



**AGENDA  
CITY COMMISSION  
SEPTEMBER 3, 2024  
ED “BOSH” FROEHLICH MEETING ROOM  
MANDAN CITY HALL  
5:00 PM  
[WWW.CITYOFMANDAN.COM](http://WWW.CITYOFMANDAN.COM)**

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**A. ROLL CALL**

1. Roll call of all City Commissioners

**B. THE PLEDGE OF ALLEGIANCE**

**C. ANNOUNCEMENTS**

1. Recognize the property at 400 Fields Ct SE in the Beautification Recognition Program

**D. APPROVAL OF AGENDA**

**E. MINUTES**

1. Consider approval of the following minutes:
  - a. August 20, 2024 Board of City Commissioners regular meeting
  - b. Aug. 22, 2024 Board of City Commissioners Training Session

**F. PUBLIC HEARING**

**G. BIDS**

**H. CONSENT AGENDA**

1. Consider approval of the following special event permits:

- a. Mandan Progress Organization's Annual Dinner
- b. North Dakota Rough Rider Cup
2. Consider Flex PACE letter of support for financing of a new building for Kids in Motion Inc
3. Consider scheduling a public hearing to vacate 5th Ave SE adjacent to Lots 7, 8, 10, 11, & 12 in Helblings 2nd Addition
4. Consider Class A Liquor License transfer (Vicky's Sports Bar) to new owner Pauline Rader effective October 1, 2024
5. *Consider authorizing city staff to begin negotiations with Moore Engineering for the Cemetery Geotechnical Evaluation Project*

**I. OLD BUSINESS**

**J. NEW BUSINESS**

1. Consider the 2025 health insurance plan design change recommendation
2. Consider a Mandan Growth Fund recommendation for a Storefront Improvement application for 1121 E Main St
3. Consider a Renaissance Zone rehabilitation application for 1121 E Main St
4. Consider a Renaissance Zone lease application for 1121 E Main St

**K. RESOLUTIONS AND ORDINANCES**

1. Second consideration of Ordinance 1453, an ordinance to amend and re-enact Article 2 of the Mandan Code of Ordinances, relating to city sales, use and gross receipts tax under the Home Rule Charter of the City of Mandan

**L. OTHER BUSINESS**

**M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS**

- September 17, 2024 at 5:30 p.m.
- October 1, 2024 at 5:30 p.m.
- October 15, 2024 at 5:30 p.m.

**N. ADJOURN**





## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 26, 2024  
**SUBMITTING DEPARTMENT:** Administration

**DEPARTMENT DIRECTOR:** Jim Neubauer  
**PRESENTER:** Kari Schmidt, Communications Specialist  
**SUBJECT:** Community Beautification Recognition program

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#### **STATEMENT/PURPOSE:**

To recognize a property nominated for recognition in the Community Beautification Recognition program.

#### **BACKGROUND/ALTERNATIVES:**

The Community Beautification Committee (CBC) Beautification Recognition program, is a program recognizing properties that enhance the aesthetic appeal of the community. Projects must meet at least one of the following criteria:

- Landscape maintenance or enhancements (existing or new)
- Structural maintenance or enhancements (existing or new)
- Overall aesthetic improvements; or
- Appealing, attention getting seasonal or holiday displays.

Both residential and commercial properties located within the city limits are eligible for the program. Projects must be street facing, river view or other publicly viewable areas and/or landscapes. Nominations are submitted to Communications Specialist Kari Schmidt and then forwarded to the CBC for review. The CBC reviews nominations and determines those receiving recognition – which requires a majority vote. Those being forwarded on for recognition are invited to a City Commission meeting, receive a certificate, be featured on the City's website, recognized in the monthly newsletter and via the City's social media pages. Nominations must be submitted with at least one photo of the property's current state. However, photos are only shared with the public if the property owner(s) receiving recognitions sign and return the photo release form.

At its Aug. 8 meeting, the CBC reviewed a nomination and voted unanimously to

forward it on for recognition. The residential property at 400 Fields Court, owned by Gerald & Sharelle Zittleman, was nominated for landscape maintenance or enhancements (existing or new). The person who nominated the Zittleman's property said their home has meticulously maintained perennial landscaping, showcasing a variety of colors and textures that are appealing to the eye. The dedications the Zittleman's put into maintaining the property is evident through the care given to the plants. Everything appears to be very healthy.

**ATTACHMENTS:**

1. Nomination Form - Zittleman 400 Fields Ct SE\_Redacted
2. Zittleman 1
3. Zittleman 2
4. Zittleman 3
5. Zittleman 4
6. Zittleman 5

**FISCAL IMPACT:**

n/a

**STAFF IMPACT:**

Minimal.

**LEGAL REVIEW:**

n/a

**RECOMMENDATION:**

No action necessary. Recognition only.

**SUGGESTED MOTION:**

No action necessary. Recognition only.



## COMMUNITY BEAUTIFICATION RECOGNITION PROGRAM NOMINATION FORM

Use this form to nominate yourself, a business, neighbor, or any property you believe enhances the aesthetic appearance of the community. At least one (1) photograph of that great look is required with each nomination. Awardees will be recognized at a City of Mandan Commission Meeting and on the City's website, social media channels and in the monthly Mandan Messenger printed and e-newsletter.

### **NOMINEE INFORMATION** *In this section, provide the information for the property being nominated.*

**Name of Nominee** (homeowner/resident/commercial property) *\*if known:* Gerald and Sharelle Zittleman

**Nominee Phone Number** *\*if known:* [REDACTED]

**Nominee E-Mail Address** *\*if known:* \_\_\_\_\_

**\*Address of property being nominated:** 400 Fields Court SE, Mandan, ND

### **NOMINATED BY** *In this section you will provide your contact information.*

☐ The information above is the same as this section. *(I'm the property owner)*

**Name:** Andrew Stromme

**Phone Number:** \_\_\_\_\_

**E-Mail Address:** \_\_\_\_\_

**Do you wish to remain anonymous?** ☐ Yes ☐ No

*\*By selecting "yes" if the person you are nominating is selected to be recognized, your name will not be released as the person who nominated the winner.*

### **CRITERIA** *Eligibility is listed at [www.cityofmandan.com/recognitionprogram](http://www.cityofmandan.com/recognitionprogram).*

Select the criteria for your reason for nominating this property *(must meet at least one of the below criteria)*:

- ☒ Landscape maintenance or enhancements – existing or new
- ☐ Structural maintenance or enhancements – existing or new
- ☐ Overall aesthetic improvements
- ☐ Appealing, attention-getting seasonal or holiday displays

## **CRITERIA CONTINUED**

**Describe why you are nominating this property and the elements that contribute to the community's aesthetic appearance:**

The Zittleman's home in south Mandan has meticulously maintained perennial landscaping, showcasing a variety of colors and textures that are appealing to the eye.

The dedication they put into maintaining the property is evident through the care given to the plants. Everything appears to be very healthy.

**At least one (1) photo of the property being nominated will need to be submitted via e-mail to [kari.schmidt@cityofmandan.com](mailto:kari.schmidt@cityofmandan.com) with this nomination form.**

**PROPERTY OWNERS:** By submitting photos for this program, you give the City of Mandan permission to use your photos on the [www.cityofmandan.com](http://www.cityofmandan.com) website, City's social media channels and in the City's monthly printed and e-newsletter.



Yes, I give permission to use the photos of my property that were submitted.



I'm not the property owners. Please contact the property owner for permission to use photos submitted.

*\*If a nomination is submitted for a property other than your own, the City will acquire appropriate permission from the property owner.*

## **ADDITIONAL INFORMATION**

Program eligibility, criteria and award selection information can be found at [cityofmandan.com/recognitionprogram](http://cityofmandan.com/recognitionprogram). Please call 701-667-3478 with issues submitting this form.











The Mandan City Commission met in regular session at 5:30 PM on August 20, 2024 in the Ed “Bosh” Froehlich Meeting Room at City Hall, Mandan, North Dakota. Mayor Froelich called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners.* Those present were Dennis Rohr, Mike Braun, James Froelich, Craig Sjoberg, Ryan Heinsohn. Department heads present were City Administrator Neubauer, Finance Director Welch, Assessor Markley, Human Resource Director Berger, Engineering Director Wigness, Police Chief Ziegler, Building Official Singer, Fire Chief/Public Works Director Bitz, Business Development & Communications Director Cermak, Planner Stromme and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

D. APPROVAL OF AGENDA Commissioner Rohr moved and Commissioner Sjoberg seconded to approve the agenda as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

E. MINUTES

1. *Consider approval of the minutes of the August 6, 2024 Board of City Commissioners regular meeting.* Commissioner Sjoberg moved and Commissioner Braun seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

F. PUBLIC HEARING

G. BIDS

1. *Consider Collins Avenue Reservoir Replacement Project bids and Engineering Service Agreement.* Engineer Wigness presented the item. Commissioner Sjoberg moved and Commissioner Rohr seconded to award the General Contract to DN Tanks and the Electrical Contract to Edling Electric, as presented, contingent on North Dakota Department of Environmental Quality authorization. Roll Call vote: Aye 5, Nay 0. The motion passed. Commissioner Heinsohn moved and Commissioner Rohr seconded to approve the Engineering Service Agreement with AE2S, as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

H. CONSENT AGENDA

1. *Consider approval of monthly bills.*
2. *Consider approval of an addition to the gaming site authorization for Mandan Moose Lodge #425 at Mandan Moose Lodge #425 from Sept 1, 2024 to June 30, 2025.*
3. *Consider approval of the Grant application to fund Dakota Child Advocacy Center to partially fund one Forensic Interviewer Staff Position and Vidanyx program; City of Mandan will be a pass through for funding .*
4. *Consider approval of the following special event permits: .*
  - a. *Silver Dollar Birthday Bash Street Dance.*
  - b. *Liberty Heights/MGAS Classic Car Show.*
5. *Consider approval of the Lottery Grant Application for Metro Area Narcotics Task Force.* Commissioner Braun moved and Commissioner Sjoberg seconded to approve consent agenda items 1-5

including all sub items as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider appointing Brittney Anderson to the Mandan Architectural Review Commission.* Building Official Singer presented the recommendation from the Architectural Review Commission. Commissioner Rohr moved and Commissioner Heinsohn seconded to appoint Brittany Anderson to fill the vacant seat on the Mandan Architectural Review Commission until Dec. 31, 2026. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Consider appointments to the Dakota Media Access Board of Directors.*

a. *Renee Murrish as a City of Mandan Representative.* City Administrator Jim Neubauer presented the item. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to appoint Renee Murrish to the Dakota Media Access Board of Directors for a term through July 2028. Roll Call vote: Aye 5, Nay 0. The motion passed.

b. *Communications Specialist, Kari Schmidt - as an ex officio, non-voting member.* City Administrator Neubauer presented the item. Commissioner Braun moved and Commissioner Sjoberg seconded to appoint Communications Specialist Kari Schmidt as an ex officio, non-voting advisor to the Dakota Media Access board of directors. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider the creation of an Information Technology position.* City Administrator Neubauer presented the item. Commissioner Braun moved and Commissioner Heinsohn seconded to create the Computer & Information Systems Manager position and provide funding from the General Fund of \$38,000 for the remainder of 2024. Roll Call vote: Aye 5, Nay 0. The motion passed.

4. *Consider granting permission for Missouri West Water Systems to serve 1316 8th Ave SW.* City Administrator Jim Neubauer presented the item. Commissioner Sjoberg recused himself from voting on the item. Commissioner Heinsohn moved and Commissioner Rohr seconded to grant permission to Missouri West Water Systems (MWWS) to serve the property known as 1316 8th Ave SW, provided the property is annexed to the City of Mandan. In turn, the City and MWWS will work out the billing details for water. Roll Call vote: Aye 4, Nay 0, Abstain 1 (Sjoberg). The motion passed.

5. *Consider approval of the update to the Long-Term Financial Planning Policy.* City Administrator Neubauer presented the item that would expand the City's long term financial planning policy from a 3-year plan to a 5-year plan. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve the update to the Long-Term Financial Planning Policy. Roll Call vote: Aye 5, Nay 0. The motion passed.

K. RESOLUTIONS AND ORDINANCES

1. *Second consideration of Ordinance 1453, an ordinance to amend and re-enact Article 2 of the Mandan Code of Ordinances, relating to city sales, use and gross receipts tax under the Home Rule Charter of the City of Mandan.* Administrator Neubauer explained that Finance Director Welch and Attorney Oster have identified some changes to ordinance 1453 that need to be made and asked the item be moved to the Sept. 3 City Commission meeting. Commissioner Rohr moved and Commissioner Sjoberg seconded to move the item to the Sept. 3, 2024 Mandan City Commission meeting. Roll Call vote: Aye 5, Nay 0. The motion passed.

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

*September 3, 2024 at 5:00 p.m..*

*September 17, 2024 at 5:30 p.m..*

*October 1, 2024 at 5:30 p.m..*

N. ADJOURN There being no other business to come before the Board, the meeting adjourned at 06:03 p.m.

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James Neubauer  
City Administrator

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James Froelich  
President, Board of City Commissioners

The Mandan City Commission met for a training session at 10:30 AM on August 22, 2024 in the Dykshoorn Meeting Room at City Hall, Mandan, North Dakota.

A. COMMUNICATIONS & BOARD PORTAL TRAINING

1. *MANDAN, ND: Notice is hereby given that City staff will be conducting communications and board portal training on Thursday, Aug. 22 at 10:30 a.m. in the Dykshoorn Conference Room at Mandan City Hall, 205 2nd Ave NW, Mandan. There may be a quorum of Mandan City Commissioners in attendance.* . Those present were Mayor Froelich, Commissioners Heinsohn and Sjoberg, Administrator Neubauer, Business Development & Communications Director Cermak, and Communications Specialist Schmidt. Training surrounded communications and board portal training.

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James Neubauer  
City Administrator

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James Froelich  
Board of City Commissioners



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 19, 2024  
**SUBMITTING DEPARTMENT:** Police Department  
**DEPARTMENT DIRECTOR:** Jason Ziegler  
**PRESENTER:** Jason Ziegler, Police Chief  
**SUBJECT:** Consider approval of the special event permit for Mandan Progress Annual Dinner

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**STATEMENT/PURPOSE:**

Consider approval of the special event permit for Mandan Progress Annual Dinner

**BACKGROUND/ALTERNATIVES:**

Mandan Progress Annual Fundraising Dinner, invitation only. To be held on September 5th from 5:00 to 9:00PM at Dykshoorn Park. See attached special event permit. All City of Mandan Departments have reviewed and signed off on this event.

**ATTACHMENTS:**

1. 2024 Annual Dinner Permit - signed

**FISCAL IMPACT:**

N/A

**STAFF IMPACT:**

N/A

**LEGAL REVIEW:**

N/A

**RECOMMENDATION:**

I recommend approving the special event permit for Mandan Progress Organization.

**SUGGESTED MOTION:**

I move to approve the special event permit for the Mandan Progress Organization.

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

# Special Events Permit Application

## City of Mandan, ND

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

Date of Application: 8/15/2024

**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: Matt Schanandore

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

Date of Birth: 7/10/1983 Phone Number: 701-943-4540 Email: matt@mandanprogress.org

Address: 2209 Westview Pl, SE City: Mandan State: ND Zip: 58554

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

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

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

Name of Event Manager: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ State \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

If yes please list charge and year of conviction:

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

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

Business Address: 411 West Main St City: Mandan State: nd Zip: 58554

Corporation/Organization: Mandan Progress Organization State of Incorporation: ND

Tax ID #: \_\_\_\_\_ 501(c)3 #: \_\_\_\_\_ City Sales Tax ID #: \_\_\_\_\_

Have you ever coordinated/promoted another event/s? ☒ YES ☐ NO

If yes, please provide the following:

Last event/s Location: \_\_\_\_\_ Date: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

E-mail Contact: \_\_\_\_\_

## **Section 2 – Event Information**

Event Name: Mandan Progress Annual Dinner (Invitation Only) Anticipated Daily Attendance: 200

Event Date(s): Sept 5th Set-up Date: Sept 5th Hours: 1pm - 5pm

Hours of event each day: Sept 5th - 5:00pm - 9:00pm

(begin and end times)

Take Down Date(s): Sept 5th Hours: 9pm to 10pm

E-Mail address for public information: info@mandanprogress.org

WEB address for public information: \_\_\_\_\_

Location of Event/physical address: Outside - Dykshoorn Park

Sponsors of the Event: Mandan Progress Organization

Brief Description of Event:

2024 Annually fundraising dinner

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

If yes, please provide the following:

Last event/s Location: \_\_\_\_\_

Date: \_\_\_\_\_ Contact Name and Phone: \_\_\_\_\_

## **Section 3 – Event Features**

Will there be an admission charge? ☒ Yes ☐ No

If yes, Printed ticket count: \_\_\_\_\_ Tickets for presale count: \_\_\_\_\_

Will there be entertainment? ☒ Yes ☐ No

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

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

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

If yes, please attach a complete list of vendors.

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

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

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

*(Attach all promotional material.)*

Radio: ☐ Yes ☒ No What Stations? \_\_\_\_\_

TV: ☐ Yes ☒ No What Stations? \_\_\_\_\_

Fliers/Posters: ☐ Yes ☒ No How many? \_\_\_\_\_

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: \_\_\_\_\_

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

Fireworks or Pyrotechnics: ☐ Yes ☒ No

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

Fireworks or Pyrotechnics Production Company's name: \_\_\_\_\_

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

**Require permits from the City of Mandan**

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

**Temporary Fencing:** ☐ Yes ☒ No

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

Company Contact Name: \_\_\_\_\_

Contact phone: \_\_\_\_\_

Restroom Accommodations: \_\_\_\_\_

Number of required portable toilets: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Initials: \_\_\_\_\_

**Placement of sanitary toilet facilities must be on site plan.**

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

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

Company Contact name: Morton Mandan Public Library Restrooms  
Contact phone: \_\_\_\_\_

**Electrical Services/Generators** ☐ Yes ☒ No

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

Company Contact name: \_\_\_\_\_  
Contact phone: \_\_\_\_\_

**Approved By:** \_\_\_\_\_ **Date Approved:** \_\_\_\_\_ **Initials:** \_\_\_\_\_

**Carnival/Amusement Rides:** ☐ Yes ☒ No

A separate permit from the Fire Department may be required.

Company Contact name: \_\_\_\_\_  
Contact phone: \_\_\_\_\_

Bonded and Insured Amount: \_\_\_\_\_  
**Approved By:** \_\_\_\_\_ **Date Approved:** \_\_\_\_\_ **Initials:** \_\_\_\_\_

**Signs / Banners** ☐ Yes ☒ No

Company Contact name: \_\_\_\_\_  
Contact phone: \_\_\_\_\_

**Approved By:** \_\_\_\_\_ **Date Approved:** \_\_\_\_\_ **Initials:** \_\_\_\_\_

**Inflatables** ☐ Yes ☒ No

Company Contact name: \_\_\_\_\_  
Contact phone: \_\_\_\_\_

Bonded and Insured Amount: \_\_\_\_\_  
**Approved By:** \_\_\_\_\_ **Date Approved:** \_\_\_\_\_ **Initials:** \_\_\_\_\_

### Raffles

Will this event have a raffle? ☐ Yes ☒ No

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

**Approved By:** \_\_\_\_\_ **Date Approved:** \_\_\_\_\_ **Initials:** \_\_\_\_\_

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

#### **Section 4 – Transportation**

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

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

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

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

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

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

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

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

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

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

**Approved By:** \_\_\_\_\_ **Date Approved:** \_\_\_\_\_ **Initials:** \_\_\_\_\_

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

#### **Section 5 – Use of City Utilities**

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

Electric Location including amperage Dykshoorn Park

**Approved By:** \_\_\_\_\_ **Date Approved:** \_\_\_\_\_ **Initials:** \_\_\_\_\_

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

Water Location(s) Dykshoorn Park

**Approved By:** \_\_\_\_\_ **Date Approved:** \_\_\_\_\_ **Initials:** \_\_\_\_\_

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

If so, how will it be disposed? disposed of by MPO

**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: Stage Stop Bar and Grill

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:***

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

ID checks at the Bar. Invite only event.

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

If yes, who provided the training: \_\_\_\_\_

Date and time of most recent training: \_\_\_\_\_

Request Mandan Police Server Training: ☐ Yes ☒ No

If yes provide a contact person and contact information::

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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: <sup>1</sup> \_\_\_\_\_

**Include security points and duties on event plans**

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

Security Company and Contact Info: Spartan Security Arranged by the MPO

**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?

Armstrong Sanitation Dumpsters and Totes in the Park - Arranged by the MPO

(Attach a detailed Cleanup Plan)

Outside refuse company Company's Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

### **Section 10 – ADA Accessibility Requirements**

#### **Parking plan requirements**

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

### **Section 11– Insurance and Bond Requirements**

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

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

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

#### **The certificate must show:**

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

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

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

***City Services***

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

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

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

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

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

**Miscellaneous fees**

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

Fireworks Permit..... \$ \_\_\_\_ per location

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

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

### **Fee Cost Worksheet**

#### **Police Services:**

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

#### **Fire/EMT Services**

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

**Finance application processing Fee** ..... \$ \_\_\_\_\_

**Trash Container Fee**..... \$ \_\_\_\_\_

**Custodial Fee**..... \$ \_\_\_\_\_

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

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

\$25 Application Fee..... \$ \_\_\_\_\_

\$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

Mitch L. Bitz 08/19/2024  
Mitch L. Bitz (Aug 19, 2024 08:56 CDT)



Approved



Denied



Conditional—See Narrative

Fire Department Date

Patrick Haug 08/15/2024  
Patrick Haug (Aug 15, 2024 13:52 CDT)



Approved



Denied



Conditional—See Narrative

Police Department Date

[Signature] 08/15/2024



Approved



Denied



Conditional—See Narrative

Engineering Department Date

Brian Dirk 08/15/2024  
Brian Dirk (Aug 15, 2024 15:06 CDT)



Approved



Denied



Conditional—See Narrative

Public Works Date

N/A

Fire Department Narrative:

Police Department Narrative:

Engineering Narrative:

Public Works Narrative:

## Special Event Guide

### **Sec. 12-9-1. - Definitions.**

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

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

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

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

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

### **ARTICLE 4. – AMUSEMENTS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Sec. 12-9-2. - Penalty.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Each parade permit shall state the following information:

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

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

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

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

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

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

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

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

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

# 2024 Annual Dinner Permit

Final Audit Report

2024-08-19

|                 |                                             |
|-----------------|---------------------------------------------|
| Created:        | 2024-08-15                                  |
| By:             | Tasha Scott (tasha.scott@mandanpd.com)      |
| Status:         | Signed                                      |
| Transaction ID: | CBJCHBCAABAAwNRUi9kzJ85Tw_gDd5tEgr4SFWiSh_X |

## "2024 Annual Dinner Permit" History

-  Document created by Tasha Scott (tasha.scott@mandanpd.com)  
2024-08-15 - 6:45:42 PM GMT
-  Document emailed to Pat Haug (phaug@mandanpd.com) for signature  
2024-08-15 - 6:45:51 PM GMT
-  Document emailed to Brian Dirk (brian.dirk@cityofmandan.com) for signature  
2024-08-15 - 6:45:52 PM GMT
-  Document emailed to Mitch Bitz (mbitz@cityofmandan.com) for signature  
2024-08-15 - 6:45:52 PM GMT
-  Document emailed to Jarek Wlgness (jarek.wlgness@cityofmandan.com) for signature  
2024-08-15 - 6:45:52 PM GMT
-  Email viewed by Pat Haug (phaug@mandanpd.com)  
2024-08-15 - 6:51:52 PM GMT
-  Signer Pat Haug (phaug@mandanpd.com) entered name at signing as Patrick Haug  
2024-08-15 - 6:52:41 PM GMT
-  Document e-signed by Patrick Haug (phaug@mandanpd.com)  
Signature Date: 2024-08-15 - 6:52:43 PM GMT - Time Source: server
-  Email viewed by Jarek Wlgness (jarek.wlgness@cityofmandan.com)  
2024-08-15 - 6:56:25 PM GMT
-  Document e-signed by Jarek Wlgness (jarek.wlgness@cityofmandan.com)  
Signature Date: 2024-08-15 - 6:57:36 PM GMT - Time Source: server
-  Email viewed by Brian Dirk (brian.dirk@cityofmandan.com)  
2024-08-15 - 8:04:46 PM GMT

 Document e-signed by Brian Dirk (brian.dirk@cityofmandan.com)

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2024-08-19 - 1:56:07 PM GMT

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

Signature Date: 2024-08-19 - 1:56:09 PM GMT - Time Source: server

 Agreement completed.

2024-08-19 - 1:56:09 PM GMT



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 23, 2024  
**SUBMITTING DEPARTMENT:** Police Department  
**DEPARTMENT DIRECTOR:** Jason Ziegler  
**PRESENTER:** Jason Ziegler, Police Chief  
**SUBJECT:** Consider approval of the special event permit for North Dakota Rough Rider Cup

---

**STATEMENT/PURPOSE:**

Consider approval of the special event permit for North Dakota Rough Rider Cup

**BACKGROUND/ALTERNATIVES:**

North Dakota Rough Rider Cup is a 3-day rodeo featuring PRCA's top 32 rodeo athletes on September 20-22. See attached special event permit. All City of Mandan Departments have reviewed and signed off on this event.

**ATTACHMENTS:**

1. Special Event Permit-ND Rough Rider Cup - signed.pdf

**FISCAL IMPACT:**

N/A

**STAFF IMPACT:**

N/A

**LEGAL REVIEW:**

N/A

**RECOMMENDATION:**

I recommend approving the special event permit for North Dakota Rough Rider Cup.

**SUGGESTED MOTION:**

I move to approve the special event permit for the North Dakota Rough Rider Cup.



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

# Special Events Permit Application

## City of Mandan, ND

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

Date of Application: July 31, 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: Sadie Berger State \_\_\_\_\_  
Driver's License Number: BER-91-5160  
Date of Birth: 11/22/1998 Phone Number: 7014264888 Email: sadie@chadbergerbuch  
Address: 4757 Hwy 6 City: Mandan, ND 58554 State: \_\_\_\_\_ Zip: \_\_\_\_\_  
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: \_\_\_\_\_ State \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_  
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: 4757 Hwy 6 City: Mandan, ND 585 State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Corporation/Organization: North Dakota Rough Rider Cup State of Incorporation: \_\_\_\_\_  
Tax ID #: 99-3019916 501(c)3 #: \_\_\_\_\_ City Sales Tax ID #: \_\_\_\_\_  
Have you ever coordinated/promoted another event/s? ☐ YES ☒ NO  
If yes, please provide the following:  
Last event/s Location: \_\_\_\_\_ Date: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
E-mail Contact: \_\_\_\_\_

## Section 2 – Event Information

Event Name: North Dakota Rough Rider Cup Anticipated Daily Attendance: 2,000-4,000  
Event Date(s): Sept 20,21,22 Set-up Date: Sept 16-20 Hours: All Day  
Hours of event each day: Event time 7(people at arena all day)  
(begin and end times)  
Take Down Date(s): Sept 22-24 Hours: All Day  
E-Mail address for public information: ndroughridercup@yahoo.com  
WEB address for public information: ndroughridercup.com  
Location of Event/physical address: 2428 Longspur Trail Mandan, ND 58554  
Sponsors of the Event: Dakota Community Bank & Trust, ND Tourism, & more  
Brief Description of Event:  
3 day rodeo featuring PRCA's top 32 rodeo athletes in each event.

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: NA Tickets for presale count: NA

Will there be entertainment? ☒ Yes ☐ No Rodeo

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? Townsquare

TV: ☒ Yes ☐ No What Stations? KFYR

Fliers/Posters: ☒ Yes ☐ No How many? 250

Press Releases: ☒ Yes ☐ No How many? 1-5

Newspaper Ads: ☐ Yes ☒ No What publication? \_\_\_\_\_

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

Name of Promoter and Promotion Company: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

Tents or Canopies: ☒ Yes ☐ No

Number of Tents: 1-4

(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: Spiffybiffs

Number of required portable toilets: 22

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: Lillian - Spiffybik  
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 Shonert  
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: BESTOFSIGNS.COM (Printed in arena banners)

Contact phone: Sadie Berger 701-426-4888

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

See attached plan

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: 726 Services

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 wrist banded for over 21

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

If yes, who provided the training: TIPS

Date and time of most recent training: June 2024

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: 15

**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: Bis Man Security Sarah-701-223-2828

**Attach a copy of Company's License** She said they should have license on file.

**Section 8 – Event Maintenance and Cleanup Plan Required**

What is your trash removal and cleanup plan?

See attached

(Attach a detailed Cleanup Plan)

Outside refuse company Company's Name:

Eco Sanitation

Contact Name:

Lance Selzer

Phone: 701-204-8184

*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 assessed.*

✓ **Section 9 – 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. *Same as Mandan Rodeo*

✓ **Section 10– Insurance and Bond Requirements** *Dakota Community Bank & Trust*

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

*Will be sent over as soon as they comple.*

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

Same as  
Mandan  
Rodeo  
Days

-ana  
will  
send  
over

→ Same as Mandan Rodeo Days

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

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.
- 7 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)

## 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)

**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)

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

### Fee Cost Worksheet

#### **Police Services:**

No. of Officers \_\_\_\_\_ x No. of Hours \_\_\_\_\_ = \_\_\_\_\_ x \$45 = \$ 0

#### **Fire/EMT Services**

No. of EMT's \_\_\_\_\_ x No. of Hours \_\_\_\_\_ = \_\_\_\_\_ x \$35 = \$ 0

Finance application processing Fee ..... \$ 0

Trash Container Fee ..... \$ 0

Custodial Fee ..... \$ 0

Tent/Canopy Inspection and Permit ..... \$ 0

Fireworks/Pyrotechnics Permit and Inspection Fee ..... \$ 0

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

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

Event Application Fee (See Attached Fee Schedule) ..... \$ 105

TOTAL: \$ 130

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

Mitch L. Bitz 08/22/2024  
Mitch L. Bitz (Aug 22, 2024 07:51 CDT)



Approved



Denied



Conditional—See Narrative

Fire Department

Date

Patrick Haug 08/21/2024  
Patrick Haug (Aug 21, 2024 15:20 CDT)



Approved



Denied



Conditional—See Narrative

Police Department

Date

Charles Wingard 08/23/2024



Approved



Denied



Conditional—See Narrative

Engineering Department

Date

Brian Dirk 08/21/2024  
Brian Dirk (Aug 21, 2024 15:29 CDT)



Approved



Denied



Conditional—See Narrative

Public Works

Date

Fire Department Narrative:

N/A

Police Department Narrative:

N/A

Engineering Narrative:

N/A

Public Works Narrative:

N/A

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.

## Clean Up Plan

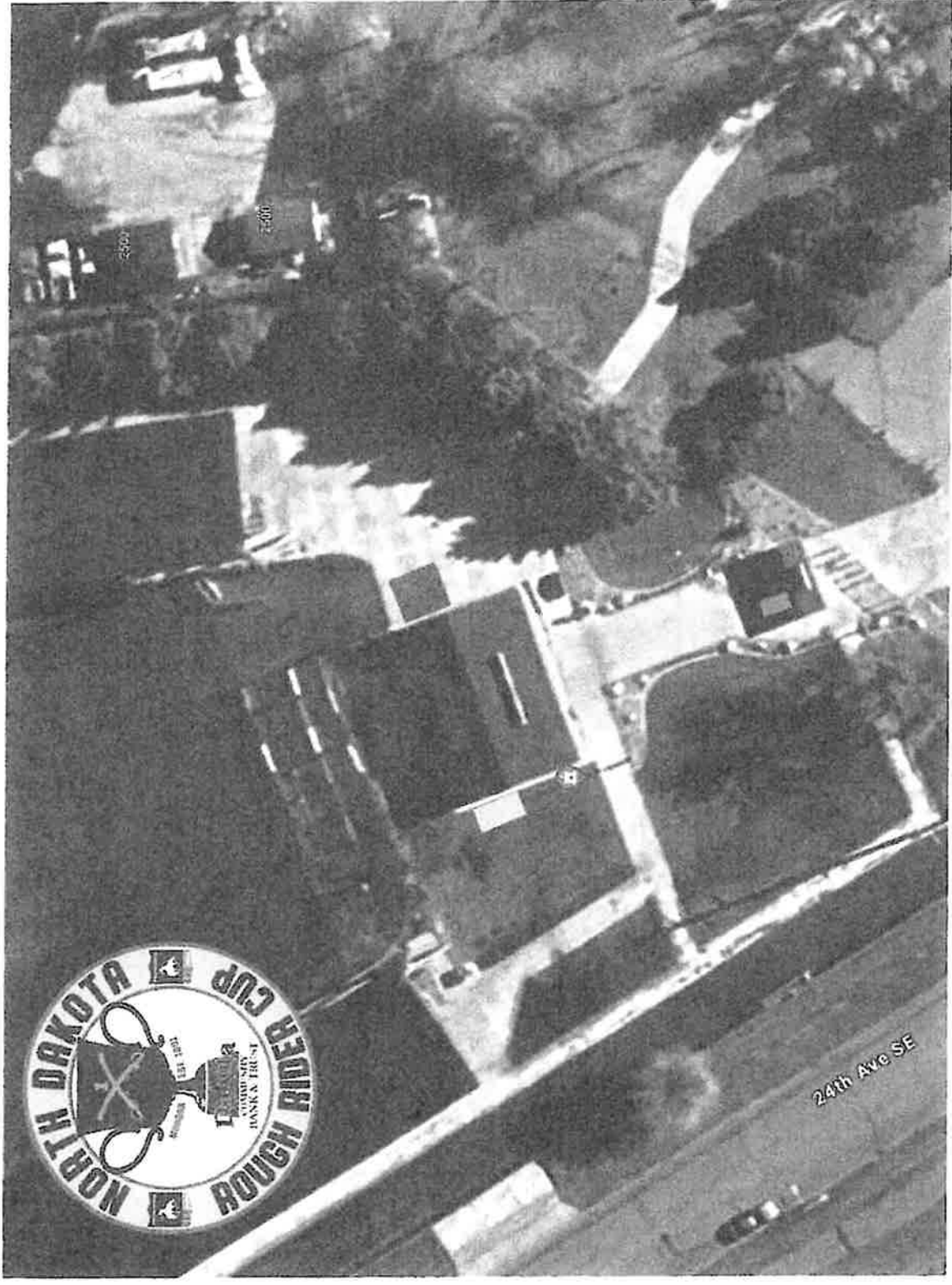
Eco Sanitation will have garbage cans placed all throughout the arena and in the parking lots.

40-95 Gal Carts with liners

1 -20 Yard Rolloff

We have a cleaning crew coming in to clean each evening after the performances and will be placed in Eco Sanitations provided dumpsters that they will manage each day.

We have clean up crews which will clean up any animal litter around the grounds and loaded into Chad Berger Bucking Bulls, Inc. dump trailers.



■ **Beverage Station** 10 x 10 tent - 4 Bartenders - 2 Mobile Servers

■ **Storage Trailer** ■ **21+ Wristbands**

■ **Adult Beverage Ticket Sales** 2 Sales People

**Signage - 1 Ticket = 1 Adult Beverage Signage - 1 Ticket = \$9**

**Signage - 1 Ticket = 2 NA Beverages Signage - 5 Ticket = \$40**

in Trail SE

SECURITY

TOILET

ENTRANCE

BEER TICKET SALES/WRISTBAND STATIONS

ALCOHOL SALES

FOOD VENDOR / VENDOR

CONTESTANT ENTRANCE

INDIAN VILLAGE



Mandan Rodeo Days/  
Mandan Central Park

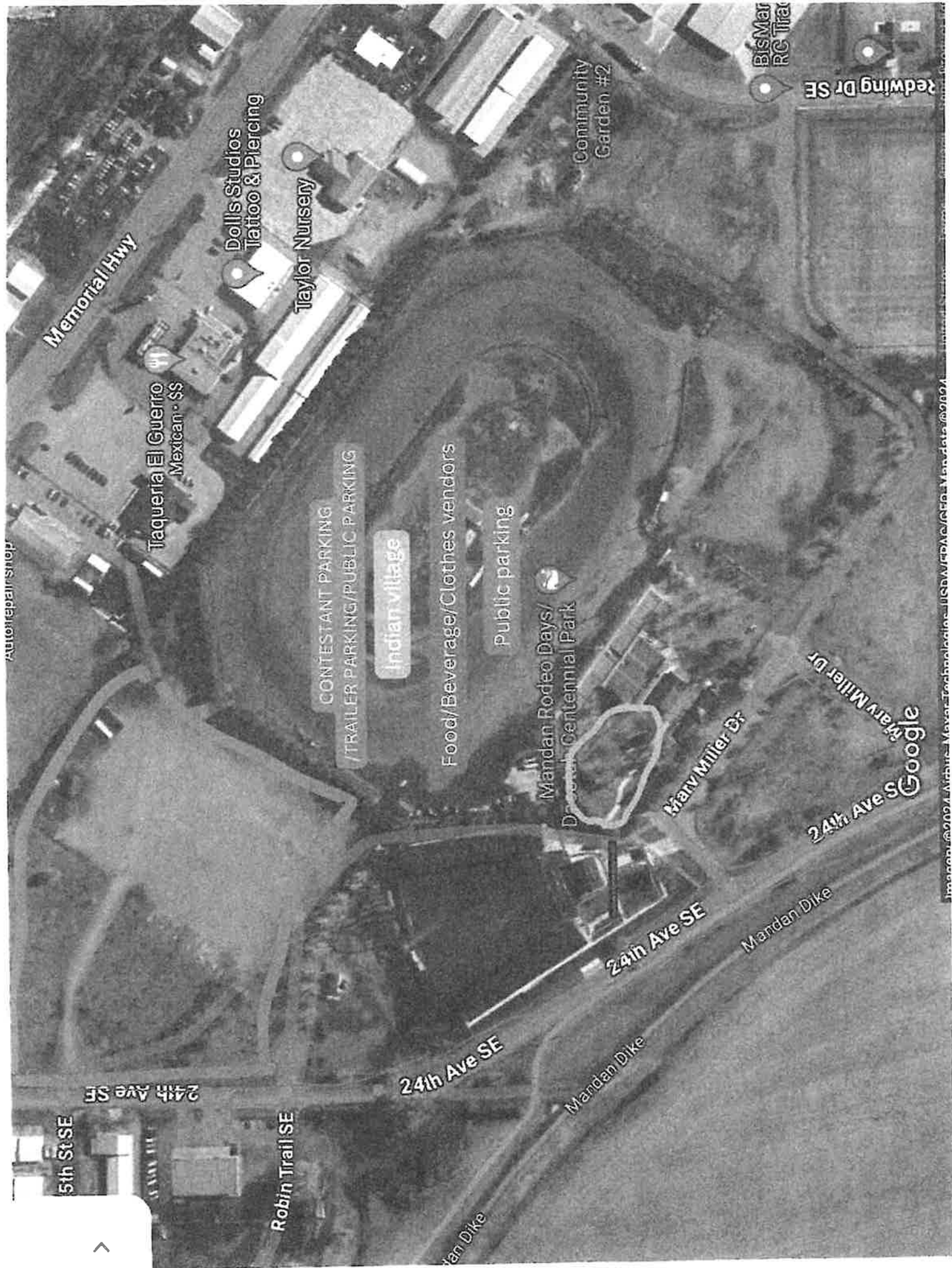
Dr. J. Edgar Hoover

Marv Miller Dr

24th Ave SE

Mandan Dike

Mand



submitted 8/21/24



**Western Plains**  
PUBLIC HEALTH

Dedicated to Healthier Communities

GRANT MERCER MORTON OLIVER SIOUX

403 Burlington St SE  
Mandan, ND 58554

701 667 3370

westernplainsph.org

## Event Food Coordinator Permit Application

As an Event Food Coordinator, you are responsible for collecting the necessary information from each of your food vendors and reporting to Western Plains Public Health. It is the Event Food Coordinator's responsibility to ensure each food vendor is set up and equipped with the appropriate items to maintain Food Code compliance. All food vendors are subject to an inspection at your event prior to any service and along with paying the associated fee. Following inspection, vendors will receive a certificate granting approval to operate at your event. Applications need to be filled out and submitted 10 days prior to the event along with the \$100 application fee to ensure the appropriate amount of time for Western Plains Public Health to verify proper licensure of vendors and approve event set up. Please make checks payable to Western Plains Public Health. Online payments can be made at [www.westernplainsph.org](http://www.westernplainsph.org).

### EVENT INFORMATION

|                                                           |                                                              |
|-----------------------------------------------------------|--------------------------------------------------------------|
| Event Name<br>North Dakota Rough Rider Cup                | Event Location<br>Dale Pahlke Arena                          |
| Vendor Set Up Date & Time<br>Sept 19 12-6 or Sept 20 8-12 | Event Dates & Times<br>Sept 20-22 6:30 PM FRI & SAT 2 PM SUN |

### EVENT COORDINATOR INFORMATION

|                               |                                                   |
|-------------------------------|---------------------------------------------------|
| Coordinator<br>Sadie Berger   | Sponsoring Organization                           |
| Mailing Address<br>4757 Hwy 6 | Email Address<br>sadie@chadbergerbuckingbulls.com |
| Phone Number<br>7014264888    | Phone Number (if different day of event)          |

Please read and verify each item, sign and date your application, and return with applicable fees.

|        |                                                                                                                                                                                                                                         |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| YES    | I understand my application must be submitted 10 days prior to my event. Any changes after submittal will be relayed to WPPH prior to the event.                                                                                        |
| YES    | I have read the Food Vendor Guidelines on page 3 and understand that vendors will correct any out of compliance items prior to serving food.                                                                                            |
| YES    | I have informed my food vendors that they are subject to inspection by WPPH at the event prior to service. Items found out of compliance during inspection will require immediate correction or the vendor may not be allowed to serve. |
| NO/YES | I have provided potable water and waste dumping for vendor usage.<br>-if no, I have informed vendors of availability.                                                                                                                   |
| YES    | I have provided adequate handwashing facilities as well as toilet facilities for patrons.                                                                                                                                               |

Additional resources can be found at: <https://www.westernplainsph.org/retail-food-license-inspection-program>

|                                                                                                               |      |
|---------------------------------------------------------------------------------------------------------------|------|
| Coordinator Signature<br> | Date |
|---------------------------------------------------------------------------------------------------------------|------|

|              |       |             |            |                  |
|--------------|-------|-------------|------------|------------------|
| Reviewed by: | Date: | Cash/Ck#/CC | Date Paid: | Amount:<br>\$100 |
|--------------|-------|-------------|------------|------------------|

## Food & Beverage Vendors

The following operations are exempt from license requirements:

1. Cottage Food vendors. Under ND Century Code 23-09.5 Cottage Foods Act, cottage food products made must be sold directly to a consumer for home consumption provided the items are labeled correctly. More information about cottage foods can be found at: <https://www.hhs.nd.gov/health/food-and-lodging/cottage-food>
2. Vendors serving only non-time/temperature control for safety beverages from a can (liquor).

Please list license *exempt* vendors:

(please attach spreadsheet for additional vendors)

| Vendor Name | Contact | Phone Number | Products |
|-------------|---------|--------------|----------|
|             |         |              |          |
|             |         |              |          |
|             |         |              |          |

Food vendors within Western Plains Public Health's jurisdiction are required to have a mobile/temporary food license through the North Dakota Health and Human Services Division of Food & Lodging **OR** have a mobile license from another health district within North Dakota and obtain reciprocity from ND HHS Food & Lodging. WPPH does **NOT** provide a mobile food license. Vendors can contact WPPH with questions or ND HHS Food & Lodging, 701-328-1291, to obtain proper licensing.

Please list licensed vendors:

(please attach spreadsheet for additional vendors)

or

| Vendor Name  | Contact & Phone Number       | Menu Items   | ND Mobile License # | Health Unit & License # |
|--------------|------------------------------|--------------|---------------------|-------------------------|
| Los Lunas    | Mark Lung<br>701-425-3159    | See attached |                     |                         |
| Hensley's    | Ryan & Andrea<br>Hensley     | See attached |                     |                         |
| Tasty Truck  | 701 226 2090                 |              |                     |                         |
| Tailgate Piz | Bryan Berger<br>701-471-9154 | See attached |                     |                         |
|              |                              |              |                     |                         |
|              |                              |              |                     |                         |
|              |                              |              |                     |                         |
|              |                              |              |                     |                         |

## Other Vendors

Western Plains Public Health is also the regulatory authority for Body Art and Aquatic Venues. If your event will be hosting these vendors, please contact our office to obtain licensure requirements.

See attached for alcohol



1414 Continental Ave. Bismarck, ND 58504

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To Whom it May Concern,

08/19/2024

Spiffy Biffs will be providing and servicing portable toilets and sinks for the ND Roughrider Cup event, to be held at the Dale Pahlke Rodeo Grounds, 2500 Longspur Trail, Mandan, ND 58554 for the following dates in 2024:

September 20-21-22, 2024.

We will provide toilets according to event attendance projections, and type of activities as described for the event.

*Lillian Hansen,*  
Office Manager  
701.224.0856

## ESTIMATE

Bruce's Manufactured Housing,  
Inc, / Spiffy Biffs  
1414 Continental Ave  
Bismarck, ND 58504

accounts@spiffybiffs.com  
+1 (701) 223-9778  
<http://www.spiffybiffs.com>



### Bill to

Estimate

September 20 - 21 -22, 2024

### Ship to

2500 Longspur Trail

Mandan ND 58554

### Estimate details

Estimate no.: 1629

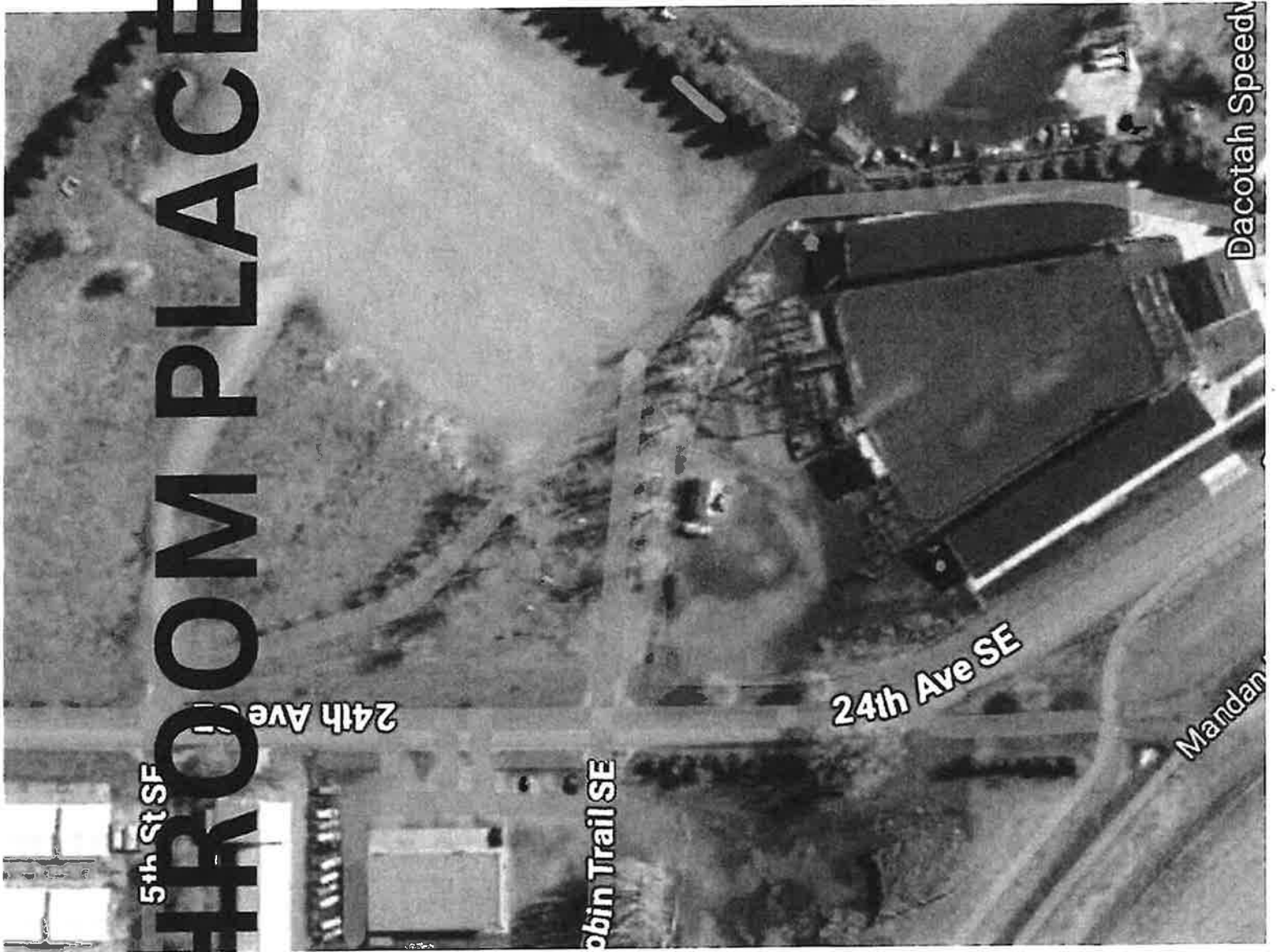
Estimate date: 08/07/2024

| #               | Product or service                           | Description | Qty | Rate     | Amount            |
|-----------------|----------------------------------------------|-------------|-----|----------|-------------------|
| 1.              | Portable Toilet Delivery or Pickup           |             | 1   | \$125.00 | \$125.00          |
| 2.              | ADA Portable Toilet (Special)                |             | 2   | \$95.00  | \$190.00          |
| 3.              | Portable Toilet (Special)                    |             | 20  | \$75.00  | \$1,500.00        |
| 4.              | Portable Sink (Special)                      |             | 3   | \$70.00  | \$210.00          |
| 5.              | Portable Toilet Additional Service (Special) |             | 25  | \$30.00  | \$750.00          |
| 6.              | Portable Toilet Additional Service (Special) |             | 25  | \$30.00  | \$750.00          |
| 7.              | Portable Toilet Delivery or Pickup           |             | 1   | \$125.00 | \$125.00          |
| Subtotal        |                                              |             |     |          | \$3,650.00        |
| Sales tax 5.50% |                                              |             |     |          | \$200.75          |
| Total           |                                              |             |     |          | <b>\$3,850.75</b> |

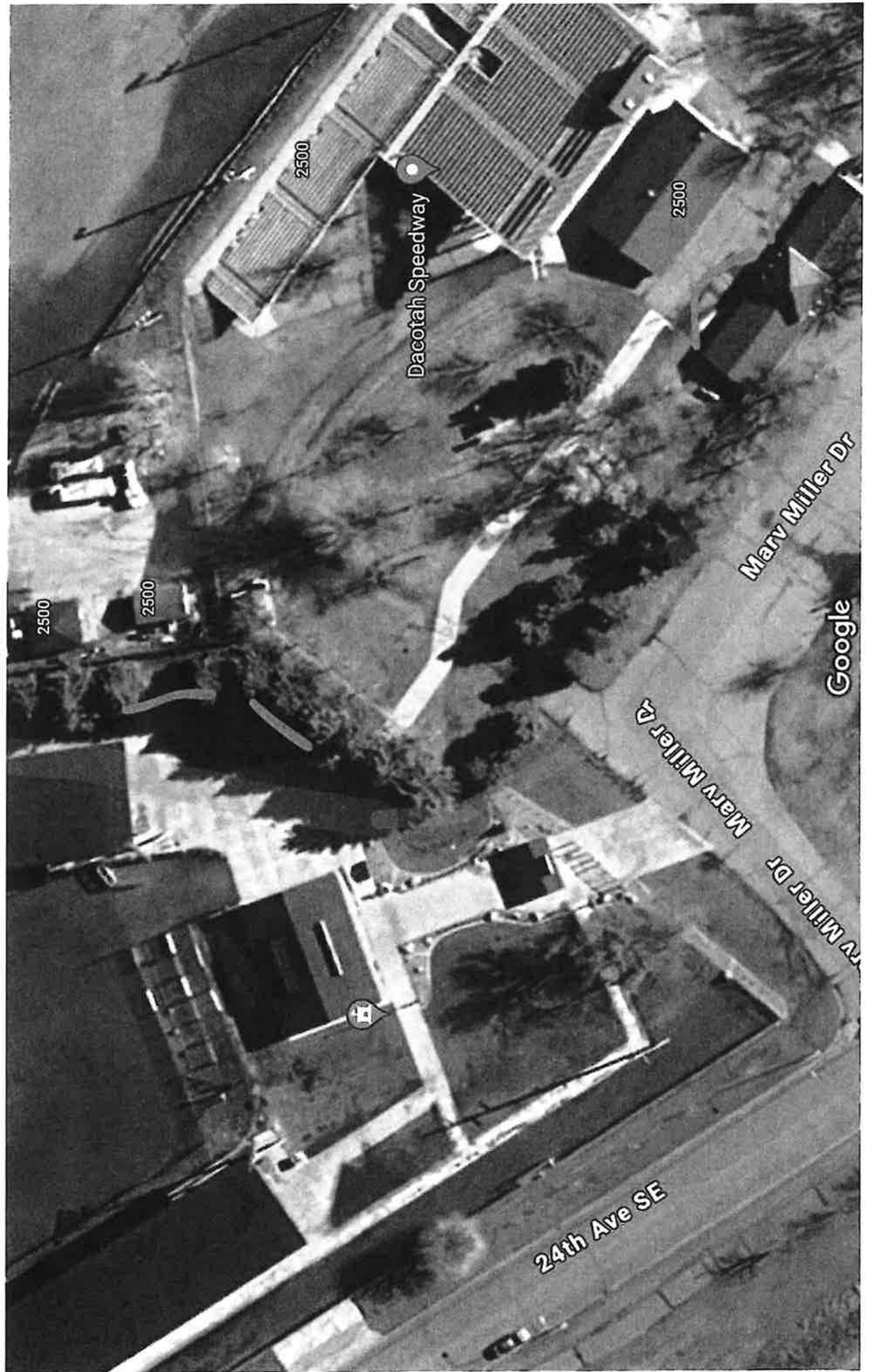
Accepted date

Accepted by

# BATHROOM PLACEMENT



# BATHROOM PLACEMENT



## City of Bismarck

Bismarck-Burleigh Public Health Department / Environmental Health Division  
407 S 26th St.  
Bismarck, ND 58504-5689

Phone: 701-355-3400  
Fax: 701-221-6883

### Environmental Health Inspection Report

**License2:** FOOD2022-00042

**FACILITY NAME:** Hensley Tasty Truck

**Site Address:** 934 N 31ST ST BISMARCK, ND 58501

Enclosed are the findings of a recent inspection conducted at your facility. The purpose of the inspection is to ensure that your facility complies with the requirements of Bismarck's Code of Ordinances. Violations listed in this report must be corrected.

Inspection Type: FOLLOW-UP - FOOD

Inspection Date: 05/30/2024 11:30 AM

Result: PASS

Remarks: cleared

Notes: -This inspection was reviewed and signed by: Ryan Hensley Owner  
Handsink mixing valve repaired  
FC and NFC cleaned

Discussion about keeping grilled onions hot or cold but not allowing to set at room temp.

I agree to correct the violations listed in this report and understand that failure to do so may result in the suspension or non-reissuance of my license.



Thank you for your cooperation. If you have any questions please contact me at the phone number listed at the top of this report.

Burton Pfliger  
Inspector

## **Hensley's Tasty Truck Menu**

Bison Burger  
Banh Mi Tacos  
Cali-Burrito  
Tater Tot Nacho  
Flammin Hot Piggy Mac  
Loaded Mac  
Loaded Tot  
Lemonades  
Lotus Energy Drinks  
Italian Sodas

**2024 MOBILE FOOD UNIT LICENSE**

This license must be posted in a location which is conspicuous to customers within in your establishment.

The permit holder shall cease operations and contact the Department if an imminent health hazard is created by way of fire, flood, interruption of water or electrical services, sewer backup, apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health.

Also contact our department if you have any questions or if any of the following actions are planned:

- Changing the products or services provided to customers
- Any remodeling of the facility or changes in equipment
- A change in ownership of the establishment

The most recent establishment inspection report is available here:



**ND HEALTH & HUMAN SERVICES**  
**1720 BURLINGTON DR STE A BISMARCK, ND 58504-7736**

DATE: 11-28-2023  
LICENSE NO: 10757

THE BELOW NAMED IS LICENSED UNDER THE PROVISIONS OF CHAPTER 33-33-04.1 OF THE NORTH DAKOTA ADMINISTRATIVE CODE TO OPERATE A MOBILE FOOD UNIT IN NORTH DAKOTA. FAILURE TO COMPLY WITH THESE REGULATIONS MAY RESULT IN THE CANCELLATION OF THIS LICENSE.

**MOBILE FOOD UNIT LICENSE**

TAILGATE PIZZA  
BRYAN & DEB BERGER  
409 16TH AVE NE  
MANDAN, ND 58554

**NOTICE: THIS LICENSE IS NOT TRANSFERABLE / POST IN A CONSPICUOUS PLACE**

**EXPIRES: 12-31-2024**



Serving: Grant • Mercer • Morton • Oliver • Sioux Counties

403 Burlington St SE  
Mandan, North Dakota 58554  
701-667-3370 • Fax: 701-667-3371

## INVOICE

**CUSTOMER:**  
TAILGATE PIZZA

**Invoice #:** TEMP FOOD  
**Date:**

| DATE  | DESCRIPTION                                                 | QUANTITY | UNIT PRICE | AMOUNT DUE |
|-------|-------------------------------------------------------------|----------|------------|------------|
|       | TEMPORARY FOOD<br>INSPECTION - OLD<br>SETTLER'S DAY 6/14/24 | 1        | 1          | \$30.00    |
| TOTAL |                                                             |          |            | \$30.00    |

# TAILGATE PIZZA AND MORE

## **BASKETS**

|                                     |         |
|-------------------------------------|---------|
| HAMBURGER, and fries .....          | \$12.00 |
| CHEESEBURGER, and fries.....        | \$13.00 |
| DOUBLE CHEESEBURGER and fries.....  | \$16.00 |
| FLEISCHKUECHLE and fries .....      | \$14.00 |
| PULLED PORK SANDWICH and fries..... | \$14.00 |
| HOT DOG and fries.....              | \$8.00  |
| TACO BURGER and fries.....          | \$13.00 |
| TACO IN A BAG .....                 | \$10.00 |

## **SANDWICHES**

|                          |         |
|--------------------------|---------|
| HAMBURGER.....           | \$8.00  |
| CHEESEBURGER.....        | \$9.00  |
| DOUBLE CHEESEBURGER..... | \$12.00 |
| FLEISCHKUECHLE.....      | \$10.00 |
| HOT DOG.....             | \$3.00  |
| PULLED PORK.....         | \$9.00  |
| TACO BURGER.....         | \$9.00  |

# TAILGATE PIZZA AND MORE



**1 TOPPING PIZZA.....\$18.00**



**2 TOPPING PIZZA.....\$20.00**



**3 TOPPING PIZZA.....\$22.00**



**HOUSE SPECIAL.....\$24.00**



**TACO PIZZA .....\$24.00**



**LITTLE PIGGY OR HAWIIAN .....\$24.00**

## **TOPPING SELECTIONS**

**MEATS: SAUSAGE, CANADIAN BACON , PEPPERONI, PULLED PORK AND TACO MEAT**

**VEGGIES : GREEN PEPPERS, ONIONS, BLACK OLIVES ,MUSHROOMS, PINEAPPLE AND SAUERKRAUT**

**\*GLUTEN FREE CRUST AVAILABLE      Add \$2.00**

**ISSUED DATE: 5/16/2023**  
**EXPIRATION DATE: 3/31/2024**



**BISMARCK-BURLEIGH PUBLIC HEALTH**  
**500 E FRONT AVE. BISMARCK, ND 58504**  
**701-355-3400**  
**bbph@bismarcknd.gov**

**LICENSE #: FOOD2023-00011**  
**LICENSE TYPE: FOOD SERVICE**  
**LICENSE SUBTYPE: MOBILE FOOD 2**

The below named establishment has met the City of Bismarck's licensure requirements and agrees to comply with the applicable Code of Ordinances. Failure to comply with these regulations may result in license suspension or revocation.

**ds Lunas LLC**  
**334 CUMBERLAND LOOP**  
**SMARCK, ND 58503**



*To view previous establishment inspection  
reports scan QR code and enter License #  
FOOD2023-00011*

## Los Lunas Menu

Carne Asada Tacos

Chicken Tacos

Loaded Carne Asada Fries

Tamale

Loaded Chicken Nachos

Loaded Chicken Fries

Loaded Carne Asada Nachos

# Special Event Permit-ND Rough Rider Cup

Final Audit Report

2024-08-23

|                 |                                              |
|-----------------|----------------------------------------------|
| Created:        | 2024-08-21                                   |
| By:             | Tasha Scott (tasha.scott@mandanpd.com)       |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAAA73R_7x5inCz8PBb1HNh6g-PoWwwYZWM |

## "Special Event Permit-ND Rough Rider Cup" History

-  Document created by Tasha Scott (tasha.scott@mandanpd.com)  
2024-08-21 - 8:12:37 PM GMT
-  Document emailed to Pat Haug (phaug@mandanpd.com) for signature  
2024-08-21 - 8:12:49 PM GMT
-  Document emailed to Brian Dirk (brian.dirk@cityofmandan.com) for signature  
2024-08-21 - 8:12:50 PM GMT
-  Document emailed to Mitch Bitz (mbitz@cityofmandan.com) for signature  
2024-08-21 - 8:12:50 PM GMT
-  Document emailed to Jarek Wigness (jarek.wigness@cityofmandan.com) for signature  
2024-08-21 - 8:12:50 PM GMT
-  Email viewed by Pat Haug (phaug@mandanpd.com)  
2024-08-21 - 8:18:18 PM GMT
-  Signer Pat Haug (phaug@mandanpd.com) entered name at signing as Patrick Haug  
2024-08-21 - 8:20:05 PM GMT
-  Document e-signed by Patrick Haug (phaug@mandanpd.com)  
Signature Date: 2024-08-21 - 8:20:07 PM GMT - Time Source: server
-  Email viewed by Brian Dirk (brian.dirk@cityofmandan.com)  
2024-08-21 - 8:26:46 PM GMT
-  Document e-signed by Brian Dirk (brian.dirk@cityofmandan.com)  
Signature Date: 2024-08-21 - 8:29:49 PM GMT - Time Source: server
-  Email viewed by Mitch Bitz (mbitz@cityofmandan.com)  
2024-08-22 - 12:45:34 PM GMT

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

2024-08-22 - 12:51:12 PM GMT

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

Signature Date: 2024-08-22 - 12:51:14 PM GMT - Time Source: server

 Email viewed by Jarek Wigness (jarek.wigness@cityofmandan.com)

2024-08-23 - 1:14:31 PM GMT

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

Signature Date: 2024-08-23 - 1:15:46 PM GMT - Time Source: server

 Agreement completed.

2024-08-23 - 1:15:46 PM GMT

# Special Event Permit-ND Rough Rider Cup

Final Audit Report

2024-08-23

|                 |                                              |
|-----------------|----------------------------------------------|
| Created:        | 2024-08-21                                   |
| By:             | Tasha Scott (tasha.scott@mandanpd.com)       |
| Status:         | Signed                                       |
| Transaction ID: | CBJCHBCAABAAA73R_7x5inCz8PBb1HNh6g-PoWwwYZWM |

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Signature Date: 2024-08-23 - 1:15:46 PM GMT - Time Source: server

 Agreement completed.

2024-08-23 - 1:15:46 PM GMT



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 23, 2024  
**SUBMITTING DEPARTMENT:** Business Development & Communications  
**DEPARTMENT DIRECTOR:** Madison Cermak  
**PRESENTER:** Madison Cermak, Business Development & Communications Director  
**SUBJECT:** Consider Flex PACE letter of support for financing of a new building for Kids in Motion Inc.

---

#### **STATEMENT/PURPOSE:**

Consider providing a letter of support to the Lewis and Clark Development Group for a loan for permanent financing of a new building for a pediatric therapy business in Mandan.

#### **BACKGROUND/ALTERNATIVES:**

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

#### **ATTACHMENTS:**

1. KAP Wellness and Kids in Motion Inc

#### **FISCAL IMPACT:**

Kimberly Blooms, owner of KAP Wellness LLC and Kids in Motion Inc. is hoping to utilize the Bank of North Dakota's Flex Pace program to build a new building for her pediatric therapy business located in Mandan. The new building will allow Kids in Motion to have a new home where pediatric patients can come and receive the treatments needed. The facility will have special customization of facilities specifically suited to pediatric therapy, including therapy rooms, sensory areas, a therapy pool, and equipment tailored to the needs of children. This long-term professional facility will help build a stronger community presence, accessibility and a trusted resource for families in

the area.

The total cost of the project is estimated to be \$3,365,400. The applicant is seeking to reduce the interest rate on a \$220,017.21 loan for permanent financing. Based on a sample BND buydown schedule, the required 35% community match is estimated at \$77,006.02. The borrower plans to seek this amount as a repayable loan through either the N.D. Opportunity Fund or another revolving loan managed by the Lewis and Clark Development Group.

**STAFF IMPACT:**

Minimal

**LEGAL REVIEW:**

N/A

**RECOMMENDATION:**

I recommend the City Commissioners provide a letter of support for an interest buydown for KAP Wellness LLC and Kids in Motion Inc. to assist with the permanent financing for a new building.

**SUGGESTED MOTION:**

I move to approve providing a letter of support for an interest buydown for KAP Wellness LLC and Kids in Motion Inc. to assist with the permanent financing for a new building.



# CORNERSTONE BANK

08/14/2024

RE: KAP Wellness LLC/Kids in

Motion Inc/Kimberly Bloms

To: Mandan City Commission

To whom it may concern,

Kimberly Bloms, owner of KAP Wellness LLC and Kids in Motion Inc., is seeking support from the City of Mandan to provide the required community match for an interest rate buydown from the North Dakota's Opportunity Fund. Kimberly is seeking this support as she is hoping to use The Bank of North Dakota's Flex Pace program to build a new building for her pediatric therapy business located in Mandan. This building will allow Kids in Motion to have a new home where pediatric patients can come and receive the treatments they need. The facility will have special customization of facilities specifically suited to pediatric therapy. This includes therapy rooms, sensory areas, a therapy pool, and equipment tailored to the needs of children. This will be a long-term professional facility that helps build a stronger community presence and recognition. It allows the center to become a well-known and trusted resource for families in the area, improving accessibility and outreach.

Kimberly and her businesses have been great customers of Cornerstone Bank and have a stable income source with good credit. This build will help Kimberly expand the business and make it accessible to all patients.

If you have any questions or would like more information regarding this project, please contact me at 701-751-4646 and I would be more than happy to discuss this with you.

Thank you for your time and consideration,

Curtis Skaley  
Business Banker  
Cornerstone Bank



# CORNERSTONE BANK

08/14/2024

To whom it may concern:

Cornerstone Bank is pleased to share the following loan approval for KAP Wellness LLC, based on the following terms:

Loan Amount: \$1,847,700

Term: 60 Months

Interest Rate: Prime – 1.00% (Rate as of 08/14/2024 = 7.50%) Amortization: 300 Months

Please let me know if there's any additional information you need from me.

Regards,

Curtis Skaley  
Business Banker  
Cornerstone Bank



# CORNERSTONE BANK

## Bank Letter of Commitment | SBA 504 program

July 24, 2024

Lewis & Clark Certified Development Company  
200 1st Avenue NW, Suite 100  
Mandan, ND 58554

Attention: Ashley Hruby  
Senior Lending Director

Re: ***KAP Wellness LLC – Kids in Motion Inc.***

Dear ***Ms. Hruby***

**Cornerstone Bank** (“Lender”) has reviewed the application of ***KAP Wellness LLC/ Kids in Motion Inc.*** (“Borrower”) for a loan of **\$3,141,090** to support a **\$3,695,400** project. Lender is not in a position to meet Borrower’s request at this time because ***the value of collateral is insufficient under our credit policy***. To the best of Lender’s knowledge, financing of the total project cost is not available at interest rates and terms prevalent in our community.

Lender, however, is willing to participate with ***Lewis & Clark Certified Development Company*** in the SBA 504 Loan Program to benefit Borrower. In this regard, Lender is willing to make a loan in the principal amount of **\$1,847,700, 50% of Project Cost** which will have an interest rate of **7.50%** (“Third Party Loan”). The Third Party Loan note will be for a term of **60 months** to be amortized over **300 months**. In addition, SBA approval of this Third Party Loan is conditioned upon the receipt by SBA from Lender of a one-time participation fee equal to one-half of one percent of the principal amount of this Third Party Loan secured in a senior lien position to that of SBA’s 504 Loan.

The Project is located at 1810 Main Street East, Mandan, ND 58554. Lender’s commitment to make the Third Party Loan is contingent upon the collateral and guarantors listed below:

***Kids In Motion Inc – OC Guarantor***  
***Adam & Kim Bloms - Guarantors***

Lender also is willing to provide an interim loan in the amount of **\$1,293,390, 35% of the Project Cost** (“Interim Loan”) to be repaid from the proceeds of the 504 Loan. The Interim Loan is to be secured by a **1<sup>st</sup> RE Mortgage Lien** on the collateral.

Sincerely,

Curt Skaley  
SVP/Business Banker

### Project Cost Calculator Summary

**Borrowers:** KAP Wellness

**Cost Type:** Summary

| Sources           | Updated Project Cost              | Comment                |
|-------------------|-----------------------------------|------------------------|
| Real Estate       | \$228,000.00 Increase by          | \$ 28,000.00           |
| Construction      | \$3,164,197.22 Decrease by        | \$ (42,561.78)         |
| FF&E              | \$70,350.50 Increase by           | \$ 13,950.50           |
|                   | Rounded to nearest                |                        |
| Other             | \$79.38 Hundred                   | \$ 79.38               |
| Professional Fees | \$130,772.90 Decrease by          | \$ (281,968.10)        |
| <b>Total</b>      | <b>\$3,593,400.00 Decrease by</b> | <b>\$ (282,500.00)</b> |

|                    |                                                         |
|--------------------|---------------------------------------------------------|
| Borrower Injection | \$598,253.64 (Exceeds Minumum Contribution Requirement) |
|--------------------|---------------------------------------------------------|

|              | Updated Structure     |
|--------------|-----------------------|
| TPL          | \$1,796,700.00        |
| SBA          | \$1,257,690.00        |
| Equity       | \$539,010.00          |
| <b>Total</b> | <b>\$3,593,400.00</b> |

### Cost Calculator

**Borrower:** KAP Wellness

**Cost Type:** Real Estate

| Attachment<br>Number | Date     | Invoice # | Vendor/Provider/Sources | Amount              | Comment               |
|----------------------|----------|-----------|-------------------------|---------------------|-----------------------|
| 1                    | 04/06/21 |           | Bismarck Title Company  | \$200,000.00        | As is appraised value |
| 2                    |          |           | Land Purchase           | \$28,000.00         |                       |
| <b>Total</b>         |          |           |                         | <b>\$228,000.00</b> |                       |

### Cost Calculator

**Borrower:** KAP Wellness

**Cost Type:** Construction

#### Attachment

| Number | Date     | Invoice # | Vendor/Provider/Sources | Amount       | Comment          |
|--------|----------|-----------|-------------------------|--------------|------------------|
| 3      | 08/08/23 | 5123      | Wild CRG                | \$151,467.62 | Draw 1           |
| 4      | 09/05/23 | 5173      | Wild CRG                | \$161,876.48 | Draw 2           |
| 5      | 10/03/23 | 5228      | Wild CRG                | \$266,314.13 | Draw 3           |
| 6      | 11/13/23 | 2723004   | Endless Pools           | \$40,000.00  | Borrower Payment |
| 6      | 09/13/23 |           | Endless Pools           | \$3,000.00   | Downpayment      |
| 6      | 11/13/23 | 2723004   | Endless Pools           | \$49,763.77  | Draw 4           |
| 7      | 12/06/23 | 5341      | Wild CRG                | \$589,854.18 | Draw 5           |
| 8      | 01/10/24 | 5389      | Wild CRG                | \$379,010.29 | Draw 6           |
| 9      | 02/07/24 | 5416      | Wild CRG                | \$266,374.17 | Draw 7           |
| 10     | 03/07/24 | 5509      | Wild CRG                | \$128,997.18 | Draw 8           |
| 11     | 04/08/24 | 5514      | Wild CRG                | \$302,059.97 | Draw 9           |
| 12     | 11/02/23 | 5291      | Wild CRG                | \$391,570.19 | Draw 10          |
| 13     | 04/11/23 | 4899      | Wild CRG                | \$54,000.00  | Draw 11          |
| 14     | 03/03/23 | 4836      | Wild CRG                | \$27,000.00  | Draw 12          |
| 15     | 05/11/23 | 4970      | Wild CRG                | \$26,166.15  | Draw 13          |
| 16     | 04/07/23 | 5078      | Wild CRG                | \$55,222.34  | Draw 14          |
| 17     | 05/04/23 | 13448     | PropertyTech            | \$6,642.25   |                  |
| 18     | 07/09/24 | 5749      | Wild CRG                | \$264,878.50 | Draw 15          |

|              |                       |
|--------------|-----------------------|
| <b>Total</b> | <b>\$3,164,197.22</b> |
|--------------|-----------------------|

### Cost Calculator

**Borrower:** KAP Wellness

**Cost Type:** FF&E

| Attachment<br>Number | Date     | Invoice # | Vendor/Provider/Sources | Amount             | Comment |
|----------------------|----------|-----------|-------------------------|--------------------|---------|
| 19                   |          | 3176      | BlueFish Resouces Inc   | \$27,450.00        |         |
| 20                   | 07/09/24 | 66208     | Next Signs & Graphics   | \$25,764.00        |         |
| 21                   | 07/02/24 | 3404      | BlueFish Resouces Inc   | \$17,136.50        |         |
| <b>Total</b>         |          |           |                         | <b>\$70,350.50</b> |         |

**Cost Calculator**

**Borrower:** KAP Wellness

**Cost Type:** Other

| Date | Invoice # | Vendor/Provider/Sources | Amount  | Comment                     |
|------|-----------|-------------------------|---------|-----------------------------|
|      | NA        |                         | \$79.38 | Rounding to Nearest Hundred |

|              |                |
|--------------|----------------|
| <b>Total</b> | <b>\$79.38</b> |
|--------------|----------------|

**Cost Calculator**

**Borrower:** KAP Wellness

**Cost Type:** Fees

| Attachment |          |               |                            |              |          |
|------------|----------|---------------|----------------------------|--------------|----------|
| Number     | Date     | Invoice #     | Vendor/Provider/Sources    | Amount       | Comment  |
| 22         | 05/09/23 | 23013         | Independent Land Surveying | \$14,400.00  |          |
| 23         | 09/20/23 | INV-123375    | American Engineering Co    | \$4,900.00   |          |
| 24         | 04/28/23 | 7321          | Dakota Appraisal           | \$4,900.00   |          |
| 24         | 06/16/23 |               | Cornerston Bank            | \$5,000.00   | Loan Fee |
| 25         | 09/19/23 | Loan 60020514 | Interest                   | \$285.85     |          |
| 25         | 10/16/23 |               |                            | \$764.74     |          |
| 25         | 11/22/23 |               |                            | \$1,313.03   |          |
| 25         | 12/18/23 |               |                            | \$2,703.27   |          |
| 25         | 01/17/24 |               |                            | \$4,536.73   |          |
| 25         | 02/16/24 |               |                            | \$5,291.64   |          |
| 25         | 03/18/24 |               |                            | \$5,224.46   |          |
| 25         | 04/16/24 |               |                            | \$6,431.58   |          |
| 25         | 05/23/24 |               |                            | \$6,941.72   |          |
| 25         | 06/25/24 |               |                            | \$8,331.10   |          |
| 26         | 09/19/23 | Loan 60020507 | Interest                   | \$408.36     |          |
| 26         | 10/16/23 |               |                            | \$1,092.49   |          |
| 26         | 11/16/23 |               |                            | \$1,875.76   |          |
| 26         | 12/18/23 |               |                            | \$3,861.81   |          |
| 26         | 01/17/24 |               |                            | \$6,481.06   |          |
| 26         | 02/16/24 |               |                            | \$7,559.49   |          |
| 26         | 03/18/24 |               |                            | \$7,463.51   |          |
| 26         | 04/16/24 |               |                            | \$9,187.99   |          |
| 26         | 05/16/24 |               |                            | \$9,916.74   |          |
| 26         | 06/17/24 |               |                            | \$10,534.24  |          |
| 26         | 06/25/24 | \$1,367.33    |                            |              |          |
| Total      |          |               |                            | \$130,772.90 |          |

**Cost Calculator**

**Borrower:** KAP Wellness

**Cost Type:** Injection

| Attachment Number | Date     | Invoice #     | Vendor/Provider/Sources    | Amount              | Comment               |
|-------------------|----------|---------------|----------------------------|---------------------|-----------------------|
| 1                 | 04/06/21 |               | Bismarck Title Company     | \$200,000.00        | As is appraised value |
| 2                 | 05/17/23 |               | Land Purchase              | \$28,000.00         | Minor Replat          |
| 13                | 04/11/23 | 4899          | Wild CRG                   | \$54,000.00         | Draw 11               |
| 14                | 03/03/23 | 4836          | Wild CRG                   | \$27,000.00         | Draw 12               |
| 15                | 05/11/23 | 4970          | Wild CRG                   | \$26,166.15         | Draw 13               |
| 16                | 04/07/23 | 5078          | Wild CRG                   | \$55,222.34         | Draw 14               |
| 22                | 05/09/23 | 23013         | Independent Land Surerying | \$14,400.00         |                       |
| 23                | 09/20/23 | INV-123375    | American Engieering Co     | \$4,900.00          |                       |
| 21                | 07/02/24 | 3176          | BlueFish Resouces Inc      | \$27,450.00         |                       |
| 17                | 05/04/23 | 13448         | PropertyTech               | \$6,642.25          |                       |
| 6                 | 11/13/23 | 2723004       | Endless Pools              | \$40,000.00         |                       |
| 6                 | 09/13/23 |               | Endless Pools              | \$3,000.00          |                       |
| 24                | 04/28/23 | 7321          | Dakota Appraisal           | \$4,900.00          |                       |
| 24                | 06/16/23 |               | Cornerstone Bank           | \$5,000.00          | Loan Fee              |
| 25                | 09/19/23 | Loan 60020514 | Cornerstone Bank           | \$285.85            | Interest              |
|                   | 10/16/23 |               |                            | \$764.74            | Interest              |
|                   | 11/22/23 |               |                            | \$1,313.03          | Interest              |
|                   | 12/18/23 |               |                            | \$2,703.27          | Interest              |
|                   | 01/17/24 |               |                            | \$4,536.73          | Interest              |
|                   | 02/16/24 |               |                            | \$5,291.64          | Interest              |
|                   | 03/18/24 |               |                            | \$5,224.46          | Interest              |
|                   | 04/16/24 |               |                            | \$6,431.58          | Interest              |
|                   | 05/23/24 |               |                            | \$6,941.72          | Interest              |
|                   | 06/25/24 |               |                            | \$8,331.10          | Interest              |
| 26                | 09/19/23 | Loan 60020507 | Cornerstone Bank           | \$408.36            | Interest              |
|                   | 10/16/23 |               |                            | \$1,092.49          | Interest              |
|                   | 11/16/23 |               |                            | \$1,875.76          | Interest              |
|                   | 12/18/23 |               |                            | \$3,861.81          | Interest              |
|                   | 01/17/24 |               |                            | \$6,481.06          | Interest              |
|                   | 02/16/24 |               |                            | \$7,559.49          | Interest              |
|                   | 03/18/24 |               |                            | \$7,463.51          | Interest              |
|                   | 04/16/24 |               |                            | \$9,187.99          | Interest              |
|                   | 05/16/24 |               |                            | \$9,916.74          | Interest              |
|                   | 06/17/24 |               |                            | \$10,534.24         | Interest              |
|                   | 06/25/24 |               |                            | \$1,367.33          | Interest              |
| <b>Total</b>      |          |               |                            | <b>\$598,253.64</b> |                       |

# Exhibit A: KAP Wellness

|             |           |
|-------------|-----------|
| 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 | \$220,017.21   |
| BND BUYDOWN AMOUNT      | \$143,011.19   |
| COMMUNITY BUYDOWN AMT   | \$77,006.02    |
| PRESENT VALUE BND       | \$136,952.51   |
| PRESENT VALUE COMMUNITY | \$73,743.66    |
| CREATED DATE            | 5/22/2024      |
| PRINCIPAL               | \$1,847,700.00 |
| YIELD RATE              | 7.5000         |
| BORROWING RATE          | 3.5000         |
| AMORTIZATION            | 300            |
| PAYMENT                 | \$13,785.81    |

| Loan without buydown |              |             |              |                |
|----------------------|--------------|-------------|--------------|----------------|
| #                    | Payment      | Principal   | Interest     | Balance        |
| 1                    | \$13,785.81  | \$2,237.69  | \$11,548.13  | \$1,845,462.32 |
| 2                    | \$13,785.81  | \$1,867.20  | \$11,918.61  | \$1,843,595.12 |
| 3                    | \$13,785.81  | \$2,263.34  | \$11,522.47  | \$1,841,331.78 |
| 4                    | \$13,785.81  | \$1,893.88  | \$11,891.93  | \$1,839,437.90 |
| 5                    | \$13,785.81  | \$1,906.11  | \$11,879.70  | \$1,837,531.79 |
| 6                    | \$13,785.81  | \$3,066.87  | \$10,718.94  | \$1,834,464.92 |
| 7                    | \$13,785.81  | \$1,938.22  | \$11,847.59  | \$1,832,526.70 |
| 8                    | \$13,785.81  | \$2,332.52  | \$11,453.29  | \$1,830,194.18 |
| 9                    | \$13,785.81  | \$1,965.81  | \$11,820.00  | \$1,828,228.37 |
| 10                   | \$13,785.81  | \$2,359.38  | \$11,426.43  | \$1,825,868.99 |
| 11                   | \$13,785.81  | \$1,993.74  | \$11,792.07  | \$1,823,875.25 |
| 12                   | \$13,785.81  | \$2,006.62  | \$11,779.19  | \$1,821,868.63 |
| 13                   | \$13,785.81  | \$2,399.13  | \$11,386.68  | \$1,819,469.50 |
| 14                   | \$13,785.81  | \$2,035.07  | \$11,750.74  | \$1,817,434.43 |
| 15                   | \$13,785.81  | \$2,426.84  | \$11,358.97  | \$1,815,007.59 |
| 16                   | \$13,785.81  | \$2,063.89  | \$11,721.92  | \$1,812,943.70 |
| 17                   | \$13,785.81  | \$2,077.22  | \$11,708.59  | \$1,810,866.48 |
| 18                   | \$13,785.81  | \$3,222.42  | \$10,563.39  | \$1,807,644.06 |
| 19                   | \$13,785.81  | \$2,111.44  | \$11,674.37  | \$1,805,532.62 |
| 20                   | \$13,785.81  | \$2,501.23  | \$11,284.58  | \$1,803,031.39 |
| 21                   | \$13,785.81  | \$2,141.23  | \$11,644.58  | \$1,800,890.16 |
| 22                   | \$13,785.81  | \$2,530.25  | \$11,255.56  | \$1,798,359.91 |
| 23                   | \$13,785.81  | \$2,171.40  | \$11,614.41  | \$1,796,188.51 |
| 24                   | \$13,785.81  | \$2,185.43  | \$11,600.38  | \$1,794,003.08 |
| 25                   | \$13,785.81  | \$2,573.29  | \$11,212.52  | \$1,791,429.79 |
| 26                   | \$13,785.81  | \$2,216.16  | \$11,569.65  | \$1,789,213.63 |
| 27                   | \$13,785.81  | \$2,603.22  | \$11,182.59  | \$1,786,610.41 |
| 28                   | \$13,785.81  | \$2,247.28  | \$11,538.53  | \$1,784,363.13 |
| 29                   | \$13,785.81  | \$2,261.80  | \$11,524.01  | \$1,782,101.33 |
| 30                   | \$13,785.81  | \$3,390.22  | \$10,395.59  | \$1,778,711.11 |
| 31                   | \$13,785.81  | \$2,298.30  | \$11,487.51  | \$1,776,412.81 |
| 32                   | \$13,785.81  | \$2,683.23  | \$11,102.58  | \$1,773,729.58 |
| 33                   | \$13,785.81  | \$2,330.47  | \$11,455.34  | \$1,771,399.11 |
| 34                   | \$13,785.81  | \$2,714.57  | \$11,071.24  | \$1,768,684.54 |
| 35                   | \$13,785.81  | \$2,363.06  | \$11,422.75  | \$1,766,321.48 |
| 36                   | \$13,785.81  | \$2,378.32  | \$11,407.49  | \$1,763,943.16 |
|                      | \$496,289.16 | \$83,756.85 | \$412,532.32 |                |

| Loan with buydown |              |             |              |                |
|-------------------|--------------|-------------|--------------|----------------|
| #                 | Payment      | Principal   | Interest     | Balance        |
| 1                 | \$7,626.82   | \$2,237.69  | \$5,389.13   | \$1,845,462.31 |
| 2                 | \$7,429.22   | \$1,867.20  | \$5,562.02   | \$1,843,595.11 |
| 3                 | \$7,640.49   | \$2,263.34  | \$5,377.15   | \$1,841,331.77 |
| 4                 | \$7,443.45   | \$1,893.88  | \$5,549.57   | \$1,839,437.89 |
| 5                 | \$7,449.97   | \$1,906.11  | \$5,543.86   | \$1,837,531.78 |
| 6                 | \$8,069.04   | \$3,066.87  | \$5,002.17   | \$1,834,464.91 |
| 7                 | \$7,467.10   | \$1,938.22  | \$5,528.88   | \$1,832,526.69 |
| 8                 | \$7,677.39   | \$2,332.52  | \$5,344.87   | \$1,830,194.17 |
| 9                 | \$7,481.81   | \$1,965.81  | \$5,516.00   | \$1,828,228.36 |
| 10                | \$7,691.71   | \$2,359.38  | \$5,332.33   | \$1,825,868.98 |
| 11                | \$7,496.71   | \$1,993.74  | \$5,502.97   | \$1,823,875.24 |
| 12                | \$7,503.58   | \$2,006.62  | \$5,496.96   | \$1,821,868.62 |
| 13                | \$7,712.91   | \$2,399.13  | \$5,313.78   | \$1,819,469.49 |
| 14                | \$7,518.75   | \$2,035.07  | \$5,483.68   | \$1,817,434.42 |
| 15                | \$7,727.69   | \$2,426.84  | \$5,300.85   | \$1,815,007.58 |
| 16                | \$7,534.12   | \$2,063.89  | \$5,470.23   | \$1,812,943.69 |
| 17                | \$7,541.23   | \$2,077.22  | \$5,464.01   | \$1,810,866.47 |
| 18                | \$8,152.00   | \$3,222.42  | \$4,929.58   | \$1,807,644.05 |
| 19                | \$7,559.48   | \$2,111.44  | \$5,448.04   | \$1,805,532.61 |
| 20                | \$7,767.37   | \$2,501.23  | \$5,266.14   | \$1,803,031.38 |
| 21                | \$7,575.37   | \$2,141.23  | \$5,434.14   | \$1,800,890.15 |
| 22                | \$7,782.84   | \$2,530.25  | \$5,252.59   | \$1,798,359.90 |
| 23                | \$7,591.46   | \$2,171.40  | \$5,420.06   | \$1,796,188.50 |
| 24                | \$7,598.94   | \$2,185.43  | \$5,413.51   | \$1,794,003.07 |
| 25                | \$7,805.80   | \$2,573.29  | \$5,232.51   | \$1,791,429.78 |
| 26                | \$7,615.33   | \$2,216.16  | \$5,399.17   | \$1,789,213.62 |
| 27                | \$7,821.76   | \$2,603.22  | \$5,218.54   | \$1,786,610.40 |
| 28                | \$7,631.93   | \$2,247.28  | \$5,384.65   | \$1,784,363.12 |
| 29                | \$7,639.67   | \$2,261.80  | \$5,377.87   | \$1,782,101.32 |
| 30                | \$8,241.50   | \$3,390.22  | \$4,851.28   | \$1,778,711.10 |
| 31                | \$7,659.14   | \$2,298.30  | \$5,360.84   | \$1,776,412.80 |
| 32                | \$7,864.43   | \$2,683.23  | \$5,181.20   | \$1,773,729.57 |
| 33                | \$7,676.30   | \$2,330.47  | \$5,345.83   | \$1,771,399.10 |
| 34                | \$7,881.15   | \$2,714.57  | \$5,166.58   | \$1,768,684.53 |
| 35                | \$7,693.68   | \$2,363.06  | \$5,330.62   | \$1,766,321.47 |
| 36                | \$7,701.82   | \$2,378.32  | \$5,323.50   | \$1,763,943.15 |
|                   | \$276,271.96 | \$83,756.85 | \$192,515.11 |                |

| Interest Buydown |              |              |                |
|------------------|--------------|--------------|----------------|
| #                | Int. Buydown | BND (65.00%) | Comm. (35.00%) |
| 1                | \$6,159.00   | \$4,003.35   | \$2,155.65     |
| 2                | \$6,356.59   | \$4,131.78   | \$2,224.81     |
| 3                | \$6,145.32   | \$3,994.46   | \$2,150.86     |
| 4                | \$6,342.36   | \$4,122.53   | \$2,219.83     |
| 5                | \$6,335.84   | \$4,118.30   | \$2,217.54     |
| 6                | \$5,716.77   | \$3,715.90   | \$2,000.87     |
| 7                | \$6,318.71   | \$4,107.16   | \$2,211.55     |
| 8                | \$6,108.42   | \$3,970.47   | \$2,137.95     |
| 9                | \$6,304.00   | \$4,097.60   | \$2,206.40     |
| 10               | \$6,094.10   | \$3,961.16   | \$2,132.94     |
| 11               | \$6,289.10   | \$4,087.92   | \$2,201.18     |
| 12               | \$6,282.23   | \$4,083.45   | \$2,198.78     |
| 13               | \$6,072.90   | \$3,947.38   | \$2,125.52     |
| 14               | \$6,267.06   | \$4,073.59   | \$2,193.47     |
| 15               | \$6,058.12   | \$3,937.78   | \$2,120.34     |
| 16               | \$6,251.69   | \$4,063.60   | \$2,188.09     |
| 17               | \$6,244.58   | \$4,058.98   | \$2,185.60     |
| 18               | \$5,633.81   | \$3,661.98   | \$1,971.83     |
| 19               | \$6,226.33   | \$4,047.11   | \$2,179.22     |
| 20               | \$6,018.44   | \$3,911.99   | \$2,106.45     |
| 21               | \$6,210.44   | \$4,036.79   | \$2,173.65     |
| 22               | \$6,002.97   | \$3,901.93   | \$2,101.04     |
| 23               | \$6,194.35   | \$4,026.33   | \$2,168.02     |
| 24               | \$6,186.87   | \$4,021.47   | \$2,165.40     |
| 25               | \$5,980.01   | \$3,887.01   | \$2,093.00     |
| 26               | \$6,170.48   | \$4,010.81   | \$2,159.67     |
| 27               | \$5,964.05   | \$3,876.63   | \$2,087.42     |
| 28               | \$6,153.88   | \$4,000.02   | \$2,153.86     |
| 29               | \$6,146.14   | \$3,994.99   | \$2,151.15     |
| 30               | \$5,544.31   | \$3,603.80   | \$1,940.51     |
| 31               | \$6,126.67   | \$3,982.34   | \$2,144.33     |
| 32               | \$5,921.38   | \$3,848.90   | \$2,072.48     |
| 33               | \$6,109.51   | \$3,971.18   | \$2,138.33     |
| 34               | \$5,904.66   | \$3,838.03   | \$2,066.63     |
| 35               | \$6,092.13   | \$3,959.88   | \$2,132.25     |
| 36               | \$6,083.99   | \$3,954.59   | \$2,129.40     |
|                  | \$220,017.21 | \$143,011.19 | \$77,006.02    |



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 28, 2024  
**SUBMITTING DEPARTMENT:** Planning  
**DEPARTMENT DIRECTOR:** Andrew Stromme  
**PRESENTER:** Andrew Stromme, City Planner  
**SUBJECT:** Consider scheduling a public hearing to vacate 5th Ave SE adjacent to Lots 7, 8, 10, 11, & 12 in Helblings 2nd Addition

---

#### **STATEMENT/PURPOSE:**

To consider the vacation of 5th Ave SE adjacent to Lots 7, 8, 10, 11, & 12 in Helblings 2nd Addition

#### **BACKGROUND/ALTERNATIVES:**

L&H Manufacturing, Inc. & Helbling Land Company has requested the vacation of 5th Ave SE. The request would vacate the right-of-way and include this piece of property in a minor plat to be named Helblings 7th Addition.

The plat will combine lots and include the vacated 5th Ave SE.

To proceed with the right-of-way vacation process, the item must be publicly noticed for four consecutive weeks. Consequently, the matter may come up for final consideration by the City Commission during its meeting on October 15.

#### **ATTACHMENTS:**

1. Application
2. Vacation Exhibit

#### **FISCAL IMPACT:**

N/a

#### **STAFF IMPACT:**

Staff will dedicate time to reviewing the request and make a formal recommendation following the review.

**LEGAL REVIEW:**

The City Attorney has reviewed this as part of the agenda packet.

**RECOMMENDATION:**

Staff recommends scheduling a public hearing for October 15, 2024 to consider this request.

**SUGGESTED MOTION:**

I move to schedule a public hearing to consider the requested vacation at the October 15 meeting of the City Commission.

| CITY OF MANDAN                                                                                                          |                                                                                     |  |
|-------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--|
| Development Review Application                                                                                          |                                                                                     |  |
| <input type="checkbox"/> Minor Plat (\$300)                                                                             | <input type="checkbox"/> Zone Change (\$600)                                        |  |
| <input type="checkbox"/> Preliminary Plat up to 20 acres (\$400)                                                        | <input type="checkbox"/> Planned Unit Development (\$700)                           |  |
| <input type="checkbox"/> Preliminary Plat more than 20 acres (\$450)                                                    | <input type="checkbox"/> Land Use and Transportation Plan Amendment (\$1,000)       |  |
| <input type="checkbox"/> Final Plat up to 20 lots (\$400)                                                               | <input checked="" type="checkbox"/> Vacation (\$500)                                |  |
| <input type="checkbox"/> Final Plat 21 to 40 lots (\$550)                                                               | <input type="checkbox"/> Variance (\$400)                                           |  |
| <input type="checkbox"/> Final Plat more than 40 lots (\$700)                                                           | <input type="checkbox"/> Special Use Permit (\$450)                                 |  |
| <input type="checkbox"/> Annexation (\$450)                                                                             | <input type="checkbox"/> Stormwater submittal (\$300)                               |  |
| <input type="checkbox"/> Masterplanned Subdivision (not accepted without preliminary plat) (\$250)                      | <input type="checkbox"/> Stormwater 2 <sup>nd</sup> & subsequent resubmittal (\$50) |  |
| <input type="checkbox"/> Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250) |                                                                                     |  |
| Summary of Request (Add separate sheet(s) as necessary)                                                                 |                                                                                     |  |
| <p style="font-size: 1.2em; margin-top: 0;">Vacate 5th Avenue SE in Helbling's 2nd Addition</p>                         |                                                                                     |  |

| Engineer/Surveyor                                                                                                                                     |                    |                     | Property Owner or Applicant                                              |                    |                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------|--------------------------------------------------------------------------|--------------------|---------------------|
| Name<br><b>Mark R. Isaacs, RLS - ILSE, Inc.</b>                                                                                                       |                    |                     | Name<br><b>L &amp; H Manufacturing, Inc. &amp; Helbling Land Company</b> |                    |                     |
| Address<br><b>4215 Old Red Trail NW</b>                                                                                                               |                    |                     | Address<br><b>410 6th Street SE</b>                                      |                    |                     |
| City<br><b>Mandan</b>                                                                                                                                 | State<br><b>ND</b> | Zip<br><b>58554</b> | City<br><b>Mandan</b>                                                    | State<br><b>ND</b> | Zip<br><b>58554</b> |
| email<br><b>mark@ilsurveynd.com</b>                                                                                                                   |                    |                     | email<br><b>corralrv@midco.net</b>                                       |                    |                     |
| Phone<br><b>701-595-2079</b>                                                                                                                          |                    | Fax                 | Phone<br><b>701-663-9538</b>                                             |                    | 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. |                    |                     |                                                                          |                    |                     |

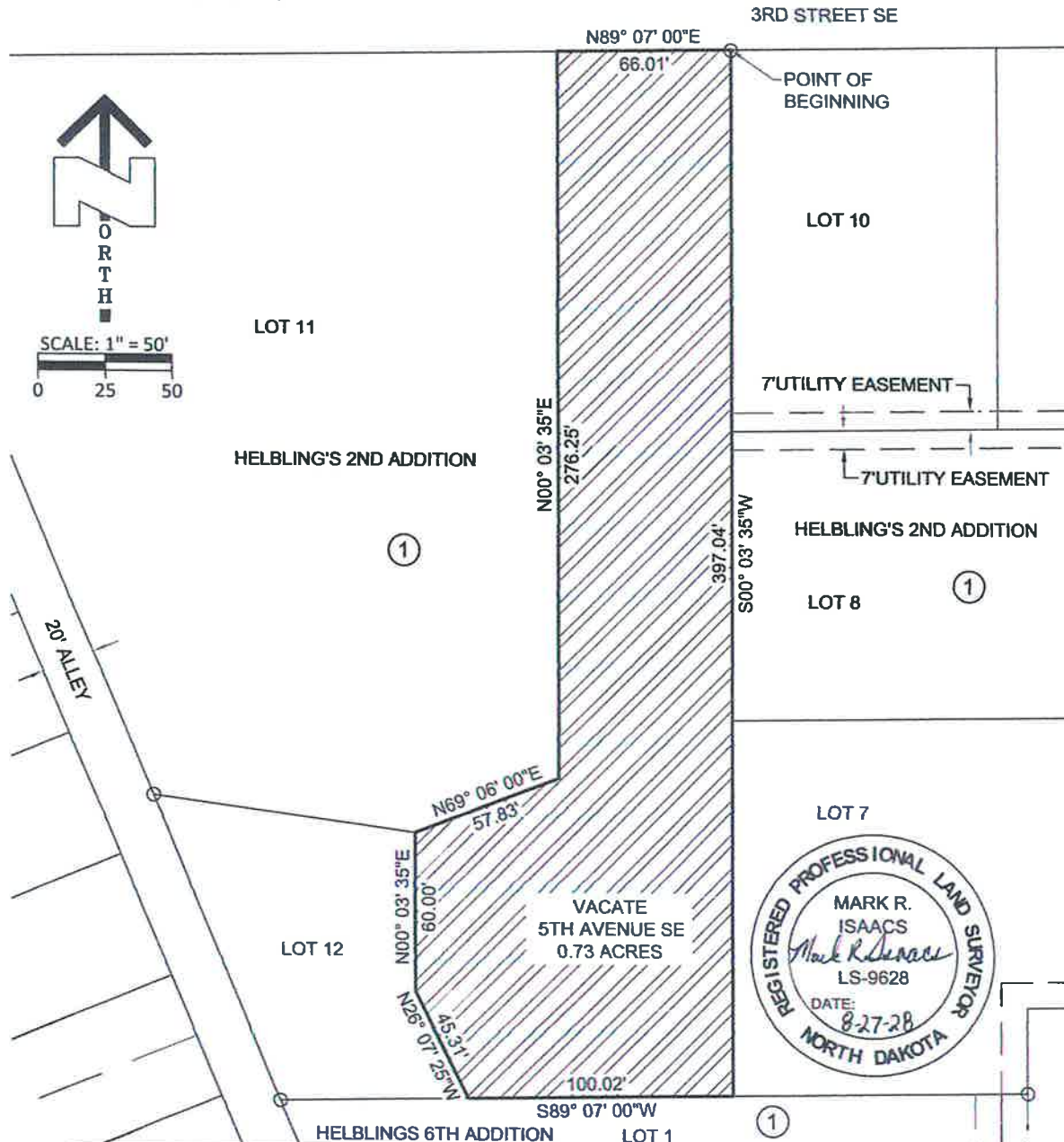
| Location                                              |                              | Type                         |                                              | Existing Zone                                                                                 | Proposed Zone | Project Name           |
|-------------------------------------------------------|------------------------------|------------------------------|----------------------------------------------|-----------------------------------------------------------------------------------------------|---------------|------------------------|
| <input checked="" type="checkbox"/> City              | <input type="checkbox"/> ETA | <input type="checkbox"/> New | <input checked="" type="checkbox"/> Addition | MA & MB                                                                                       |               | Helblings 7th Addition |
| Property Address<br><b>612 3rd St. SE, Mandan, ND</b> |                              |                              |                                              | Legal Description<br><b>Lots 7, 8, 9, 10, 11, &amp; 12, Block 1 in Helblings 2nd Addition</b> |               |                        |
| Current Use<br><b>Commercial</b>                      |                              |                              |                                              | in the Northeast Quarter                                                                      |               |                        |
| Proposed Use<br><b>Commercial</b>                     |                              |                              |                                              |                                                                                               |               |                        |
| Parcel Size<br><b>0.73 Acres</b>                      | Building Footprint           | Stories                      | Building SF                                  | Section 34                                                                                    | Township 139  | Range 81               |
|                                                       |                              |                              |                                              | Required Parking                                                                              |               | Provided Parking       |

|                                                                           |                           |                          |                       |                        |
|---------------------------------------------------------------------------|---------------------------|--------------------------|-----------------------|------------------------|
| Print Name<br><b>Tim Helbling, Managing Partner for Helbling Land Co.</b> |                           | Signature<br>            |                       | Date<br><b>8-28-24</b> |
| <b>DONALD W. HELBLING, PRESIDENT - L &amp; H MANUFACTURING, INC.</b>      |                           |                          |                       |                        |
| Office Use Only                                                           |                           |                          |                       |                        |
| Date Received:                                                            | Initials: <b>nm</b>       | Fees Paid: <b>\$ 500</b> | Date <b>8/28/2024</b> |                        |
| Notice in paper                                                           | Mailed to neighbors       | P&Z meeting              |                       |                        |
| <input type="checkbox"/> Approved                                         | Approved with conditions: |                          |                       |                        |
| <input type="checkbox"/> Denied                                           |                           |                          |                       |                        |

## RIGHT OF WAY VACATION DESCRIPTION

A TRACT OF LAND BEING ADJACENT TO LOTS 7, 8, 10, 11, & 12 IN HELBLING'S 2ND ADDITION IN SECTION 34, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 10, BLOCK 1 IN HELBLING'S 2ND ADDITION; THENCE SOUTH 00° 03' 35" WEST A DISTANCE OF 397.04 FEET TO THE SOUTHWEST CORNER OF LOT 7, BLOCK 1 IN HELBLING'S 2ND ADDITION; THENCE SOUTH 89° 07' 00" WEST A DISTANCE OF 100.02 FEET TO THE SOUTHEAST CORNER OF LOT 12, BLOCK 1 IN HELBLING'S 2ND ADDITION; THENCE NORTH 26° 07' 25" WEST A DISTANCE OF 45.31 FEET; THENCE NORTH 00° 03' 35" EAST A DISTANCE OF 60.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE NORTH 69° 06' 00" EAST A DISTANCE OF 57.83 FEET TO THE SOUTHEAST CORNER OF LOT 11, BLOCK 1 IN HELBLING'S 2ND ADDITION; THENCE NORTH 00° 03' 35" EAST ON THE EAST LINE OF SAID LOT 11 A DISTANCE OF 276.25 FEET TO THE SOUTH RIGHT OF WAY LINE OF 3RD STREET; THENCE NORTH 89° 07' 00" EAST ON SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 66.01 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 0.73 ACRES, MORE OR LESS.



|                                          |                    |                                                                                                                                                                                                                                                               |                                                                                   |
|------------------------------------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| SHEET: 1 OF 1                            | JOB NUMBER: 24019  | <b>5TH AVENUE SE VACATION</b><br><b>HELBLING'S 2ND ADDITION</b><br><b>LOTS 7,8,10,11,12; BLOCK 1</b><br><b>SEC. 34, T139N, R81W</b><br><br><b>4215 Old Red Trail NW</b><br><b>Mandan, ND 58554</b><br><b>Cell: 701-595-2079</b><br><b>mark@ilsurveynd.com</b> | <b>Independent</b><br><b>Land</b><br><b>Surveying &amp;</b><br><b>Engineering</b> |
| SCALE: 1"= 50'                           | DWG REVISION DATES |                                                                                                                                                                                                                                                               |                                                                                   |
| DRAWN BY: MRI                            | — —                |                                                                                                                                                                                                                                                               |                                                                                   |
| DWG DATE: 8/27/24                        | — —                |                                                                                                                                                                                                                                                               |                                                                                   |
| DWG NAME: 24019 ROW Vacation 5th Ave.dwg |                    |                                                                                                                                                                                                                                                               |                                                                                   |



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 30, 2024  
**SUBMITTING DEPARTMENT:** Administration  
**DEPARTMENT DIRECTOR:** Jim Neubauer  
**PRESENTER:** Jim Neubauer, City Administrator  
**SUBJECT:** Class A liquor license transfer, Vicky's Sports Bar to a new owner, Pauline Rader

---

#### **STATEMENT/PURPOSE:**

To consider a Class A liquor license transfer, Vicky's Sports Bar to a new owner, Pauline Rader.

#### **BACKGROUND/ALTERNATIVES:**

Vicky's Sports Bar is being sold to Pauline Rader, new owner. This would qualify for the one-time transfer. Ms. Rader has been informed that in accordance with the Mandan Code of Ordinances, no further transfers are allowable. Any future owner would be subject to the new license issuance fee.

The application has been routed through: Finance, Mandan Police Department, Building Inspection, Fire Department and Western Plains Health, with no issues found.

#### **ATTACHMENTS:**

None

#### **FISCAL IMPACT:**

Application fee \$250  
Annual license fee prorated Oct. 2024 - July 2025.

#### **STAFF IMPACT:**

n/a

#### **LEGAL REVIEW:**

n/a

City Commission

Agenda Documentation

September 3, 2024

Subject: Consider Class A Liquor License transfer (Vicky's Sports Bar) to new owner Pauline Rader effective October 1, 2024

Page 2 of 2

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**RECOMMENDATION:**

I recommend approval of the transfer of the Class A Liquor License for Vicky's Sports Bar to Pauline Rader, effective Oct. 1. 2024.

**SUGGESTED MOTION:**

I move to approve the transfer of the Class A Liquor License for Vicky's Sports Bar to Pauline Rader effective Oct. 1, 2024.



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** September 3, 2024  
**SUBMITTING DEPARTMENT:** Engineering Department  
**DEPARTMENT DIRECTOR:** Jarek Wigness  
**PRESENTER:** Jarek Wigness, City Engineer  
Riley McAdoo-Roesler, Assistant City Engineer  
**SUBJECT:** Consider authorizing city staff to begin negotiations with Moore Engineering for the Cemetery Geotechnical Evaluation Project

---

#### **STATEMENT/PURPOSE:**

To consider allowing city staff to begin negotiations with Moore engineering to enter into a service agreement for the Cemetery Geotechnical Evaluation Project.

#### **BACKGROUND/ALTERNATIVES:**

On July 19th, city staff advertised a request for proposals (RFP) for the Cemetery Geotechnical Evaluation Project. The scope of the RFP was to provide geotechnical and funding support to the City. Three proposals were received and ranked by a selection committee, which had representation from the Public Works, Finance, and Engineering departments. The selection committee proceeded to interview all three consultants who submitted proposals. The City selection committee ranked Moore Engineering, who teamed up with Barr Engineering, as the most qualified consultant to complete the work outlined in the RFP. The next step in this process would be to negotiate an engineering service agreement with Moore Engineering.

#### **ATTACHMENTS:**

None

#### **FISCAL IMPACT:**

There are no costs directly associated with this agenda item.

#### **STAFF IMPACT:**

Minimal

**LEGAL REVIEW:**

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

**RECOMMENDATION:**

To authorize City staff to begin negotiations with Moore Engineering for this project

**SUGGESTED MOTION:**

I move to authorize City staff to negotiate with Moore Engineering for engineering services related to the Cemetery Geotechnical Evaluation Project.



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 22, 2024  
**SUBMITTING DEPARTMENT:** Human Resources  
**DEPARTMENT DIRECTOR:** Amy Berger  
**PRESENTER:** Amy Berger, HR Director  
**SUBJECT:** Consider the 2025 health insurance plan design change recommendation

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#### **STATEMENT/PURPOSE:**

To consider the 2025 health insurance plan design change recommendations.

#### **BACKGROUND/ALTERNATIVES:**

The City of Mandan is part of North Dakota Public Health Insurance Trust (NDPHIT), a self-insured trust made up of 92+ groups of various school districts and municipalities across the state of ND. Over the years a pattern of high-cost increases resulting in higher than projected budgeted numbers have impacted the city and its employees. In 2024, renewals went up 16.77% and in 2023 we saw a 12.86% increase.

In September 2023, the commission approved the recommendation of absorbing the 2024 increase while recognizing that these increases are not sustainable for the City long term. Directive was given from the commission to create a Health Insurance Committee to proactively prepare for the 2025 renewal to mitigate high-cost renewals from occurring each year.

The Health Insurance Committee was established in October of 2023 and made up of 10 members in various departments representing the city employees. Since this time the committee has met eight times. During these meetings presentations from NDPHIT's consultants (Brown and Brown) were given on strategies to restructure the plan design of the current health plan to help lower our claim costs which will drive annual increase renewals down.

The committee reviewed many plan design options such as high deductible plans, higher out of pocket maximum amounts, adjustments to premiums and co pays, employee contribution strategies and more. For six of the eight meetings the committee had been reviewing these changes based on the 2024 renewal rates knowing that these were only estimates until the 2025 renewal came out.

**Current Status:**

Renewal rates came out for 2025 at a much lower rate than anticipated, at 5.87% if no changes to the plan were made. The reason behind these lower rates were due to the trust as a whole performing better with many groups making the recommended plan changes to drive claim costs down. The City of Mandan itself has not seen any changes in claim costs or utilization and has stayed “flat” meaning we have similar plan costs to the previous year and have not trended down.

**Recommendation:**

The committee has met two times since the renewal rates for 2025 have been presented. Even with lower renewal rates than anticipated, the committee still believes a plan design change needs to occur to be proactive in initiating changes to work towards sustainable renewal increases for years to come.

The recommended plan outlined, represents the plan design changes recommended by the committee compared to the current plan design with no changes made.

The recommendation was made by the committee to increase out of pocket maximums and lower copays and deductibles. This was determined to be the best overall decision when reviewing the options available to mitigate high costs from occurring each year as well as avoiding adding any premium costs to employee plans or changes to the 5 year vesting schedule for family plans.

GAP plan options, also included in the attachment, will also be offered at a voluntary yearly renewal for those looking for a benefit to offset out of pocket maximums.

**Deductible decreasing:**

- Current: \$500 (single) and 1,500 (family)
- New: \$250 (single) and \$500 (Family)

**Copays decreasing:**

- Current: \$30 copay (Office Visit) \$60 copay (ER visit)
- New: \$25 copay (Office Visits) No copay (ER visits)

**RX deductible removed:**

- Current: \$1200 (per person coinsurance) and 3,000 (per family coinsurance)
- New: Combined with medical

**Out-of-pocket maximum (OOPM) increasing:**

- Current: \$1,500 (single) and \$3,500 (Family)
- New: \$5,500 (Single) and \$11,000 (Family)

**Voluntary Gap plan options available to elect:**

- These plans will cover certain out-of-pocket expenses such as deductibles, some co-pays, and co-insurance that are incurred in inpatient and select outpatient settings. There is no waiting period, no evidence of insurability is required-it's guaranteed coverage.
- These changes will support lower cost to services of care, help keep rates affordable for employees paying for family health insurance, and provide GAP options to those looking for additional benefits in support of out of pocket maximum payments.

**ATTACHMENTS:**

1. 2025 City of Mandan Renewal-Medical-Gap
2. City of Mandan 2025 Health Insurance update

**FISCAL IMPACT:**

The 2025 preliminary budget accounted for a 10% increase to the health insurance premiums.

With the recommended plan design changes:

The 2025 premium increase will be 2.64%. The preliminary budget would be adjusted by 7.36% or \$222,221 in savings for 2025.

By making no changes to the plan design:

The 2025 premium increase will be 5.87%. The preliminary budget would be adjusted by 4.13% or \$124,697 in savings for 2025.

**STAFF IMPACT:**

Changes to the plan design will be unique to each member. ALL members will benefit from lower copays and lower deductibles. Some members will be affected by the increase in out of pocket maximums. Education, support, and communication will be crucial in rolling out this change during open enrollment to support all staff.

**LEGAL REVIEW:**

**RECOMMENDATION:**

To approve the recommended plan design changes as presented.

**SUGGESTED MOTION:**

I move to approve that the recommended plan changes be made to the health insurance plan for the 2025 plan year.

# City of Mandan

## Medical Plan Design Options

|                                                                                       | 2024 Current                                                                                                                                                                                                                                                                                                                                                                          |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | 2025 Renewal as-is                                                                                                                                                                                                                                                                                                                                                                    |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | Custom Plan                                                                                                                                                                                                                                                                                                                                                                           |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Medical Benefits                                                                      | BCBSND NDPHIT BlueAccess 80-500                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | BCBSND NDPHIT BlueAccess 80-500                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | Proposed Option 4                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |
| Plan Name                                                                             | PPO                                                                                                                                                                                                                                                                                                                                                                                   |  | Basic                                                                                                                                                                                                                                                                                                                                                                                 |  | PPO                                                                                                                                                                                                                                                                                                                                                                                   |  | Basic                                                                                                                                                                                                                                                                                                                                                                                 |  | NDPHIT Custom                                                                                                                                                                                                                                                                                                                                                                         |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |
|                                                                                       | In-Network                                                                                                                                                                                                                                                                                                                                                                            |  | Basic                                                                                                                                                                                                                                                                                                                                                                                 |  | In-Network                                                                                                                                                                                                                                                                                                                                                                            |  | Basic                                                                                                                                                                                                                                                                                                                                                                                 |  | In-Network                                                                                                                                                                                                                                                                                                                                                                            |  | Basic                                                                                                                                                                                                                                                                                                                                                                                 |  |
| Deductible:<br>(Single / Single+Child / Single+Children / Two-person / Family)        | \$500 / \$1,500 / \$1,500 / \$1,500 / \$1,500                                                                                                                                                                                                                                                                                                                                         |  | \$500 / \$1,500 / \$1,500 / \$1,500 / \$1,500                                                                                                                                                                                                                                                                                                                                         |  | \$500 / \$1,500 / \$1,500 / \$1,500 / \$1,500                                                                                                                                                                                                                                                                                                                                         |  | \$500 / \$1,500 / \$1,500 / \$1,500 / \$1,500                                                                                                                                                                                                                                                                                                                                         |  | \$250 / \$500 / \$500 / \$500 / \$500                                                                                                                                                                                                                                                                                                                                                 |  | \$250 / \$500 / \$500 / \$500 / \$500                                                                                                                                                                                                                                                                                                                                                 |  |
| Out-of-Pocket Max:<br>(Single / Single+Child / Single+Children / Two-person / Family) | \$1,500 / \$3,500 / \$3,500 / \$3,500 / \$3,500                                                                                                                                                                                                                                                                                                                                       |  | \$2,000 / \$4,500 / \$4,500 / \$4,500 / \$4,500                                                                                                                                                                                                                                                                                                                                       |  | \$1,500 / \$3,500 / \$3,500 / \$3,500 / \$3,500                                                                                                                                                                                                                                                                                                                                       |  | \$2,000 / \$4,500 / \$4,500 / \$4,500 / \$4,500                                                                                                                                                                                                                                                                                                                                       |  | \$5,500 / \$11,000 / \$11,000 / \$11,000 / \$11,000                                                                                                                                                                                                                                                                                                                                   |  | \$6,000 / \$12,000 /\$12,000 / \$12,000 / \$12,000                                                                                                                                                                                                                                                                                                                                    |  |
| Preventive Services                                                                   | No Charge                                                                                                                                                                                                                                                                                                                                                                             |  | No Charge                                                                                                                                                                                                                                                                                                                                                                             |  | No Charge                                                                                                                                                                                                                                                                                                                                                                             |  | No Charge                                                                                                                                                                                                                                                                                                                                                                             |  | No Charge                                                                                                                                                                                                                                                                                                                                                                             |  | No Charge                                                                                                                                                                                                                                                                                                                                                                             |  |
| Office Visits - Primary Care                                                          | \$30 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$35 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$30 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$35 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$25 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$30 copay                                                                                                                                                                                                                                                                                                                                                                            |  |
| Office Visits - Specialist                                                            | \$30 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$35 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$30 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$35 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$25 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$30 copay                                                                                                                                                                                                                                                                                                                                                                            |  |
| Chiropractic Visit                                                                    | Yes, Benefit not Specified                                                                                                                                                                                                                                                                                                                                                            |  | Yes, Benefit not Specified                                                                                                                                                                                                                                                                                                                                                            |  | Yes, Benefit not Specified                                                                                                                                                                                                                                                                                                                                                            |  | Yes, Benefit not Specified                                                                                                                                                                                                                                                                                                                                                            |  | Yes, Benefit not Specified                                                                                                                                                                                                                                                                                                                                                            |  | Yes, Benefit not Specified                                                                                                                                                                                                                                                                                                                                                            |  |
| Emergency Room                                                                        | \$60 copay and 20% coinsurance                                                                                                                                                                                                                                                                                                                                                        |  | \$60 copay and 20% coinsurance                                                                                                                                                                                                                                                                                                                                                        |  | \$60 copay and 20% coinsurance                                                                                                                                                                                                                                                                                                                                                        |  | \$60 copay and 20% coinsurance                                                                                                                                                                                                                                                                                                                                                        |  | 20% coinsurance after deductible (AD)                                                                                                                                                                                                                                                                                                                                                 |  | 25% coinsurance after deductible (AD)                                                                                                                                                                                                                                                                                                                                                 |  |
| Urgent Care                                                                           | \$30 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$35 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$30 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$35 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$30 copay                                                                                                                                                                                                                                                                                                                                                                            |  | \$35 copay                                                                                                                                                                                                                                                                                                                                                                            |  |
| In-Patient Hospital                                                                   | 20% coinsurance after deductible (AD)                                                                                                                                                                                                                                                                                                                                                 |  | 25% coinsurance after deductible (AD)                                                                                                                                                                                                                                                                                                                                                 |  | 20% coinsurance after deductible (AD)                                                                                                                                                                                                                                                                                                                                                 |  | 25% coinsurance after deductible (AD)                                                                                                                                                                                                                                                                                                                                                 |  | 20% coinsurance after deductible (AD)                                                                                                                                                                                                                                                                                                                                                 |  | 25% coinsurance after deductible (AD)                                                                                                                                                                                                                                                                                                                                                 |  |
| Out-Patient Hospital                                                                  | 20% coinsurance AD                                                                                                                                                                                                                                                                                                                                                                    |  | 25% coinsurance AD                                                                                                                                                                                                                                                                                                                                                                    |  | 20% coinsurance AD                                                                                                                                                                                                                                                                                                                                                                    |  | 25% coinsurance AD                                                                                                                                                                                                                                                                                                                                                                    |  | 20% coinsurance AD                                                                                                                                                                                                                                                                                                                                                                    |  | 25% coinsurance AD                                                                                                                                                                                                                                                                                                                                                                    |  |
| Rx Deductible                                                                         | \$1,200 per person coinsurance/\$3,000 per family coinsurance                                                                                                                                                                                                                                                                                                                         |  | \$1,200 per person coinsurance/\$3,000 per family coinsurance                                                                                                                                                                                                                                                                                                                         |  | \$1,200 per person coinsurance/\$3,000 per family coinsurance                                                                                                                                                                                                                                                                                                                         |  | \$1,200 per person coinsurance/\$3,000 per family coinsurance                                                                                                                                                                                                                                                                                                                         |  | Combined with Medical                                                                                                                                                                                                                                                                                                                                                                 |  | Combined with Medical                                                                                                                                                                                                                                                                                                                                                                 |  |
| Prescription Drugs                                                                    | Deductible does not apply<br>Generic Formulary - \$7.50 copay and 12% coinsurance<br>Brand Name Formulary - \$25 copay and 25% coinsurance<br>Nonformulary - \$30 copay and 50% sanction<br>Specialty Generic Formulary - \$7.50 copay and 12% coinsurance<br>Specialty Brand Name Formulary - \$25 copay and 25% coinsurance<br>Specialty Nonformulary - \$30 copay and 50% sanction |  | Deductible does not apply<br>Generic Formulary - \$7.50 copay and 12% coinsurance<br>Brand Name Formulary - \$25 copay and 25% coinsurance<br>Nonformulary - \$30 copay and 50% sanction<br>Specialty Generic Formulary - \$7.50 copay and 12% coinsurance<br>Specialty Brand Name Formulary - \$25 copay and 25% coinsurance<br>Specialty Nonformulary - \$30 copay and 50% sanction |  | Deductible does not apply<br>Generic Formulary - \$7.50 copay and 12% coinsurance<br>Brand Name Formulary - \$25 copay and 25% coinsurance<br>Nonformulary - \$30 copay and 50% sanction<br>Specialty Generic Formulary - \$7.50 copay and 12% coinsurance<br>Specialty Brand Name Formulary - \$25 copay and 25% coinsurance<br>Specialty Nonformulary - \$30 copay and 50% sanction |  | Deductible does not apply<br>Generic Formulary - \$7.50 copay and 12% coinsurance<br>Brand Name Formulary - \$25 copay and 25% coinsurance<br>Nonformulary - \$30 copay and 50% sanction<br>Specialty Generic Formulary - \$7.50 copay and 12% coinsurance<br>Specialty Brand Name Formulary - \$25 copay and 25% coinsurance<br>Specialty Nonformulary - \$30 copay and 50% sanction |  | Deductible does not apply<br>Generic Formulary - \$7.50 copay and 12% coinsurance<br>Brand Name Formulary - \$25 copay and 25% coinsurance<br>Nonformulary - \$30 copay and 50% sanction<br>Specialty Generic Formulary - \$7.50 copay and 12% coinsurance<br>Specialty Brand Name Formulary - \$25 copay and 25% coinsurance<br>Specialty Nonformulary - \$30 copay and 50% sanction |  | Deductible does not apply<br>Generic Formulary - \$7.50 copay and 12% coinsurance<br>Brand Name Formulary - \$25 copay and 25% coinsurance<br>Nonformulary - \$30 copay and 50% sanction<br>Specialty Generic Formulary - \$7.50 copay and 12% coinsurance<br>Specialty Brand Name Formulary - \$25 copay and 25% coinsurance<br>Specialty Nonformulary - \$30 copay and 50% sanction |  |
| Wellness Participation (Y/N)                                                          | Yes                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | Yes                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | Yes                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |
|                                                                                       | Enrollment as of: 7/16/2024                                                                                                                                                                                                                                                                                                                                                           |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |
| Tiers                                                                                 | Enrollment                                                                                                                                                                                                                                                                                                                                                                            |  | Wellness Rates                                                                                                                                                                                                                                                                                                                                                                        |  | Enrollment                                                                                                                                                                                                                                                                                                                                                                            |  | Wellness Rates                                                                                                                                                                                                                                                                                                                                                                        |  | Enrollment                                                                                                                                                                                                                                                                                                                                                                            |  | Wellness Rates                                                                                                                                                                                                                                                                                                                                                                        |  |
| Employee Only                                                                         | 53                                                                                                                                                                                                                                                                                                                                                                                    |  | \$1,126.77                                                                                                                                                                                                                                                                                                                                                                            |  | 53                                                                                                                                                                                                                                                                                                                                                                                    |  | \$1,192.91                                                                                                                                                                                                                                                                                                                                                                            |  | 53                                                                                                                                                                                                                                                                                                                                                                                    |  | \$1,156.57                                                                                                                                                                                                                                                                                                                                                                            |  |
| Employee + Spouse                                                                     | 17                                                                                                                                                                                                                                                                                                                                                                                    |  | \$2,073.26                                                                                                                                                                                                                                                                                                                                                                            |  | 17                                                                                                                                                                                                                                                                                                                                                                                    |  | \$2,194.96                                                                                                                                                                                                                                                                                                                                                                            |  | 17                                                                                                                                                                                                                                                                                                                                                                                    |  | \$2,128.09                                                                                                                                                                                                                                                                                                                                                                            |  |
| Employee + Child(ren)                                                                 | 11                                                                                                                                                                                                                                                                                                                                                                                    |  | \$1,900.97                                                                                                                                                                                                                                                                                                                                                                            |  | 11                                                                                                                                                                                                                                                                                                                                                                                    |  | \$2,012.56                                                                                                                                                                                                                                                                                                                                                                            |  | 11                                                                                                                                                                                                                                                                                                                                                                                    |  | \$1,951.24                                                                                                                                                                                                                                                                                                                                                                            |  |
| Employee + Family                                                                     | 56                                                                                                                                                                                                                                                                                                                                                                                    |  | \$2,284.65                                                                                                                                                                                                                                                                                                                                                                            |  | 56                                                                                                                                                                                                                                                                                                                                                                                    |  | \$2,418.76                                                                                                                                                                                                                                                                                                                                                                            |  | 56                                                                                                                                                                                                                                                                                                                                                                                    |  | \$2,345.07                                                                                                                                                                                                                                                                                                                                                                            |  |
| Δ % From Current                                                                      |                                                                                                                                                                                                                                                                                                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | 5.87%                                                                                                                                                                                                                                                                                                                                                                                 |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | 2.64%                                                                                                                                                                                                                                                                                                                                                                                 |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |
| Actuarial Value                                                                       | 89.90%                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | 89.83%                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                                                                                                                                                                                                                                                                       |  | 86.54%                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                                                                                                                                                                                                                                                                                                                       |  |

# City of Mandan

## GAP Plan

| Plan Name                             | PPO Base     | PPO Buy-Up   | HDHP Base    | HDHP Buy Up  |
|---------------------------------------|--------------|--------------|--------------|--------------|
|                                       | Renewal      | Renewal      | Renewal      | Renewal      |
| Carrier                               | TransAmerica | TransAmerica | TransAmerica | TransAmerica |
| Plan Benefits*                        |              |              |              |              |
| Deductible - Individual               | \$0          | \$0          | \$1,600      | \$1,600      |
| Deductible - Family                   | \$0          | \$0          | \$4,800      | \$4,800      |
| In-Patient Maximum - Individual       | \$1,500      | \$5,000      | \$1,500      | \$5,000      |
| In-Patient Maximum - Family           | \$4,500      | \$15,000     | \$4,500      | \$15,000     |
| Out-Patient Maximum - Individual      | \$1,500      | \$2,500      | \$1,500      | \$2,500      |
| Out-Patient Maximum - Family          | \$4,500      | \$7,500      | \$4,500      | \$7,500      |
| Out-Patient Ambulance Max - Ind       | \$2,500      | \$2,500      | \$2,500      | \$2,500      |
| Out-Patient Ambulance Max - Family    | \$7,500      | \$7,500      | \$7,500      | \$7,500      |
| Accident Indemnity Rider - Individual | N/A          | N/A          | \$1,000      | \$1,000      |
| Accident Indemnity Rider - Family     | N/A          | N/A          | \$3,000      | \$3,000      |
| Rates                                 | Premium      | Premium      | Premium      | Premium      |
| Employee Only                         | \$31.60      | \$71.88      | \$11.95      | \$30.66      |
| Employee + Spouse                     | \$66.77      | \$154.70     | \$21.79      | \$64.31      |
| Employee + Children                   | \$60.38      | \$131.84     | \$20.53      | \$56.12      |
| Employee + Family                     | \$100.57     | \$227.44     | \$31.90      | \$94.70      |
| Rate Guarantee                        | 12/31/2025   | 12/31/2025   | 12/31/2025   | 12/31/2025   |



## Human Resources

### City of Mandan 2025 Health Insurance update:

There will be changes made to the 2025 health insurance plan! Below is an overview of these changes along with a FAQ sheet to help clarify any common questions.

Be on the lookout in the weeks to come for further communication on upcoming dates, education sessions, and information on open enrollment, for the 2025 plan year.

### COMPONENTS OF A HEALTH INSURANCE PLAN:

|                                                                                                                                                                                    |                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Deductible:</b> the amount you will have to pay for covered health care services before your insurance plan starts to pay.                                                      | <b>Coinsurance:</b> the percentage of the bill you pay after you meet your deductible. Our plan is an 80/20 plan meaning that insurance pays 80% of covered services and you'll be responsible for 20%, until you meet the out-of-pocket maximum.                           |
| <b>Copay:</b> a set fee you pay for a doctor visit or prescription. Copays do not count toward your deductible and only go away after you have reached your out-of-pocket maximum. | <b>Out-of-pocket maximum(OOPM):</b> is a cap, or limit, on the amount of money you have to pay for covered health care services in a plan year. If you meet that limit, your health plan will pay 100% of all covered health care costs for the remainder of the plan year. |
| <b>Premium:</b> is the monthly fee paid to a health insurance company to maintain coverage and receive healthcare services                                                         |                                                                                                                                                                                                                                                                             |

### What is new in 2025:

- **Deductible decreasing**
  - Current: \$500 (single) and 1,500 (family)
  - New: \$250 (single) and \$500 (Family)
- **Copays decreasing**
  - Current: \$30 copay (Office Visit) \$60 copay (ER visit)
  - New: \$25 copay (Office Visits) No copay (ER visits)
- **Prescription (Rx) deductible removed**
  - Current: \$1200 (per person coinsurance) and 3,000 (per family coinsurance)
  - New: Combined with medical
- **Out-of-pocket maximum (OOPM) increasing**
  - Current: \$1,500 (single) and \$3,500 (Family)
  - New: \$5,500 (Single) and \$11,000 (Family)
- **Voluntary Gap plan options available to elect**
  - [PPO Base](#) or [PPO Buy up](#) options
- **Active enrollment:**
  - For 2025, all members will be required to renew their medical plan enrollment and all voluntary options.

## FREQUENTLY ASKED QUESTIONS (FAQs)

### Why are plan design changes being made in 2025?

The City of Mandan has one of the highest loss rates in the ND Public Health Insurance Trust. This means we are also in one of the highest rate category. If no action is taken, unpredictable, double-digit increases are a continuing possibility. Other NDPHIT accounts that made similar plan changes saw a large reduction in loss rates and premiums. These changes were formed as a long term strategy to stabilize increases and provide more stability for employees and families in years to come. The current change results in a 2.64% increase for next policy year, and saves families paying for health insurance 2%.

These changes were designed to benefit everyone in the group by lowering copays and deductible amounts. There will also be an increase to the out of pocket maximum which will effect a small portion of group members. To help with the out of pocket expenses, we are able to offer voluntary GAP coverage to those interested.

### How were these changes determined?

In 2023, directive was given from the commission to create a Health Insurance Committee to proactively prepare for the 2025 renewal to mitigate high cost renewals from occurring each year. The Health Insurance Committee was established in October of 2023 and made up of 10 members in various departments representing the city employees. During these meetings, presentations from NDPHIT's consultants (Brown and Brown) were given on strategies to restructure the plan design of the current health plan to help lower our claim costs which will drive annual increase renewals down.

The committee reviewed many plan design options such as high deductible plans, higher out of pocket maximum amounts, adjustments to premiums and co pays, employee contribution strategies and more.

The recommendation will be made by the committee to increase out of pocket maximums and lower copays and deductibles. This was determined to be the best overall decision when reviewing the options available to mitigate high costs from occurring each year as well as avoiding adding any premium costs to employee plans or changes to the 5 year vesting schedule for family plans.

### How will these changes impact myself and my dependents?

Blue Cross Blue Shield will continue to be the vendor for Health Insurance so you will see no change with vendors.

Changes to the plan design will be unique to each member. ALL members will benefit from lower copays and lower deductibles. Some members will be affected by the increase in out of pocket maximums. **Statistically, only 3% of policy holders would meet that threshold.**

Voluntary Gap insurance plans will be offered and will cover certain out of pocket expenses such as deductibles, some co-pays, and co-insurance that are incurred in inpatient and select outpatient settings. There is no waiting period, no evidence of insurability is required-it's guaranteed coverage.

### What will my monthly premiums be?

The City will continue to cover 100% of a single employee plan premium. Employer Contribution for employee plus dependents, Employee plus spouse, & Family follow the 5-year vesting schedule identified in the chart below. Employer covers 100% of EPD, EPS, & Family Policy upon hire for sworn officers.

| Years of Employment                                                        | NDPHIT Single<br>Effective 1/1/2024 |            | NDPHIT EE+C<br>Effective 1/1/2024 |             | NDPHIT EE+SP<br>Effective 1/1/2024 |            | NDPHIT Family<br>Effective 1/1/2024 |            |
|----------------------------------------------------------------------------|-------------------------------------|------------|-----------------------------------|-------------|------------------------------------|------------|-------------------------------------|------------|
|                                                                            | Employee                            | Employer   | Employee                          | Employer    | Employee                           | Employer   | Employee                            | Employer   |
| 0 to less than 1 year<br>(Single Policy +50%)                              | \$ -                                | \$1,156.57 | \$ 485.76                         | \$ 1,642.33 | \$ 397.33                          | \$1,553.91 | \$ 594.07                           | \$1,751.00 |
| 1 to less than 2 years<br>(Single Policy + 60%)                            | \$ -                                | \$1,156.57 | \$ 388.61                         | \$ 1,739.48 | \$ 317.87                          | \$1,633.37 | \$ 475.40                           | \$1,869.67 |
| 2 to less than 3 years<br>(Single Policy + 70%)                            | \$ -                                | \$1,156.57 | \$ 291.46                         | \$ 1,836.63 | \$ 238.40                          | \$1,712.84 | \$ 356.55                           | \$1,988.52 |
| 3 to less than 4 years<br>(Single Policy + 80%)                            | \$ -                                | \$1,156.57 | \$ 194.30                         | \$ 1,933.79 | \$ 158.93                          | \$1,792.31 | \$ 237.70                           | \$2,107.37 |
| 4 to less than 5 years<br>(Single Policy + 90%)                            | \$ -                                | \$1,156.57 | \$ 97.15                          | \$ 2,030.94 | \$ 79.47                           | \$1,871.77 | \$ 118.85                           | \$2,226.22 |
| 5 years or more<br>(100% of Single,<br>EE+DEP, EE+SP, or<br>Family Policy) | \$ -                                | \$1,156.57 | \$ -                              | \$ 2,128.09 | \$ -                               | \$1,951.24 | \$ -                                | \$2,345.07 |

### How is an out of pocket maximum be calculated?

It is important to note that this is not a high deductible plan. The out of pocket max is the most you will pay per calendar year including your copay, coinsurance, and deductible. After you hit your deductible, your health insurance will pay 80% of all approved charges!

Single plan example: After you pay your \$250 deductible, you would pay 20% of your claim costs until you meet \$5,500, this would be the **most** you would pay per calendar year. This would mean you would have to accumulate \$26,250 in costs before you would hit that max out of pocket. For context, in 2023, only 3.39% of members would have exceeded the new OOPM of \$5,500.

Family plan example: After you pay your \$500 deductible, you would pay 20% of your claim costs until you meet \$11,000, this would be the **most** you would pay per calendar year. This would mean you would have to accumulate \$55,000 in costs before you would hit that max out of pocket.

### When is open enrollment?

Open enrollment dates are not yet determined. These dates will be announced as soon as available and communicated with all employees. Please watch for communication on these dates as well as upcoming informational sessions that will be offered to all employees to attend to help answer questions!

Remember this year will be an active enrollment so all employees are required to update or waive their elections for 2025 enrollment.



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 26, 2024  
**SUBMITTING DEPARTMENT:** Business Development & Communications  
**DEPARTMENT DIRECTOR:** Madison Cermak  
**PRESENTER:** Madison Cermak, Business Development & Communications Director  
**SUBJECT:** Consider a Storefront Improvement application for 1121 E Main St.

---

#### **STATEMENT/PURPOSE:**

To consider a Mandan Growth Fund (MGF) Committee recommendation for approval of a Storefront Improvement application for 1121 E Main St by Midwest Rentals, Inc.

#### **BACKGROUND/ALTERNATIVES:**

The MGF Committee met on May 30, 2024. Agenda items included consideration of an application for Storefront Improvement of 1121 E Main St. by Midwest Rentals, Inc.

The buildings at 1121 E Main St were constructed in 1960 with additions in 1987. Formerly, Mandan Equipment farm dealership until around 2008. The buildings on the lot have been largely vacant and underutilized for storage with little activity. Most recently used for winter pontoon storage for Moritz Sport & Marine. The land is currently owned by Burlington Northern Santa Fe (BNSF) Railway. The buildings are owned by Midwest Rentals Inc and on a land lease with BNSF.

Plans for remodeling the buildings include installing new metal siding on the west buildings (shop & main storefront) and the east building, leaving the canopy/carport structure as is. Proposed colors for the new siding are charcoal gray with black trim. Additionally, the main storefront will be built with a showroom, offices, service counter and restrooms. The rear building will have lift stations, fabrication bays, parts storage, equipment and break rooms. The east building will have a paint booth, paint bays, an office, a restroom and storage. Other work includes installing new roof panels, trim and gutters. Improving the buildings and site will allow for the re-use of the property for the relocation and expansion of Dakota Kustomz, which specializes in restoration and customization of hot rods, muscle cars and motorcycles. It will support small business growth and contribute to the vibrancy of Mandan's Main Street.

The exterior buildings and general site plans received approval from the Mandan Architectural Review Committee at its August 13, 2024, meeting.

The estimated cost of these improvements is \$271,008. The traditional match is \$30,000 for a building, but there is a provision in the Storefront Improvement program guidelines that allows for up to \$60,000 for larger or multi-story buildings. The applicant is applying for a \$90,000 match with \$60,000 for the west building and \$30,000 for the east building. Funds will not be disbursed until the project is complete and expenses verified by staff.

**ATTACHMENTS:**

1. Application Midwest Rentals Inc

**FISCAL IMPACT:**

The MGF's uncommitted balance for economic development projects as of July 31, 2024, was \$386,394.65 with a committed balance of \$316,394.65. If this application for \$90,000 in matching funds, to be structured as a forgivable loan, is approved, the balance will be reduced to \$226,394.65.

**STAFF IMPACT:**

Minimal for the application processing and finalization.

**LEGAL REVIEW:**

Attorney Oster will review the application.

**RECOMMENDATION:**

The MGF voted 8-0 (1 absent) to recommend approval of the Storefront Improvement application for 1121 E Main St by Midwest Rentals Inc for up to \$90,000 in matching funds to be structured as a forgivable loan.

**SUGGESTED MOTION:**

I move to approve the Storefront Improvement application for 1121 E Main St by Midwest Rentals Inc for up to \$90,000 in matching funds to be structured as a forgivable loan.



## STOREFRONT IMPROVEMENT APPLICATION

### PRIMARY CONTACT INFORMATION FOR THIS APPLICATION

Name: Bob Kupper  
Address: 3032 North Shore Loop SE, Mandan ND 58554  
Phone: 701-220-9215 Fax: n/a  
E-mail: bkupper@kupperproperties.com

**Applicant Name:**

(name of person/entity  
to receive grant)

Midwest Rentals, Inc.

**Property Owner:** Midwest Rentals, Inc.

**Property Address:** 1121 E Main St, Mandan

**Architect/Firm:**

(if applicable)

Northwest Contracting

### Description of Property

**Current tenant(s):**

☒ Commercial

Midwest Rentals Inc.

☐ Residential

# occupied: \_\_\_\_\_ # vacant: \_\_\_\_\_

**Building History (if available):** Former Mandan Equipment farm implement dealership until about 2008, buildings have been largely vacant and underutilized for storage with little active, on-site business activity since. Used for Kupper Chevrolet fleet vehicle sales until about 2019; most recently used for winter pontoon storage for Moritz Sport & Marine.

**Total Cost of**

**façade renovation:** \$ 271,008

**Forgivable**

**Loan Amount of**

**Requested:**

\$ 90,000 (\$60,000 west/\$30,000 east)

Is the façade renovation part of a larger project?

Yes ☒

No, the façade is the only work I am doing



If yes, please describe comprehensive project.

Other work includes new roof panels, trim, gutters and soffit. The main storefront will be built out with a showroom, offices, service counter & restrooms. The rear building will have lift stations, fabrication bays, parts storage, equipment and break rooms. The east building will have a paint booth, paint bays, office, restroom and storage.



## ***STOREFRONT IMPROVEMENT APPLICATION***

# **ATTACHMENT 1: PHOTOS**

(current and historic, if available)

Aerial View of Site









## ***STOREFRONT & LANDSCAPE IMPROVEMENT APPLICATION***

# **ATTACHMENT 3: BIDS & COST ESTIMATES**

Note: Bids or official estimates from licensed commercial contractors or other providers of needed services and materials are required. Applicants seeking to perform work themselves must 1) be licensed contractors that perform work for others, 2) must obtain quotes from two other licensed contractors, and 3) will be held to the lowest quote.

| Summary of Proposed Expenditures |                        |                  |
|----------------------------------|------------------------|------------------|
|                                  |                        |                  |
| Source of Estimate or Bid        | Purpose                | Estimated Cost   |
| Northwest Contracting            | West Building Residing | \$195,754        |
| Northwest Contracting            | East Building Residing | \$75,254         |
|                                  |                        |                  |
|                                  |                        |                  |
|                                  |                        |                  |
|                                  |                        |                  |
|                                  |                        |                  |
|                                  |                        |                  |
|                                  |                        |                  |
|                                  |                        |                  |
| <b>Total</b>                     |                        | <b>\$271,008</b> |



Quotation No: \_\_\_\_\_

Sheet \_\_\_\_\_ of \_\_\_\_\_

2840 Valley Forge Street  
Bismarck, North Dakota 58503  
OFFICE: (701) 255-7727  
FAX: (701) 255-2825

## PROPOSAL

Project Midwest Rentals  
1121 Main St. Mandan Wall Panel Install  
East Building

Justin Schlenker  
Reply To: \_\_\_\_\_

Date 5/13/24  
Letting: Time \_\_\_\_\_  
Place \_\_\_\_\_

We propose to fur out entire building with 7/8" hat channel and install 26 ga. R-panels.

Material, Labor and Equipment for the sum of.....\$75,254.00

Price includes:

7/8" 20 ga. hat channel  
26 ga. R-Panel profile wall panels from Northland Steel- Stock Color  
Trim for existing openings

Price does not include:

Concealed issues covered by existing metal panel  
Removal of existing panels  
Roof panels  
Roof trim  
Gutters  
Soffit

Excludes any City Building Inspection Dept. and/or Fire Marshall requirements, not specifically listed above.  
Above prices quoted for acceptance within 30 days from date. Prices quoted apply only  
to project specified, subject to conditions on reverse side.

We hereby enter into this contract for work and/or materials for the above described work.

### ACCEPTANCE

Contract total with alternates accepted. \_\_\_\_\_



By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 26, 2024  
**SUBMITTING DEPARTMENT:** Business Development & Communications  
**DEPARTMENT DIRECTOR:** Madison Cermak  
**PRESENTER:** Madison Cermak, Business Development & Communications Director  
**SUBJECT:** Consider a Renaissance Zone rehabilitation application for 1121 E Main St.

---

#### **STATEMENT/PURPOSE:**

Consider a Renaissance Zone Committee recommendation for approval of an application for 1121 E Main St by Midwest Rentals, Inc.

#### **BACKGROUND/ALTERNATIVES:**

The Renaissance Zone Committee met Aug. 26, 2024. Agenda items included consideration of the application of a major remodel of a property that has been largely vacant and used for storage. Improvement plans include residing of all the buildings except the carport. The main storefront will be built with a showroom, offices, service counter, and restrooms. The rear building will have lift stations, fabrication bays, parts storage, equipment, and break rooms. The east building will have a paint booth, paint bays, an office, a restroom, and storage. Other work includes new roof panels, trim, gutters and soffit.

Improving the buildings and site will increase the value of the property, improve its attractiveness and allow for re-use of the property to serve as a location for Dakota Kustomz, a growing small business, while also contributing to the vibrancy of Mandan's Main Street.

The contractor's estimate for the building project is \$2,063,670, putting the investment in improvements well above minimum RZ program requirements of at least 50% of the buildings value of \$295,900. The city assessor's estimated value of the buildings as improved is \$957,400.

The applicant received approval from the Growth Fund Committee for the Storefront Improvement Program and the Mandan Architectural Review Committee. The applicant

plans to begin construction in September 2024 with a tentative date of completion of July 2025.

**ATTACHMENTS:**

1. RZ Application Rehab of 1121 E Main St

**FISCAL IMPACT:**

The annual property tax on the improved buildings is estimated at \$15,878 for a five-year total of \$79,388. The actual property tax exemption will be subject to the prevailing market values and property tax rates in the five subject years.

**STAFF IMPACT:**

Minimal for the application processing and finalization.

**LEGAL REVIEW:**

Attorney Oster will review the application.

**RECOMMENDATION:**

The Renaissance Zone Committee voted unanimously to recommend approval of the Renaissance Zone application for 1121 E Main St by Midwest Rentals Inc. as a Renaissance Zone project to include the five-year 100% property tax exemption on the value of the buildings as improved and the 100% five-year state income tax exemption.

**SUGGESTED MOTION:**

I move to approve the application for the rehabilitation of 1121 E Main St. as a Renaissance Zone project to include the five-year 100% property tax exemption on the value of the buildings as improved and the 100% five-year state income tax exemption.



14. Describe how the project benefits the community (*Examples: Business created, expanded or retained, additional jobs created, additional products or services available, improved property, etc.*)

15. Current employees (*full-time equivalents*) \_\_\_\_\_

16. Anticipated employees in 2 years (*full-time equivalents*) \_\_\_\_\_

17. Project timeline including anticipated start, completion, or occupancy dates  
Est. start date \_\_\_\_\_ Est. completion or occupancy date \_\_\_\_\_

18. Evidence that the taxpayer is current on local and state taxes? Yes No

*Attach copy of certificate of Good Standing from the N.D. Tax Department and proof of payment of current real estate taxes such as a copy of a receipt from the Morton County Treasurer's Office*

**ADDITIONAL PROJECT INFORMATION (*New Construction, Rehabilitation, Purchase with Improvements only*)**

19. Current true and full value of the building \_\_\_\_\_

20. Total estimated cost of improvements (*attach cost estimates*) \_\_\_\_\_  
*Note: Any grant funds may not be counted in determining if the cost of improvements or rehabilitation meets or exceeds the minimum requirements.*

21. Estimated value of building after improvements have been completed \_\_\_\_\_

22. Estimated property tax benefit (*annually*) \_\_\_\_\_ (*five years*) \_\_\_\_\_

23. Does this project involve historical preservation or renovation? Yes No

For projects that involve historical preservation or renovation, but are not part of a rehabilitation project, provide a description of the work and the estimated costs. **A letter of approval from the Historical Society is required to claim any historical tax credits either on a rehabilitation project or renovation.** Information for historical properties may be obtained by contacting the Historical Society at: (701) 328- 2666.

24. For residential projects, please provide evidence that the home is the taxpayer's primary residence.



STATE OF NORTH DAKOTA  
OFFICE OF STATE TAX COMMISSIONER  
BRIAN KROSHUS, COMMISSIONER

July 23, 2024

Ref: L0191589504

000515-935



MIDWEST RENTALS INC  
3032 NORTHSORE LOOP SE  
MANDAN ND 58554-4750

I, Brittany Herberholz, Customer Support Supervisor for the North Dakota Office of State Tax Commissioner, certify that the records in the North Dakota Office of State Tax Commissioner do not show any indebtedness owed to the State of North Dakota by MIDWEST RENTALS INC, with respect to income taxes, sales and use taxes, or any other taxes collected by and payable to the Tax Commissioner's office. This company is, therefore, in good standing with the North Dakota Office of State Tax Commissioner. This certification does not include ad valorem property taxes collected by the respective county treasurers.

Dated this July 23, 2024 at Bismarck, North Dakota.

Brittany Herberholz  
Customer Support Supervisor



Shopping Cart: 0 items [\$0.00]

- New Search**
- History**
- Payoff**
- PayTaxes**
- Help**

**Parcel#:** 65-5570100

**Status:** Current

**Receipt:** 38373

**2023 Owner(s):**  
MIDWEST RENTALS INC

**Mailing Address:**

3032 NORTHSORE LOOP  
MANDAN , ND 58554

#### 2023 Value:

**Market:** \$1,205,700  
**Taxable:** \$60,285  
**Disabled Vet Credit:** \$0  
**Homestead Credit:** \$0  
**Net Taxable:** \$60,285

**Detail**

#### 2023 Taxes:

**First Half:** \$8,860.87 **Due:** 3/1/2024  
**Second Half:** \$8,470.64 **Due:** 10/15/2024  
**Total:** \$17,331.51

**View Pie Charts**

**Show Current Tax Bill**

**Detail**

#### 2023 Payments:

**First Half:** \$8,860.87  
**Second Half:** \$8,470.64  
**Discount:** \$847.06  
**Total:** \$16,484.45  
(May include penalty & interest)

#### 2023 Legal Records:

**Geo Code:**

**Property address:** 1121 MAIN ST E, MANDAN ND 58554  
**Subdivision:** (223) MANDAN LEASE SITE  
**Legal:** MANDAN LEASE SITE #BF75646 157962 SQ FT  
#5196

**Note:** Morton County makes the Web information available on an "as is" basis. All warranties and representations of any kind with regard to said information is disclaimed, including the implied warranties of merchantability and fitness for a particular use. Morton County does not warrant the information against deficiencies of any kind. Under no circumstances will Morton County, or any of its officers or employees be liable for any consequential, incidental, special or exemplary damages even if appraised of the likelihood of such damages occurring.

Web data was last updated 08/04/2024 12:05 AM.

Send Payments To:

Morton County Treasurer

2840 Valley Forge Street  
Bismarck, North Dakota 58503  
(701) 255-7727  
FAX (701) 255-2825

## PROPOSAL

Nathan Todd

Reply to: \_\_\_\_\_

Project Midwest Rentals, Inc.

Date 07/22/2024

Re: Remodel and build out of (2) existing buildings and site at  
1121 East Main Ave for Dakota Kustomz

Letting Time \_\_\_\_\_

Place \_\_\_\_\_

We hereby propose to provide materials and labor per the following:

**Div. 100 General Conditions:**

Includes: Job supervision, periodic clean up, building permit, dumpster, temporary toilet and power.  
Includes allowance for Civil Engineering of \$15,000, to provide Civil Plans for submittal and construction,  
Storm W. Includes periodic and final cleaning. Includes allowance of \$10,000 for asbestos testing and  
abatement at existing flooring.

Excludes: testing, operation and maintenance manuals, soil borings, Structural Engineering, Architectural  
review and other associated submittal fees (exception is building permit). Excludes all winter conditions,  
temporary heat and/or sheltering.

**Div. 200 Site Work & Demo**

Includes: remaining demo of ceiling liner in West showroom, wall and ceiling paneling in West Shop,  
existing batt insulation at same areas. Demo of existing walk doors at shop area of West building, and  
existing mezzanine and framing at SE corner of West building. Remove interior storefront at center of West  
building, and remove door at West. Concrete demo as required for new plumbing only. At East building,  
demo concrete floor to allow for new trench drain, and OH doors at South and West. Demo existing  
exterior walls as required for new door installation. Includes allowance of \$50,000 to bring new water/  
sewer to East building. Includes allowance of \$25,000 for landscaping.

Excludes: site grading or paving at this time. Any other demo not explicitly mentioned above.

**Div. 300 Concrete**

Includes: new interior concrete as required for plumbing in the West building, and new floor area approx..  
105x40ft at East building.

**Div. 400 Masonry**

None included in this proposal.

**Div. 500 Steel & Equipment**

Includes: All equipment required for the work described by this proposal. Steel stair only at showroom at  
West building to 2<sup>nd</sup> level offices, no railing (by Others). New exterior stair at double door for parts room  
at SE corner.

**Excludes any City Building Inspection Dept. and/or Fire Marshall requirements, not specifically listed above.  
Above prices proposed for acceptance within 30 days from date. Prices proposed apply only  
to project specified, subject to conditions on reverse side.**

### ACCEPTANCE

Subject to signature of proposal, we hereby order required material

at the above proposed price. \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_



By \_\_\_\_\_

Title \_\_\_\_\_



2840 Valley Forge Street  
Bismarck, North Dakota 58503  
(701) 255-7727  
FAX (701) 255-2825

Proposal No.: \_\_\_\_\_

Sheet \_\_\_\_\_ of \_\_\_\_\_

## PROPOSAL

Nathan Todd

Reply to: \_\_\_\_\_

Project Midwest Rentals, Inc.

Date 07/22/2024

Re: Remodel and build out of (2) existing buildings and site at  
1121 East Main Ave for Dakota Kustomz

Letting Time \_\_\_\_\_

Place \_\_\_\_\_

### Div. 600 Wood and Plastics

Includes: 2x wood framing for walls per plans. Includes 2hr fire walls as required by Code and shown on plans. Includes pre-engineered wood floor trusses for 2<sup>nd</sup> floor offices and ceiling for storage/restrooms/mechanical room. Includes blocking for casework and headers/ jambs for door framing.

### Div. 700 Thermal & Moisture Protection

Includes: at exterior walls and ceiling areas, install average of 3in closed cell polyurethane spray foam insulation at areas not currently foamed, at interior sound walls, install R11 insulation for sound, and ceiling floor trusses, fill with blow in insulation for sound.

Includes: R panel, 26Ga metal roof panels for roof, gable, eave trims, soffit panels, roof to wall transition flashing, gutter at interior gutter on shop buildings only. Includes allowance of \$10,000 for structural review of building to support new roof panels. Includes R panel liner at West showroom, 26ga., R panel liner for west showroom ceiling 29ga., and Pro-max liner figured for the shop area roof and walls 29ga. Includes allowance for fire caulking and finish caulking. Includes allowance of \$10,000 for residential style gutters and downspouts at exterior of both buildings. *Includes: liner panel at interior of East building, shop only (installed horizontally). Includes exterior paneling/ gable trim on center porte cochere to match other buildings.*

### Div. 800 Doors & Windows

Includes: at West building, (9) HM doors, (10) prefinished wood doors, both with HM frames, and hardware. At Travis Office and Media, door frames include 16in sidelite, full height. At walk thru office, doors include quarter lite for viewing through. Includes (3) 6ftx4ft HM relites, and (5) 4ftx4ft HM relites at office areas on West end of West building with glass. At East building, (7) HM doors with HM frames and hardware, with lite in door from entry to body shop. Includes (1) 4ftx4ft HM relites with glass. *Includes: door hardware revised for exit devices as directed by Owner, hardware prep for card access as discussed.*

Includes: (2) 14-0x13-0 white 2in energy saver OH doors with operators and (4) 24"x12" lites in each, (1) 10ftx8ft glass OH door at interior from Showroom to corridor with opener, (1) UL rated fire door from corridor to Shop, and (1) 18ftx10ft insulated OH door with operator at East building.

Includes: (2) new 3070 aluminum doors, (1) at West building, far West replacing existing, and (1) new at East building. Remove existing interior storefront, and new sweep on existing North door at West building.

Excludes: existing storefront windows at West showroom, other windows/ doors not explicitly stated above.

**Excludes any City Building Inspection Dept. and/or Fire Marshall requirements, not specifically listed above.**  
**Above prices proposed for acceptance within 30 days from date. Prices proposed apply only to project specified, subject to conditions on reverse side.**

## ACCEPTANCE

Subject to signature of proposal, we hereby order required material

at the above proposed price. \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_



By \_\_\_\_\_

Title \_\_\_\_\_



Proposal No.: \_\_\_\_\_

Sheet \_\_\_\_\_ of \_\_\_\_\_

2840 Valley Forge Street  
Bismarck, North Dakota 58503  
(701) 255-7727  
FAX (701) 255-2825

## PROPOSAL

Nathan Todd

Reply to: \_\_\_\_\_

Project Midwest Rentals, Inc.

Date 07/22/2024

Re: Remodel and build out of (2) existing buildings and site at  
1121 East Main Ave for Dakota Kustomz

Letting Time \_\_\_\_\_

Place \_\_\_\_\_

### Div. 900 Finishes:

Includes: new 5/8in sheetrock at new offices, storage, restrooms, and break room. Ceilings in these areas to be sheetrocked also. Tape, texture, paint all sheetrock exposed to view. Paint all HM door frames and HM relites.

Includes: 2 colors for the metallic epoxy floor at main showroom area with prep and grinding, carpet tile at offices and storage room, walk off mat at East entry and pass through office, LVT at restrooms and breakroom, rubber treads/ risers on interior stairway, and cleaning/degreasing the remainder of the concrete slabs, grinding to clean up and not to reach any certain point of exposed aggregate, minor prep to fill cracks, pits, etc, and then apply a densifier to seal pores and then 2 coats of an STC sealer and burnish final coat to get a nice satin sheen. Includes vinyl base at all sheetrocked walls, not at liner panel walls.

Excludes: acoustical ceiling

### Div. 1000 Specialties

Includes: allowance of \$2,500 for bathroom accessories.

### Div. 1100 Equipment

None included in this proposal.

### Div 1200 Casework

Includes allowance of \$15,000 for casework, lowers, uppers, and counters as shown on the plans.

Excludes any City Building Inspection Dept. and/or Fire Marshall requirements, not specifically listed above.  
Above prices proposed for acceptance within 30 days from date. Prices proposed apply only  
to project specified, subject to conditions on reverse side.

## ACCEPTANCE

Subject to signature of proposal, we hereby order required material

at the above proposed price. \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_



By \_\_\_\_\_

Title \_\_\_\_\_



Proposal No.: \_\_\_\_\_

Sheet \_\_\_\_\_ of \_\_\_\_\_

2840 Valley Forge Street  
Bismarck, North Dakota 58503  
(701) 255-7727  
FAX (701) 255-2825

## PROPOSAL

Nathan Todd

Reply to: \_\_\_\_\_

Project Midwest Rentals, Inc.

Date 07/22/2024

Re: Remodel and build out of (2) existing buildings and site at  
1121 East Main Ave for Dakota Kustomz

Letting Time \_\_\_\_\_

Place \_\_\_\_\_

Div. 1300 Special Construction  
None included in this proposal.

Div. 1400 Elevators  
None included in this proposal

Div. 1500 Mechanical  
Includes: see attached proposals from Advanced Mechanical for HVAC and plumbing scopes.

Div. 1600 Electrical  
Includes: see attached proposal from Electric Systems for Electrical scope.

Total Base Bid .....\$2,063,670.00

Option: Provide air conditioning to shop spaces at both building by upgrading mechanical equipment to roof top units, (3) at West building, (2) at East building, (5) total. Includes wiring, equipment and concrete pads.....\$144,200.00 ADD

\*Note: previous proposals provided by NWC for siding work are NOT included in this bid.

Excludes any City Building Inspection Dept. and/or Fire Marshall requirements, not specifically listed above.  
Above prices proposed for acceptance within 30 days from date. Prices proposed apply only  
to project specified, subject to conditions on reverse side.

### ACCEPTANCE

Subject to signature of proposal, we hereby order required material  
at the above proposed price. \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_



By \_\_\_\_\_

Title \_\_\_\_\_

# DAKOTA KUSTOMZ - MANDAN, NORTH DAKOTA



SHEET LIST:

CO.0 COVER SHEET

| CO.1 | CODE | DATA |
|------|------|------|
| 1    | 1    | 1    |
| 1    | 2    | 2    |
| 1    | 3    | 3    |
| 1    | 4    | 4    |
| 1    | 5    | 5    |
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CO.2 CODE DATA PLAN - WEST BUILDING

## CO.3 CODE DATA PLAN - EAST BUILDING

## CO.3 CODE DATA SHEETS

## AI.O DEMO PLAN - WEST BUILDING

## AI.1 DEMO PLAN - EAST BUILDING

## AI.1A EXISTING FLOOR PLAN - WEST BUILDING

### AI.1B EXISTING FLOOR PLAN - CAR PORT & EAST BUILDING

A1.1C FLOOR PLAN - WEST BUILDING

## AI.ID FLOOR PLAN - WEST BUILDING MEZZANINE

## AI.1E FLOOR PLAN - CAR PORT & EAST BUILDING

## A1.2 PLUMBING LOCATION PLAN - WEST BUILDING

### A1.3 PLUMBING LOCATION PLAN - EAST BUILDING

## A2.1 ELEVATIONS - WEST BUILDING

## A2.2 ELEVATIONS - CAR PORT

### A2.3 ELEVATIONS - WEST BUILDING

## A6.1 SCHEDULES

**Northwest Contracting Inc.**

2840 Valley Forge St.  
BISMARCK, ND 58503  
TEL (701) 255-7727

[www.northwestcontracting.com](http://www.northwestcontracting.com)

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## REVISIONS

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DAKOTA KUSTOMZ



1121 MAIN ST E, MANDAN, ND  
58554

COVER SHEET

NOT FOR  
CONSTRUCTION  
07/15/2024

PROJECT NO: Project Number

DRAWN BY: CBA

DATE: \_\_\_\_\_ Issue Date

SHEET NUMBER

CO.0

① CODE DATA PLAN - WEST  
1/8" = 1'-0"

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58554

CODE DATA PLAN -  
EAST

NOT FOR  
CONSTRUCTION  
07/15/2024

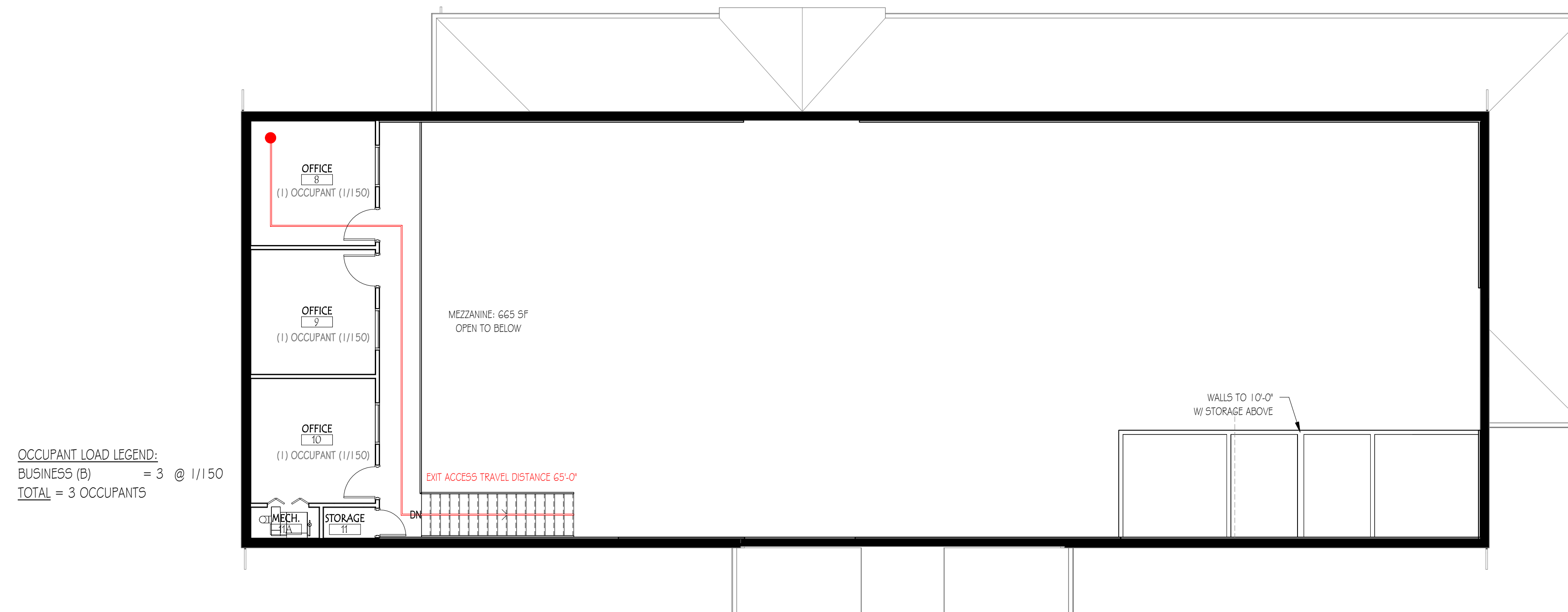
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DATE: \_\_\_\_\_ Issue Date

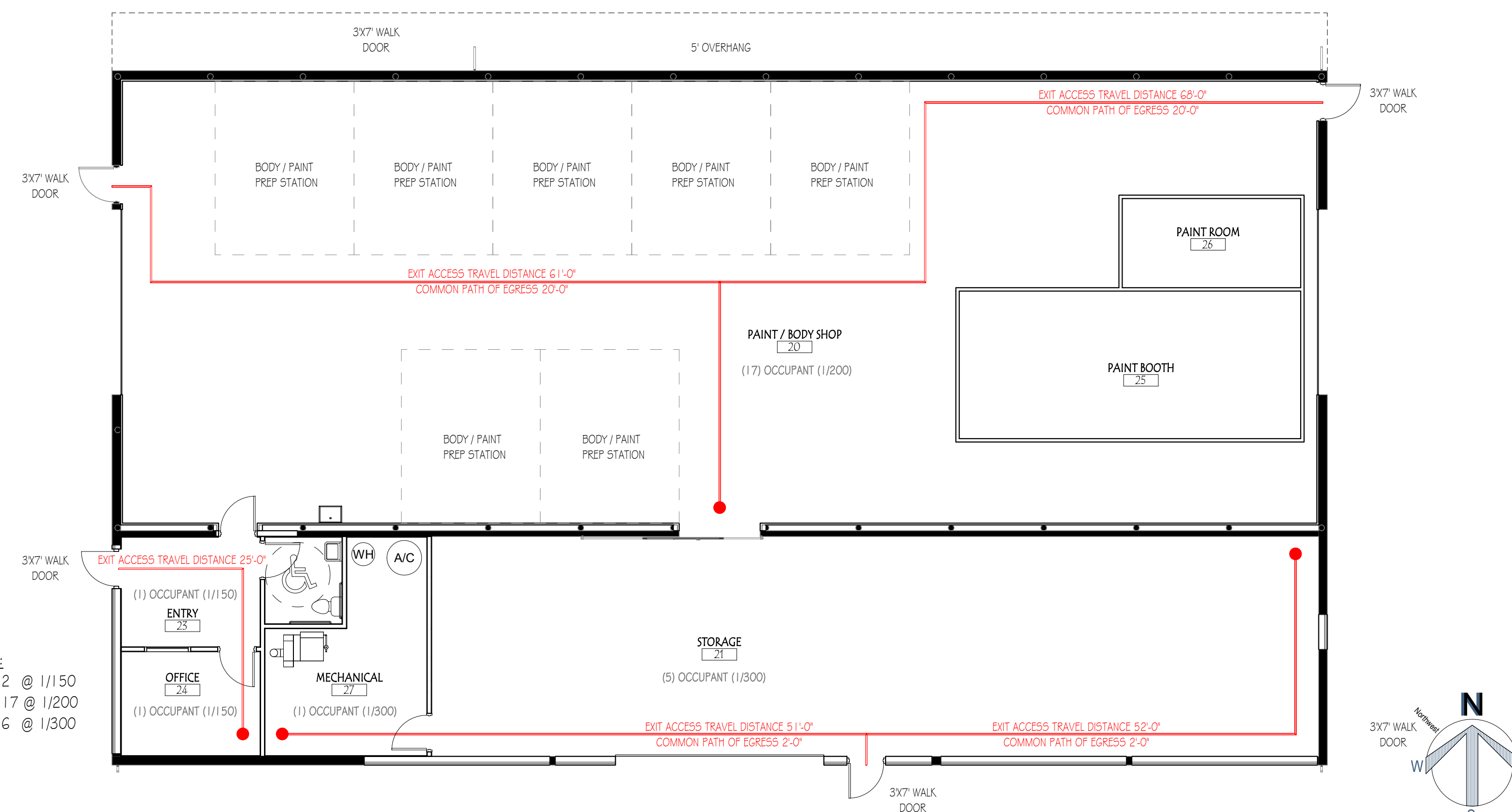
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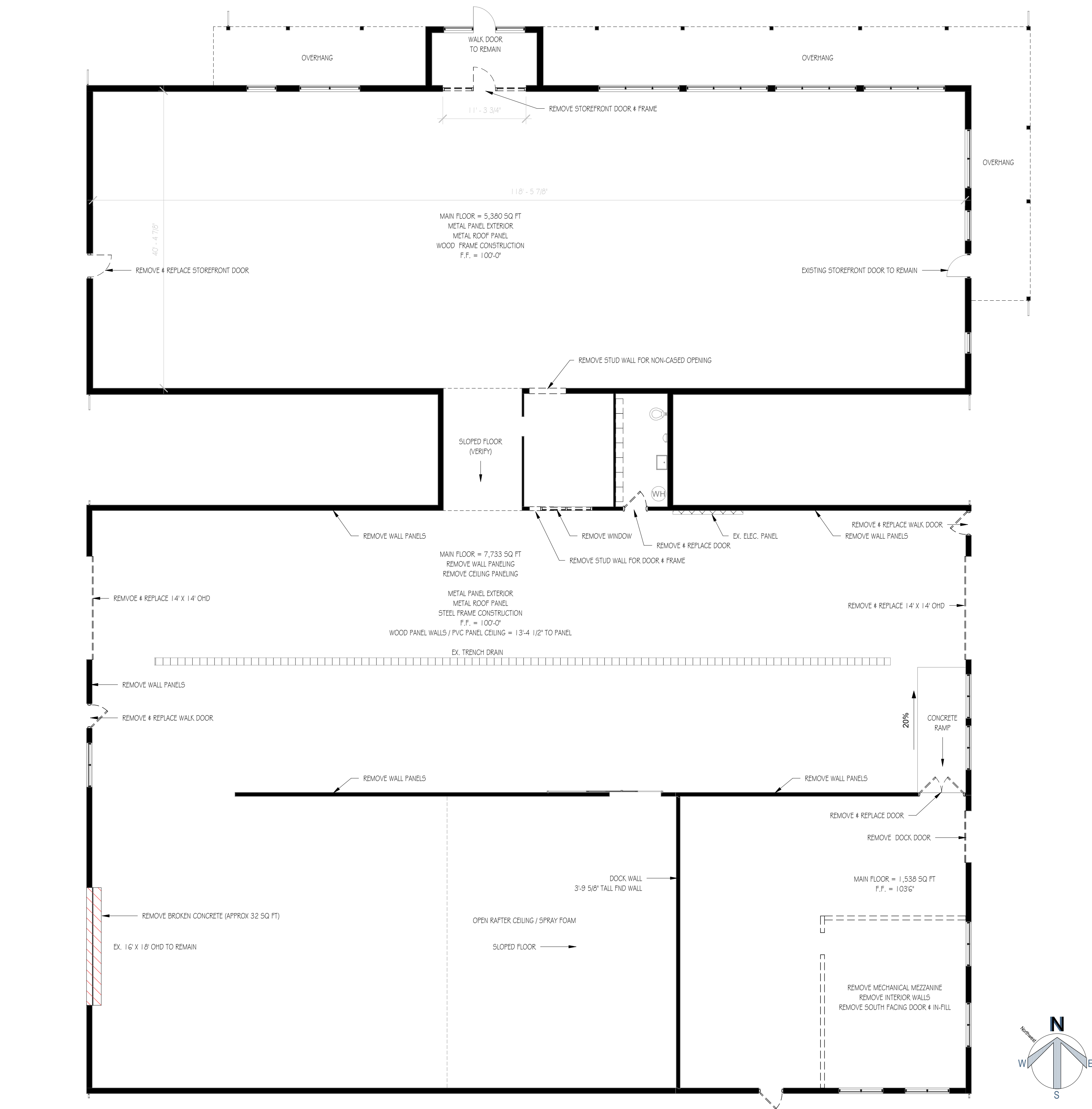


OCCUPANT LOAD LEGEND:  
BUSINESS (B) = 3 @ 1/150  
TOTAL = 3 OCCUPANTS

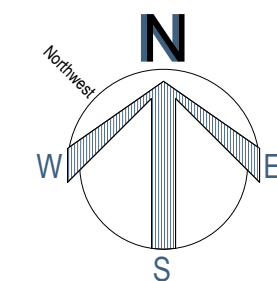
① CODE DATA PLAN - MEZZANINE  
1/8" = 1'-0"



② CODE DATA PLAN - EAST  
1/8" = 1'-0"



1 DEMO PLAN - WEST  
1/8" = 1'-0"



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DAKOTA KUSTOMZ



1121 MAIN ST E, MANDAN, ND  
58554

DEMO PLAN WEST  
BUILDING

NOT FOR  
CONSTRUCTION  
07/15/2024

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| PROJECT NO:  | Project Number |
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A1.0



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REVISIONS

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DAKOTA KUSTOMZ



1121 MAIN ST E, MANDAN, ND  
58554

DEMO PLAN EAST  
BUILDING

NOT FOR  
CONSTRUCTION  
07/15/2024

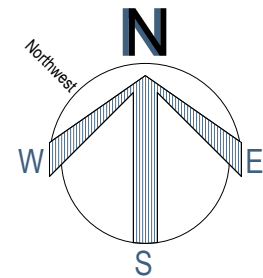
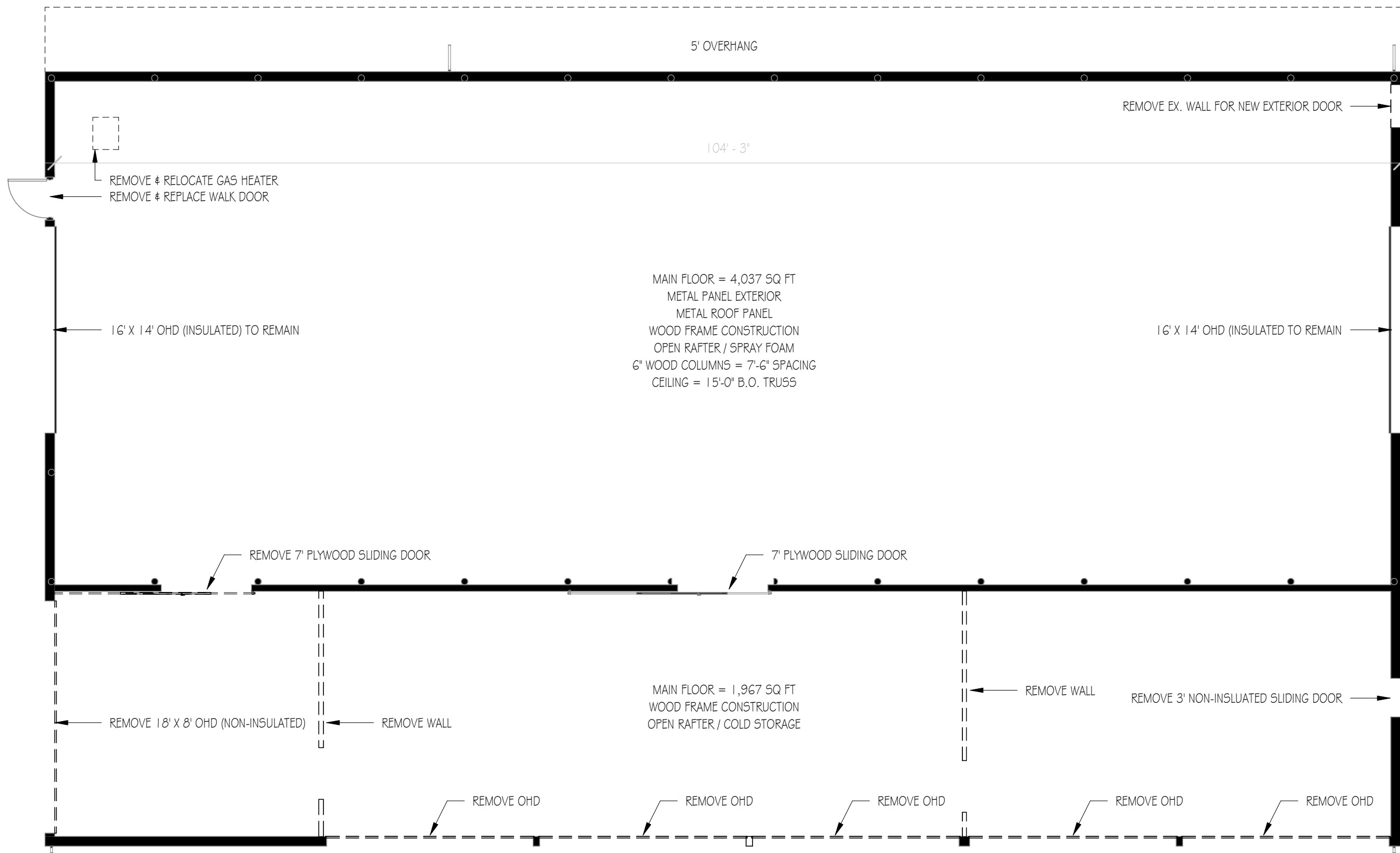
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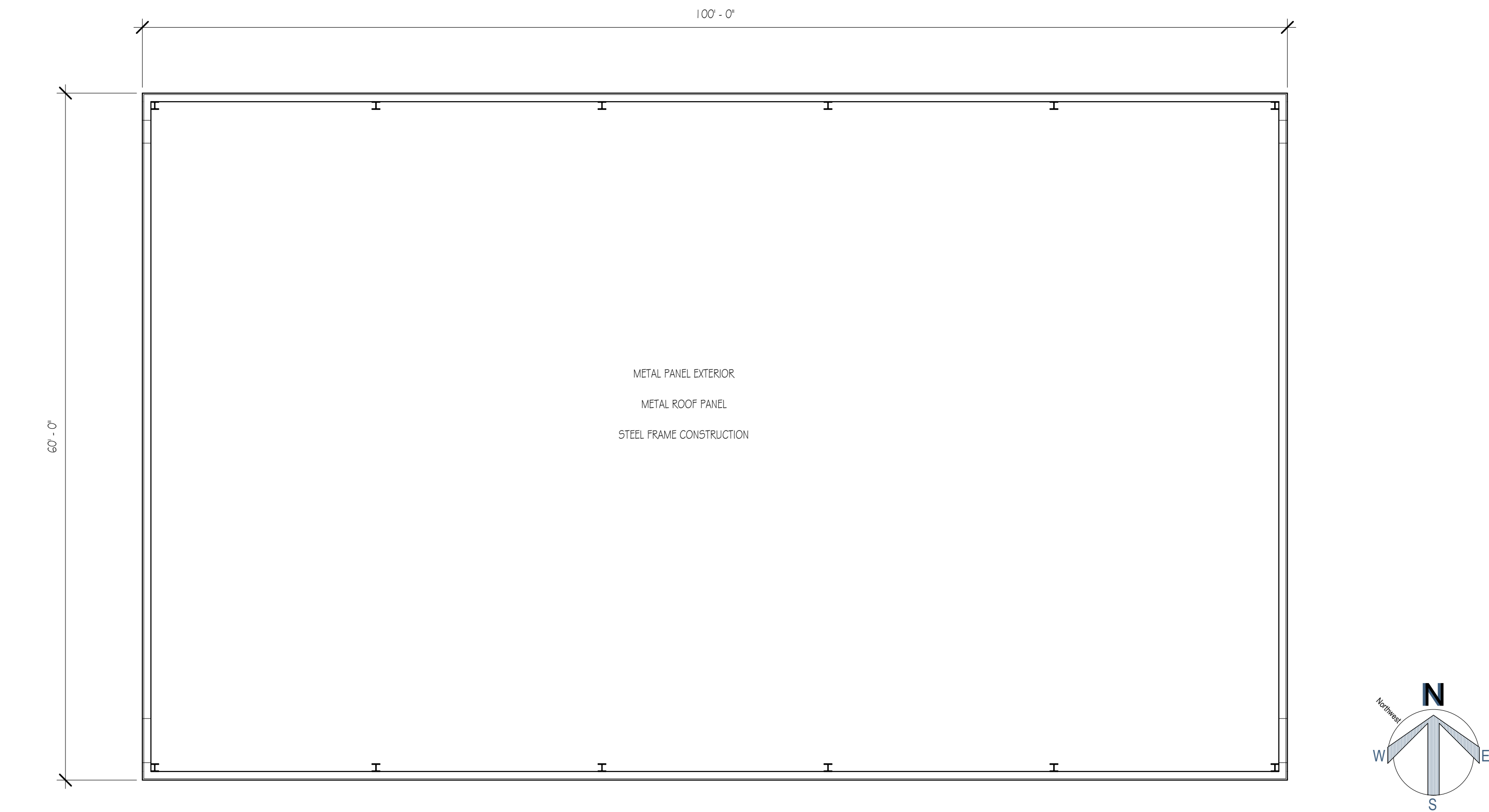
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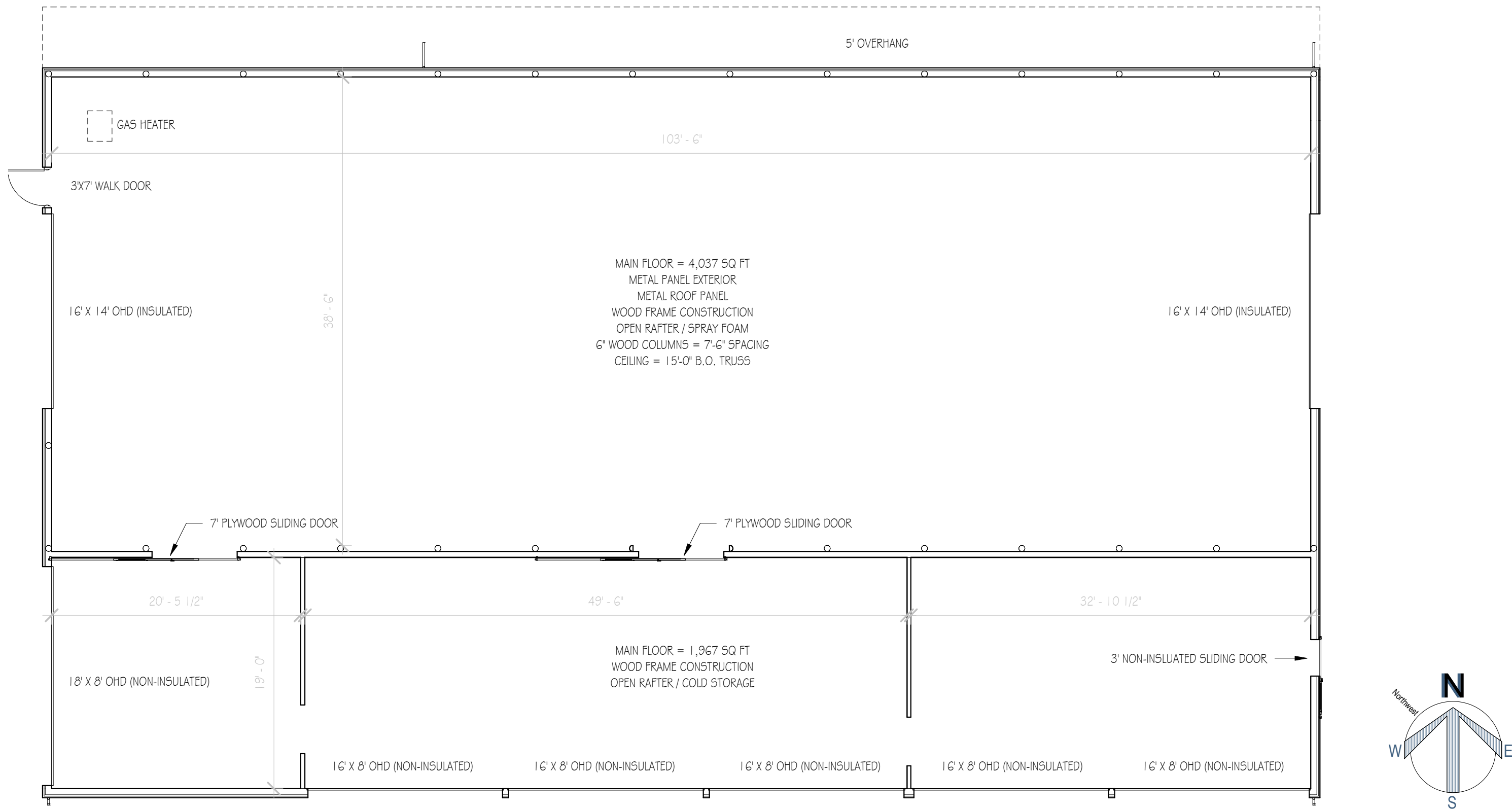


① DEMO PLAN - EAST  
1/8" = 1'-0"





② EXISTING FLOOR PLAN - CAR PORT  
1/8" = 1'-0"



① EXISTING FLOOR PLAN - EAST  
1/8" = 1'-0"



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REVISIONS



DAKOTA KUSTOMZ



1121 MAIN ST E, MANDAN, ND  
58554

EXISTING FLOOR PLAN  
CAR PORT & EAST  
BUILDING

NOT FOR  
CONSTRUCTION  
07/15/2024

PROJECT NO: Project Number

DRAWN BY: CBA

DATE: Issue Date

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A1.1B



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1121 MAIN ST E, MANDAN, ND  
58554

FLOOR PLAN WEST  
BUILDING

NOT FOR  
CONSTRUCTION  
07/15/2024

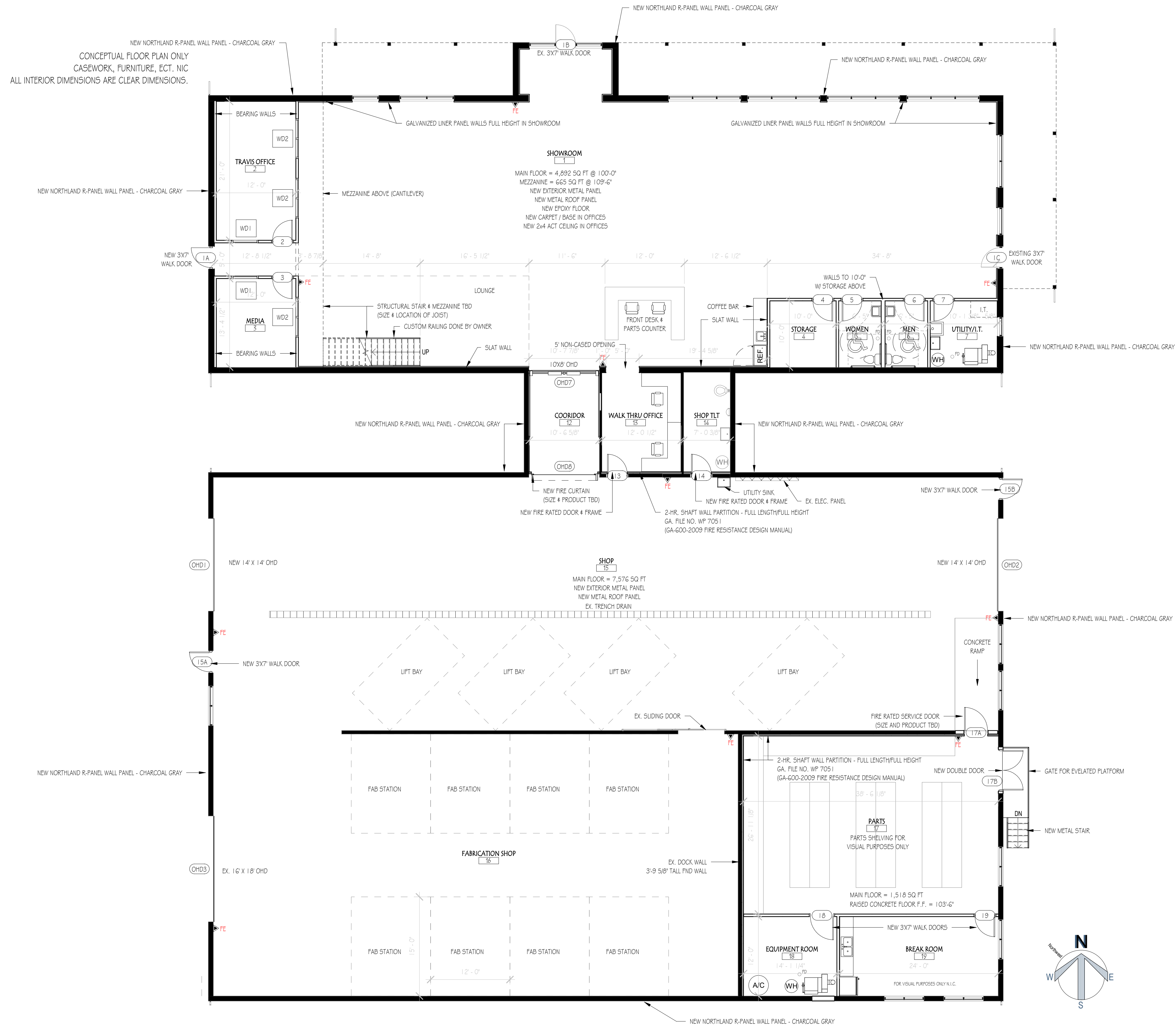
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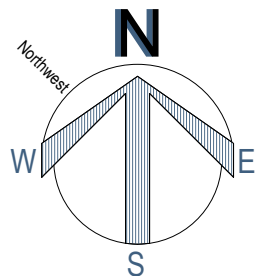
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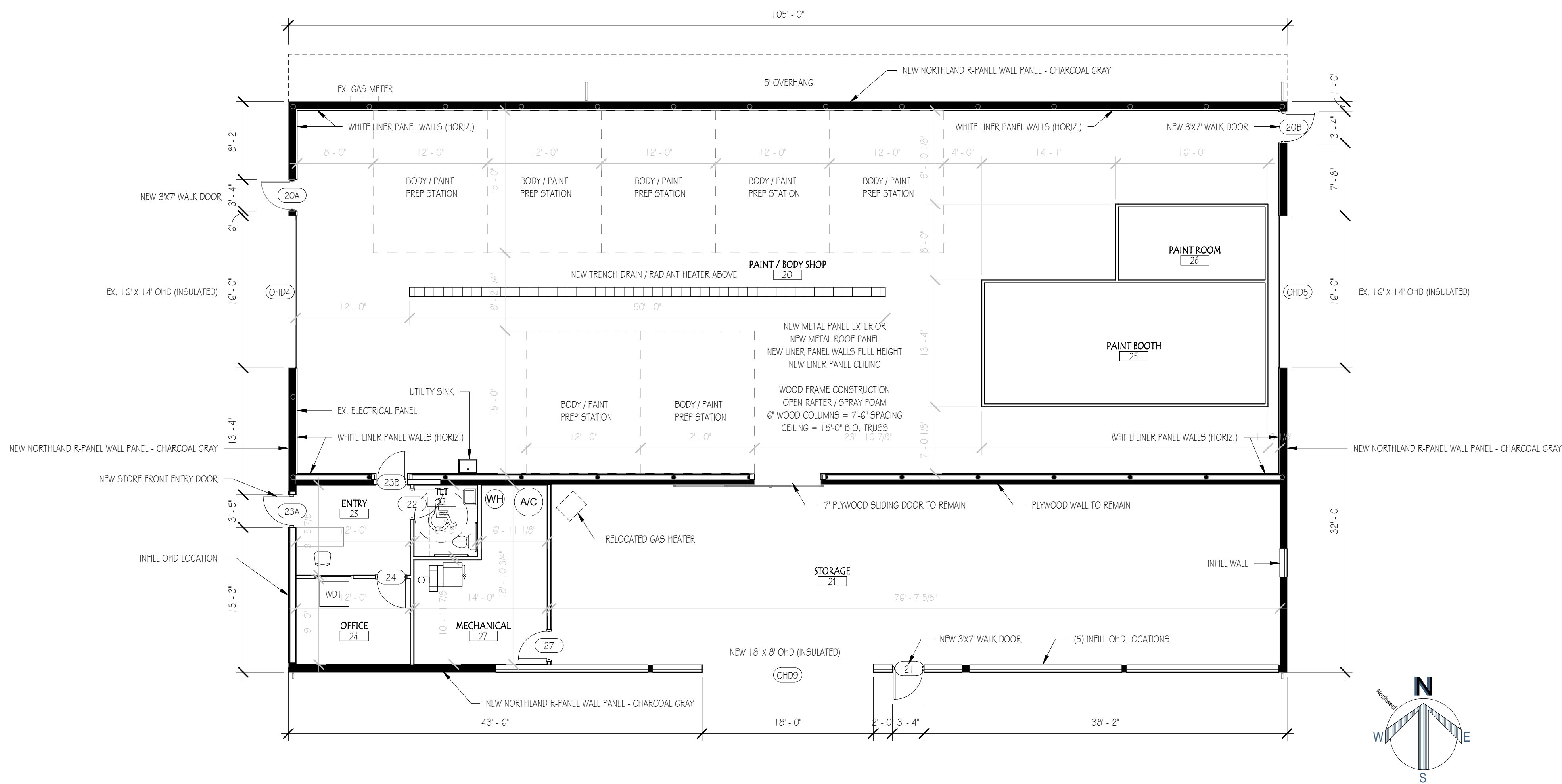


① FLOOR PLAN - WEST  
1/8" = 1'-0"





2 FLOOR PLAN - CAR PORT  
1/8" = 1'-0"



1 FLOOR PLAN - EAST  
1/8" = 1'-0"



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DAKOTA KUSTOMZ



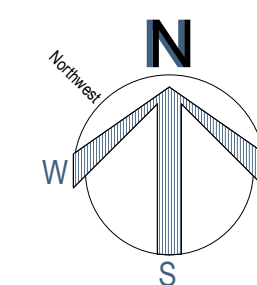
1121 MAIN ST E, MANDAN, ND  
58554

FLOOR PLAN CAR  
PORT & EAST  
BUILDING

NOT FOR  
CONSTRUCTION  
07/15/2024

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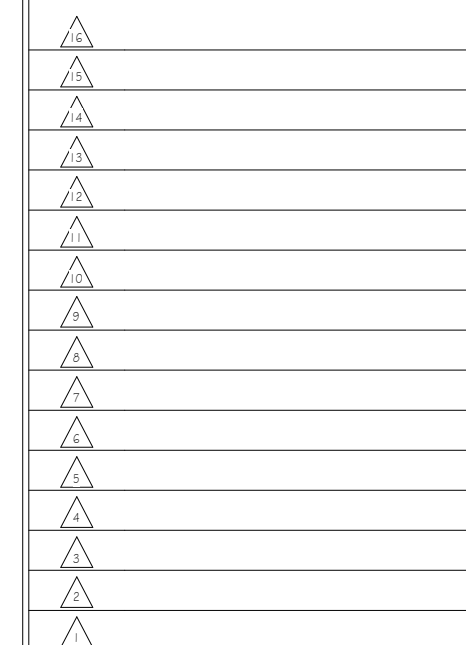
**Northwest Contracting Inc.**

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BISMARCK, ND 58503  
TEL (701) 255-7727

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REVISIONS



DAKOTA KUSTOMZ



1121 MAIN ST E, MANDAN, ND  
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PLUMBING LOCATION  
PLAN - WEST

NOT FOR  
CONSTRUCTION  
07/15/2024

PROJECT NO: Project Number

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SHEET NUMBER

## AI.2



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[illegible]

**DAKOTA  
KUSTOMZ**  
Full Custom Garage

PLUMBING LOCATION  
PLAN - EAST

NOT FOR  
CONSTRUCTION  
07/15/2024

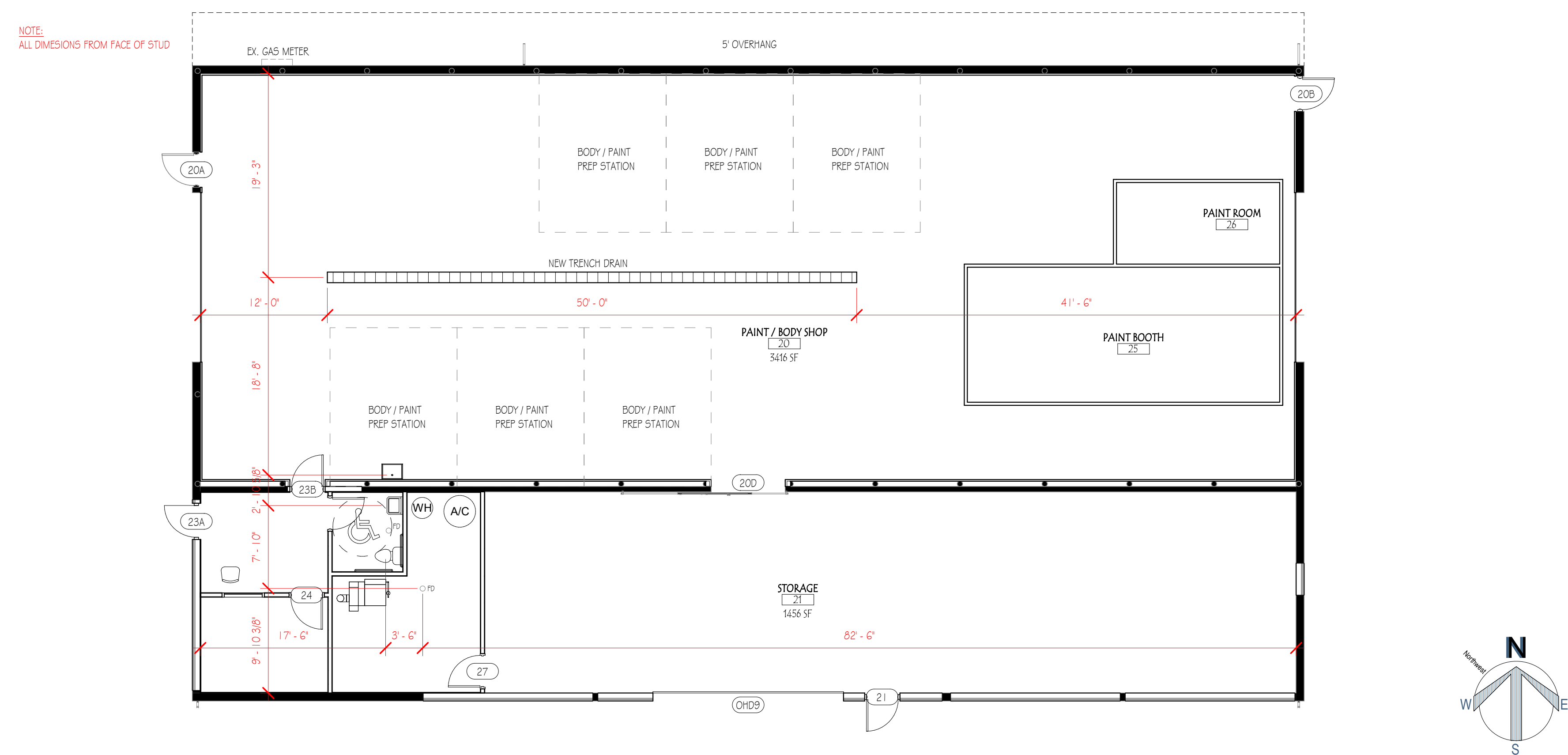
PROJECT NO: Project Number

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DATE: \_\_\_\_\_ Issue Date

SHEET NUMBER

A1.3



① PLUMBING PLAN - EAST  
1/8" = 1'-0"

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ELEVATIONS - WEST  
BUILDING

NOT FOR  
CONSTRUCTION  
07/15/2024

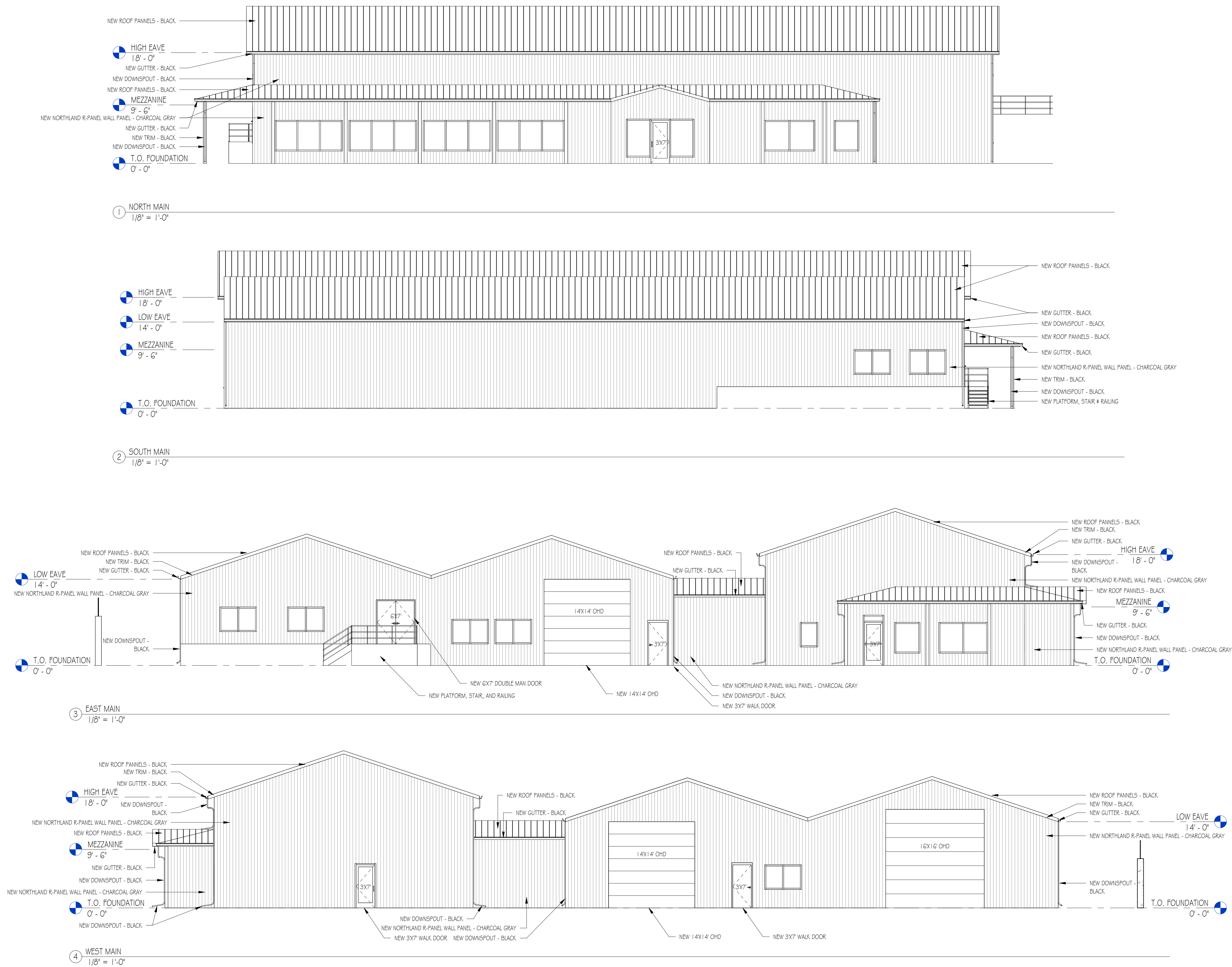
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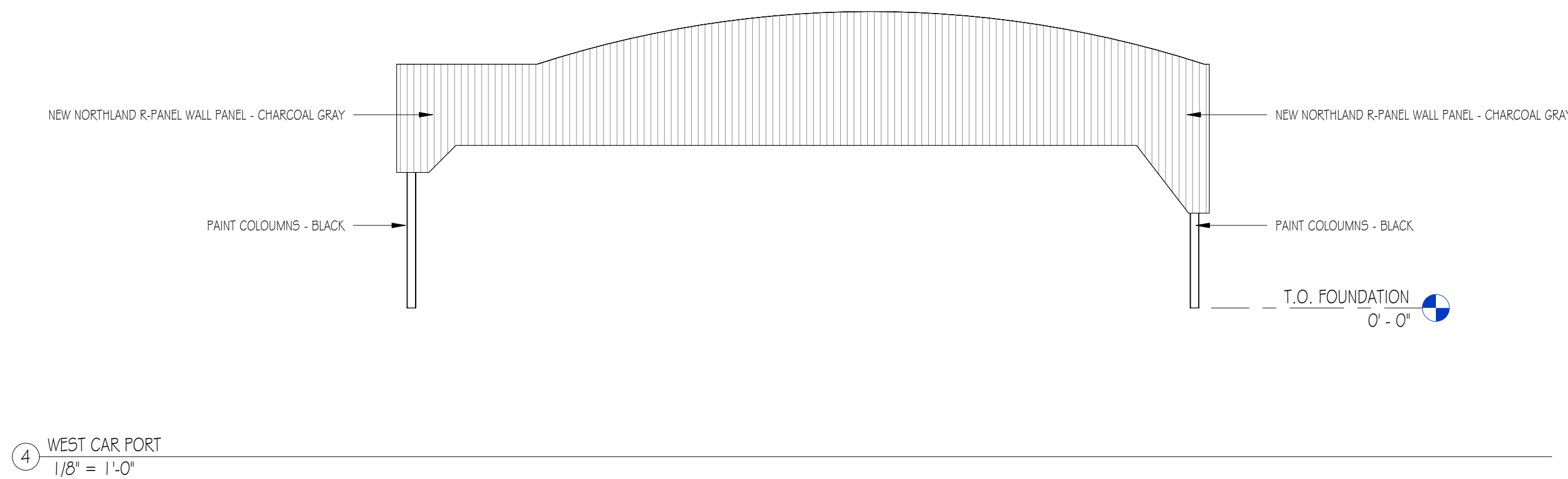
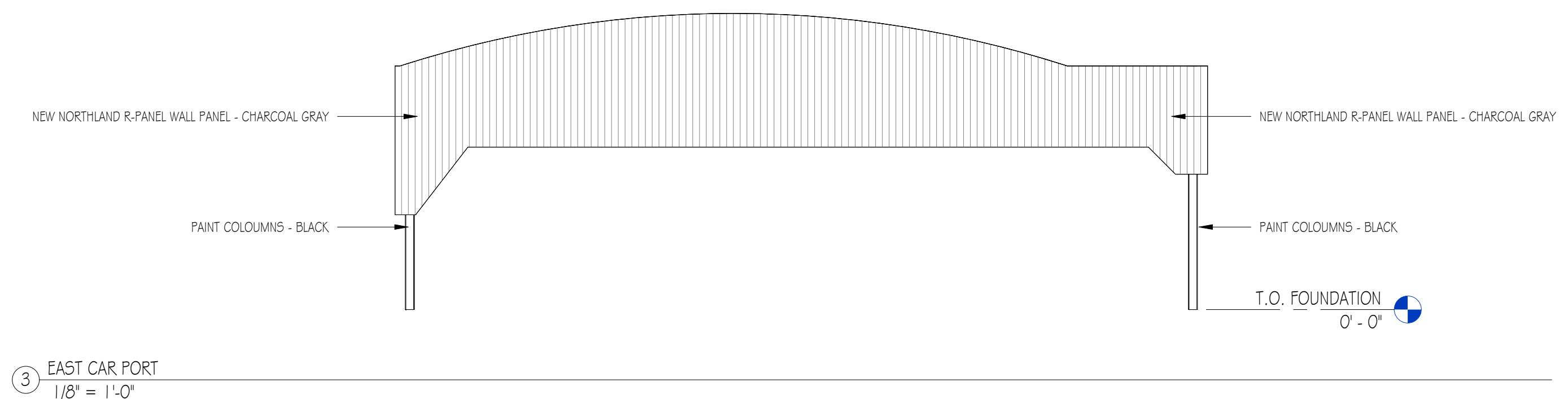
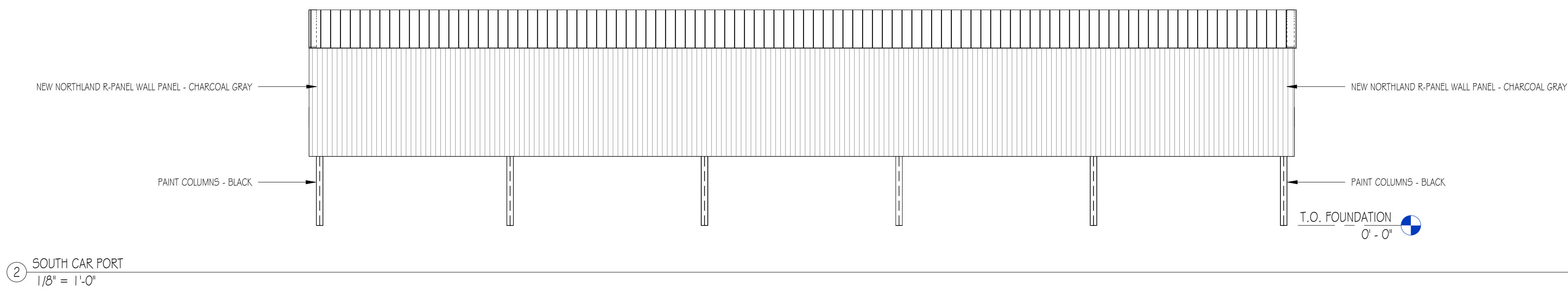
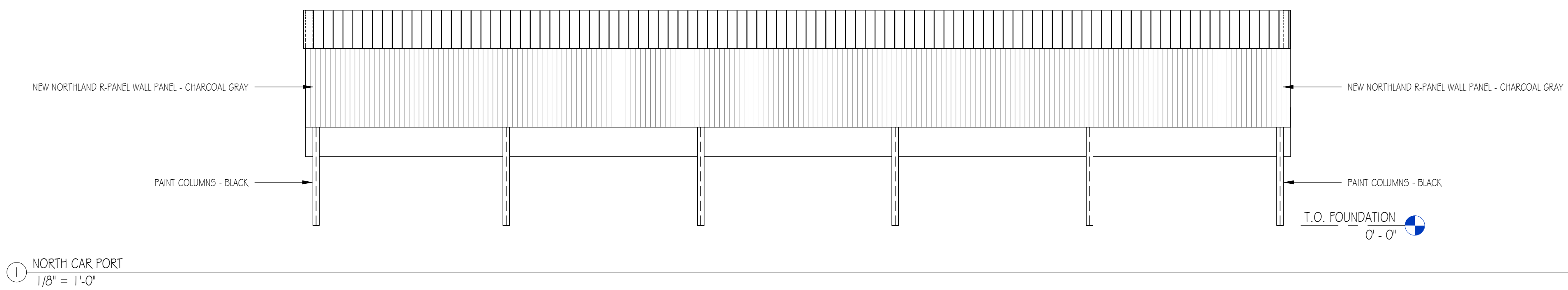
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| REVISIONS |
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DAKOTA KUSTOMZ



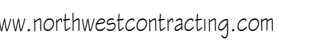
1121 MAIN ST E, MANDAN, ND  
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ELEVATIONS - CAR  
PORT

NOT FOR  
CONSTRUCTION  
07/15/2024

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## REVISIONS

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**DAKOTA  
KUSTOMZ**  
Full Custom Garage

NOT FOR  
CONSTRUCTION  
07/15/2024

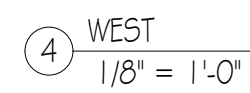
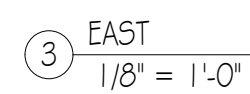
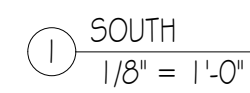
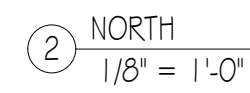
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DATE: \_\_\_\_\_ Issue Date

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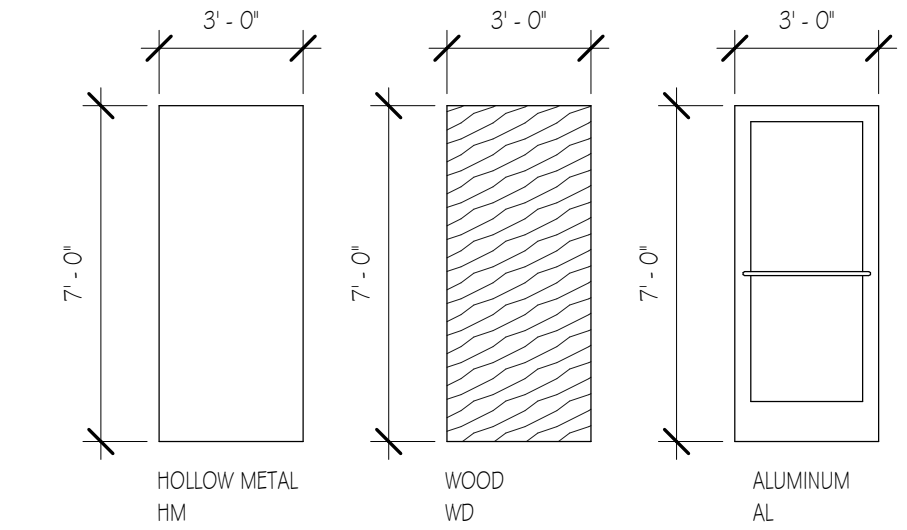
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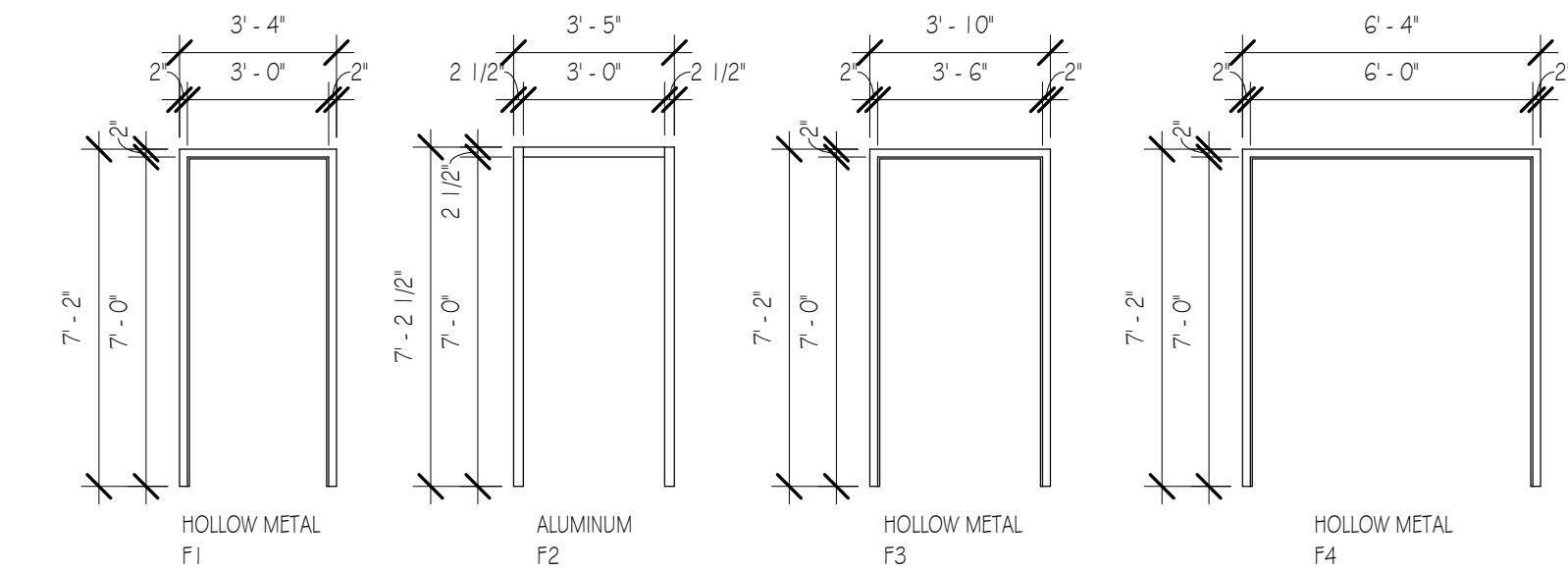
| ROOM SCHEDULE |                   |         |                 |             |                               |                |                |               |
|---------------|-------------------|---------|-----------------|-------------|-------------------------------|----------------|----------------|---------------|
| ROOM NUMBER   | ROOM NAME         | AREA    | FLOOR FINISH    | BASE FINISH | WALL FINISH                   | CEILING FINISH | CEILING HEIGHT | COMMENTS      |
| 1             | SHOWROOM          | 3804 SF | SEALED CONCRETE |             | METAL PANEL                   | METAL PANEL    |                |               |
| 2             | TRAVIS OFFICE     | 252 SF  | CARPET TILE     | VWB         | GWB                           | HARD LID       | 8' - 0"        |               |
| 3             | MEDIA             | 161 SF  | CARPET TILE     | VWB         | GWB                           | HARD LID       | 8' - 0"        |               |
| 4             | STORAGE           | 100 SF  | SEALED CONCRETE | VWB         | GWB                           | HARD LID       | 8' - 0"        |               |
| 5             | WOMEN             | 64 SF   | LVT             | VWB / TILE  | GWB / 4' WAINSCOT             | HARD LID       | 8' - 0"        |               |
| 6             | MEN               | 64 SF   | LVT             | VWB / TILE  | GWB / 4' WAINSCOT             | HARD LID       | 8' - 0"        |               |
| 7             | UTILITY/T.        | 101 SF  | SEALED CONCRETE | VWB         | GWB                           | HARD LID       | 8' - 0"        |               |
| 8             | OFFICE            | 144 SF  | CARPET TILE     | VWB         | GWB                           | HARD LID       | 7' - 6"        |               |
| 9             | OFFICE            | 144 SF  | CARPET TILE     | VWB         | GWB                           | HARD LID       | 7' - 6"        |               |
| 10            | OFFICE            | 144 SF  | CARPET TILE     | VWB         | GWB                           | HARD LID       | 7' - 6"        |               |
| 11            | STORAGE           | 15 SF   | CARPET TILE     | VWB         | GWB                           | HARD LID       | 7' - 6"        |               |
| 11A           | MECH.             | 20 SF   | CARPET TILE     | VWB         | GWB                           | HARD LID       | 7' - 6"        |               |
| 12            | COORDIDOR         | 159 SF  | SEALED CONCRETE |             | METAL PANEL                   | METAL PANEL    | 9' - 6"        |               |
| 13            | WALK THRU OFFICE  | 181 SF  | SEALED CONCRETE | VWB         | GWB                           | HARD LID       | 7' - 6"        |               |
| 14            | SHOP TLT          | 106 SF  | LVT             | VWB / TILE  | GWB                           | HARD LID       | 7' - 6"        | EXISTING ROOM |
| 15            | SHOP              | 4435 SF | CONCRETE        |             | METAL PANEL                   | METAL PANEL    |                |               |
| 16            | FABRICATION SHOP  | 3141 SF | CONCRETE        |             | METAL PANEL                   | METAL PANEL    |                |               |
| 17            | PARTS             | 1052 SF | CONCRETE        |             | METAL PANEL / 2 HR SHAFT WALL | METAL PANEL    |                |               |
| 18            | EQUIPMENT ROOM    | 174 SF  | CONCRETE        |             | METAL PANEL / 2 HR SHAFT WALL | METAL PANEL    |                |               |
| 19            | BREAK ROOM        | 292 SF  | SEALED CONCRETE | VWB         | GWB                           | HARD LID       | 8' - 0"        |               |
| 20            | PAINT / BODY SHOP | 3416 SF | CONCRETE        |             | METAL PANEL                   | METAL PANEL    |                |               |
| 21            | STORAGE           | 1456 SF | CONCRETE        |             | METAL PANEL                   | METAL PANEL    |                |               |
| 22            | TLT               | 50 SF   | LVT             | VWB / TILE  | GWB                           | HARD LID       | 8' - 0"        |               |
| 23            | ENTRY             | 114 SF  | SEALED CONCRETE | VWB         | GWB                           | HARD LID       | 8' - 0"        |               |
| 24            | OFFICE            | 108 SF  | CARPET TILE     | VWB         | GWB                           | HARD LID       | 8' - 0"        |               |
| 25            | PAINT BOOTH       | 376 SF  |                 |             |                               |                |                | SEALED UNIT   |
| 26            | PAINT ROOM        | 119 SF  |                 |             |                               |                |                | SEALED UNIT   |
| 27            | MECHANICAL        | 209 SF  | SEALED CONCRETE | VWB         | GWB                           |                |                |               |

| DOOR SCHEDULE |          |          |              |      |        |         |           |             |       |        |      |      |                            |
|---------------|----------|----------|--------------|------|--------|---------|-----------|-------------|-------|--------|------|------|----------------------------|
| MARK          | DOOR     |          |              |      |        |         | DOOR      |             | FRAME |        |      |      | COMMENTS                   |
|               | WIDTH    | HEIGHT   | THICKNESS    | TYPE | FINISH | SWING   | HARDWARE  | FIRE RATING | TYPE  | FINISH | JAMB | HEAD |                            |
| 1A            | 3' - 0"  | 7' - 0"  |              | AL   | AL     | LHR     |           |             | F2    | AL     |      |      | REPLACEMENT DOOR / KEY FOB |
| 1B            | 3' - 0"  | 7' - 0"  |              | AL   | AL     | RHR     |           |             | F2    | AL     |      |      | EXISTING                   |
| 1C            | 2' - 11" | 7' - 0"  |              | AL   | AL     | LH      |           |             | F2    | AL     |      |      | EXISTING                   |
| 2             | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | WD   | WD     | RH      |           |             | F1    | PNT    |      |      |                            |
| 3             | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | WD   | WD     | LH      |           |             | F1    | PNT    |      |      |                            |
| 4             | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | WD   | WD     | LH      |           |             | F1    | PNT    |      |      |                            |
| 5             | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | WD   | WD     | RH      |           |             | F1    | PNT    |      |      |                            |
| 6             | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | WD   | WD     | LH      |           |             | F1    | PNT    |      |      |                            |
| 7             | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | WD   | WD     | RH      |           |             | F1    | PNT    |      |      |                            |
| 8             | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LH      |           |             | F1    | PNT    |      |      |                            |
| 9             | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | RH      |           |             | F1    | PNT    |      |      |                            |
| 10            | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LH      |           |             | F1    | PNT    |      |      |                            |
| 11            | 2' - 6"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LHR     |           |             | F1    | PNT    |      |      |                            |
| 11A           | 4' - 0"  | 7' - 0"  | 0' - 1 1/2"  |      |        |         |           |             |       |        |      |      | BI-FOLD                    |
| 13            | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LH      |           | 2 - HR      | F1    | PNT    |      |      |                            |
| 14            | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LH      |           | 2 - HR      | F1    | PNT    |      |      |                            |
| 15A           | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LHR     | PANIC BAR |             | F1    | PNT    |      |      | KEY FOB                    |
| 15B           | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | RHR     | PANIC BAR |             | F1    | PNT    |      |      | KEY FOB                    |
| 15E           | 7' - 0"  | 7' - 0"  |              |      |        | SLIDING |           |             |       |        |      |      | EXISTING                   |
| 17A           | 3' - 6"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | RHR     |           | 2 - HR      | F1    | PNT    |      |      |                            |
| 17B           | 6' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LHRH    | PANIC BAR |             | F4    | PNT    |      |      |                            |
| 18            | 3' - 6"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LH      |           |             | F3    | PNT    |      |      |                            |
| 19            | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | WD   | WD     | LH      |           |             | F1    | PNT    |      |      |                            |
| 20A           | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  |      |        | LHR     | PANIC BAR |             | F1    | PNT    |      |      | KEY FOB                    |
| 20B           | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | RHR     |           |             | F1    | PNT    |      |      |                            |
| 20D           | 7' - 0"  | 7' - 0"  |              |      |        | SLIDING |           |             |       |        |      |      | EXISTING                   |
| 21            | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | RHR     |           |             | F1    | PNT    |      |      |                            |
| 22            | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | RH      |           |             | F1    | PNT    |      |      |                            |
| 23A           | 3' - 0"  | 7' - 0"  |              | AL   | AL     | LHR     |           |             | F2    | AL     |      |      |                            |
| 23B           | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | RHR     |           |             | F1    | PNT    |      |      |                            |
| 24            | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LH      |           |             | F1    | PNT    |      |      |                            |
| 27            | 3' - 0"  | 7' - 0"  | 0' - 1 3/4"  | HM   | PNT    | LH      |           |             | F1    | PNT    |      |      |                            |
| CHD1          | 14' - 0" | 14' - 0" | 0' - 1 1/2"  |      |        | CHD     |           |             |       |        |      |      |                            |
| CHD2          | 14' - 0" | 14' - 0" | 0' - 1 1/2"  |      |        | CHD     |           |             |       |        |      |      |                            |
| CHD3          | 16' - 0" | 16' - 0" | 0' - 1 1/2"  |      |        | CHD     |           |             |       |        |      |      | EXISTING                   |
| CHD4          | 16' - 0" | 14' - 0" | 0' - 1 1/2"  |      |        | CHD     |           |             |       |        |      |      | EXISTING                   |
| CHD5          | 16' - 0" | 14' - 0" | 0' - 1 1/2"  |      |        | CHD     |           |             |       |        |      |      | EXISTING                   |
| CHD7          | 10' - 0" | 8' - 0"  | 0' - 2 1/8"  |      |        | CHD     |           |             |       |        |      |      |                            |
| CHD8          | 10' - 0" | 8' - 0"  | 0' - 0 1/32" |      |        | CHD     |           | 2 - HR      |       |        |      |      |                            |
| CHD9          | 18' - 0" | 8' - 0"  | 0' - 1 1/2"  |      |        | CHD     |           |             |       |        |      |      |                            |

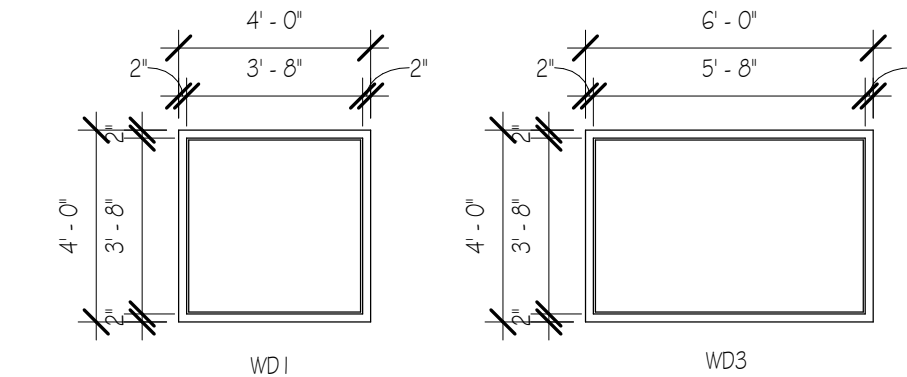
| WINDOW SCHEDULE |       |         |         |          |        |      |      |      |           |      |          |
|-----------------|-------|---------|---------|----------|--------|------|------|------|-----------|------|----------|
| WINDOW          | COUNT | R.O.    |         | MATERIAL | FINISH | HEAD | JAMB | SILL | GLAZING   |      | COMMENTS |
|                 |       | WIDTH   | HEIGHT  |          |        |      |      |      | THICKNESS | TYPE |          |
| WD1             | 6     | 4' - 0" | 4' - 0" | HM       | PNT    |      |      |      |           |      |          |
| WD2             | 3     | 6' - 0" | 4' - 0" | HM       | PNT    |      |      |      |           |      |          |



1 DOOR ELEVATION  
1/4" = 1'-0"



2 DOOR FRAME ELEVATION  
1/4" = 1'-0"



3 WINDOW ELEVATION  
1/4" = 1'-0"

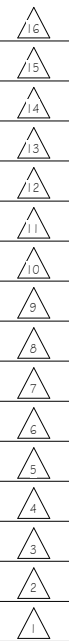


2840 Valley Forge St.  
BISMARCK, ND 58503  
TEL (701) 255-7727

www.northwestcontracting.com

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REVISIONS



DAKOTA KUSTOMZ



1121 MAIN ST E, MANDAN, ND  
58554

SCHEDULES

NOT FOR  
CONSTRUCTION  
07/15/2024

PROJECT NO:

Project Number

DRAWN BY:

CBA

DATE:

Issue Date

SHEET NUMBER

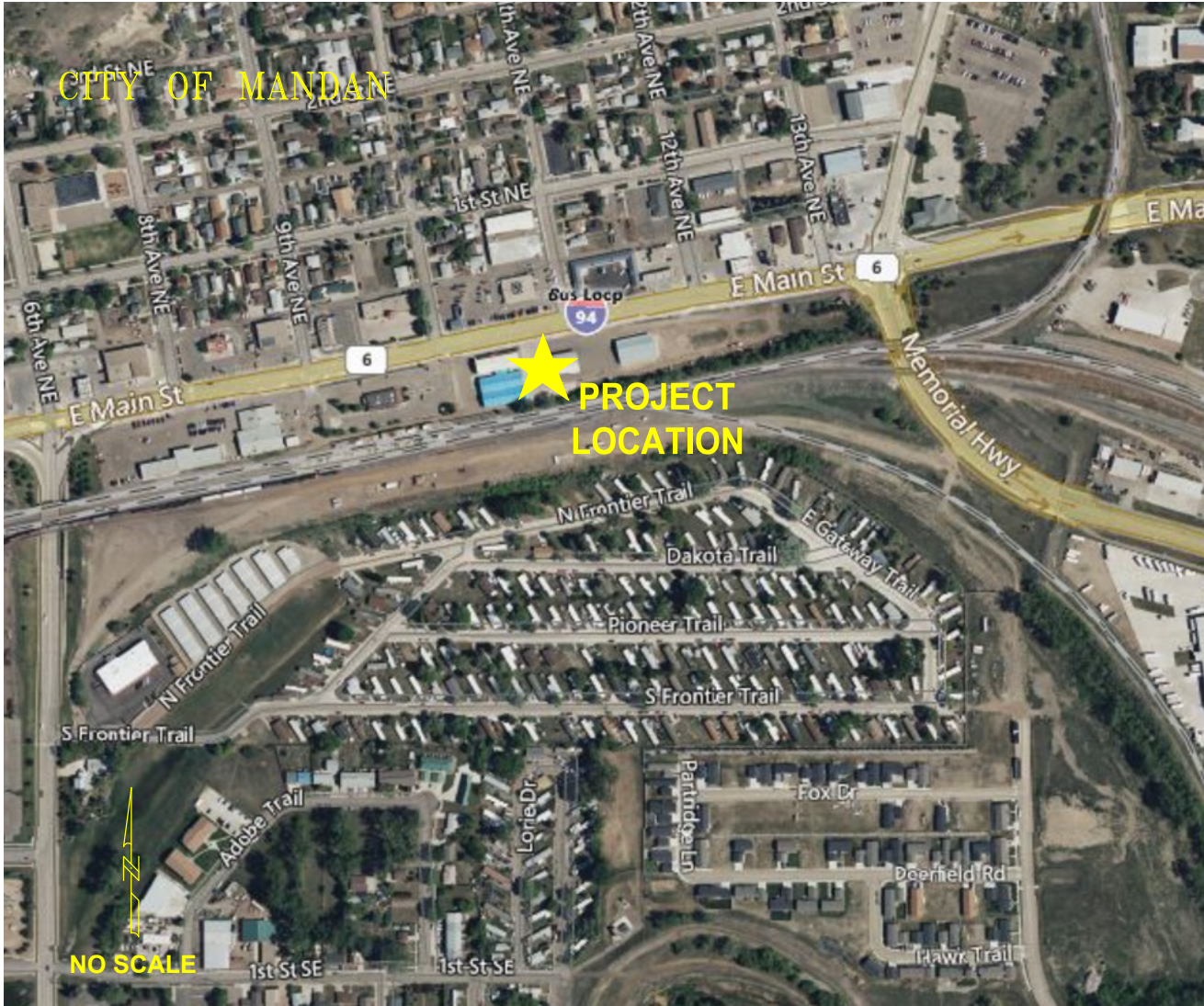
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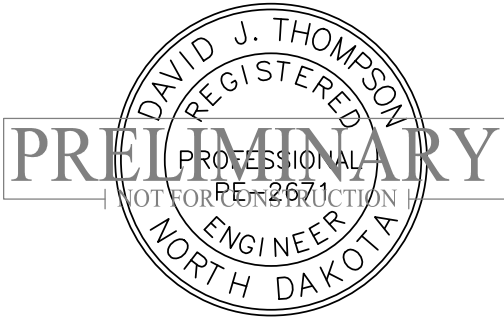
MIDWEST RENTALS, INC.  
SITE IMPROVEMENTS  
MANDAN, NORTH DAKOTA

INDEX OF DRAWINGS

| SHT NO | TITLE                |
|--------|----------------------|
| 1      | TITLE SHEET          |
| 2      | EXISTING CONDITIONS  |
| 3      | PROPOSED CONDITIONS  |
| 4      | PROPOSED LANDSCAPING |



DESIGN ENGINEER'S CERTIFICATE  
I, DAVID J. THOMPSON, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE PLANS FOR MANDAN LEASE SITE #BF75686, MANDAN NORTH DAKOTA WERE PREPARED UNDER MY SUPERVISION AND ARE COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



DAVID J. THOMPSON, P.E.  
REGISTERED PROFESSIONAL ENGINEER  
NORTH DAKOTA REGISTRATION NO. 2671



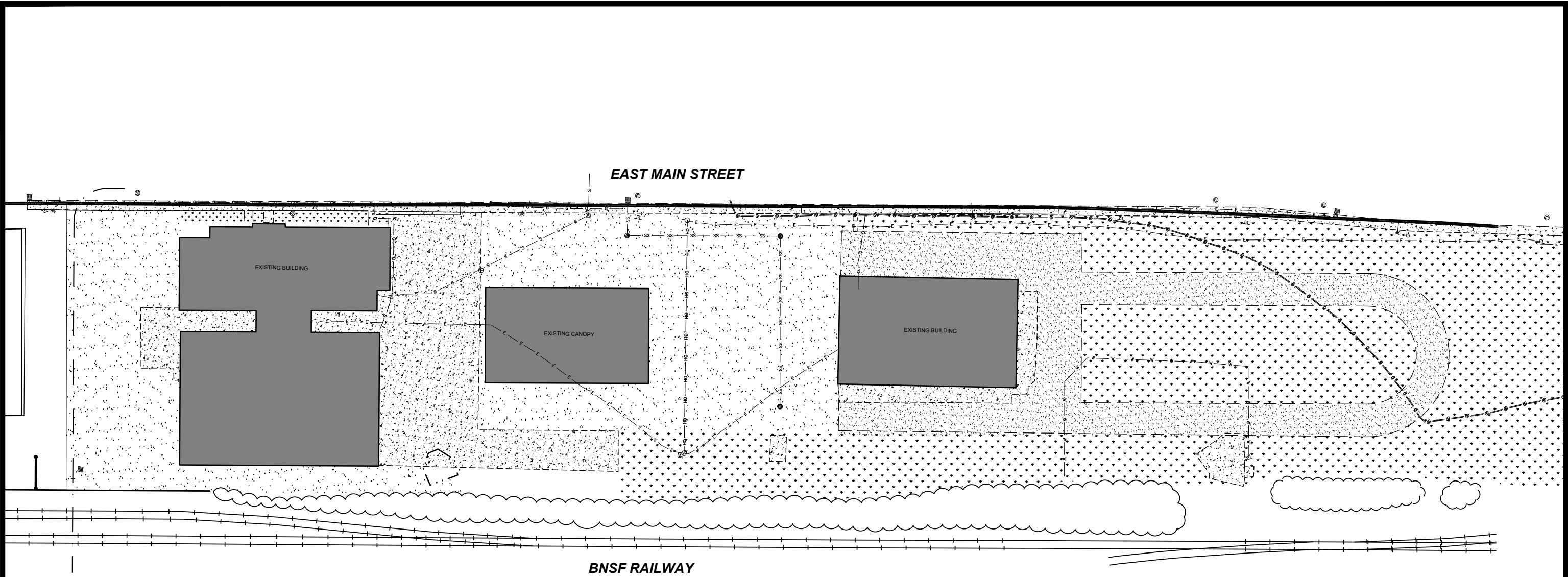
MIDWEST RENTALS, INC.  
1121 E. MAIN ST  
MANDAN, NORTH DAKOTA

MANDAN LEASE SITE #BF75646  
CITY OF MANDAN, NORTH DAKOTA

SHEET 1 OF 4 JULY, 2024

TITLE SHEET

**\*CAUTION\***  
UTILITY LOCATIONS ARE APPROXIMATE.  
CONTRACTOR IS RESPONSIBLE FOR  
VERIFYING LOCATION PRIOR TO  
EXCAVATION



ZONING:  
MA

SETBACKS:  
FRONT: 15'  
SIDE: 0'  
REAR: 10'

ND ONE CALL TICKET NO. 23037793

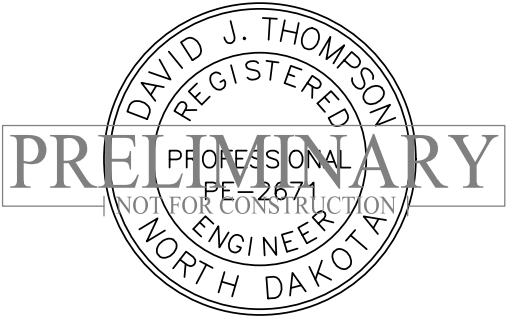
**\*CAUTION\***  
UTILITY LOCATIONS ARE APPROXIMATE.  
CONTRACTOR IS RESPONSIBLE FOR  
VERIFYING LOCATION PRIOR TO  
EXCAVATION

LEGEND

- EXISTING CURB STOP
- EXISTING GATE VALVE
- EXISTING YARD LIGHT
- EXISTING SANITARY SEWER MANHOLE
- EXISTING POWER POLE
- EXISTING FIRE HYDRANT
- EXISTING SIGN
- EXISTING CLEANOUT

- EXISTING CURB & GUTTER
- EXISTING 10" PVC WATERMAIN
- EXISTING 8" PVC SEWERMAIN
- EXISTING 4" PVC SEWER SERVICE
- EXISTING 2" WATER SERVICE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING TELEPHONE
- EXISTING GAS

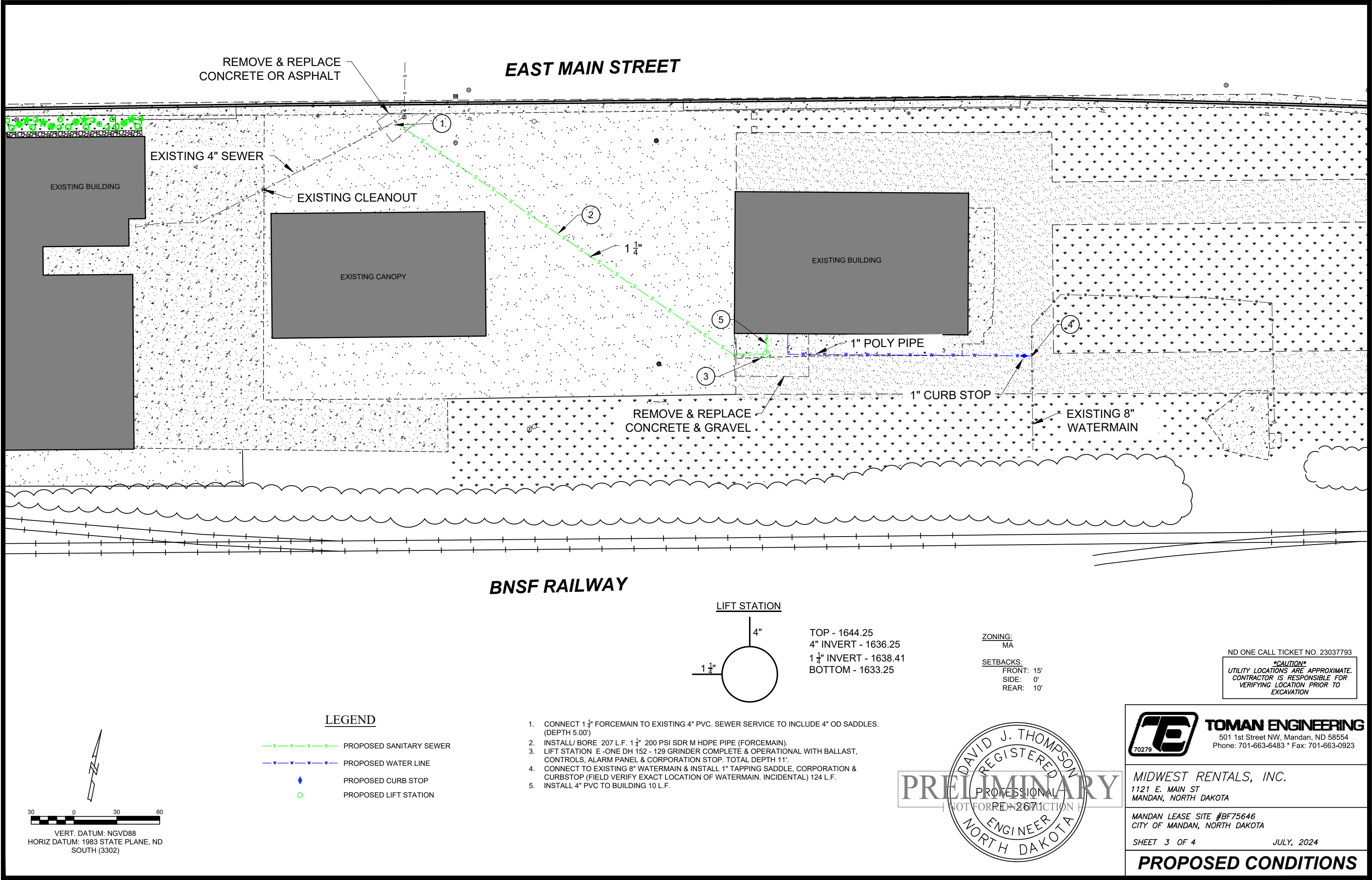
- EXISTING CONTOUR
- EXISTING CONCRETE
- EXISTING GRAVEL
- EXISTING ASPHALT
- EXISTING GRASS
- EXISTING TREE ROW
- PROPOSED SILT FENCE
- PROPOSED WATTLES



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

MIDWEST RENTALS, INC.  
1121 E. MAIN ST  
MANDAN, NORTH DAKOTA

MANDAN LEASE SITE #BF75646  
CITY OF MANDAN, NORTH DAKOTA  
SHEET 2 OF 4 JULY, 2024



EAST MAIN STREET

REMOVE & REPLACE  
CONCRETE OR ASPHALT

EXISTING 4" SEWER

EXISTING CLEANOUT

EXISTING CANOPY

EXISTING BUILDING

1" POLY PIPE

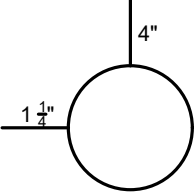
1" CURB STOP

EXISTING 8"  
WATERMAIN

REMOVE & REPLACE  
CONCRETE & GRAVEL

BNSF RAILWAY

LIFT STATION



TOP - 1644.25  
4" INVERT - 1636.25  
1 1/4" INVERT - 1638.41  
BOTTOM - 1633.25

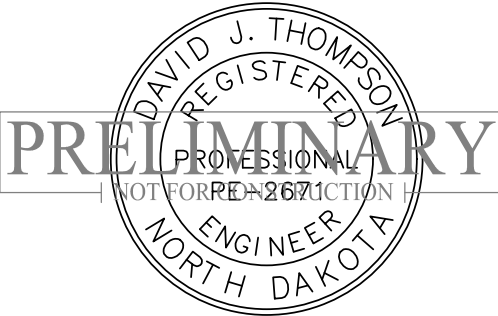
ZONING:  
MA  
  
SETBACKS:  
FRONT: 15'  
SIDE: 0'  
REAR: 10'

ND ONE CALL TICKET NO. 23037793  
  
\*CAUTION\*  
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EXCAVATION

LEGEND

- PROPOSED SANITARY SEWER
- PROPOSED WATER LINE
- PROPOSED CURB STOP
- PROPOSED LIFT STATION

- 1. CONNECT 1 1/4" FORCEMAIN TO EXISTING 4" PVC. SEWER SERVICE TO INCLUDE 4" OD SADDLES. (DEPTH 5.00')
- 2. INSTALL/ BORE 207 L.F. 1 1/4" 200 PSI SDR M HDPE PIPE (FORCEMAIN).
- 3. LIFT STATION E -ONE DH 152 - 129 GRINDER COMPLETE & OPERATIONAL WITH BALLAST, CONTROLS, ALARM PANEL & CORPORATION STOP. TOTAL DEPTH 11'.
- 4. CONNECT TO EXISTING 8" WATERMAIN & INSTALL 1" TAPPING SADDLE, CORPORATION & CURBSTOP (FIELD VERIFY EXACT LOCATION OF WATERMAIN. INCIDENTAL) 124 L.F.
- 5. INSTALL 4" PVC TO BUILDING 10 L.F.



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MANDAN, NORTH DAKOTA

MANDAN LEASE SITE #BF75646  
CITY OF MANDAN, NORTH DAKOTA

SHEET 3 OF 4 JULY, 2024

PROPOSED CONDITIONS

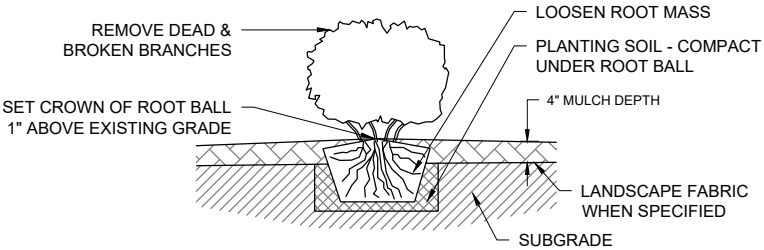
VERT. DATUM: NGVD88  
HORIZ DATUM: 1983 STATE PLANE, ND  
SOUTH (3302)



1. INSTALL LANDSCAPE FABRIC & 4" MULCH
2. ALL SHRUBS SHALL HAVE MULCH INSTALLED PER CITY OF MANDAN SPECIFICATIONS.
3. TREE/SHRUB PLANTING AREA TO HAVE IRRIGATION/DRIP SYSTEM INSTALLED. SHALL BE DESIGN-BUILD
4. INSTALL 1-1/2" BLACK GRANITE (EXTENDS UNDER CANOPY)

LEGEND

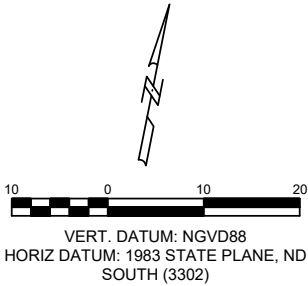
- BOBO HYDRANGEA  
H=2'-3', S=4"  
hydrangea paniculata (IL Vobo USPP)  
SIZE=QUART, QUANTITY=7
- LITTLE DEVIL NINE BARK  
H=3'-4', S=3'-4'  
physocarpus opulifolius  
SIZE=2 GALLON, QUANTITY=8
- LITTLE GIANT GLOBE  
H=3'-4', S=3'-4'  
Thuja occidentalis 'Little Giant'  
SIZE=2 GALLON, QUANTITY=10
- DWARF GLOBE BLUE SPRUCE  
H=3'-5', S=4'-6'  
Picea pungens 'Globosa'  
SIZE=2 GALLON, QUANTITY=10
- MOPS PUGO PINE  
H=3'-4', S=3'-4'  
Punis mugo 'Mops'  
SIZE=2 GALLON, QUANTITY=8
- PROPOSED LANDSCAPE FABRIC & MULCH
- PROPOSED LANDSCAPE GRANITE



SHRUB PLANTING DETAIL

ND ONE CALL TICKET NO. 23037793

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MIDWEST RENTALS, INC.  
1121 E. MAIN ST  
MANDAN, NORTH DAKOTA

MANDAN LEASE SITE #BF75646  
CITY OF MANDAN, NORTH DAKOTA

SHEET 4 OF 4

JULY, 2024

**PROPOSED LANDSCAPING**



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 26, 2024  
**SUBMITTING DEPARTMENT:** Business Development & Communications  
**DEPARTMENT DIRECTOR:** Madison Cermak  
**PRESENTER:** Madison Cermak, Business Development & Communications Director  
**SUBJECT:** Consider a Renaissance Zone lease application for 1121 E Main St.

---

#### **STATEMENT/PURPOSE:**

To consider a Renaissance Zone Committee recommendation for approval of an application for Dakota Kustomz lease of 1121 E Main St as a building being rehabilitated as a Renaissance Zone project

#### **BACKGROUND/ALTERNATIVES:**

The Renaissance Zone Committee met Aug. 26, 2024. Agenda items included consideration of an application for a lease for a vehicle restoration and customization shop. Dakota Kustomz offers motorcycle and hotrod customization, repair, performance upgrades, lift kits, leveling kits, airbags and all aftermarket parts and accessories. The expansion will result in additional employment opportunities and increased sales tax revenue. The carport will lend itself to holding special events.

In addition to the investment in building improvements described as part of the associated application for rehab of the property, Dakota Kustomz will be investing significantly in equipment plus fixtures and furnishings. Dakota Kustomz is currently on approximately 12,800 sqft with a business booked out more than 2 years. Having a larger facility will allow room, more growth with improved property and upgrades.

#### **ATTACHMENTS:**

1. RZ Application Lease of 1121 E Main St

#### **FISCAL IMPACT:**

The estimated state income tax exemption is \$1,256 annually for a five-year total of \$6,280.

**STAFF IMPACT:**

Minimal for application processing and finalization.

**LEGAL REVIEW:**

Attorney Oster will review the application.

**RECOMMENDATION:**

The Renaissance Zone Committee voted unanimously to recommend approval for the lease of 1121 E Main St. by Dakota Kustomz as a Renaissance Zone project to include a 100% five-year state income tax exemption.

**SUGGESTED MOTION:**

I move to approve the lease of 1121 E Main St. by Dakota Kustomz as a Renaissance Zone project to include a 100% five-year state income tax exemption.



14. Describe how the project benefits the community (*Examples: Business created, expanded or retained, additional jobs created, additional products or services available, improved property, etc.*)

15. Current employees (*full-time equivalents*) \_\_\_\_\_

16. Anticipated employees in 2 years (*full-time equivalents*) \_\_\_\_\_

17. Project timeline including anticipated start, completion, or occupancy dates  
Est. start date \_\_\_\_\_ Est. completion or occupancy date \_\_\_\_\_

18. Evidence that the taxpayer is current on local and state taxes? Yes No

*Attach copy of certificate of Good Standing from the N.D. Tax Department and proof of payment of current real estate taxes such as a copy of a receipt from the Morton County Treasurer's Office*

**ADDITIONAL PROJECT INFORMATION (*New Construction, Rehabilitation, Purchase with Improvements only*)**

19. Current true and full value of the building \_\_\_\_\_

20. Total estimated cost of improvements (*attach cost estimates*) \_\_\_\_\_  
*Note: Any grant funds may not be counted in determining if the cost of improvements or rehabilitation meets or exceeds the minimum requirements.*

21. Estimated value of building after improvements have been completed \_\_\_\_\_

22. Estimated property tax benefit (*annually*) \_\_\_\_\_ (*five years*) \_\_\_\_\_

23. Does this project involve historical preservation or renovation? Yes No

For projects that involve historical preservation or renovation, but are not part of a rehabilitation project, provide a description of the work and the estimated costs. **A letter of approval from the Historical Society is required to claim any historical tax credits either on a rehabilitation project or renovation.** Information for historical properties may be obtained by contacting the Historical Society at: (701) 328- 2666.

24. For residential projects, please provide evidence that the home is the taxpayer's primary residence.



## City Commission

### Agenda Documentation

**MEETING DATE:** September 3, 2024  
**PREPARATION DATE:** August 21, 2024  
**SUBMITTING DEPARTMENT:**  
**DEPARTMENT DIRECTOR:** Jim Neubauer  
**PRESENTER:** Jim Neubauer, City Administrator  
**SUBJECT:** Initiated Measure adding 1/2 cent sales tax

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#### **STATEMENT/PURPOSE:**

To consider the appropriate language to be added to the Municipal Code of Ordinances as a result of the passing on June 11, 2024 of the initiated measure adding 1/2 cent sales tax for public transportation, police and fire buildings and vehicles.

#### **BACKGROUND/ALTERNATIVES:**

A group of citizens submitted petitions asking residents to vote on an additional 1/2 cent sales tax. The measure was placed on the June 11, 2024, ballot and was passed.

The proceeds of this one-half cent city sales, use, and gross receipts tax would be dedicated to public safety and public transportation needs. Three tenths of a cent would be dedicated to public safety specifically, costs associated with the building of police and fire stations, the acquisition of police and fire emergency vehicles, and city hall accessibility needs. Two tenths of a cent would be dedicated to public transportation needs, specifically costs associated with providing reliable service for disabled, elderly, and socio-economically challenged residents.

#### **ATTACHMENTS:**

1. Ordinance 1453 - Sales Tax

#### **FISCAL IMPACT:**

The collection of the additional sales tax would begin Jan. 1, 2025 and is estimated to add \$1.8 additional revenue per year.

3/5ths equates to \$1,080,000 for Police and Fire buildings and vehicles and city hall accessibility.

2/5ths equates to \$720,000 for public transportation.

Subject: Second consideration of Ordinance 1453, an ordinance to amend and re-enact Article 2 of the Mandan Code of Ordinances, relating to city sales, use and gross receipts tax under the Home Rule Charter of the City of Mandan

Page 2 of 2

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**STAFF IMPACT:**

n/a

**LEGAL REVIEW:**

City Attorney Oster, in conjunction with the North Dakota Office of State Tax Commissioner, has drafted the attached ordinance and has been updated since the first consideration on Aug. 6, 2024.

**RECOMMENDATION:**

I recommend approval of Ordinance 1453.

**SUGGESTED MOTION:**

i move to approve the second consideration of ordinance 1453 as presented.

## ORDINANCE NO. 1453

### AN ORDINANCE TO AMEND AND RE-ENACT ARTICLE 2 OF THE MANDAN CODE OF ORDINANCES, RELATING TO CITY SALES, USE, AND GROSS RECEIPTS TAX UNDER THE HOME RULE CHARTER OF THE CITY OF MANDAN.

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

#### ARTICLE 2. - SALES, USE, AND GROSS RECEIPTS TAX

##### Sec. 22-2-1. – Definitions.

All terms defined in chapters 40-05.1, 57-39.2, 57-39.4, 57-39.5, 57-39.6, and 57-40.2 of the North Dakota Century Code (N.D.C.C.), are adopted by reference. All references to the N.D.C.C. include amendments adopted by the North Dakota Legislative Assembly.

##### Sec. 22-2-2. - Sales Tax Imposed.

- (a) There is imposed a tax of one percent upon the gross receipts of retailers from all sales at retail, including the leasing and renting of tangible personal property, within the corporate limits of the city, of those items subject to taxation under N.D.C.C. ch. 57-39.2.
- (b) There is imposed an additional tax of three-fourths percent upon the gross receipts of retailers from all sales at retail, including the leasing and renting of tangible personal property, within the corporate limits of the city, of those items subject to taxation under N.D.C.C. ch. 57-39.2, until such time as bonds for the construction of certain Park District improvements, subject of a June 9, 2015 special election are paid in full, at which time the additional tax of three-fourths percent shall terminate.
- (c) There is imposed an additional retail sales, use, and gross receipts tax of no more than one-half percent from and after January 1, 2025 of those gross receipts taxed pursuant to Chapters 57-39.2, 57-39.4, 57-40.2, 57-39.5, and 57-39.6, N.D.C.C.
  - 1. The proceeds of this one-half cent city sales, use, and gross receipts tax shall be dedicated only to public safety and public transportation needs in the following proportions:
    - a. Three-tenths of a cent dedicated to public safety: specifically, costs associated with the building of police and fire stations, the acquisition of police and fire emergency vehicles, and city hall accessibility needs.
    - b. Two-tenths of a cent dedicated to public transportation needs: specifically, costs associated with providing reliable service for disabled, elderly, and socio-economically challenged residents.

**Sec. 22-2-3. – SalesGross receipts tax on alcoholic beverages and tobacco products.**

~~Notwithstanding any other provision of law, the sales taxes imposed by this article apply to the gross receipts of retailers from all sales at retail of alcoholic beverages as defined in N.D.C.C. § 5-01-01, whether mixed or unmixed at the time of sale or thereafter, and whether sold for consumption on the premises or through off-sale outlets for consumption off the premises, and cigarettes, cigars and other tobacco products including electronic cigarettes, provided that gross receipts from the sale thereof shall mean and include any other taxes imposed on such merchandise or its use or on the retail or other sale thereof. Notwithstanding any other provision of law, there is imposed a tax of one percent on the gross receipts of retailers from all sales at retail of alcoholic beverages subject to tax under N.D.C.C. ch. 57-39.2, which is in lieu of and not in addition to any other tax imposed by this chapter.~~

Subject to the provisions of N.D.C.C. § 40-05.1-06, and except as otherwise provided in this article, a gross receipts tax of 2.25 percent is imposed upon all gross receipts from the sale of alcoholic beverages within the city. A person who receives alcoholic beverages for storage, use, or consumption in this state is subject to tax on storage, use, or consumption of those alcoholic beverages at the rate of 2.25 percent.

**Sec. 22-2-4. - Sales tax on sales through vending machines.**

Gross receipts from the sale of tangible personal property costing sixteen cents or more sold through a coin-operated vending machine shall be subject to the sales tax imposed by this article, and gross receipts from the sale of tangible personal property costing fifteen cents or less sold through a coin-operated vending machine shall be specifically exempted from the provisions of this article.

**Sec. 22-2-5. - Gross receipts of new farm machinery and new farm irrigation equipment.**

Subject to the provisions of N.D.C.C. § 40-05.1-06, and except as otherwise provided in this article, a gross receipts tax of 2.25 percent is imposed upon all gross receipts from the sale of new farm machinery and new farm irrigation equipment within the city. A person who receives new farm machinery or new farm irrigation equipment for storage, use, or consumption in this state is subject to tax on storage, use, or consumption of that machinery and/or equipment at the rate of 2.25 percent.

**~~--Use tax on alcoholic beverages and tobacco products.--~~**

~~Notwithstanding any other provision of law, the use taxes imposed by this article apply to the storage, use or consumption in this city of alcoholic beverages as defined in N.D.C.C. § 5-01-01, whether mixed or unmixed at the time of sale or thereafter, and whether sold for consumption on the premises or through off-sale outlets for consumption off the premises, and cigarettes, cigars and other tobacco products including electronic cigarettes, provided that gross receipts from the sale thereof shall mean and include any other taxes imposed on such merchandise or its use or on the retail or other sale thereof. Notwithstanding any other provision of law, there is imposed a tax~~

~~of one percent on the storage, use or consumption in this city of alcoholic beverages, which is in lieu of and not in addition to any other tax imposed by this chapter.~~

#### **Section 22-2-6. - Use Tax Imposed.**

Subject to the provisions of N.D.C.C. § 40-05.1-06, and except as otherwise provided in this article, or the sales and use tax laws of the State of North Dakota, an excise tax is imposed upon the storage, use, or consumption within the corporate limits of this city of tangible personal property purchased at retail for storage, use, or consumption in this city, at the rate of 2.25 percent of the fair market value of such property at the time it was brought into this city.

With respect to the purchase price of tangible personal property used by a contractor or subcontractor to fulfill a contract as defined in N.D.C.C. § 57-40.2-03.3, the tax imposed by this section applies only to bids submitted on or after the effective date of this article.

#### **Sec. 22-2-7. - Dedication of tax proceeds.**

- (a) Except as otherwise provided, all revenues raised and collected under this article, less administrative expenses, shall be dedicated only to reducing property taxes and municipal debt, street, water and sewer system improvements, and for job and economic development. All revenues shall be maintained in a fund, to be known as the sales tax fund, separate and apart from all other funds, except as provided by this article.
- (b) The board of city commissioners shall determine the amount by which property tax levies will be reduced each year prior to adoption of the city's budget. An amount equivalent to the estimated property tax revenue lost due to the property tax reduction may thereafter be transferred from the sales tax fund to the general fund.
- (c) Additional funds may be transferred to appropriate debt reduction, street, water and sewer system improvements, job and economic development funds, and as directed by the Board.
- (d) Remaining revenues and any income therefrom shall accumulate in the sales tax fund until expended by the board as permitted by this article.

#### **Sec. 22-2-8. – Maximum tax imposed.**

No tax in excess of Fifty-Six Dollars and Twenty-Five Cents (\$56.25) shall be imposed upon any single transaction involving one or more item.

#### **Sec. 22-2-9. - Compensation.**

City sales, use, and gross receipts tax permit holders are allowed to retain a portion of tax collected under this article to help recover administrative expenses. This compensation shall equal three percent of the city tax due; however, the deduction is limited to \$83.33 per month or \$250.00

per quarter. A tax return must be filed and paid in full by the scheduled due date or the compensation will be disallowed and the tax obligation will be subject to penalty and interest.

**Sec. 22-2-10. - Collection and administration.**

Where not in conflict with the provisions of this article, the provisions of N.D.C.C. chapters 40-05.1, 57-39.2, 57-39.4, 57-39.5, 57-39.6, and 57-40.2, and all administrative rules adopted by the Tax Commissioner, pertaining to the collection and administration of the retail sales, use, and gross receipts tax, including provisions for liability, refund, penalty, interest or credit, govern the administration by the North Dakota Office of State Tax Commissioner (hereinafter "Tax Commissioner") of the taxes imposed by this article.

**Sec. 22-2-11. - Contract with Tax Commissioner.**

The Mandan City Auditor is hereby authorized to contract with the Tax Commissioner for administration and collection of taxes imposed by this article. The City Auditor has all powers granted to the Tax Commissioner and in the absence of a valid contract with the Tax Commissioner or failure of the Tax Commissioner to perform the delegated duties, shall perform these duties in place of the Tax Commissioner.

**Sec. 22-2-12. - Exemptions.**

This article does not provide for any additional exemptions from imposition and computation of the city sales and use tax other than those provided by state law.

By: \_\_\_\_\_  
James Froelich, President, Board of  
City Commissioners

Attest:

\_\_\_\_\_  
James Neubauer, City Administrator

First Consideration: August 6, 2024

Second Consideration: September 3, 2024

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Effective Date: January 1, 2025