /Zip:

Mandan, ND 58554

Date: 4/30/2024

Contact Name:

Jamie Haff

Telephone:

701-202-1065

Email:

jamiehaff1@gmail.com

Billing Address if Different than Above:

Event Start Date:

See Comments

Event End Date:

See Comments

Location:

Stage Stop Saloon and Grill: 611 6th Ave. SE, Mandan

Hours Wanted:

09:00pm -01:00am

Days Wanted:

See Comments

Number of Guards:

2

Patrol Type:

Unarmed Uniformed Guard

Hourly Rate:

\$38.00

Mileage:

Travel Rate:

Comments:

June 07th and 08th: (2) Guards /09:00pm -01:00am.....\$304.00

July 03rd: (2) Guards /09:00pm -01:00am.....\$304.00

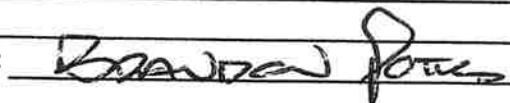
July 05th and 06th: (2) Guards /09:00pm -01:00am.....\$304.00

July 27th: (2) Guards /09:00pm -01:00am.....\$304.00

Total Billing:

Other:

Signature:



Bismarck Mandan Security

Revised: 09/30/2020



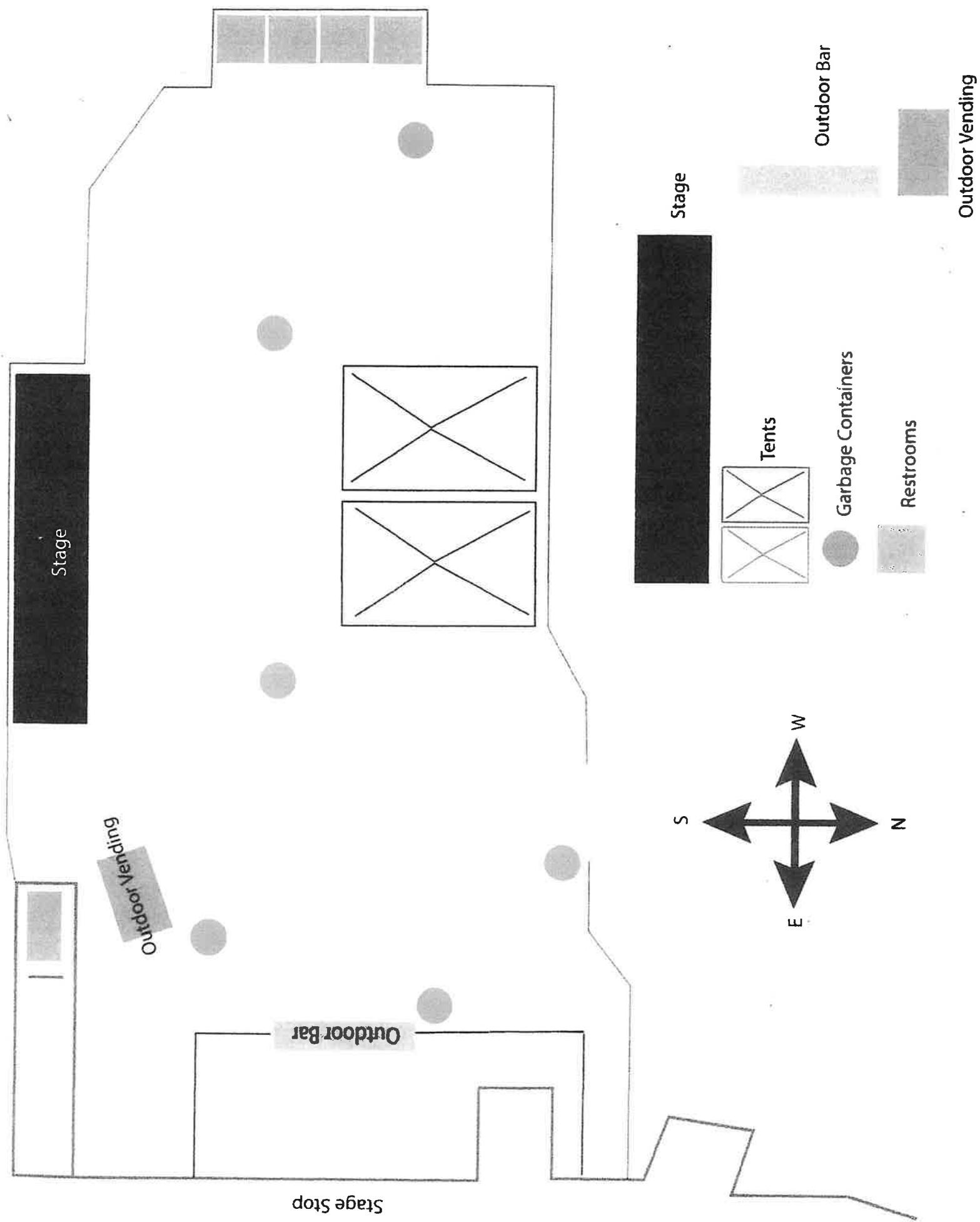
1414 Continental Ave. Bismarck, ND 58504

To Whom it May Concern,

Spiffy Biffs will be providing portable toilets for events at Stage Stop Saloon & Grill located at 611 6th Ave SE, Mandan, ND 58554 for the following dates in 2024: June 7-8, July 3-7, and July 26-28. We will provide toilets according to event attendance projections and type of activities as described by the event coordinators.

A handwritten signature in blue ink that reads "Lillian Hansen".

Lillian Hansen, Office Manager



The entertainment for July 5th and 6th are as follows

Kids karaoke with YurMom presents starting at 2 pm and ending at 5pm

Then starting at 5pm we have method entertainment with Kyle.

Then at 9pm we have Dirty Word closing out the night.

On July 6th we have 2 weeks notice from Fargo starting at 9pm

Stage Stop 7-5-24 to 7-7-24

Final Audit Report

2024-06-03

Created:	2024-06-03
By:	Tasha Scott (tasha.scott@mandanpd.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAiHotrf4P5qhWFIK6FOFuyEpXyaq1_-WE

"Stage Stop 7-5-24 to 7-7-24" History

-  Document created by Tasha Scott (tasha.scott@mandanpd.com)
2024-06-03 - 3:07:56 PM GMT
-  Document emailed to Pat Haug (phaug@mandanpd.com) for signature
2024-06-03 - 3:08:08 PM GMT
-  Document emailed to Mitch Bitz (mbitz@cityofmandan.com) for signature
2024-06-03 - 3:08:09 PM GMT
-  Document emailed to Brian Dirk (brian.dirk@cityofmandan.com) for signature
2024-06-03 - 3:08:09 PM GMT
-  Document emailed to Jarek Wigness (jarek.wigness@cityofmandan.com) for signature
2024-06-03 - 3:08:09 PM GMT
-  Email viewed by Brian Dirk (brian.dirk@cityofmandan.com)
2024-06-03 - 3:10:02 PM GMT
-  Document e-signed by Brian Dirk (brian.dirk@cityofmandan.com)
Signature Date: 2024-06-03 - 3:13:00 PM GMT - Time Source: server
-  Email viewed by Pat Haug (phaug@mandanpd.com)
2024-06-03 - 4:06:39 PM GMT
-  Signer Pat Haug (phaug@mandanpd.com) entered name at signing as Patrick B Haug
2024-06-03 - 4:08:04 PM GMT
-  Document e-signed by Patrick B Haug (phaug@mandanpd.com)
Signature Date: 2024-06-03 - 4:08:06 PM GMT - Time Source: server
-  Email viewed by Jarek Wigness (jarek.wigness@cityofmandan.com)
2024-06-03 - 8:44:57 PM GMT

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

Signature Date: 2024-06-03 - 8:45:29 PM GMT - Time Source: server

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

2024-06-03 - 9:05:15 PM GMT

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

2024-06-03 - 9:07:31 PM GMT

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

Signature Date: 2024-06-03 - 9:07:33 PM GMT - Time Source: server

 Agreement completed.

2024-06-03 - 9:07:33 PM GMT



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 11, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the special event permit for Mandan Rodeo Days Concert.

STATEMENT/PURPOSE:

Consider approval of the special event permit for Mandan Rodeo Days Concert.

BACKGROUND/ALTERNATIVES:

The 145th Mandan Rodeo Days is one of the oldest Rodeos in the world. The 2nd annual concert to kick off the rodeo celebration will bring Tigirlily Gold back to their roots. (The Fire Department has a contingency based on the inspection) (The Police and Fire Department both have contingencies based on staffing) All other departments approved the permit.

ATTACHMENTS:

1. Special Event-Mandan Rodeo Days Concert - signed

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the special event permit for Mandan Rodeo Days Concert with the contingency that they pass all inspections by the Mandan Fire Department.

SUGGESTED MOTION:

I move to approve the special event permit for Mandan Rodeo Days Concert with the contingency that they pass all inspections by the Mandan Fire Department.

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: 5/20/24

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: Jordan Black
Driver's License Number: BLA-93-4300 State ND
Date of Birth: 01/26/1993 Phone Number: 360-915-4252 Email: jordan@funatixevents.com
Address: 507 West Bowen Ave 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):
N/A

(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: Jacqueline Lilley
Driver's License Number: _____ State _____
Date of Birth: _____ Phone Number: 321-480-2088 Email: jacqueline@funatixevents.com
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: 201 West Front Ave City: Bismarck State: ND Zip: 58504
Corporation/Organization: Mandan Rodeo Days State of Incorporation: ND
Tax ID #: 87-3923280 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: Mac and Cheese Festival Date: 5/11/24
Contact Name: Jacqueline Lilley Phone: 321-480-2088
E-mail Contact: jacqueline@funatixevents.com

Section 2 – Event Information

Event Name: Mandan Rodeo Days Concert Anticipated Daily Attendance: 2,000
Event Date(s): June 29th Set-up Date: June 28th Hours: 6
Hours of event each day: 5pm-10pm
(begin and end times)
Take Down Date(s): June 29th Hours: 6
E-Mail address for public information: mandanrodeo@gmail.com
WEB address for public information: https://mandanrodeo.com/concert/
Location of Event/physical address: Dale Pahlke Arena
Sponsors of the Event: Tri Energy Cenex, 4 Bears Casino, Dakota Community Bank and Trust
Brief Description of Event:
The 145th Mandan Rodeo Days is one of the oldest Rodeo's in the world, and we are coming back for a second annual
concert to kick off the rodeo celebration. This year the act is Tigirlily Gold a local band coming back to their roots.

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: 2,500 Tickets for presale count: 2,500

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? 103.3 _____

TV: ☒ Yes ☐ No What Stations? KFYR and KX _____

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

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.

Company Contact name: Spiffy Biffs
Contact phone: (701) 224-0856

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: Western Edge Electric- Dan Schonert
Contact phone: 701-391-3852

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: Funatix Events- Jacqueline Lilley
Contact phone: 321-480-2088

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: Funatix Events

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?

ID's checked, and wristbanded

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: 5/11/24

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: 6-8

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: Dwayne Egli; 701-255-7112 ext 1607

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?

WM rollaways, Mandan Parks trash cans and cleansed up afterwards.

(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.

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

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..... \$ _____

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

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

TOTAL: \$ _____

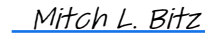
Fees assessed by the Park District are not included.

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

Permit Application #: _____ Date Complete: _____

(For office use only)

Signature Page from City Officials and Department Heads

 _____	06/10/24	☒ Approved	☐ Denied	☐ Conditional—See Narrative
Engineering Department	Date			
 _____	06/10/24	☒ Approved	☐ Denied	☐ Conditional—See Narrative
Brian Dirk (Jun 10, 2024 10:56 CDT)				
Public Works	Date			
 _____	06/10/24	☐ Approved	☐ Denied	☒ Conditional—See Narrative
Patick Haug (Jun 10, 2024 06:22 CDT)				
Police Department	Date			
 _____	06/10/2024	☐ Approved	☐ Denied	☒ Conditional—See Narrative
Mitch L. Bitz (Jun 10, 2024 07:31 CDT)				
Fire Department	Date			

Engineering Narrative:

Public Works Narrative:

Police Department Narrative:

Officer Duty Officers working this event will be dependent on staffing.

Fire Department Narrative:

Venue is subject to satisfactory on-site inspection, off duty EMS personnel is subject to staffing

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)

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

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)

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

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.

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

- 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.

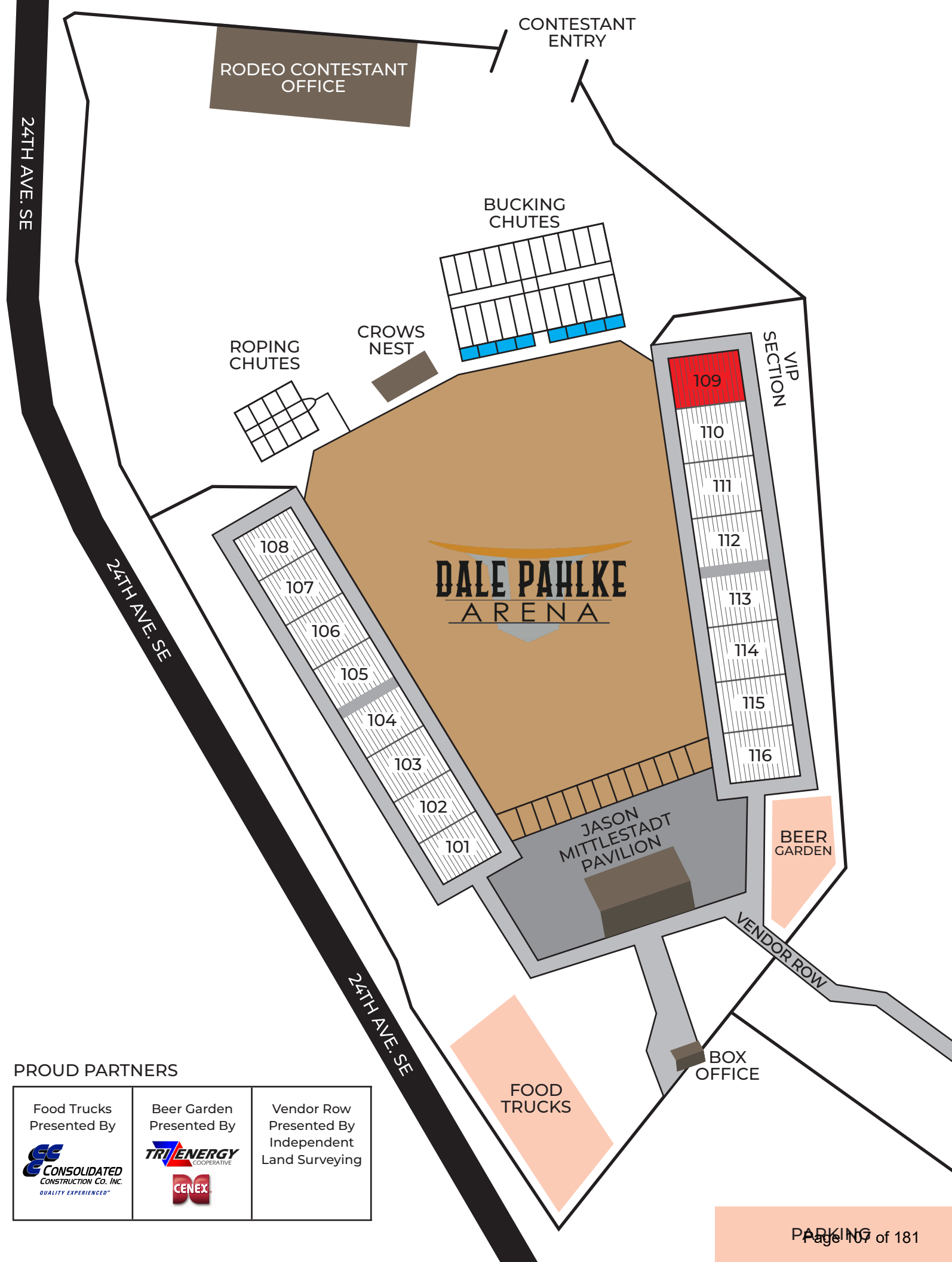
The parade chairperson or other person heading or leading such activity shall carry the parade permit upon their person during the conduct of the parade.

(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.

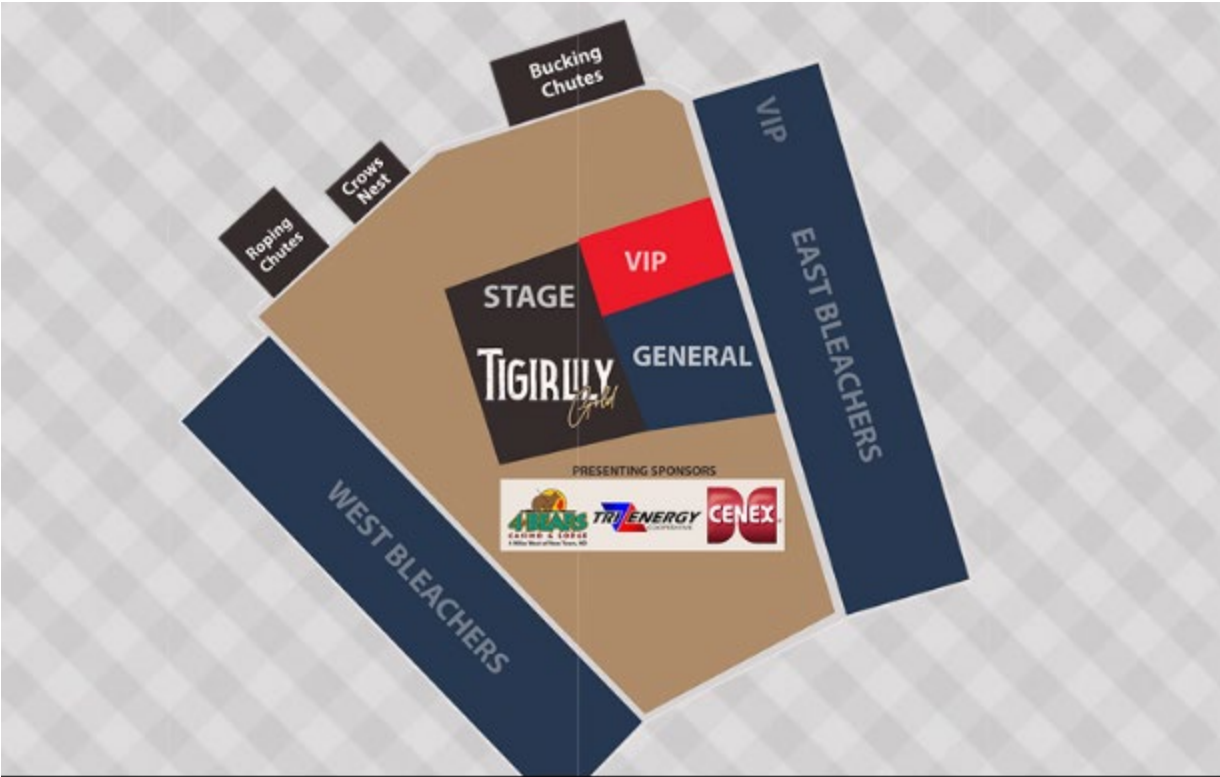
The city may, after a hearing affording due process, revoke a parade permit issued under this article upon application of the standards for issuance as set forth in this article.

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



PROUD PARTNERS

Food Trucks Presented By  CONSOLIDATED CONSTRUCTION CO., INC. QUALITY EXPERIENCED™	Beer Garden Presented By  TRI ENERGY COOPERATIVE  CENEX	Vendor Row Presented By Independent Land Surveying
---	---	---



Special Event-Mandan Rodeo Days Concert

Final Audit Report

2024-06-10

Created:	2024-06-07
By:	Tasha Scott (tasha.scott@mandanpd.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAmQOSCHtmr9qpbm5pscDk0ZN-4kccpb4o

"Special Event-Mandan Rodeo Days Concert" History

-  Document created by Tasha Scott (tasha.scott@mandanpd.com)
2024-06-07 - 7:20:20 PM GMT
-  Document emailed to Pat Haug (phaug@mandanpd.com) for signature
2024-06-07 - 7:20:31 PM GMT
-  Document emailed to Brian Dirk (brian.dirk@cityofmandan.com) for signature
2024-06-07 - 7:20:32 PM GMT
-  Document emailed to Mitch Bitz (mbitz@cityofmandan.com) for signature
2024-06-07 - 7:20:32 PM GMT
-  Document emailed to Jarek Wigness (jarek.wigness@cityofmandan.com) for signature
2024-06-07 - 7:20:32 PM GMT
-  Email viewed by Pat Haug (phaug@mandanpd.com)
2024-06-10 - 11:19:10 AM GMT
-  Signer Pat Haug (phaug@mandanpd.com) entered name at signing as Patick Haug
2024-06-10 - 11:22:50 AM GMT
-  Document e-signed by Patick Haug (phaug@mandanpd.com)
Signature Date: 2024-06-10 - 11:22:52 AM GMT - Time Source: server
-  Email viewed by Mitch Bitz (mbitz@cityofmandan.com)
2024-06-10 - 12:27:04 PM GMT
-  Signer Mitch Bitz (mbitz@cityofmandan.com) entered name at signing as Mitch L. Bitz
2024-06-10 - 12:31:15 PM GMT
-  Document e-signed by Mitch L. Bitz (mbitz@cityofmandan.com)
Signature Date: 2024-06-10 - 12:31:17 PM GMT - Time Source: server

 Email viewed by Jarek Wigness (jarek.wigness@cityofmandan.com)
2024-06-10 - 1:31:43 PM GMT

 Document e-signed by Jarek Wigness (jarek.wigness@cityofmandan.com)
Signature Date: 2024-06-10 - 1:33:34 PM GMT - Time Source: server

 Email viewed by Brian Dirk (brian.dirk@cityofmandan.com)
2024-06-10 - 3:53:17 PM GMT

 Document e-signed by Brian Dirk (brian.dirk@cityofmandan.com)
Signature Date: 2024-06-10 - 3:56:00 PM GMT - Time Source: server

 Agreement completed.
2024-06-10 - 3:56:00 PM GMT



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 10, 2024
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: 2023 Records Disposal

STATEMENT/PURPOSE:

To consider a request from the Assessing Department to dispose of records in accordance with the North Dakota Century Code "Records Management Act" (NDCC 54-46-12) and City of Mandan records management policy.

BACKGROUND/ALTERNATIVES:

Records disposal should take place every year. The City of Mandan follows the record retention schedules provided by the League of Cities and the State of North Dakota.

ATTACHMENTS:

None

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

Information has been submitted to City Attorney Amy Oster for review.

RECOMMENDATION:

To approve the 2023 Records Disposal for the following departments in compliance with the record retention schedules in accordance with state law and city policy: Assessing & Engineering.

SUGGESTED MOTION:

City Commission

Agenda Documentation

June 18, 2024

Subject: Consider approval of 2023 Records Disposal for the following Departments:

- i. Assessing
- ii. Engineering

Page 2 of 2

I move to approve the 2023 Records Disposal for the following departments in compliance with the record retention schedules in accordance with state law and city policy: Assessing & Engineering.



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 10, 2024
SUBMITTING DEPARTMENT: Public Works - Grounds Maintenance
DEPARTMENT DIRECTOR: Mitch Bitz
PRESENTER: Mitch Bitz, Public Works Director
SUBJECT: Consider Amending the 2024 Grounds Maintenance Budget

STATEMENT/PURPOSE:

Consider Amending the 2024 Grounds Maintenance Budget

BACKGROUND/ALTERNATIVES:

In 2023, we purchased a 16ft tilt-bed trailer for the purpose of hauling our 72 inch AWD front deck mowers. In the past, we have used smaller utility trailers to transport these mowers. However, the tilt-bed trailer has proven to be much safer and more efficient in hauling said mowers to and from locations across the city. Thus, we are respectfully requesting to amend the 2024 Grounds Maintenance budget by \$7,000 to allow for the purchase of an additional tilt-bed trailer.

ATTACHMENTS:

1. Utility Trailer (Previously utilized trailer)
2. Tilt Trailer (New proposed trailer)

FISCAL IMPACT:

2024 Grounds Maintenance Capital Outlay (100.161.62114) - \$7,000 Funds would come from the General Fund.

STAFF IMPACT:

N/A

LEGAL REVIEW:

Attorney Oster's Office has reviewed this request.

RECOMMENDATION:

To amend the 2024 Grounds Maintenance Budget by \$7,000 to allow for the purchase of a tilt-bed trailer.

SUGGESTED MOTION:

I move to amend the 2024 Grounds Maintenance Budget by \$7,000 to allow for the purchase of a tilt-bed trailer.







City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 11, 2024
SUBMITTING DEPARTMENT: Business Development & Communications Department
DEPARTMENT DIRECTOR: Madison Cermak
PRESENTER: Madison Cermak, Business Development & Communications Director
SUBJECT: Consider Flex PACE letter of support for a loan to restructure the finance plan for MCBW Chiropractic DBA West River Chiropractic Company

STATEMENT/PURPOSE:

Consider providing a letter of support to the Lewis and Clark Development Group for a loan to restructure the finance plan for MCBW Chiropractic DBA West River Chiropractic Company.

BACKGROUND/ALTERNATIVES:

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

MCBW Chiropractic, PC DBA West River Chiropractic Company was founded in 2017 by Dr. Brett Wegleitner and Dr. Matt Chuppe and has been in operation on Main Street in Mandan for the past 7 years. The clinic offers traditional chiropractic care, pain and injury management, nutrition and foot orthotics, as well as health products available for purchase.

Dr. Brett is financing the buyout of his partner and seeking to increase the services that are offered. The estimated cost to finance the restructuring of the business is \$270,000. With the restructure, the clinic will be expanding to physical and massage therapy, and adding several full-time employees to their staff. Based on a sample BND buydown schedule, the required 35% community match is \$8,569.09. The borrower plans to seek this amount as a repayable loan through either the N.D. Opportunity Fund or another

revolving loan pool managed by the Lewis and Clark Development Group.

Security First Bank wants the Bank of North Dakota to participate in the loan and utilize the Flex PACE program to reduce the interest rate on the project.

ATTACHMENTS:

1. Business letter
2. Buydown Schedule
3. City letter of support West River Chiropractor

FISCAL IMPACT:

N/A

STAFF IMPACT:

Minimal

LEGAL REVIEW:

City Attorney Amy Oster will review all information.

RECOMMENDATION:

I recommend the City Commission provide a letter of support for an interest buydown to assist with the loan to restructure the finance plan for MCBW Chiropractic DBA West River Chiropractic Company.

SUGGESTED MOTION:

I move to approve the providing of a letter of support for an interest buydown to assist with the loan to restructure the finance plan for MCBW Chiropractic DBA West River Chiropractic Company.

301 E. Main St. Mandan, ND 58554
Phone (701)663-3380 Fax (701)663-0083
Westriverchiro@gmail.com
Westriverchiro.com



Dr. Brett Wegleitner DC

City of Mandan Business Development Department
Mandan City Hall
205 Second Avenue NW
Mandan, ND 58554
June 4, 2024

Mandan City Commissioners,

I am writing to request support for the provision of the community match for an interest buydown from the IRP Fund.

MCBW Chiropractic, PC DBA West River Chiropractic Company was founded in 2017 by Dr. Brett Wegleitner and Dr. Matt Chuppe. The clinic is located on Main St in Mandan and has been operating out of this facility for the past 7 years. West River purchased the book of business from Schwartz Family Chiropractic Center PC in 2017, so it has been servicing the patients of the Mandan community for even longer. It offers traditional chiropractic care, pain and injury management, nutrition and foot orthotics. In addition, vitamins, supplements and other medical products are available for purchase.

Dr. Brett is financing the buyout of his partner. With the restructure, they will be expanding services offered. With this growth, several full-time employees will be added. Massage therapy was recently added. They also plan on expanding to physical therapy and adding additional chiropractic providers. The financing need for the restructure is \$270,000.

With 7 years of operating in the Mandan community and the desire to grow, expand services, and add employees, I am seeking the City's support for the community match.

Sincerely,

Dr. Brett Wegleitner

A handwritten signature in black ink, appearing to read "Dr. Brett Wegleitner".

Exhibit A: West River Chiropractic

LOAN NUMBER	
LOAN TYPE	Flex PACE
LEAD BANK	

NOTE: The borrower and originating lender should be aware that the fund will provide a set stream of subsidy payments (interest buydown) based upon the payment schedule below. The amount of the borrower's payment, the amortization and all other terms of the loan shall be governed by the promissory note. The balances shown here, other than the specific buydown amounts, are intended for illustrative purposes only.

Buydown Account Details

INTEREST BUYDOWN AMOUNT	\$25,489.16
BND BUYDOWN AMOUNT	\$16,567.95
COMMUNITY BUYDOWN AMT	\$8,921.21
PRESENT VALUE BND	\$15,914.02
PRESENT VALUE COMMUNITY	\$8,569.09
CREATED DATE	5/17/2024
PRINCIPAL	\$255,000.00
YIELD RATE	7.5000
BORROWING RATE	3.5000
AMORTIZATION	81
PAYMENT	\$4,035.14

Loan without buydown					Loan with buydown				
#	Payment	Principal	Interest	Balance	#	Payment	Principal	Interest	Balance
1	\$4,035.14	\$2,441.39	\$1,593.75	\$252,558.61	1	\$3,185.14	\$2,441.39	\$743.75	\$252,558.61
2	\$4,035.14	\$2,404.03	\$1,631.11	\$250,154.58	2	\$3,165.21	\$2,404.03	\$761.18	\$250,154.58
3	\$4,035.14	\$2,419.56	\$1,615.58	\$247,735.02	3	\$3,173.50	\$2,419.56	\$753.94	\$247,735.02
4	\$4,035.14	\$2,486.80	\$1,548.34	\$245,248.22	4	\$3,209.36	\$2,486.80	\$722.56	\$245,248.22
5	\$4,035.14	\$2,451.25	\$1,583.89	\$242,796.97	5	\$3,190.40	\$2,451.25	\$739.15	\$242,796.97
6	\$4,035.14	\$2,517.66	\$1,517.48	\$240,279.31	6	\$3,225.82	\$2,517.66	\$708.16	\$240,279.31
7	\$4,035.14	\$2,483.34	\$1,551.80	\$237,795.97	7	\$3,207.51	\$2,483.34	\$724.17	\$237,795.97
8	\$4,035.14	\$2,499.37	\$1,535.77	\$235,296.60	8	\$3,216.06	\$2,499.37	\$716.69	\$235,296.60
9	\$4,035.14	\$2,662.58	\$1,372.56	\$232,634.02	9	\$3,303.11	\$2,662.58	\$640.53	\$232,634.02
10	\$4,035.14	\$2,532.71	\$1,502.43	\$230,101.31	10	\$3,233.84	\$2,532.71	\$671.13	\$230,101.31
11	\$4,035.14	\$2,597.01	\$1,438.13	\$227,504.30	11	\$3,268.14	\$2,597.01	\$671.13	\$227,504.30
12	\$4,035.14	\$2,565.84	\$1,469.30	\$224,938.46	12	\$3,251.51	\$2,565.84	\$685.67	\$224,938.46
13	\$4,035.14	\$2,629.27	\$1,405.87	\$222,309.19	13	\$3,285.34	\$2,629.27	\$656.07	\$222,309.19
14	\$4,035.14	\$2,599.39	\$1,435.75	\$219,709.80	14	\$3,269.41	\$2,599.39	\$670.02	\$219,709.80
15	\$4,035.14	\$2,616.18	\$1,418.96	\$217,093.62	15	\$3,278.36	\$2,616.18	\$662.18	\$217,093.62
16	\$4,035.14	\$2,678.30	\$1,356.84	\$214,415.32	16	\$3,311.49	\$2,678.30	\$633.19	\$214,415.32
17	\$4,035.14	\$2,650.37	\$1,384.77	\$211,764.95	17	\$3,296.60	\$2,650.37	\$646.23	\$211,764.95
18	\$4,035.14	\$2,711.61	\$1,323.53	\$209,053.34	18	\$3,329.26	\$2,711.61	\$617.65	\$209,053.34
19	\$4,035.14	\$2,685.00	\$1,350.14	\$206,368.34	19	\$3,315.07	\$2,685.00	\$630.07	\$206,368.34
20	\$4,035.14	\$2,702.34	\$1,332.80	\$203,666.00	20	\$3,324.31	\$2,702.34	\$621.97	\$203,666.00
21	\$4,035.14	\$2,847.09	\$1,188.05	\$200,818.91	21	\$3,401.51	\$2,847.09	\$554.42	\$200,818.91
22	\$4,035.14	\$2,738.18	\$1,296.96	\$198,080.73	22	\$3,343.43	\$2,738.18	\$605.25	\$198,080.73
23	\$4,035.14	\$2,797.14	\$1,238.00	\$195,283.59	23	\$3,374.87	\$2,797.14	\$577.73	\$195,283.59
24	\$4,035.14	\$2,773.93	\$1,261.21	\$192,509.66	24	\$3,362.49	\$2,773.93	\$588.56	\$192,509.66
25	\$4,035.14	\$2,831.95	\$1,203.19	\$189,677.71	25	\$3,393.44	\$2,831.95	\$561.49	\$189,677.71
26	\$4,035.14	\$2,810.14	\$1,225.00	\$186,867.57	26	\$3,381.81	\$2,810.14	\$571.67	\$186,867.57
27	\$4,035.14	\$2,828.29	\$1,206.85	\$184,039.28	27	\$3,391.49	\$2,828.29	\$563.20	\$184,039.28
28	\$4,035.14	\$2,884.89	\$1,150.25	\$181,154.39	28	\$3,421.67	\$2,884.89	\$536.78	\$181,154.39
29	\$4,035.14	\$2,865.18	\$1,169.96	\$178,289.21	29	\$3,411.16	\$2,865.18	\$545.98	\$178,289.21
30	\$4,035.14	\$2,920.83	\$1,114.31	\$175,368.38	30	\$3,440.84	\$2,920.83	\$520.01	\$175,368.38
31	\$4,035.14	\$2,902.55	\$1,132.59	\$172,465.83	31	\$3,431.09	\$2,902.55	\$528.54	\$172,465.83
32	\$4,035.14	\$2,921.30	\$1,113.84	\$169,544.53	32	\$3,441.09	\$2,921.30	\$519.79	\$169,544.53
33	\$4,035.14	\$3,046.13	\$989.01	\$166,498.40	33	\$3,507.67	\$3,046.13	\$461.54	\$166,498.40
34	\$4,035.14	\$2,959.84	\$1,075.30	\$163,538.56	34	\$3,461.65	\$2,959.84	\$501.81	\$163,538.56
35	\$4,035.14	\$3,013.02	\$1,022.12	\$160,525.54	35	\$3,490.01	\$3,013.02	\$476.99	\$160,525.54
36	\$4,035.14	\$2,998.41	\$1,036.73	\$157,527.13	36	\$3,482.22	\$2,998.41	\$483.81	\$157,527.13
	\$145,265.04	\$97,472.87	\$47,792.17			\$119,775.88	\$97,472.87	\$22,303.01	

Loan without buydown					Loan with buydown				
#	Payment	Principal	Interest	Balance	#	Payment	Principal	Interest	Balance
1	\$4,035.14	\$2,441.39	\$1,593.75	\$252,558.61	1	\$3,185.14	\$2,441.39	\$743.75	\$252,558.61
2	\$4,035.14	\$2,404.03	\$1,631.11	\$250,154.58	2	\$3,165.21	\$2,404.03	\$761.18	\$250,154.58
3	\$4,035.14	\$2,419.56	\$1,615.58	\$247,735.02	3	\$3,173.50	\$2,419.56	\$753.94	\$247,735.02
4	\$4,035.14	\$2,486.80	\$1,548.34	\$245,248.22	4	\$3,209.36	\$2,486.80	\$722.56	\$245,248.22
5	\$4,035.14	\$2,451.25	\$1,583.89	\$242,796.97	5	\$3,190.40	\$2,451.25	\$739.15	\$242,796.97
6	\$4,035.14	\$2,517.66	\$1,517.48	\$240,279.31	6	\$3,225.82	\$2,517.66	\$708.16	\$240,279.31
7	\$4,035.14	\$2,483.34	\$1,551.80	\$237,795.97	7	\$3,207.51	\$2,483.34	\$724.17	\$237,795.97
8	\$4,035.14	\$2,499.37	\$1,535.77	\$235,296.60	8	\$3,216.06	\$2,499.37	\$716.69	\$235,296.60
9	\$4,035.14	\$2,662.58	\$1,372.56	\$232,634.02	9	\$3,303.11	\$2,662.58	\$640.53	\$232,634.02
10	\$4,035.14	\$2,532.71	\$1,502.43	\$230,101.31	10	\$3,233.84	\$2,532.71	\$671.13	\$230,101.31
11	\$4,035.14	\$2,597.01	\$1,438.13	\$227,504.30	11	\$3,268.14	\$2,597.01	\$671.13	\$227,504.30
12	\$4,035.14	\$2,565.84	\$1,469.30	\$224,938.46	12	\$3,251.51	\$2,565.84	\$685.67	\$224,938.46
13	\$4,035.14	\$2,629.27	\$1,405.87	\$222,309.19	13	\$3,285.34	\$2,629.27	\$656.07	\$222,309.19
14	\$4,035.14	\$2,599.39	\$1,435.75	\$219,709.80	14	\$3,269.41	\$2,599.39	\$670.02	\$219,709.80
15	\$4,035.14	\$2,616.18	\$1,418.96	\$217,093.62	15	\$3,278.36	\$2,616.18	\$662.18	\$217,093.62
16	\$4,035.14	\$2,678.30	\$1,356.84	\$214,415.32	16	\$3,311.49	\$2,678.30	\$633.19	\$214,415.32
17	\$4,035.14	\$2,650.37	\$1,384.77	\$211,764.95	17	\$3,296.60	\$2,650.37	\$646.23	\$211,764.95
18	\$4,035.14	\$2,711.61	\$1,323.53	\$209,053.34	18	\$3,329.26	\$2,711.61	\$617.65	\$209,053.34
19	\$4,035.14	\$2,685.00	\$1,350.14	\$206,368.34	19	\$3,315.07	\$2,685.00	\$630.07	\$206,368.34
20	\$4,035.14	\$2,702.34	\$1,332.80	\$203,666.00	20	\$3,324.31	\$2,702.34	\$621.97	\$203,666.00
21	\$4,035.14	\$2,847.09	\$1,188.05	\$200,818.91	21	\$3,401.51	\$2,847.09	\$554.42	\$200,818.91
22	\$4,035.14	\$2,738.18	\$1,296.96	\$198,080.73	22	\$3,343.43	\$2,738.18	\$605.25	\$198,080.73
23	\$4,035.14	\$2,797.14	\$1,238.00	\$195,283.59	23	\$3,374.87	\$2,797.14	\$577.73	\$195,283.59
24	\$4,035.14	\$2,773.93	\$1,261.21	\$192,509.66	24	\$3,362.49	\$2,773.93	\$588.56	\$192,509.66
25	\$4,035.14	\$2,831.95	\$1,203.19	\$189,677.71	25	\$3,393.44	\$2,831.95	\$561.49	\$189,677.71
26	\$4,035.14	\$2,810.14	\$1,225.00	\$186,867.57	26	\$3,381.81	\$2,810.14	\$571.67	\$186,867.57
27	\$4,035.14	\$2,828.29	\$1,206.85	\$184,039.28	27	\$3,391.49	\$2,828.29	\$563.20	\$184,039.28
28	\$4,035.14	\$2,884.89	\$1,150.25	\$181,154.39	28	\$3,421.67	\$2,884.89	\$536.78	\$181,154.39
29	\$4,035.14	\$2,865.18	\$1,169.96	\$178,289.21	29	\$3,411.16	\$2,865.18	\$545.98	\$178,289.21
30	\$4,035.14	\$2,920.83	\$1,114.31	\$175,368.38	30	\$3,440.84	\$2,920.83	\$520.01	\$175,368.38
31	\$4,035.14	\$2,902.55	\$1,132.59	\$172,465.83	31	\$3,431.09	\$2,902.55	\$528.54	\$172,465.83
32	\$4,035.14	\$2,921.30	\$1,113.84	\$169,544.53	32	\$3,441.09	\$2,921.30	\$519.79	\$169,544.53
33	\$4,035.14	\$3,046.13	\$989.01	\$166,498.40	33	\$3,507.67	\$3,046.13	\$461.54	\$166,498.40
34	\$4,035.14	\$2,959.84	\$1,075.30	\$163,538.56	34	\$3,461.65	\$2,959.84	\$501.81	\$163,538.56
35	\$4,035.14	\$3,013.02	\$1,022.12	\$160,525.54	35	\$3,490.01	\$3,013.02	\$476.99	\$160,525.54
36	\$4,035.14	\$2,998.41	\$1,036.73	\$157,527.13	36	\$3,482.22	\$2,998.41	\$483.81	\$157,527.13
	\$145,265.04	\$97,472.87	\$47,792.17			\$119,775.88	\$97,472.87	\$22,303.01	

Interest Buydown				
#	Int. Buydown	BND (65.00%)	Comm. (35.00%)	
1	\$850.00	\$552.50	\$297.50	
2	\$869.93	\$565.45	\$304.48	
3	\$861.64	\$560.07	\$301.57	
4	\$825.78	\$536.76	\$289.02	
5	\$844.74	\$549.08	\$295.66	
6	\$809.32	\$526.06	\$283.26	
7	\$827.63	\$537.96	\$289.67	
8	\$819.08	\$532.40	\$286.68	
9	\$732.03	\$475.82	\$256.21	
10	\$801.30	\$520.84	\$280.46	
11	\$767.00	\$498.55	\$268.45	
12	\$783.63	\$509.36	\$274.27	
13	\$749.80	\$487.37	\$262.43	
14	\$765.73	\$497.72	\$268.01	
15	\$756.78	\$491.91	\$264.87	
16	\$723.65	\$470.37	\$253.28	
17	\$738.54	\$480.05	\$258.49	
18	\$705.88	\$458.82	\$247.06	
19	\$720.07	\$468.05	\$252.02	
20	\$710.83	\$462.04	\$248.79	
21	\$633.63	\$411.86	\$221.77	
22	\$691.71	\$449.61	\$242.10	
23	\$660.27	\$429.18	\$231.09	
24	\$672.65	\$437.22	\$235.43	
25	\$641.70	\$417.10	\$224.60	
26	\$653.33	\$424.66	\$228.67	
27	\$643.65	\$418.37	\$225.28	
28	\$613.47	\$398.76	\$214.71	
29	\$623.98	\$405.59	\$218.39	
30	\$594.30	\$386.30	\$208.00	
31	\$604.05	\$392.63	\$211.42	
32	\$594.05	\$386.13	\$207.92	
33	\$527.47	\$342.86	\$184.61	
34	\$573.49	\$372.77	\$200.72	
35	\$545.13	\$364.33	\$190.80	
36	\$552.92	\$359.40	\$193.52	
	\$25,489.16	\$16,567.95	\$8,921.21	



June 18, 2024

Lewis & Clark Development Group Loan Committee:

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

The City of Mandan relies on LCDG revolving loan funds to fill gaps and leverage private financing needed by new and expanding businesses. The City of Mandan's Growth Fund has a low balance of uncommitted funds. We are reserving these funds for economic and community projects that require a forgivable or no-interest loan. We therefore ask that you favorably consider the application to assist with for a loan to restructure the finance plan for expansion of services by MCBW Chiropractic DBA West River Chiropractic Company.

West River Chiropractic Company was founded in 2017 by Dr. Brett Wegleitner and Dr. Matt Chuppe. Serving patients on Main Street in Mandan for the past 7 years with services such as, traditional chiropractic care, pain and injury management, nutrition and foot orthotics, as well as health products available for purchase. The business restructure by Dr. Brett will expand chiropractic services, add new employees and create growth within the community

Dr. Brett is seeking to reduce the interest rate on a loan to restructure the finance plan for expansion of services by West River Chiropractic. Based on a sample BND buydown schedule, the required 35% community match is estimated at \$8,569.09.

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

We appreciate your consideration of this request.

Sincerely,

City of Mandan

Timothy A. Helbling Mayor



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 11, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider a Gaming Site Authorization for Matpac Wrestling Club at Stage Stop from June 21 to June 30, 2024

STATEMENT/PURPOSE:

Consider a Gaming Site Authorization for Matpac Wrestling at Stage Stop from June 21-30, 2024

BACKGROUND/ALTERNATIVES:

The gaming site authorization was received on June 11, 2024.

ATTACHMENTS:

1. Gaming Site - Matpac at Stage Stop

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

Approve as presented.

SUGGESTED MOTION:

I move to approve the Gaming Site Authorization for Matpac Wrestling Club, inc. at Stage Stop from June 21, 2024 to June 30, 2024.



GAMING SITE AUTHORIZATION

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

G - _____ (_____) _____

Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

Matpac Wrestling Club, Inc.

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

Name of Location

Stage Stop

Street 611 6th Avenue SE	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 6/21/24	Ending Date(s) Authorized 6/30/24	Number of Twenty-One tables, if zero, enter "0" 1	

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

Games will be conducted in the bar area, excluding the restrooms.

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

☒ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☒ Twenty-One
☒ Raffles	☐ Seal Board	☒ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☒ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☒ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☒ Paddlewheel Table
☒ ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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



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

License Number (Office Use Only)

Site Owner (Lessor) Stage Stop Liquors, Inc.		Site Name Stage Stop		Site Phone Number (701) 663-7768
Site Address 611 6th Avenue SE	City Mandan	State ND	Zip Code 58554	County Morton
Organization Matpac Wrestling Club, Inc.	Rental Period 6/21/24 to 6/30/24			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?				☐ No ☒ Yes
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				☒ No ☐ Yes \$
2. Is Twenty-One conducted at this site?				☐ No ☒ Yes \$
Number of Tables with wagers up to \$5 X Rent per Table \$				
Number of Tables with wagers over \$5 1 X Rent per Table \$ 300				\$ 300
3. Is Paddlewheels conducted at this site?				☐ No ☒ Yes \$
Number of Tables 1 X Rent per Table \$ 200				200
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?				☐ No ☒ Yes \$
Please Check: ☒ Jar Bar ☒ Standard Dispensing Device				325
5. Are Electronic Pull-Tabs conducted at this site?				☐ No ☒ Yes \$
If "Yes" please indicate the number of devices 10				1250
Total Monthly Rent				\$
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐				

TERMS OF RENTAL AGREEMENT:

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

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

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

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

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

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

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

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

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

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

Signature of Lessor 	Title General Manager	Date 6-11-24
Signature of Lessee 	Title President	Date 6/6/24



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 12, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Auth for Bismarck Cancer Center
Foundation at Dale Pahlke Arena

STATEMENT/PURPOSE:

Consider a gaming site authorization for Bismarck Cancer Center Foundation at Dale Pahlke Arena Mandan Rodeo Grounds July 1-4, 2024

BACKGROUND/ALTERNATIVES:

The gaming site authorization was received June 12, 2024.

ATTACHMENTS:

1. Gaming Site Auth - Bismarck Cancer Center at Rodeo Arena

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

Approve as presented.

SUGGESTED MOTION:

I move to approve the gaming site authorization for Bismarck Cancer Center Foundation at Dale Pahlke Arena Mandan Rodeo Grounds for July 1-4, 2024

City Commission

Agenda Documentation

June 18, 2024

Subject: Bismarck Cancer Center Foundation at Dale Pahlke Arena Mandan Rodeo Grounds on July 1-4, 2024

Page 2 of 2



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

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

Full, Legal Name of Gaming Organization

Bismarck Cancer Center Foundation

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

Name of Location

Dale Pahlke Arena - Mandan Rodeo Grounds

Street 2428 Longspur Trl SE	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized July 1, 2024	Ending Date(s) Authorized <i>July 4, 2024</i>		Number of Twenty-One tables, if zero, enter "0" 0

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

By the Grandstands at the Rodeo

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

July 2024

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

☐ Bingo	☐ Club Special	☐ Sports Pools
☐ ELECTRONIC Quick Shot Bingo	☐ Tip Board	☐ Twenty-One
☒ Raffles	☐ Seal Board	☐ Poker
☐ ELECTRONIC 50/50 Raffle	☐ Punchboard	☐ Calcuttas
☐ Pull Tab Jar	☐ Prize Board	☐ Paddlewheel with Tickets
☐ Pull Tab Dispensing Device	☐ Prize Board Dispensing Device	☐ Paddlewheel Table
☐ ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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



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

License Number (Office Use Only)

Site Owner (Lessor) Mandan Rodeo Days		Site Name Dale Pahlke Arena		Site Phone Number
Site Address 2428 Longspur Trail SE	City Mandan	State ND	Zip Code 58554	County Morton
Organization Bismarck Cancer Center Foundation		Rental Period July 1, 2024 to July 4, 2024		Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☐ No ☐ Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		☐ No ☐ Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		☐ No ☐ Yes		\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		☐ No ☐ Yes		\$
4. Is Pull Tabs involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☐ Standard Dispensing Device		☐ No ☐ Yes		\$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices _____		☐ No ☐ Yes		\$
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>Heather Jacobsen-Bauer</i>	Title <i>Mandan Rodeo Days Chairman</i>	Date <i>5/7/24</i>
Signature of Lessee <i>Amy Gross</i>	Title <i>Executive Director</i>	Date <i>6/6/24</i>



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 12, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Auth for Bismarck Cancer Center at Prairie West

STATEMENT/PURPOSE:

Consider a gaming site authorization for Bismarck Cancer Center Foundation at Prairie West Golf Course on June 19, 2025.

BACKGROUND/ALTERNATIVES:

The gaming site authorization was received on June 12, 2024. This is for a 2025 golf event.

ATTACHMENTS:

1. Gaming Site Auth - Bismarck Cancer Center at Prairie West 2025

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

Approve as presented

SUGGESTED MOTION:

I move to approve the gaming site authorization for Bismarck Cancer Center Foundation at Prairie West Golf Course on June 19, 2025.

City Commission

Agenda Documentation

June 18, 2024

Subject: Bismarck Cancer Center Foundation at Prairie West Golf Course on June 19, 2025

Page 2 of 2



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

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

Full, Legal Name of Gaming Organization

Bismarck Cancer Center Foundation

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

Name of Location

Prairie West Golf Course

Street

2709 Longspur Trail

City

Mandan

ZIP Code

58554

County

Morgan

Beginning Date(s) Authorized

June 19, 2025

Ending Date(s) Authorized

June 19, 2025

Number of Twenty-One
tables, if zero, enter "0"

0

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

SE of Clubhouse

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

June 2025

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

☐

Bingo

☐

ELECTRONIC Quick Shot Bingo

☒

Raffles

☐

ELECTRONIC 50/50 Raffle

☐

Pull Tab Jar

☐

Pull Tab Dispensing Device

☐

ELECTRONIC Pull Tab Device

☐

Club Special

☐

Tip Board

☐

Seal Board

☐

Punchboard

☐

Prize Board

☐

Prize Board Dispensing Device

☐

Sports Pools

☐

Twenty-One

☐

Poker

☐

Calcuttas

☐

Paddlewheel with Tickets

☐

Paddlewheel Table

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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



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

License Number (Office Use Only)

Site Owner (Lessor) Mandan Park District		Site Name Prairie West Golf		Site Phone Number 701-751-6171	
Site Address 2709 Longspur Trail		City Mandan	State ND	Zip Code 58554	County Morgan
Organization Bismarck Cancer Center Foundation		Rental Period June 19, 2025 - June 19, 2025			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?				☐ No	☐ Yes
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				☐ No	☐ Yes \$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				☐ No	☐ Yes \$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____					\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____				☐ No	☐ Yes \$
4. Is Pull Tabs Involving either a Jar Bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☐ Standard Dispensing Device				☐ No	☐ Yes \$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices _____				☐ No	☐ Yes \$
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>Bob Under</i>	Title <i>Cof Professional</i>	Date <i>4-24</i>
Signature of Lessee <i>Amy Gross</i>	Title <i>Executive Director</i>	Date <i>6-6-24</i>



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 12, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Functional Classification update submittal

STATEMENT/PURPOSE:

The Bismarck-Mandan Metropolitan Planning Organization (MPO) requests consideration and approval of the 2024 Urban Functional Classification System.

BACKGROUND/ALTERNATIVES:

Each time a Decennial Census is taken, the Bis-Man MPO updates the Urbanized Area Boundary (UZA) and the Urban Functionally Classified (FC) System. The UZA was updated in fall 2023. Since that time, the Bis-Man MPO has worked with the engineering and planning staff from its jurisdictions, including the City of Mandan, to update the Urban FC System. The system identifies arterial and collector roadways within the Urbanized Area which are expected to funnel and carry local and regional traffic. Functionally Classified roadways will also be eligible for the Federal funding that is administered by the North Dakota Department of Transportation (NDDOT) via the Bis-Man MPO.

The proposed changes can be viewed at: tinyurl.com/jy9ary8f. A list of changes is also attached. The first page outlines the changes requested within the UZA boundary. This includes additions, upgrades, and downgrades to roadways within the Urban FC System. The second page shows changes that may be requested in the future by NDDOT (on behalf of Morton County) or Burleigh County. Due to the UZA Boundary being made smaller, a few sections of the Urban FC System will be migrated onto the State and/or Rural Functional Class Systems.

The Bis-Man MPO TAC and Policy Board will consider approval of the 2024 FC System at their June meetings. The MPO is likewise requesting consideration and approval from all jurisdictions in the month of June. The approved system will be sent to NDDOT by July 1.

ATTACHMENTS:

1. 2024 Functional Classification Changes

FISCAL IMPACT:

No immediate financial impact for the City of Mandan. If a federal-aid grant is awarded to the City for a functionally classified roadway, the City may be required to provide a local funding match, which is typically 10-20% of the project.

STAFF IMPACT:

The Functional Class update follows every Decennial census. No action will be requested of Mandan Staff until the next Census update in 2030. However, Mandan Engineering/Planning Staff may request updates to this map at any time before that update. BMMPO staff will submit any requests to NDDOT on the City's behalf.

LEGAL REVIEW:

Legal review is not required by NDDOT or requested by BMMPO for this item.

RECOMMENDATION:

Staff recommends approval of the 2024 Urban Functional Classification System.

SUGGESTED MOTION:

I move to approve the 2024 Urban Functional Classification System, as presented.

Map ID	Road	From	To	Change From	Final	Jurisdiction	Mileage Length	2022 AADT*	Justification
1	Sunset Drive	Old Red Trail	27th Street N	Collector	Minor Arterial	Mandan	0.3	5870 (2022)	Land development in this area increases and will increase traffic counts.
2	27th Street N	Sunset Drive	Hwy 1806	Collector	Minor Arterial	Mandan	1	2,775	Land development in this area increases and will increase traffic counts.
3	13th Ave NW	Lohstreter Rd	13th Ave NW	Collector	Local	Mandan	0.08	not applicable	Remove to reconfigure the collector network and add Lohstreter Rd.
4	6th St NW	13th Ave NW	12th Ave NW	Collector	Local	Mandan	0.15	not applicable	Remove to reconfigure the collector network and add Lohstreter Rd.
5	Lohstreter Rd	13th Ave NW	Custer Drive	Local	Collector	Mandan	0.25	830 (2019) - 975 (2006)	Traffic counts and geometry favor Lohstreter over the current alignment on 13th Ave/6th St. Lohstreter is the eventual collector for the area, and this adds Lohstreter onto the System.
6	Custer Drive	Lohstreter Rd	12th Ave NW	Local	Collector	Mandan	0.3	no data available	Closes the loop of Lohstreter Rd
7	12th Ave NW	Custer Drive	13th Ave NW	Local	Collector	Mandan	0.08	1450-2205 (2009)	Closes the loop of Lohstreter Rd
8	6th Ave NE	1st St NE	Main St	Local	Minor Arterial	Mandan	0.11	2,265	Continues 6th Ave NE in a northward direction. Captures a high volume block in downtown Mandan.
9	8th Ave SE	19th St SE	27th St SE	Local	Collector	Mandan	0.75	1,895	Geometries meet general design for a collector. Over 700 dwelling units in this neighborhood
10	27th St SE	8th Ave SE	14th Ave SE	Local	Collector	Mandan	0.35	no data available	Geometries meet general design for a collector. Over 700 dwelling units in this neighborhood
11	14th Ave SE	27th Ave SE	19th St SE	Local	Collector	Mandan	0.71	1060	Geometries meet general design for a collector. Over 700 dwelling units in this neighborhood
12	McKenzie Dr	39th Ave SE	34th Ave SE	Local	Collector	Mandan	0.23	1045	Extend classification along McKenzie Dr. More closely aligns with patterns in the neighborhood.
13	34th Ave SE	McKenzie Dr	21st St SE	Local	Collector	Mandan	0.4	no data available	Extend classification along McKenzie Dr. More closely aligns with patterns in the neighborhood.
14	21st St SE	34th Ave SE	40th Ave SE	Local	Collector	Mandan	0.6	2075	Extend classification along McKenzie Dr. More closely aligns with patterns in the neighborhood.
15	19th St SE	40th Ave SE	46th Ave SE	Collector	Local	Mandan	0.5	not applicable	Remove as the road does not carry much traffic.
16	Borden Harbor Dr SE	Southbay Dr SE	Bayshore Bend SE	Local	Collector	Mandan	0.52	1220	Since last reclassification the roads have been functioning more and more like collectors. Serves a development of over 500 homes.
17	Bay Shore Bend SE	Borden Harbor Dr SE	Lakewood Dr SE	Local	Collector	Mandan	0.2	no data available	Since last reclassification the roads have been functioning more and more like collectors. Serves a development of over 500 homes.
18	Lakewood Dr SE	Bay Shore Bend SE	40th Ave SE	Local	Collector	Mandan	0.42	no data available	Since last reclassification the roads have been functioning more and more like collectors. Serves a development of over 500 homes.
19	40th Ave SE	Lakewood Dr SE	Southbay Dr SE	Local	Collector	Mandan	0.93	565	Since last reclassification the roads have been functioning more and more like collectors. Serves a development of over 500 homes.
20	46th Ave SE	Memorial Hwy	McKenzie Ave SE	Collector	Minor Arterial	Mandan	0.55	3865 - 5835	Roadway functions more as an arterial, not a collector. Geometry is more similar to an arterial than a collector.
21	Bis-Man Ave	Memorial Hwy	Twin City Dr	Local	Collector	Mandan	0.37	945 - 1175 (2013)	Roadway collects traffic from the industrial park and Twin City Estates (over 200 dwelling units), and distributes onto Main St and Memorial Hwy.
22	Twin City Drive	Bis-Man Ave	E Main St	Local	Collector	Mandan	1.12	2470 - 2720 (2014)	Roadway collects traffic from the industrial park and Twin City Estates (over 200 dwelling units), and distributes onto Main St and Memorial Hwy.
23	REMOVED								
24	E Century Ave	Centennial Rd	Roosevelt Dr	Collector	Minor Arterial	Bismarck	0.55	8955	Land development and traffic volume increases. Section functions as a minor arterial, no longer as a collector.
25	Santa Fe Ave	S Washington St	Boston Dr	Local	Collector	Bismarck	0.62	no data available	Land development and traffic volume increases. Section functions as a collector, no longer as a local road.
26	Boston Dr	Santa Fe Ave	Burleigh Ave	Local	Collector	Bismarck	0.82	no data available	Land development and traffic volume increases. Section functions as a collector, no longer as a local road.
27	Ridgedale St Frontage Road	57th Ave NW	64th Ave N	Local	Collector	Bismarck	0.92	no data available	Frontage Road System along US83. Is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the US Highway.
28	State Street E Frontage Road	Holiday Inn	43rd Ave N	Local	Collector	Bismarck	0.38	445 (2019)	Frontage Road System along US83/State Street. Is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the US Highway.
29	State Street E/13 St N Frontage Road	Divide Ave	Capitol Ave	Local	Collector	Bismarck	0.46	1225 (2006)	Frontage Road System along US83/State Street. Is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the US Highway.
30	State Street W/ 12 St N Frontage Road - 1	Interchange Ave	Capitol Ave	Local	Collector	Bismarck	0.14	1220	Frontage Road System along US83/State Street. Is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the US Highway.
31	State Street W/ 12 St N Frontage Road - 2	Capitol Ave	North of Divide Ave/ 12 St N	Local	Collector	Bismarck	0.33	820 (2019)	Frontage Road System along US83/State Street. Is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the US Highway.
32	Bismarck Expressway South Frontage Road System - 1	Portland Dr	Laramie Dr	Local	Collector	Bismarck	0.45	140	Frontage Road System along Bismarck Expressway. Is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the State System.
33	Bismarck Expressway South Frontage Road System - 2	Bozeman Dr	S 7th St	Local	Collector	Bismarck	0.4	430	Frontage Road System along Bismarck Expressway. Is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the State System.
34	S 7th Street	Bismarck Expressway	Denver Ave	Local	Collector	Bismarck	0.3	2500 - 2910 (2014)	Needed to complete classification of the Frontage Road System along Bismarck Expressway. Frontage road is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the State System.
35	Industrial Dr Frontage Road	WAPA	Miriam Dr	Local	Collector	Bismarck	1.27	1530 (2009)	Frontage Road System along Bismarck Expressway. Is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the State System.
36	Miriam Dr	Interchange Ave	Bismarck Expressway	Local	Collector	Bismarck	0.04	2205	Needed to complete classification of the Frontage Road System along Bismarck Expressway. Frontage road is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the State System.
37	American Dr	University Dr	Basin Ave	Local	Collector	Bismarck	0.01	310	Needed to complete classification of the Frontage Road System along Bismarck Expressway. Frontage road is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the State System.
38	Basin Ave Frontage Rd	American Dr	Airport Ave	Local	Collector	Bismarck	0.83	no data available	Frontage Road System along Bismarck Expressway. Is within NDDOT ROW. NDDOT suggests functional classification in the event that future road work is needed in conjunction with a project on the State System.
39	Old Red Trail	2013 UZA Boundary	2023 UZA Boundary	Local	Minor Arterial	Morton County	0.42	630	Extension to meet new UZA boundary
40	McKenzie Dr	39th Ave SE	40th Ave SE	Minor arterial	Collector	Mandan	0.13	1045	The minor arterial was a stub. We are requesting this roadway be demoted to collector to better align with traffic patterns. Further sections of McKenzie are being requested to be a collector, see number 12.
41	Baretta St	Sunset Drive	Hwy 1806	Local	Collector	Mandan	1	no data available	Matches the FARM alignment. New subdivision being built. Mandan said the roads will be constructed by the time 2024 FC is approved.
42	8th Ave NW	27th St N	Baretta St	Local	Collector	Mandan	0.5	385	Matches the FARM alignment. New subdivision being built. Mandan said the roads will be constructed by the time 2024 FC is approved.
43	12th St NW	27th St N	Baretta St	Local	Collector	Mandan	0.5	no data available	Matches the FARM alignment. New subdivision being built. Mandan said the roads will be constructed by the time 2024 FC is approved.
44	Sunset Drive	27th St N	Baretta St	Local	Collector	Mandan	0.5	no data available	Matches the FARM alignment. New subdivision being built. Mandan said the roads will be constructed by the time 2024 FC is approved.

Proposed Changes to the Rural and State Functional Classification Systems - Corresponding to Chagnes in the 2023 UZA Boundary

101	ND 1804/ 71st Ave	2013 UZA Boundary	2023 UZA Boundary	Urban Minor Arterial	Rural Collector (or another designation requested by the State)	NDDOT	3.89	1670-3570	Removing from Urban and adding to Rural/State Highway System. UZA boundary change. MPO is submitting request.
102	River Road	2023 UZA Boundary	Burnt Creek Lp	Urban Collector	Rural Collector (or another designation requested by the County)	Burleigh	1.12	1,495	Removing from Urban and adding to Rural system. UZA boundary change. Burleigh County will submit a follow-up request.
103	Burnt Creek Rd	River Rd	US 1804/ 71st Ave	Urban Collector	Rural Collector (or another designation requested by the County)	Burleigh	0.08	<i>no data available</i>	Removing from Urban and adding to Rural system. UZA boundary change. Burleigh County will submit a follow-up request.
104	Tyler Parkway	2023 UZA Boundary	US 1804/ 71st Ave	Urban Minor Arterial	Rural Collector (or another designation requested by the County)	Burleigh	0.35	1,050	Removing from Urban and adding to Rural system. UZA boundary change. Burleigh County will submit a follow-up request.
105	REMOVED: Sonora Way								
106	US 83 (N Bound)	2023 UZA Boundary	2013 UZA Boundary	Urban Principle Arterial	Rural Principle Arterial (or another designation requested by the State)	NDDOT	1.3	11,190	Removing from Urban and adding to Rural/State Highway System. UZA boundary change. MPO is submitting request.
107	US 83 (S Bound)	2023 UZA Boundary	2013 UZA Boundary	Urban Principle Arterial	Rural Principle Arterial (or another designation requested by the State)	NDDOT	1.3	11,190	Removing from Urban and adding to Rural/State Highway System. UZA boundary change. MPO is submitting request.
108	Lincoln Rd	2023 UZA Boundary	80th Street	Urban Collector	Rural Collector (or another designation requested by the County)	Burleigh	0.35	210	Removing from Urban and adding to Rural system. UZA boundary change. Burleigh County will submit a follow-up request.
109	ND 1804/ University Dr	2023 UZA Boundary	Sentinel St	Urban Minor Arterial	Rural Collector (or another designation requested by the State)	NDDOT	2.6	5500 (2015) - 6755 (2019)	Removing from Urban and adding to Rural/State Highway System. UZA boundary change. MPO is submitting request.
201	ND 1806 N	2023 UZA Boundary	2013 UZA Boundary	Urban Principal Arterial	Rural Collector (or another designation requested by the State)	NDDOT	4.17	3220	Removing from Urban and adding to Rural system. UZA boundary change. Burleigh County will submit a follow-up request.
202	ND 1806 S	2023 UZA Boundary	2013 UZA Boundary	Urban Principal Arterial	Rural Principle Arterial (or another designation requested by the State)	NDDOT	0.31	2475	Removing from Urban and adding to Rural/State Highway System. UZA boundary change. MPO is submitting request.
203	ND 6	2023 UZA Boundary	2013 UZA Boundary	Urban Principal Arterial	Rural Principal Arterial (or another designation requested by the State)	NDDOT	1.8	2635	Removing from Urban and adding to Rural/State Highway System. UZA boundary change. MPO is submitting request.
204	Old Red Trail/ Co Rd 139A	2023 UZA Boundary	State Hwy 25	Local	Rural Collector (or another designation requested by the State)	NDDOT	1.38	590	Adding to the Rural/State Highway System to complete the functional classification of Old Red Trail on the Urban System



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 12, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of a raffle permit for SCI-TR Safari Club International Theodore Roosevelt Chapter.

STATEMENT/PURPOSE:

Consider approval of a raffle permit for SCI-TR Safari Club International Theodore Roosevelt Chapter on August 1, 2024, at Baymont by Wyndham.

BACKGROUND/ALTERNATIVES:

Raffle for SCI-TR Safari Club International Theodore Roosevelt Chapter at Baymont by Wyndham.

ATTACHMENTS:

1. SCI-TR Safari Club

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

Approve the raffle permit for SCI-TR Safari Club International Theodore Roosevelt Chapter.

SUGGESTED MOTION:

I move to approve the raffle permit for SCI-TR Safari Club International Theodore

City Commission

Agenda Documentation

June 18, 2024

Subject: Consider a raffle permit for SCI-TR Safari Club International Theodore Roosevelt Chapter

Page 2 of 2

Roosevelt Chapter.



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

Permit Number
2024-39

Permit Type (check one)	
☒ Local Permit	☐ Restricted Event Permit*
Games Authorized	
☐ 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		Dates Authorized (Read Instruction 2)	
SCI-TR Safari Club International Theodore Roosevelt Chapter		08/01/2024	
Organization or Group Contact Person	E-mail	Telephone Number	
Mandy Nagel	thenagelfamily@hotmail.com	701-226-2232	
Mailing Address	City	State	ZIP Code
619 Riverwood Dr	Bismarck	ND	58504

SITE INFO

Site Name		County	
Baymont by Wyndham		Morton	
Site Address	City	State	ZIP Code
2611 Old Red Trail	Mandan	ND	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.)			
Raffle drawing to be held at Baymont in a Banquet Hall. One time ticket raffle drawing.			

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

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

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

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official	Title of City or County Official	Telephone Number	E-mail Address
Michael Breid	Sergeant	701-667-3250	mbreid@mandanpd.com
Signature of City or County Official	Date	Issuing Governing Body	
	06/12/2024	☒ 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-laws-rules-and-publications>

INSTRUCTIONS:

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

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

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

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



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (9-2023)

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games to be conducted ☐ 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 SCI-TR Safari Club International Theodore Roosevelt Chapter		Dates of Activity (Does not include dates for the sales of tickets) 8/1/2024	
Organization or Group Contact Person Mandy Nagel	E-mail thenagelfamily@hotmail.com	Telephone Number 701-226-2232	
Business Address 619 Riverwood Dr	City Bismarck	State ND	ZIP Code 58504
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Baymont by Wyndham		County Morton	
Site Physical Address 2611 Old Red 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 8/1/2024			

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

Game Type	Description of Prize	Exact Retail Value of Prize
	See Attachment	7,069.90
Total (limit \$40,000 per year)		\$ 7,069.90

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds Wildlife Conservation	
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 Mandy Nagel	Telephone Number 701-226-2232	E-mail Address thenagelfamily@hotmail.com
Signature of Organization Group's Permit Organizer 	Title Board Member	Date 5/27/2024

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.

Column1	Column2	Column3	Column4	Column5	Column6	Column7	Column8	Column9
SAFARI CLUB INTERNATIONAL								
BANQUET								
August 1, 2024								
Gun Raffle (Gift Card)								
	SKU	Value	Ticket #	Winner Name	Winner Address	Winner Phone	DL Number	Winner Signature
CHRISTENSEN ARMS 1/4 MESA 7PRC	64072002037	\$1,099.99						
TIKKA T3X LITE 300WM	06144224187	\$929.99						
RUGER AMERICAN RANCH II 308	716627646729	\$579.99						
RUGER AMERICAN PREDATOR 6.5CM	73667610777	\$549.99						
SAVAGE 110 APEX 270WIN	071135557312	\$649.99						
SAVAGE AXISII XP COMPACT 243WIN	0113561092	\$499.99						
CANIK TGP95FX 9MM	78745098231	\$499.99						
KIMBER CUSTOM LW LIBERTY 45ACP	66022730900	\$629.99						
WINCHESTER SX4 12GA	04870300687	\$929.99						
SAVAGE 555 20GA	00115602168	\$499.99						



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 14, 2024
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Agreements between BNSF Railway, North Dakota State Historical Preservation Office and the City of Mandan regarding salvageable granite blocks.

STATEMENT/PURPOSE:

To consider the agreement between North Dakota State Historical Preservation Office (NDSHPO) to accept a grant related to the BNSF Railroad Bridge blocks utilized in the construction of the existing piers.

BACKGROUND/ALTERNATIVES:

A welcome to Mandan structure in an area located at the east end of Memorial Highway in Mandan, North Dakota. This structure would be visible to the public traveling as they enter Memorial Highway from the east and as they exit Memorial Highway from the west. Located within a commercial area that includes multiple eateries, the area would be accessible to pedestrians from the Memorial Square parking lot and pedestrian traffic on the proposed sidewalk along Memorial Highway.

We would propose a structure that mimics the granite blocks from the existing bridge piers, metal ice cutters and mimics the appearance of the steel bridge trusses. Material availability and constructability will be important considerations during the design process. Consideration will also be given to incorporating materials from the existing rail structure. Plaques, similar to those on the entrances to Liberty Memorial Bridge, depicting the history of the rail bridge are planned in the plaza under the structure. Plaques may include materials from the rail bridge so that citizens may continue to experience its look and feel. Several stones or pieces of stones from the bridge will be utilized as benches in the plaza. Colored concrete or turf under the structure would take on the appearance of the Missouri River from above.

We are a few years away from the Rail Bridge being deconstructed and completion of Memorial Highway reconstruction so the concepts shown for the welcome feature

continue to be conceptual. However, we would still like the granite blocks from the pier to incorporate into the structure in some manner.

There are two agreements to consider for approval. The State Historical Society of North Dakota, Bismar Rail Bridge Grant Award Agreement and the BNSF Salvage Donation Agreement.

ATTACHMENTS:

1. NB2ii.0 - Visitors Committee - Welcome to Mandan East Memorial Highway - final
2. 16-0636 Salvage granted
3. BNSF Salvage Donation Agreement - Mandan 08 23 (002)
4. Bismar Rail Bridge Contract - City of Mandan

FISCAL IMPACT:

Funds for the match were approved by the City Commission via the Visitors Fund at the August 15, 2023, meeting.

STAFF IMPACT:

n/a

LEGAL REVIEW:

RECOMMENDATION:

I recommend approving the "Donation Agreement" between BNSF Railway and the City of Mandan pursuant to the State Historical Society of North Dakota's approval of the City of Mandan's grant application related to the BNSF Bridge Replacement project and associated Memorandum of Agreement for forty granite licks and two metal ice breakers caps from the BNSF Bismarck Bridge.

I recommend approving the "Bismar Rail Bridge Grant Award Agreement" between the State Historical Society of North Dakota and the City of Mandan.

SUGGESTED MOTION:

I move to approve the "Donation Agreement" between BNSF Railway and the City of Mandan pursuant to the State Historical Society of North Dakota's approval of the City of Mandan's grant application related to the BNSF Bridge Replacement project and associated Memorandum of Agreement for forty granite licks and two metal ice breakers caps from the BNSF Bismarck Bridge

I move to approve the "Bismar Rail Bridge Grant Award Agreement" between the State

City Commission

Agenda Documentation

June 18, 2024

Subject: Consider agreements between BNSF Railway, North Dakota State Historical Preservation Office and the City of Mandan regarding salvageable granite blocks

Page 3 of 3

Historical Society of North Dakota and the City of Mandan.



Board of City Commissioners

Agenda Documentation

MEETING DATE: August 15, 2023
PREPARATION DATE: August 9, 2023
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Mandan Visitors Fund Funding Assistance for a Welcome to Mandan structure east end Memorial Highway

STATEMENT/PURPOSE: To consider a recommendation from the Mandan Visitors Committee for funding assistance for a Welcome to Mandan monument structure at the east end of Memorial Highway.

BACKGROUND/ALTERNATIVES: A welcome to Mandan structure in an area located at the east end of Memorial Highway in Mandan, North Dakota. This structure would be visible to the public traveling as they enter Memorial Highway from the east and as they exit Memorial Highway from the west. Located within a commercial area that includes multiple eateries the area would be accessible to pedestrians from the Memorial Square parking lot and pedestrian traffic on the proposed sidewalk along Memorial Highway.

We would propose a structure that mimics the granite blocks from the existing bridge piers, metal ice cutters and mimics the look of the steel bridge trusses. Material availability and constructability will be important considerations during the design process. Consideration will also be given to incorporating materials from the existing rail structure. Plaques, similar to those on the entrances to Liberty Memorial Bridge depicting the history of the rail bridge are planned in the plaza under the structure. Plaques may include materials from the rail bridge so that citizens may continue to experience its look and feel. Several stones or pieces of stones from the bridge would be utilized as benches in the plaza. Colored concrete or turf under the structure would take on the look of the Missouri River from above.

First Federal Credit Union has proposed locating a Mandan sign on property they currently own, but are willing to donate, to this project. The property is located at the east end of Memorial Highway near their newly constructed building. The area currently is surrounded by parking on the east and north sides and Memorial Highway on the south. It is envisioned this project would be a draw for visitors to learn about the historic rail bridge.

A critical component of the project is to provide the public with a concept that would mimic the look and feel of the Bismarck Mandan Rail Bridge on a smaller scale. By incorporating items from the Bridge (possibly granite stones, ice cutters, or steel) citizens will continue to experience the look and feel of the Bridge. Proposed plaques would be implemented throughout the space to provide historical information regarding the existing rail structure.

An application was submitted to Bis-Man Rail Bridge Fund.

The Bis-Man Rail Bridge Fund is a one-time grant opportunity to document the history and legacy of the Bismarck-Mandan Rail Bridge. Funded through mitigation with the BNSF Railway, \$500,000 will be made available to eligible organizations with salvage, exhibit, education, or special projects related to the history of the bridge. Please note funding is dependent on the outcome of ongoing regulatory process. Timelines are subject to change and there is no guarantee that grant funds will be awarded.

We received notification from the State Historic Preservation Officer (SHPO) that we are notifying BNSF that we are accepting a grant request for a quantity of four (4) of Bid Alternate Pay Item Number 69, salvage of 10 masonry blocks, for a total of 40 blocks and \$230,000 on behalf of the City of Mandan.

The very preliminary estimated cost of the project is \$423,000, with the cost of the stones estimated at \$230,000 leaves a balance of approximately \$193,000. As costs are very preliminary we bumped that estimate up to \$500,000 and if the grant from SHPO is \$230,000 that left a balance of \$270,000 to fund. Thus the request to the Visitors Committee is \$270k. We will continue to work with SHPO and BNSF on this project.

There are several timelines associated with this project such as the reconstruction of Memorial Highway, construction of the new railroad bridge and the deconstruction of the existing railroad bridge. I would estimate this project could begin in 2026. We would not construct this project until the east end of Memorial Highway reconstruction is complete.

ATTACHMENTS: Bis-Man Rail Bridge Fund Application.

FISCAL IMPACT: \$270,000 from the Visitors Fund. The Visitors Fund is estimated to have an uncommitted balance of \$1M at the end of 2023.

STAFF IMPACT: Minimal

LEGAL REVIEW: Provided to Attorney Oster

Board of City Commissioners

Agenda Documentation

Meeting Date: August 15, 2023

Subject: Mandan Visitors Fund Funding Assistance for a Welcome to Mandan structure
east end Memorial Highway

Page 3 of 3

RECOMMENDATION: The Visitors Committee recommends providing up to \$270,000 in funding assistance for this project.

SUGGESTED MOTION: I move to approve up to \$270,000 for funding related to a Welcome to Mandan structure at the east end of Memorial Highway as depicted.



June 19, 2023

Mike Herzog, P.E.
Director Bridge Maintenance - South Region
BNSF Railway
4515 Kansas Avenue
Kansas City, KS 66106

ND SHPO Ref.: 16-0636 BNSF Bridge Replacement Bismarck and Mandan, North Dakota

Dear Mr. Herzog,

The State Historical Society of North Dakota, the grant administrator, has reviewed grant applications to be funded under the Memorandum of Agreement for the above-mentioned project. As per Stipulation IV.B of the agreement, we are notifying you that we are accepting a grant request for a quantity of four (4) of Bid Alternate Pay Item Number 69, salvage of 10 masonry blocks, for a total of 40 blocks and \$230,000 on behalf of the City of Mandan. Enclosed is a photograph submitted with the City's application as well as a rendering of their proposed project to show they intend to build two piers for a model of a span of the bridge. If possible, they would also like the two metal ice breaker caps covering those blocks.

If you have any questions regarding details for the salvage, the point of contact for the City of Mandan is Jim Neubauer, City Administrator. He can be reached at 701-667-3214 or jneubauer@cityofmandan.com. For questions for the grant administrator, please contact Lorna Meidinger, Lead Historic Preservation Specialist at (701) 328-2089 or lbmeidinger@nd.gov.

Sincerely,

for William D. Peterson PhD
State Historic Preservation Officer
(North Dakota)

Enclosures
CC: Brian Dunn
Shelly Sugarman
Chris Wilson
Jim Neubauer

16-0636





SIGN OPTION 02 DAY | MEMORIAL HIGHWAY GATEWAY SIGNAGE

August 18, 2023

Jim Neubauer, City Administrator
City of Mandan
205 2nd Ave NW
Mandan, ND 58554
jneubauer@cityofmandan.com

DONATION AGREEMENT

BNSF Railway Company (hereinafter called, “BNSF”) hereby agrees to donate to the **City of Mandan** (hereinafter called, “Donee”) the below listed item(s) (hereinafter called, the “Item(s)”) pursuant to the State Historical Society of North Dakota’s approval of Donee’s grant application related to the BNSF Bridge Replacement project and associated Memorandum of Agreement for that project on the terms and conditions set forth below:

If and as salvageable, forty (40) Granite blocks (comprised of granite material, including whole blocks, partial blocks and any residual grout material) and two (2) metal ice breaker caps from the BNSF Bismarck Bridge.

In consideration of the donation described in this Donation Agreement, Donee and BNSF agree as follows:

- 1) **Compliance with Laws.** Donee and its contractors shall comply with all applicable federal, state and local laws (including common law), rules, safety rules, ordinances, regulations, orders, court orders, and notices of whatsoever nature, environmental or otherwise, (collectively, “Laws”) concerning the removal, transportation, use, maintenance, display, disposition and condition of the Item(s).
- 2) **Donee Representation Regarding Use.** Donee acknowledges that the Items include used bridge components that could contain lead-based paint (“LBP”), asbestos containing materials (“ACM”) and/or other Hazardous Materials. Donee represents that it is taking and accepting the Items for the sole purpose of maintaining on Donee’s property and not for the sale, distribution or further donation of such Items. Donee shall appropriately use, maintain and/or display the Items in compliance with all Laws and so as not to affect any nearby waterways, wetlands or ditches. Donee shall maintain the Item(s) to prevent degradation, chipping, flaking, crumbling of any material contained therein. Donee expressly agrees not to abandon any of the Items and shall properly dispose of any and all Items in compliance with all Laws when no longer in use by Donee. Following the transfer of title as described in Section 6, Donee is solely responsible for the use, maintenance, display, or disposal of Items.
- 3) **Delivery of Items.** BNSF Railway’s Shane O’Keffe, Project Engineer II, 701-460-6141 will coordinate delivery with Donee.

- 4) **DISCLAIMER OF WARRANTIES.** BNSF expressly disclaims any past, present or future warranty (express, implied or statutory), guaranty, or representation (oral or written) as to or concerning the Item(s), including, without limitation, the condition of the Item(s), the value or whether the Item(s) is/are in compliance with any laws, rules, ordinances or regulations of any city, county, state, regulatory and/or other governmental entity. **PURSUANT TO THIS DONATION AGREEMENT, BNSF IS DONATING THE PROPERTY TO DONEE “AS IS”, “WHERE IS” “WITH ALL FAULTS” AND WITH ANY AND ALL PATENT AND LATENT DEFECTS, INCLUDING THOSE RELATING TO THE ENVIRONMENTAL CONDITION OF THE ITEMS. DONEE EXPRESSLY ACKNOWLEDGES THAT BNSF MAKES NO REPRESENTATION OR WARRANTY TO DONEE, EXPRESS, IMPLIED OR STATUTORY, OR ARISING BY OPERATION OF LAW, AND INCLUDING, BUT WITHOUT LIMITATION, ANY WARRANTY OF TITLE, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, PHYSICAL CONDITION OF THE ITEMS, OR THE PRESENCE OF ANY ACM, LEAD, LBP, OTHER LEAD CONTAINING STRUCTURES OR OTHER HAZARDOUS MATERIALS.** Donee acknowledges that it is sophisticated in the transfer of personal property and is entering into this Donation Agreement in reliance on its own abilities and investigation and not on any representation, warranty or agreement of BNSF. Donee acknowledges that it has made such investigations of the Items and performed such due diligence with respect thereto as it deemed necessary or advisable, and accepts such Items in their present condition. Donee acknowledges that the Items could contain LBP, ACM or other hazardous materials that could pose potential danger and risk to the Donee Persons and public and Donee solely assumes all such risk. This Section shall survive donation contemplated herein and the termination of this Donation Agreement.
- 5) **Release.** In consideration of BNSF donating the Items and acceptance of the Items by Donee, **DONEE AGREES TO AND DOES HEREBY WAIVE, RELEASE, AND HOLD HARMLESS BNSF AND BNSF’S AFFILIATED COMPANIES, PARTNERS, SUCCESSORS, ASSIGNS, LEGAL REPRESENTATIVES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES AND AGENTS FOR, FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITIES, FINES, PENALTIES, COSTS, DAMAGES, LOSSES, LIENS, CAUSES OF ACTION, SUITS, DEMANDS, JUDGMENTS INVESTIGATIONS, NOTICES OF PENALTY OR POTENTIAL PENALTY, OBLIGATIONS, ENFORCEMENT ACTIONS AND EXPENSES (INCLUDING WITHOUT LIMITATION COURT COSTS AND CONSULTANTS’ AND ATTORNEYS’ FEES) OF ANY NATURE, KIND OR DESCRIPTION OF ANY PERSON OR ENTITY (INCLUDING EMPLOYEES, AGENTS AND INVITEES OF BNSF AND DONEE) DIRECTLY OR INDIRECTLY ARISING OUT OF, RESULTING FROM OR RELATED TO (IN WHOLE OR IN PART) (I) THE ACTS OR OMISSIONS OF DONEE OR ITS AGENTS, REPRESENTATIVES OR EMPLOYEES, (II) DONEE’S FAILURE (INCLUDING THE FAILURE OF ITS EMPLOYEES, REPRESENTATIVES OR AGENTS) TO PERFORM ANY OBLIGATION HEREUNDER (ACTUAL OR ALLEGED), (III) THE CONDITION OF THE ITEM(S), (IV) DONEE’S FAILURE TO COMPLY WITH LAWS, (V) THE TRANSPORTATION, DISPLAY, MAINTENANCE,**

DISPOSITION OR REMOVAL OF THE ITEM(S) OR (VI) USE OF THE ITEMS BY DONEE OR ITS AGENTS, REPRESENTATIVES OR EMPLOYEES. THIS SECTION SHALL SURVIVE ANY TERMINATION OF THIS DONATION AGREEMENT AND ANY DONATION OF THE ITEM(S).

- 6) **Transfer of Title to the Item(s).** Title to the Item(s) and all risk of loss or damage with respect to the Item(s) shall pass to Donee at the time that the Item(s) are staged at an established designation for delivery. **DONEE AGREES TO RELEASE AND HOLD BNSF INDEMNITEES HARMLESS FROM ANY LIABILITY ASSOCIATED WITH DAMAGE TO OR LOSS OF ANY DONEE PERSON'S EQUIPMENT USED IN THE MOVEMENT AND/OR REMOVAL OF ITEMS.**

7) **General Provisions.**

a) **Entire Agreement.** This Donation Agreement (including any exhibits) contains the entire agreement between BNSF and Donee. Oral statements or prior written matter not specifically incorporated into this Donation Agreement have no force and effect. No variation, modification, or change to this Donation Agreement binds either party unless set forth in a document signed by the parties or their duly authorized agents, officers, or representatives.

b) **Assigns.** This Agreement inures to the benefit of and binds the parties and their respective legal representatives, successors, and permitted assigns. Donee may not assign its rights or obligations under this Agreement without BNSF's prior written consent, which BNSF may withhold in its sole discretion. If Donee assigns its rights and obligations under this Agreement in accordance with this Section, Donee will nevertheless remain liable for the performance of all covenants and obligations of Donee under this Agreement.

c) **Governing Law.** All questions concerning the interpretation or application of provisions of this Donation Agreement (including any exhibits or schedules attached to or referred to in this Donation Agreement) shall be decided according to the substantive laws of the State of Texas without regard to conflicts of law provisions. Donee acknowledges and stipulates that this Donation Agreement (including any exhibits or schedules attached hereto) has been executed or delivered in Tarrant County, Texas, and that the place of performance of all obligations hereunder is deemed to be Tarrant County, Texas.

d) **Venue.** The parties consent that venue of any action brought under this Agreement will be in Tarrant County, Texas.

e) **Severability.** If any provision in this Donation Agreement is found to be invalid, illegal, or unenforceable, its invalidity, illegality, or unenforceability will not affect any other provision, and this Donation Agreement must be construed as if the invalid, illegal, or unenforceable provision had never been included.

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

DONEE: ORGANIZATION NAME

By: _____

Printed Name: _____

Title: _____

BNSF RAILWAY COMPANY

By: _____

Title: _____



Bisman Rail Bridge Grant Award Agreement

State Historical Society of North Dakota
612 East Boulevard Ave, Bismarck, ND 58505

This agreement, for the purpose of implementing the Bisman Rail Bridge Fund award. The following agreement specifies the provisions of the grant award between the State Historical Society of North Dakota and the grant recipient of those funds.

Grant Period: July 1, 2023 - June 30, 2025

Target Completion Date: June 30, 2025

Grant Recipient Information

Organization Name: City of Mandan

Address: 205 2nd Avenue NW, Mandan, ND 58554

Telephone: (701) 667-3214

Project Title: Rail Bridge Historical Plaza

Project Description: *(The attached application is a part of the agreement and obligation of recipient)*

Contact Person: Jim Neubauer

Reporting Requirements

1. A Progress Report (Attachment 1) is required midway through the grant period, on July 1, 2024.
2. A Final Report (Attachment 1) must be filed by along with other required documents detailed on the Reimbursement Request (Attachment 2).
3. An on-site visit may be scheduled at the completion of the project.

Grant Award

Grant recipient shall forward a request for reimbursement for Project work performed after completion of Project scope of work. Reimbursements requests must document the State Historical Society of North Dakota's share of expenses, any matching funds and the date on which each occurred.

Total Grant Fund Awarded: \$195,750.00

Required Match: \$96,085.00

Total: \$291,835.00

The grant recipient agrees to indemnify, save and hold harmless the State of North Dakota, its agencies, officers and employees (State), from any and all claims of any nature, including costs, expenses and attorneys' fees, which may in any manner result from or arise out of this agreement, except for claims resulting from or arising out of the State's sole negligence. The grant recipient also agrees to indemnify, save and hold the State harmless for all costs, expenses and attorneys' fees incurred in establishing and litigating this indemnification provision.

Grant Recipient Representative

Grant Recipient Representative (signature)

Date

SHSND Representative

SHSND Representative (signature)

Date

Dr. William D. Peterson, SHSND Director



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 18, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider approving sole sourcing services from Electronic Communications Inc.

STATEMENT/PURPOSE:

To consider and possibly approve sole sourcing services from Electronic Communications Inc. (ECI) to move tornado warning equipment from Collins Reservoir Site to the Plainview Tower support construction of the Collins Avenue Reservoir Replacement Project.

BACKGROUND/ALTERNATIVES:

Electronic Communications Inc. (ECI) currently supplies, supports, and performs maintenance on the tornado warning system for the City of Mandan and has done so for many years. The communications tower and shack where the equipment is located will need to be removed for construction of the new Collins Reservoir. The City identified Plainview as a location where the antenna, repeater, and duplexer can be relocated to reduce costs.

ATTACHMENTS:

None

FISCAL IMPACT:

The cost to relocate the equipment will be part of the Collins Avenue Reservoir Replacement Project budget.

STAFF IMPACT:

Minimal

LEGAL REVIEW:

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

RECOMMENDATION:

To approve sole sourcing relocation services from ECI for the Collins Reservoir project.

SUGGESTED MOTION:

I move to approve sole sourcing services from Electronic Communications Inc. to move tornado warning equipment from Collins Reservoir Site to the Plainview Tower to support construction of the Collins Avenue Reservoir Replacement Project.



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: April 29, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Renee Murrish
SUBJECT: Consider changes to parking violation fines

STATEMENT/PURPOSE:

Parking fines have not been increased since the implementation of the parking authority. The purpose of the increase would be to encourage healthy parking habits and to keep parking for businesses open for customers to use.

BACKGROUND/ALTERNATIVES:

At the April 23, 2024, Parking Authority meeting, the fines for certain parking violations were voted for consideration of an increase. Current parking violations are primarily a \$10 fine for a violation, depending on the violation. Loading zone violation is one that has continually been violated in front of the Lewis and Clark on Main Street. If approved, this would also include any other future loading zones in the city and all current loading zones.

The following items were voted on by the Parking Authority to consider an increase to the parking fines:

- Loading zone violation would increase from \$10.00 to \$50.00.

- All other parking fines that are currently \$10.00 would increase to \$15.00.

The current procedure would stay in place where the fine doubles after 10 days of non-payment. After 20 days, it is sent to the Municipal Court and additional court fees are included. If the ticket is not paid, a warrant is issued for the registered owner of the vehicle for non-payment of violation. There are violations that are more than \$10 (such as parking in a handicap spot) and that is determined based on the Mandan municipal code in which the vehicle is in violation. This increase in parking fines, if approved, is recommended to go into effect January 1, 2025.

ATTACHMENTS:

None

FISCAL IMPACT:

Revenue from downtown parking tickets would increase. Based on 2023 tickets written the city would have received \$6,500 more if the parking citations were \$15.

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

The Parking Authority recommend raising the current \$10.00 parking fines to \$15.00 per violation and increasing the Loading Zone violation from \$10.00 to \$50.00 effective January 1, 2025. If approved, the City Attorney would draft the necessary ordinance change.

SUGGESTED MOTION:

I move to approve raising the current \$10.00 parking fines to \$15.00 per violation and increasing the Loading Zone violation from \$10.00 to \$50.00 effective January 1, 2025, and for the City Attorney to draft the necessary ordinance changes.



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 4, 2024
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Mike Dannenfelzer
SUBJECT: Presentation of the 2025 Preliminary CenCom Budget.

STATEMENT/PURPOSE:

Presentation of the 2025 Preliminary CenCom Budget.

BACKGROUND/ALTERNATIVES:

Presentation of the 2025 Preliminary Central Dakota Communications Center Budget.

The City of Mandan is a member of the Central Dakota Communications Center along with The City of Bismarck and Burleigh County. As members, the city has both Police Chief Ziegler and Fire Chief Bitz on the CenCom Executive Board and Commissioner Rohr is on the Board of Directors. There are also members from the police and fire departments who sit on the policy and the operations committees. All the city members who sit on their prospective boards or committees have input on everything from policy-making, operational practices and budget development. The final budget approval will be approved and adopted with the City of Bismarcks budget.

The CenCom Executive Board reviewed the preliminary budget and there was no opposition to it at the time of review.

ATTACHMENTS:

1. Expense Worksheet (Base)

FISCAL IMPACT:

Projected \$21,000 increase.

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

Recommendation and motion are not needed for this presentation.

SUGGESTED MOTION:

Recommendation and motion are not needed for this presentation.



Expense Budget Worksheet Report

Budget Year 2025

Account	Account Description	2025 Department Base	2024 Amended Budget	2023 Actual Amount
Fund 100 - General Fund				
Department 135 - Central Dakota Comm Center				
Division 051 - Central Dakota Comm Center				
Personnel Services - Salaries & Wages				
Salaries & Wages				
4110-000 Regular Salaries		2,026,288.00	1,949,495.00	1,539,443.19
Salaries & Wages Totals		\$2,026,288.00	\$1,949,495.00	\$1,539,443.19
Salaries & Wages - Part-time				
4120-000 Part-Time Wages		.00	.00	2,028.92
Salaries & Wages - Part-time Totals		\$0.00	\$0.00	\$2,028.92
Salaries & Wages - Other				
4110-100 Salary Policy		.00	88,967.00	.00
4130-000 Overtime Wages		50,000.00	50,000.00	159,934.05
Salaries & Wages - Other Totals		\$50,000.00	\$138,967.00	\$159,934.05
Annual & Sick Leave Benefits				
4160-000 Annual Leave		.00	.00	26,375.62
4170-000 Sick Overage		3,974.00	3,189.00	1,228.44
Annual & Sick Leave Benefits Totals		\$3,974.00	\$3,189.00	\$27,604.06
Personnel Services - Salaries & Wages Totals		\$2,080,262.00	\$2,091,651.00	\$1,729,010.22
Personnel Services - Fringe Benefits				
Health & Life Insurance				
4200-100 Health Insurance		713,028.00	698,352.00	473,510.00
4200-200 Life Insurance		1,070.00	2,079.00	1,521.60
Health & Life Insurance Totals		\$714,098.00	\$700,431.00	\$475,031.60
Disability Cost				
4200-300 Disability Insurance		2,516.00	5,503.00	3,989.58
Disability Cost Totals		\$2,516.00	\$5,503.00	\$3,989.58
Pension Cost				
4200-400 Pension Expense		186,266.00	177,226.00	157,279.00
Pension Cost Totals		\$186,266.00	\$177,226.00	\$157,279.00
Fica Tax				
4210-100 Social Security		125,630.00	126,385.00	104,188.22
4210-200 Medicare		29,382.00	29,558.00	24,366.61
Fica Tax Totals		\$155,012.00	\$155,943.00	\$128,554.83
State Unemployment Tax				
4200-600 SUTA Expense		.00	.00	3.55
State Unemployment Tax Totals		\$0.00	\$0.00	\$3.55
Workers Compensation				
4240-100 Workers Comp-Premium		797.00	798.00	813.59
Workers Compensation Totals		\$797.00	\$798.00	\$813.59
Personnel Services - Fringe Benefits Totals		\$1,058,689.00	\$1,039,901.00	\$765,672.15



Expense Budget Worksheet Report

Budget Year 2025

Account	Account Description	2025 Department Base	2024 Amended Budget	2023 Actual Amount
Fund 100 - General Fund				
Department 135 - Central Dakota Comm Center				
Division 051 - Central Dakota Comm Center				
Professional, Legal, and Contracted Service Fees				
Contract Services				
4330-200	Service Contract	1,318,465.00	1,318,465.00	1,058,614.87
	Contract Services Totals	\$1,318,465.00	\$1,318,465.00	\$1,058,614.87
	Professional, Legal, and Contracted Service Fees Totals	\$1,318,465.00	\$1,318,465.00	\$1,058,614.87
	Building, Equipment, and Vehicle Services			
	Rentals			
4430-100	Rentals-Building	229,310.00	257,973.00	245,845.32
	Rentals Totals	\$229,310.00	\$257,973.00	\$245,845.32
	Building, Equipment, and Vehicle Services Totals	\$229,310.00	\$257,973.00	\$245,845.32
	Division 051 - Central Dakota Comm Center Totals	\$4,686,726.00	\$4,707,990.00	\$3,799,142.56
	Department 135 - Central Dakota Comm Center Totals	\$4,686,726.00	\$4,707,990.00	\$3,799,142.56
	Fund 100 - General Fund Totals	\$4,686,726.00	\$4,707,990.00	\$3,799,142.56
Fund 900 - Central Dakota Comm Center				
Department 900 - Central Dakota Comm Center				
Division 051 - Central Dakota Comm Center				
Professional, Legal, and Contracted Service Fees				
Professional Fees				
4300-100	Accting and Auditing Fees	.00	.00	1,500.00
	Professional Fees Totals	\$0.00	\$0.00	\$1,500.00
	Consultants			
4310-700	Professional Consultants	600.00	600.00	590.00
	Consultants Totals	\$600.00	\$600.00	\$590.00
	Contract Services			
4330-100	Contract Labor	3,138,951.00	3,052,560.00	2,494,682.37
4330-200	Service Contract	4,000.00	4,000.00	2,314.58
	Contract Services Totals	\$3,142,951.00	\$3,056,560.00	\$2,496,996.95
	Professional, Legal, and Contracted Service Fees Totals	\$3,143,551.00	\$3,057,160.00	\$2,499,086.95
	Building, Equipment, and Vehicle Services			
	Utility Services			
4400-100	Water/Sewer	1,000.00	1,000.00	456.26
4400-200	Electricity	20,000.00	20,000.00	24,864.49
4400-500	Natural Gas	6,000.00	6,000.00	4,650.19
	Utility Services Totals	\$27,000.00	\$27,000.00	\$29,970.94
	Facility Services			
4410-100	Janitorial Service	17,565.00	17,565.00	16,733.32
	Facility Services Totals	\$17,565.00	\$17,565.00	\$16,733.32



Expense Budget Worksheet Report

Budget Year 2025

Account	Account Description	2025 Department Base	2024 Amended Budget	2023 Actual Amount
Fund 900	Central Dakota Comm Center			
Department 900	Central Dakota Comm Center			
Division 051	Central Dakota Comm Center			
	Building, Equipment, and Vehicle Services			
	Repairs and Maintenance			
	Repairs and Maintenance-Property			
4420-100	Rpr/Mtce-Building	2,000.00	2,000.00	300.31
	Repairs and Maintenance-Property Totals	\$2,000.00	\$2,000.00	\$300.31
	Repairs and Maintenance-Equipment			
4420-300	Rpr/Mtce-Equipment	58,000.00	58,000.00	31,275.09
	Repairs and Maintenance-Equipment Totals	\$58,000.00	\$58,000.00	\$31,275.09
	Repairs and Maintenance Totals	\$60,000.00	\$60,000.00	\$31,575.40
	Rentals			
4430-100	Rentals-Building	690,000.00	690,000.00	681,426.00
4430-200	Rentals-Easements	27,800.00	27,800.00	20,162.00
	Rentals Totals	\$717,800.00	\$717,800.00	\$701,588.00
	Building, Equipment, and Vehicle Services Totals	\$822,365.00	\$822,365.00	\$779,867.66
	Travel and Training			
	Travel			
4500-100	Lodging	4,000.00	4,000.00	1,509.36
4500-200	Meals	1,500.00	1,500.00	553.00
4500-300	Airfare	2,500.00	2,500.00	1,030.80
4500-350	Car Rental	.00	.00	530.14
4500-600	Travel-Mileage Reimbursmt	500.00	500.00	.00
4500-700	Service Area Travel	1,500.00	1,500.00	1,085.35
4500-800	Taxi/Parking	100.00	100.00	70.49
	Travel Totals	\$10,100.00	\$10,100.00	\$4,779.14
	Training			
4510-100	Conference Registration	8,450.00	8,450.00	12,727.00
	Training Totals	\$8,450.00	\$8,450.00	\$12,727.00
	Travel and Training Totals	\$18,550.00	\$18,550.00	\$17,506.14
	Other Operating Services			
	Insurance			
4600-100	State Fire and Tornado	1,205.00	1,205.00	959.00
	Insurance Totals	\$1,205.00	\$1,205.00	\$959.00
	Communication Services			
4605-100	Telephone	21,160.00	21,160.00	15,736.88
4605-200	Cell Phones	1,575.00	1,575.00	1,233.28
4605-300	Emergency Communicat Svcs	28,000.00	28,000.00	30,360.49
	Communication Services Totals	\$50,735.00	\$50,735.00	\$47,330.65



Expense Budget Worksheet Report

Budget Year 2025

Account	Account Description	2025 Department Base	2024 Amended Budget	2023 Actual Amount
Fund 900 - Central Dakota Comm Center				
Department 900 - Central Dakota Comm Center				
Division 051 - Central Dakota Comm Center				
Other Operating Services				
Advertising and Promotions				
4610-100 Advertising/Promotions		1,500.00	1,500.00	.00
Advertising and Promotions Totals		\$1,500.00	\$1,500.00	\$0.00
Fees and Dues				
4630-200 Administrative Fees		171,132.00	157,674.00	193,034.00
4630-300 Membership/Dues		2,200.00	2,200.00	1,828.00
Fees and Dues Totals		\$173,332.00	\$159,874.00	\$194,862.00
Computer Services				
4635-100 Computer Service Fees		22,212.00	22,212.00	8,010.10
4635-200 Network Services		53,650.00	53,650.00	64,704.00
4635-300 Software Upgrade/Maintain		345,904.00	336,458.00	278,060.85
4635-400 Computer Svc/Maintenance		96,596.00	96,596.00	102,714.24
4635-500 Computer Server Mtce		3,500.00	3,500.00	3,360.00
Computer Services Totals		\$521,862.00	\$512,416.00	\$456,849.19
Recruitment Services				
4655-300 Drug Testing-Recruitment		650.00	650.00	550.00
4655-600 Candidate Assessment Svc		3,000.00	3,000.00	2,077.00
Recruitment Services Totals		\$3,650.00	\$3,650.00	\$2,627.00
Depreciation				
4670-000 Depreciation Expense		.00	.00	200,107.00
Depreciation Totals		\$0.00	\$0.00	\$200,107.00
Other Operating Services Totals		\$752,284.00	\$729,380.00	\$902,734.84
Operating Supplies				
Office Supplies				
4700-100 Office Supplies		1,500.00	1,500.00	2,387.42
4700-200 Office Small Equipment		6,000.00	6,000.00	5,375.65
4700-300 Computer Small Equipment		.00	.00	5,099.79
4700-400 Copier/Printer Supplies		645.00	645.00	863.88
4700-500 Postage		200.00	200.00	123.71
Office Supplies Totals		\$8,345.00	\$8,345.00	\$13,850.45
Shop Supplies				
4710-100 Shop Supplies		.00	.00	730.00
4710-600 Janitorial Supplies		4,000.00	4,000.00	2,043.27
Shop Supplies Totals		\$4,000.00	\$4,000.00	\$2,773.27



Expense Budget Worksheet Report

Budget Year 2025

Account	Account Description	2025 Department Base	2024 Amended Budget	2023 Actual Amount
Fund 900 - Central Dakota Comm Center				
Department 900 - Central Dakota Comm Center				
Division 051 - Central Dakota Comm Center				
Operating Supplies				
Safety Supplies				
4735-100	Safety Supplies	.00	.00	802.01
	<i>Safety Supplies Totals</i>	\$0.00	\$0.00	\$802.01
	<i>Subscription</i>			
4750-000	Subscriptions/Publication	725.00	725.00	99.95
	<i>Subscription Totals</i>	\$725.00	\$725.00	\$99.95
	<i>Operating Supplies Totals</i>	\$13,070.00	\$13,070.00	\$17,525.68
	Division 051 - Central Dakota Comm Center Totals	\$4,749,820.00	\$4,640,525.00	\$4,216,721.27
Division 055 - Cen Dak Comm 911 Reserve				
Building, Equipment, and Vehicle Services				
Repairs and Maintenance				
Repairs and Maintenance-Property				
4420-100	Rpr/Mtce-Building	.00	.00	2,218.65
	<i>Repairs and Maintenance-Property Totals</i>	\$0.00	\$0.00	\$2,218.65
	<i>Repairs and Maintenance Totals</i>	\$0.00	\$0.00	\$2,218.65
	<i>Building, Equipment, and Vehicle Services Totals</i>	\$0.00	\$0.00	\$2,218.65
	<i>Operating Supplies</i>			
	<i>Office Supplies</i>			
4700-300	Computer Small Equipment	.00	.00	12,347.85
	<i>Office Supplies Totals</i>	\$0.00	\$0.00	\$12,347.85
	<i>Operating Supplies Totals</i>	\$0.00	\$0.00	\$12,347.85
	<i>Capital Outlay</i>			
	<i>Machinery and Equipment</i>			
6650-100	Machinery/Equipment	100,000.00	100,000.00	.00
	<i>Machinery and Equipment Totals</i>	\$100,000.00	\$100,000.00	\$0.00
	<i>Capital Outlay Totals</i>	\$100,000.00	\$100,000.00	\$0.00
	Division 055 - Cen Dak Comm 911 Reserve Totals	\$100,000.00	\$100,000.00	\$14,566.50
Department 900 - Central Dakota Comm Center Totals		\$4,849,820.00	\$4,740,525.00	\$4,231,287.77
Fund 900 - Central Dakota Comm Center Totals		\$4,849,820.00	\$4,740,525.00	\$4,231,287.77
	Net Grand Totals	\$9,536,546.00	\$9,448,515.00	\$8,030,430.33



City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 12, 2024
SUBMITTING DEPARTMENT: Planning, Engineering, Public Works
DEPARTMENT DIRECTOR: Andrew Stromme
Jarek Wigness
Mitch Bitz
PRESENTER: Art Goldammer
Mitch Bitz, Public Works Director
Jarek Wigness, City Engineer
Andrew Stromme, City Planner
SUBJECT: Consider request from TRX Developers to use City Right-of-Way for Shores at Lakewood Sprinklers

STATEMENT/PURPOSE:

Consider request from TRX Developers to use City Right-of-Way for Shores at Lakewood Sprinklers

BACKGROUND/ALTERNATIVES:

TRX Developers has submitted a request for approval to use the City of Mandan Public Right of Way for their planned irrigation crossings. Their project involves constructing a multi-phase master irrigation system that will be fed by a stormwater/amenity pond. Currently, the City prohibits private infrastructure in the right-of-way, and this request has been administratively denied. However, the developer is now seeking the Commission's approval to install private irrigation lines at roughly eight locations within the Shores at Lakewood Masterplan.

From the perspective of City Staff, there have been several concerns regarding this proposal, including the aspect where it is being introduced 25% of the way into a development project. First, there are significant concerns about an HOA's ability to remain organized **and** capable of maintaining such new and unprecedented infrastructure. There is also apprehension that allowing this infrastructure could increase the City's liability and responsibility for maintenance, which would not exist if the infrastructure were not permitted. Furthermore, there is a risk that opening the right-of-way to private landowners could undermine its intended use for City utilities and public purposes. Last, it is generally understood that we work to limit the number of conflicts in

the right-of-way as to not further complicate future street maintenance or reconstruct projects. Staff urges the Commission to consider these points carefully when evaluating the developer's request. Staff also believe there are alternatives that are more conventional in nature that may exist, such as using deliberately located master meters and City water to avoid ROW crossings.

Exhibits related to the request are attached.

Ordinances relevant to the topic include:

Sec. 115, Article 1 - Franchises: Generally details a high level of scrutiny for major utility providers to be the only users of the City ROW with detailed conditions of use and occupancy.

Sec. 115-3-8. - Use of streets, alleys and public rights-of-way or easements.

(a) Obstructions. **No person shall re-grade or place any object in a street, alley, public right-of-way or public easement that restricts the public's use of the street, alley, public right-of-way or public easement unless authorized to do so by the city.** No person shall deposit on any street, alley, public right-of-way or public easement any material, either solid or liquid, which may be harmful to the pavement or vegetation thereof or which may do injury to or render unclean any person, animal or property including oil or other chemicals, snow, dirt, rubbish or garbage and grass cuttings or tree limbs.

Sec. 115-6-13. - Private crossings prohibited.

It is unlawful for any person to put across any boulevard or sidewalk within the city any private crossing for any purpose whatever, except by and with the consent of the board of city commissioners, and then only in conformity with the specifications to be prescribed by the city engineer.

In an attempt to cover bases and provide fail-safes, the Developer proposes demarcations, tracer wire, and conduits as strategies to make the infrastructure more visible. The City appreciates that these efforts have been taken, however, ultimately affirms that the public right of way is not for private infrastructure. Alternatives exist such as using metered City water to avoid crossing the right of way.

ATTACHMENTS:

1. Master Irrigation Plan - compiled submittal

FISCAL IMPACT:

Unknown, but possible. Concerns include potential impacts to infrastructure such as

utility lines and streets that may be caused by the irrigation line that if not permitted would be avoided.

STAFF IMPACT:

Significant staff time has gone into reviewing this request. It is unknown but possible that City staff time may be necessary to resolve any issues related to the line if permitted.

LEGAL REVIEW:

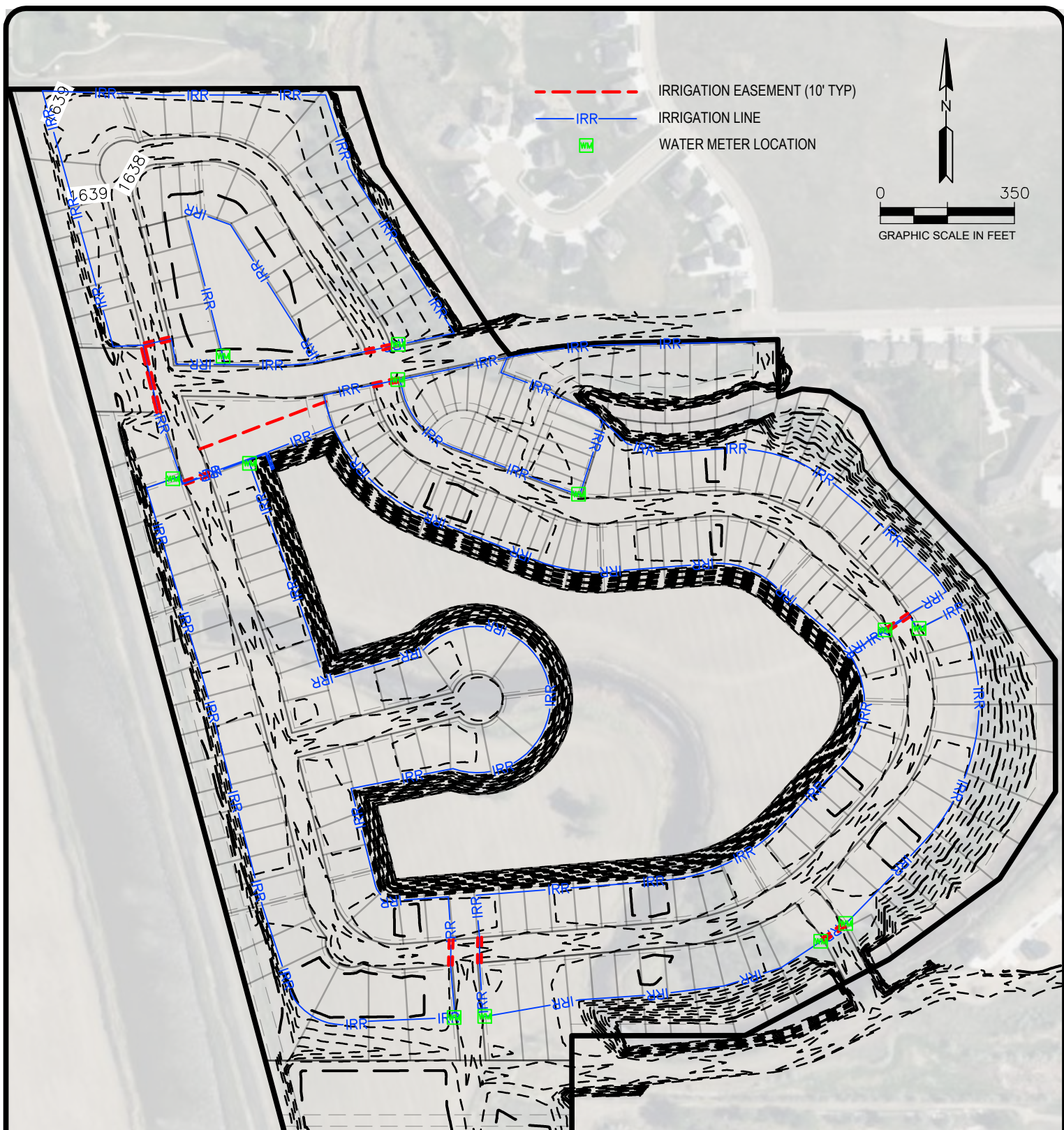
This item has been reviewed as part of the agenda packet.

RECOMMENDATION:

Staff recommends considering the statement of appeal from the Developer and the recommendation from staff, which is to deny the request.

SUGGESTED MOTION:

I move to deny the request to use the City right of way for Shores at Lakewood sprinklers.

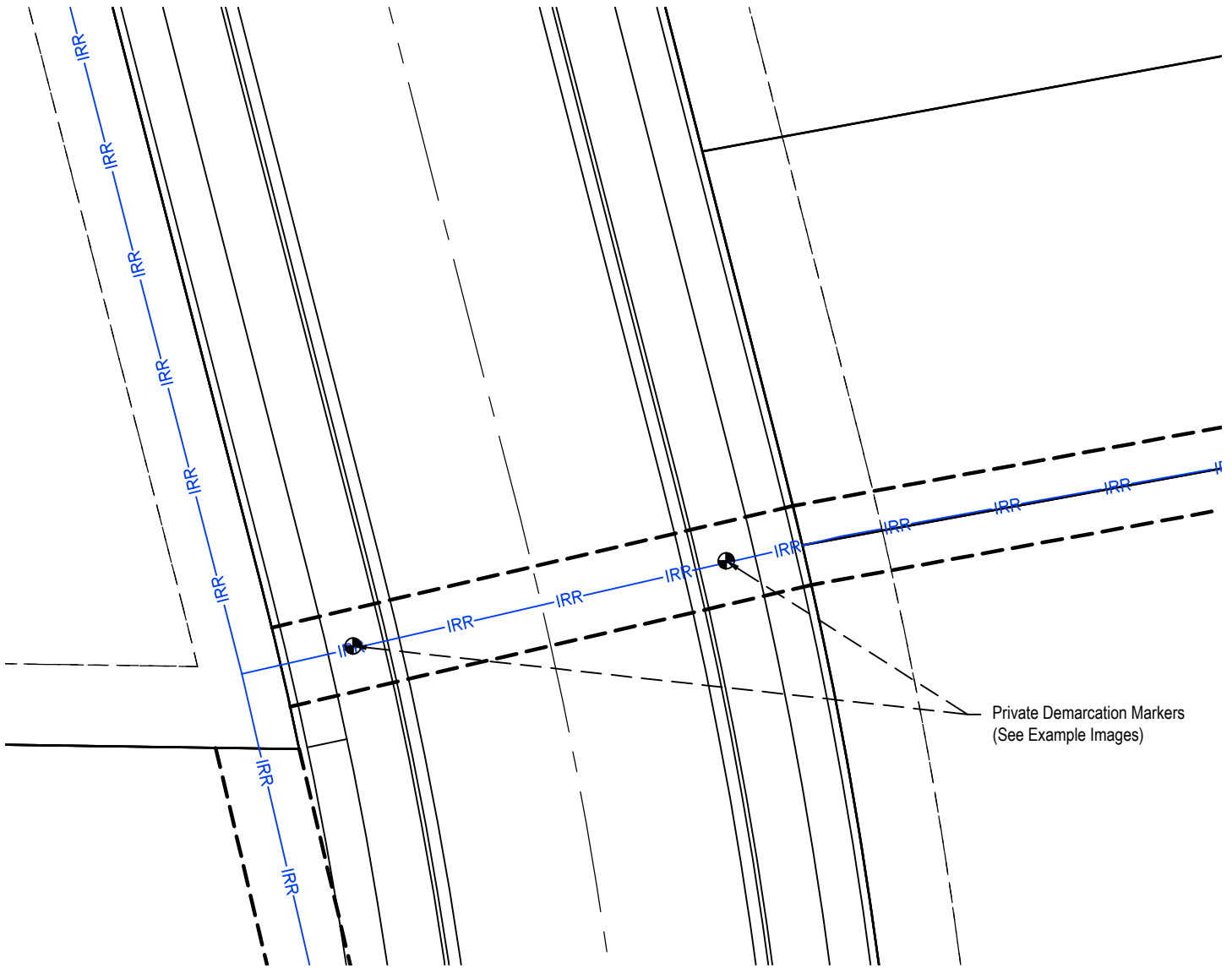


SHORES AT LAKEWOOD IRRIGATION SERVICE PLAN



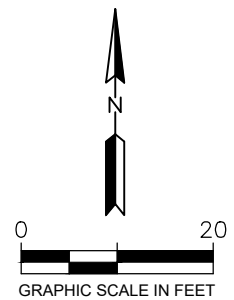
NO.	DATE	DESCRIPTION	DATE: May 2, 2024		
			PROJECT NO:	DRWN BY:	APPD BY:
			20.003672	NWN	---

SHEET NO:	1
SHEET TITLE:	EXHIBIT A



Notes:

- 1.) Tracer wire required above all irrigation lines.
- 2.) Private water demarcation markers required set at 2' behind the top back of curb directly above irrigation lines at all crossings.



IRRIGATION CROSSING DETAIL



NO.	DATE	DESCRIPTION	DATE: March 14, 2024			SHEET NO: 1	
			PROJECT NO: 20.003672	DRWN BY: NWN	APPD BY: ---	SHEET TITLE: EXHIBIT	



City of Bismarck Example





City Commission

Agenda Documentation

MEETING DATE: June 18, 2024
PREPARATION DATE: June 18, 2024
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Amendment 2 for the Water Treatment Plant Phase III Optimization Project

STATEMENT/PURPOSE:

To consider and possibly approve an amendment with AE2S for additional professional services related to the Water Treatment Plant (WTP) Phase III Optimization Project and to authorize them to apply for additional State Water Commission (SWC) Cost-Share Funding.

BACKGROUND/ALTERNATIVES:

A professional services task order was approved at the December 19, 2023 City Commission Meeting and generally includes the replacement of CO2 tanks and lime systems, filter rehabilitation, upgrading the chlorine room and equipment, and several other items. This project provides much needed redundancy to these systems and reduces the chances of future plant shutdowns. The design engineering work is progressing with construction planned for 2025.

This task order amendment approves design of additional miscellaneous items that were identified during the preliminary design phase. These include improvements to select utility transformers, select high service pump drives, chemical pumps and systems, the fluoride system, the SCADA system, the building exterior, and other process items.

Recall we currently have an agreement with the SWC for the original task order preconstruction (design and bidding) funding only. We would submit a request to the SWC for additional cost-share funding consideration for design of the miscellaneous improvements in this amendment.

ATTACHMENTS:

1. Amendment 2

FISCAL IMPACT:

The City budgeted \$700,000 in 2024 for the preliminary engineering for this project.

This amendment is in the amount of \$195,000 and brings the total engineering services agreement amount to \$769,000. We recommend amending the 2024 budget for this project and authorizing an additional \$70,000 to accommodate this additional work.

This needs to be submitted to SWC, but we understand it is eligible for 60% SWC cost-share funding.

STAFF IMPACT:

Minimal

LEGAL REVIEW:

All items have been made available to the City Attorney for review.

RECOMMENDATION:

Enter into the amendment with AE2S for additional services related to the WTP Phase III Optimization Project and allow City staff to submit a SWC cost-share application for this work.

SUGGESTED MOTION:

1. I move to authorize the use of an additional \$70,000 out of the Utility Fund and approve Amendment No. 2, as presented.
2. I move to authorize City staff to submit this amended Engineering Service Agreement to the State Water Commission for cost-share consideration.

Amendment No. 2 To Task Order No. 6

1. Background Data:

- a. Effective Date of Task Order: December 19, 2023
- b. Owner: City of Mandan
- c. Engineer: Advanced Engineering and Environmental Services, LLC
- d. Specific Project: Design and bidding services under the Mandan WTP Phase III Optimization project for improvements to the lime feed and storage system, the carbon dioxide feed and storage system, the chlorine storage system, and other miscellaneous improvements.

2. Description of Modifications

- A. The Scope of Services currently authorized to be performed by Engineer in accordance with the Task Order and previous amendments, if any, is modified as follows:
 - Final Design Phase as set forth in Exhibit A, Paragraph A1.03, incorporated herein by reference, with the following additions or modifications.
 - Carbon Dioxide (CO₂) Storage System Improvements: Revise design to include two, approximately 30-ton CO₂ storage tanks.
 - The following Miscellaneous Improvement Items were reviewed during Preliminary Design and are now being added to be the Final Design:
 - Utility Transformer Improvements: Improvements and modifications for 1000kVA transformer, main breaker, and MCC No. 4.
 - High Service Pump Drive Improvements: Replace two drives located in HSP No. 2 with VFDs for potential future generator addition.
 - Chemical Pump Improvements: Improvements to add remote dose control to chemical feed systems near pretreatment basin by adding dose and scale signals (two chemicals). Anticipate Sludge Plant control panel improvements.
 - Chemical Feed Room: Improvements to replace existing chemical metering pumps, day tanks, bulk storage tanks, and scales (four chemicals).
 - Fluoride System Improvements: Improvements to store fluoride in Bulk Chemical Storage Room in accordance with feedback from ND DEQ.
 - Automatic Transfer Switch No. 4 (ATS-4) Improvements: Replace ATS-4 with salvaged transfer switch from Raw Water Intake Project.
 - SCADA System Improvements: Include RSView SE and client upgrade, server/backup server upgrades, and network switch updates.

- Exterior Building Improvements: Improvements to prep and recoat exterior of the existing building and limited roofing replacement.
- Plant 2 Softening Basin Improvements: Improvements to replace softening basin solids blow down valves (total of three).
- Final Drawings and Specifications will consist of a multi-prime construction contract and potentially up to three separate construction contracts as determined during the Preliminary Design Phase. The following additional Drawings are anticipated.
 - S12 – Bulk Chemical Storage Room Demo and Improvements
 - A10 – Bulk Chemical Storage Room Demo and Improvements
 - A11 – Roofing Improvements
 - A12 – Exterior Coating System Improvements
 - P16 – Bulk Chemical Storage Room and Feed Room Demo
 - P17 – Bulk Chemical Storage Room and Feed Room Improvements
 - P18 – Plant 2 Blowdown Valve Demo and Improvements
 - M10 – Bulk Chemical Storage Room Demo and Plumbing Improvements
 - M11 – Bulk Chemical Storage Room HVAC Improvements
 - E22 – 1000 KVA XFMR, Metering, MCC4 Demo
 - E23 – 1000 KVA XFMR, MCC4-NP/SP, ATS4 Improvements - Plan View
 - E24 – MCC4-NP/SP elevations and One-line improvements for MCC4 and ATS4
 - E25 – Bulk Chemical Storage Area Improvements
 - Additions to cable and conduit schedules and I/O schedules.
 - I&C8 - SCADA improvements – Hardware Improvements
 - I&C9 – SCADA Improvements – Schedules
 - I&C10 – P&ID Fluoride
 - I&C11 – P&ID Phosphate
 - I&C12 – P&ID Sodium Aluminate
 - I&C13 – P&ID Ammonium Sulfate
 - I&C 14 – P&ID Alum Room Chemical
- B. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation: \$195,000.00
- C. The schedule for rendering services under this Task Order is modified as follows: Final Design Phase: 8 months (two additional months).

3. Task Order Summary (Reference only)

a.	Original Task Order amount:	\$554,000
b.	Net change for prior amendments:	\$20,000
c.	This amendment amount:	\$195,000
d.	Adjusted Task Order amount:	\$769,000

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

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is June 18, 2024.

OWNER:

By: _____

Print Name: Mayor Tim Helbling

Title: President of the Board of City Commissioners

Date Signed: _____

ENGINEER:

By: 

Print Name: Brian R. Bergantine, PE

Title: Project Quality Director

Date Signed: 6/12/2024