



**CITY COMMISSION
JANUARY 21, 2025
ED "BOSH" FROEHLICH MEETING ROOM
MANDAN CITY HALL
5:00 PM
WWW.CITYOFMANDAN.COM**

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

A. ROLL CALL

1. Roll call of all City Commissioners

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. Public Input Meeting for Downtown Street Improvement Phase 1 on Tuesday, Feb. 3, 2025 in Morton Mandan Public Library Community Room

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider approval of the following Board of City Commission Meeting Minutes:
 - a. Jan. 7, 2025 Regular Meeting
 - b. Jan. 14, 2025 Special Meeting, Working Session

F. PUBLIC HEARING

1. Consider a Preliminary Plat for Heart River Women's Transformational Center Addition

G. BIDS

H. CONSENT AGENDA

1. Consider approval of monthly bills
2. Consider a gaming site authorization for the Mule Deer Foundation Northern Badlands Chapter at Baymont Inn on Feb. 8
3. Consider approval of revised Sidewalk and Driveway Specifications
4. Consider approval of the raffle permit for ND Lions District 5 NW
5. Consider a 2025 Budget Amendment for Building Inspections

I. OLD BUSINESS

J. NEW BUSINESS

1. Consider allowing the Fire Department to enter into a contract with Pierce Manufacturing for the purchase of a new fire engine to be delivered in 2029
2. Consider Application to the 2025 RAISE Grant for the Mandan Proper Revitalization Project
3. Legislative Update

K. RESOLUTIONS AND ORDINANCES

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- - January, 28, 2025 at 5:30 p.m. Special Meeting, Working Session
 - February 4, 2025 at 5:30 p.m., Regular Meeting
 - February 11, 2025 at 5:30 p.m., Special Meeting, Working Session
 - February 18, 2025 at 5 p.m., Regular Meeting

N. ADJOURN

The Mandan City Commission met in regular session at 5:30 PM on January 7, 2025 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 Bitz, Public Works Director O'Keefe, Business Development & Communications Director Cermak, Planner Stromme, Communications Specialist Schmidt and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS Mayor Froelich congratulated the NDSU football team for their championship last night, specifically Mandan's own Jaxon Duttonhefer.

1. *Beautification Recognition Program, 2824 Messara Pl SE (Berger Property).* Building Official Singer presented the certificate to Cole Berger for his outdoor Christmas light display.

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

E. MINUTES

1. *Consider approval of the minutes from the Dec. 17, 2024 Board of City Commissioners regular meeting.* Commissioner Braun moved and Commissioner Sjoberg seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

F. PUBLIC HEARING

1. *Consider a request for a special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Addition.* Planner Stromme presented the special use permit. Mayor Froelich opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Braun moved and Commissioner Sjoberg seconded to approve the special use permit for Discovery Kids childcare center for Lot 5, Block 1, Eastwood Acres 4th Addition with the conditions provided in the staff report. Roll Call vote: Aye 5, Nay 0. The motion passed.

G. BIDS

1. *Consider bids for the Memorial Highway - East Half Project.* Engineer Wigness presented the bids, noting the lowest bid received was 5% over the engineer's estimate. Commissioner Rohr moved and Commissioner Heinsohn seconded to approve the concurrence of award to Reede Construction, as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

H. CONSENT AGENDA

1. *Consider State Water Commission Funding for Memorial Highway.*
2. *Consider 2023 & 2024 Veterans Credit Abatements for Dana Keller.*
3. *Consider Plan Review Service Agreement for Heart River Transformational Women's Center*

4. *Consider approval for the purchase of a Larue D50 loader-mounted snowblower from Swanston equipment through the sourcewell contract.*

5. *Consider approval of a task order amendment from Advanced Engineering and Environmental Services to provide the following updates to the WaterSMART Grant Application Assistance for Mandan's current Advanced Metering Infrastructure (AMI) System.*

6. *Consider a 2025 budget amendment to the Public Works Budget.*

7. *Consider a final plat for JR's Estates 2nd Addition.*

8. *Consider approval of the raffle permit for Lewis and Clark Wildlife Club.*

9. *Consider approval of a raffle permit for North Dakota Rural Electric Cooperative Foundation.*

10. *Consider approval of Administrative Assistant job description.*

11. *Consider approval of updates to the Communication Specialist job description.*

12. *Correction to Rock Prairie Estates Annexation.* Commissioner Sjoberg requested item 1 be pulled and discussed. Commissioner Braun moved and Commissioner Heinsohn seconded to approve consent agenda items 2-12 including all sub items as presented. Roll Call vote: Aye 5, Nay 0. The motion passed. Engineer Wigness presented the request to consider the State Water Commission Funding for Memorial Highway. Commissioner Sjoberg asked City Administrator to approach the podium, and took a moment to recognize Neubauer's efforts in the cost savings portion of the Memorial Highway project. Neubauer thanked Sjoberg for his comments, and added that it's been a team effort between the consultant engineers, North Dakota Department of Transportation, elected leaders and many City departments over the years to get to this point. Commissioner Sjoberg moved and Commissioner Braun seconded to to approve consent agenda item 1 as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider Preliminary Engineering Reimbursement Agreement for the I-94 Chip Seal Project.* Engineer Wigness presented the item. This will be a chip-seal of I-94 from western edge of Mandan to the eastern edge of Bismarck. Highway 810 is the portion the City has a piece of the funding responsibility for at 10% (or approximately \$35,000). Construction is anticipated this summer. Commissioner Sjoberg moved and Commissioner Rohr seconded to enter into the agreement and authorize the use of 1% sales tax funds to pay for the City's share of the project. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Consider a Growth Fund committee recommendation for fire sprinkler assistance for 1702 E Main St.* Business Development & Communications Director Cermak presented the item. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve providing 50% matching funds, not to exceed \$10,000, to be structured as a forgivable loan for installation of a fire sprinkler system at 1702 E Main St. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider Re-executing Purchase Agreement for City-owned lot 606 Collins Avenue (65-3294000).* Planner Stromme presented the item. Commissioner Sjoberg moved and Commissioner Rohr seconded to approve the sale of 606 Collins Avenue contingent upon the conditions of the purchase

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

K. RESOLUTIONS AND ORDINANCES

1. *Consider a resolution authorizing a loan application for the 2025 Reconstruction Project - Monte Drive.* Engineer Wigness presented the resolution. Commissioner Heinsohn moved and Commissioner Rohr seconded to approve the resolution authorizing loan application, as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Consider a Resolution establishing rates and charges for water meters.* Public Works Director O'Keefe presented the resolution. Commissioner Heinsohn moved and Commissioner Braun seconded to approve the Resolution establishing rates and charges for water meters for new construction from the Utility Maintenance department. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Second consideration of Ordinance 1459 for Cove at Lakewood Planned Unit Development (PUD) Amendment.* Planner Stromme presented the second consideration of Ord 1459. There have been no changes to the ordinance or comments received. Commissioner Sjoberg moved and Commissioner Braun seconded to approve the second consideration of Ordinance 1459. Roll Call vote: Aye 5, Nay 0. The motion passed.

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- *January 14, 2025 at 5:30 p.m. Special Meeting, Working Session, Long Range Financial Planning*
- *January 21, 2025 at 5 p.m.*
- *January 28, 2025 at 5:30 p.m. Special Meeting, Working Session, Long Range Financial Planning*
- *February 4, 2025 at 5:30 p.m.*
- *February 11, 2025 at 5:30 p.m. Special Meeting, Working Session, Long Range Financial Planning*
- *February 18, 2025 at 5 p.m.*

N. ADJOURN There being no further business to come before the board, the meeting adjourned at 6:20 p.m.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners

The Mandan City Commission met in special session at 5:30 PM on January 14, 2025 in the Veterans Conference 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, Assistant Finance Director Schulz, City Engineer Wigness, Assistant City Engineer McAdoo Roesler, Fire Chief Bitz, Public Works Director O'Keefe, Planner Stromme, Grounds Maintenance Superintendent Herman, Water Treatment Plant Superintendent Friesz, CIS Manager Mischel, Police Chief Ziegler, Waste Water Superintendent Ryan Malsam and Communications Specialist Schmidt.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

D. APPROVAL OF AGENDA

E. NEW BUSINESS

1. *Long Term Financial Planning.*

a. *Planning Department - Andrew.* Planner Stromme presented on Mandan's growth and development and forecasts for the next 5 years.

b. *Engineering - Jarek.*

Engineering - Jarek. City Engineer Wigness presented on Engineering Department requests for operations and maintenance.

Water Treatment Plant - Duane. Water Treatment Plant Superintendent Friesz presented his requests for operations and maintenance over the next 5 years.

Waste Water Treatment Plant - Ryan. Waste Water Treatment Plant Superintendent Ryan Malsam presented operations and maintenance requests for the next five years.

c. *Public Works - Shane.* Public Works Director O'Keefe presented the operations and maintenance requests for all divisions of Public Works for the next five years.

Streets.

Forestry.

Grounds Maintenance.

Cemetery.

Utility Maintenance.

Meter Reading.

Solid Waste Utility.

Street Light Utility.

F. OTHER BUSINESS

G. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

Tuesday, Jan. 21 at 5 p.m., Regular Meeting.

Tuesday, Jan. 28 at 5:30 p.m., Special Meeting, Working Session.

Tuesday, Feb. 4 at 5:30 p.m., Regular Meeting.

Tuesday, Feb. 11 at 5:30 p.m., Special Meeting Working Session.

H. ADJOURN There being no further business to come before the board, the meeting adjourned.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: January 21, 2025
PREPARATION DATE: January 14, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider Preliminary Plat for HRWTC Addition.

STATEMENT/PURPOSE:

Consider Preliminary Plat for HRWTC Addition.

BACKGROUND/ALTERNATIVES:

The State of North Dakota Department of Corrections requests consideration of a preliminary plat for HRWTC Addition. The property is located west of Mandan, on the south side of Highway 10, west of the Heart River.

Property History

The property has been developed since the very early 1900s and has been in the ownership of the State of North Dakota for the duration in which it's been developed. The State of North Dakota began planning for a correctional facility on this property in 2022, and funding was appropriated for the Heart River Women's Correctional Center (HRWTC) in 2023.

Project Overview

The project involves preparing the site for the State of North Dakota's Heart River Women's Transformational Center, a correctional facility designed to serve approximately 260 female inmates. The facility will be operated by the North Dakota Department of Corrections. A new complex, consisting of multiple buildings, will be constructed west of the existing North Dakota Youth Correctional Center (NDYCC). The Department plans to use the existing approach south of ND Highway 6 as the primary access point for construction and ongoing operations. The facility is projected to open its doors in 2027.

Preliminary Plat

The preliminary plat encompasses 86.91 acres of land located west of Mandan, within the general property of the North Dakota Youth Correctional Center (NDYCC). The plat

consolidates three auditor's lots into a single-lot, single-block subdivision to facilitate the construction of the new women's facility. The property is bisected by a 75-foot-wide electrical easement, with portions of the site already developed as part of the existing NDYCC.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned A - Agriculture and a portion MC - Industrial, with adjacent properties also zoned MC - Industrial and A - Agriculture. It is bordered by the railroad to the north, Dombeck Industrial Park 1st Addition and State of North Dakota Lands to the west, the USDA Great Plains Research Facility to the south, and the Lower Heart River/Highway 6 to the east. The proposed use aligns with the future land use plan recommendation of public land use, supporting its integration into the broader vision for community development and infrastructure planning.

Additional Information and Public Outreach

- The application was received on November 26, 2024.
- This item was published in the Mandan News as required. Forty-one letters were sent to adjacent property owners on November 22, 2024.

Staff Comments

- This property currently has two zoning designations: A - Agriculture and MC - Industrial. To combine these properties, a rezoning is required, as City ordinance prohibits a single property from having multiple zoning designations. A rezoning application can be submitted concurrently with the Final Plat to resolve this issue. Staff considers this a routine housekeeping matter and not a significant concern.
- The preliminary plat was received and noticed as "Heart River Women's Transformational Center Addition" and later resubmitted as HRWTC Addition to address concerns regarding the length of the plat name.
- Additional review and final approval is necessary to be obtained for the utility servicing plan. A coordination meeting is in the works of being scheduled for an Interagency review. This may result in additional easements being shown on the plat. The property intends to use municipal water and sewer.
- The property was annexed into the City of Mandan in 2024 via City Commission approval.

Findings of Fact Preliminary Plat

1. All technical requirements for consideration of a preliminary plat have been met;
2. The proposed subdivision would likely not have substantial effects on the safety and

circulation of public roadways in the vicinity, and therefore no traffic impact study is required;

3. The proposed plat includes sufficient easements and rights-of-way to provide for orderly development and provision of municipal services beyond the boundaries of the subdivision for projects identified in City masterplans;

4. The City of Mandan and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the proposed subdivision at the time of development.

5. The proposed subdivision is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;

6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;

7. The proposed subdivision is consistent with the Comprehensive Plan, the Future Land Use Plan, and other plans and studies, policies and accepted planning practice;

8. The proposed subdivision would not adversely affect the public health, safety and general welfare.

ATTACHMENTS:

1. Application
2. HRWTC Addition
3. Aerial + Site Plan
4. DRAFT ANNEXATION ORDINANCE
5. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

A considerable amount of City Staff time has gone into reviewing the proposed development.

LEGAL REVIEW:

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

RECOMMENDATION:

Staff and the Planning and Zoning Commission recommend approval of the preliminary plat for HRTWC Addition with the following conditions: a zone change be requested to address the dual-zoning issue and a utility servicing plan be approved by the City of Mandan.

City Commission

Agenda Documentation

January 21, 2025

Subject: Consider a Preliminary Plat for Heart River Women's Transformational Center Addition

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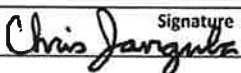
SUGGESTED MOTION:

I move to approve the preliminary plat for HRTWC Addition with the conditions presented by staff.

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

Engineer/Surveyor			Property Owner or Applicant		
Name Andrew Schrank, PE - Highlands Engineering			Name State of North Dakota		
Address 319 24th Street E			Address 205 2nd Ave NW		
City Dickinson	State ND	Zip 58601	City Mandan	State ND	Zip 58554
email schrank@highlandseng.com			email cjangula@nd.gov		
Phone 701-483-2444		Fax 701-483-2610	Phone 701-328-6133		Fax n/a
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location			Type		Existing Zone	Proposed Zone	Project Name
☐	City	X	ETA	☐	New	☐	Addition
					AG	AG	Heart River Women's Transformational Center
Property Address 701 16th Ave SW, Mandan, ND						Legal Description See enclosed plat.	
Current Use Correctional Center							
Proposed Use Correctional Center							
Parcel Size 86.91		Building Footprint See Enclosed Map		Stories 1	Building SF ±241,000 total	Required Parking t.b.d.	Provided Parking ±122 added

Print Name Chris Jangula	Signature 	Date 11-18-24
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Office Use Only			
Date Received:	Initials: <i>YM</i>	Fees Paid: \$ <i>500</i>	Date <i>11-26-2024</i>
Notice in paper	Mailed to neighbors	P&Z meeting	
☐ Approved	Approved with conditions:		
☐ Denied			

Updated 1/1/2024

N:\PLANNING & ZONING\0. Administration\Application Documents\Development Application - January 1, 2024.docx

HRWTC ADDITION

LOCATED IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW¹/₄) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE¹/₄) OF SECTION TWENTY-EIGHT (28)
AND LOCATED IN THE NORTHWEST QUARTER (NW¹/₄) OF SECTION THIRTY-THREE (33)
TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W), OF THE 5TH PRINCIPAL MERIDIAN
CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW¹/₄) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE¹/₄) OF SECTION TWENTY-EIGHT (28) AND LOCATED IN THE NORTHWEST QUARTER (NW¹/₄) OF SECTION THIRTY-THREE (33), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W), OF THE 5TH PRINCIPAL MERIDIAN, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION THIRTY-THREE (33) BEING A FOUND REBAR AND CAP; THENCE N 89°15'50" E ALONG THE NORTH LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 475.00 FEET TO THE POINT OF BEGINNING BEING A SET REBAR AND CAP LS-5466 ON THE EAST LINE OF DOMBECK INDUSTRIAL PARK FIRST ADDITION, AS RECORDED AT THE MORTON COUNTY RECORDER'S OFFICE PER DOCUMENT NUMBER 270271; THENCE N 00°16'02" W ALONG SAID EAST LINE AND LEAVING SAID NORTH LINE, A DISTANCE OF 113.52 FEET TO A SET REBAR AND CAP LS-5466 AT THE NORTHEAST CORNER OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF THE BURLINGTON NORTHERN RAILROAD AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 4019.72 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE, BEING SAID SOUTH RIGHT-OF-WAY OF SAID BURLINGTON NORTHERN RAILROAD, THOUGH A CENTRAL ANGLE OF 16°50'14" AND ARC LENGTH OF 1181.26 FEET TO A SET REBAR AND CAP LS-5466; THENCE CONTINUING N 78°48'44" E ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 1424.61 FEET TO THE WEST EDGE OF THE HEART RIVER; THENCE S 14°55'10" E ALONG SAID WEST EDGE OF SAID HEART RIVER LEAVING SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 214.67 FEET; THENCE CONTINUING S 10°54'24" E ALONG SAID WEST EDGE OF SAID HEART RIVER, A DISTANCE OF 210.25 FEET TO THE INTERSECTION OF SAID WEST EDGE OF SAID HEART RIVER AND SAID NORTH LINE OF SAID SECTION THIRTY-THREE (33); THENCE S 89°25'39" W ALONG SAID NORTH LINE LEAVING SAID WEST EDGE OF SAID HEART RIVER, A DISTANCE OF 479.85 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION THIRTY-THREE (33) BEING A FOUND BLM BRASS CAP; THENCE S 00°29'08" E LEAVING SAID NORTH LINE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW¹/₄) OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 2039.66 FEET TO A SET REBAR AND CAP LS-5466; THENCE N 80°39'22" W LEAVING SAID EAST LINE, A DISTANCE OF 1000.00 FEET TO A SET REBAR AND CAP LS-5466; THENCE N 37°24'44" W, A DISTANCE OF 1576.94 FEET TO A SET REBAR AND CAP LS-5466; THENCE S 89°15'50" W PARALLEL TO SAID NORTH LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 250.00 FEET TO A SET REBAR AND CAP LS-5466 AT THE SOUTHEAST CORNER OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION; THENCE N 00°59'31" W ALONG THE EAST LINE OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION, A DISTANCE OF 599.88 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 86.91 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SURVEYOR'S CERTIFICATE

I, KC HOMISTON, REGISTERED PROFESSIONAL LAND SURVEYOR, LS-5466, FOR HIGHLANDS ENGINEERING AND SURVEYING, PLLC, RESIDING AT 319 24TH STREET EAST, DICKINSON, N.D., DO HEREBY CERTIFY THAT THE HRWTC ADDITION PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT AS WAS MADE BY ME, OR UNDER MY DIRECTION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

KC HOMISTON, LS-5466

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED KC HOMISTON, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING AT COUNTY OF _____
STATE OF _____

PROPRIETOR'S CERTIFICATE

I, DOUG BERGUM, GOVERNOR OF THE STATE OF NORTH DAKOTA, THE AUTHORIZED REPRESENTATIVE OF THE STATE OF NORTH DAKOTA OWNER AND PROPRIETOR OF PROPERTY LYING IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW¹/₄) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE¹/₄) OF SECTION TWENTY-EIGHT (28) AND LOCATED IN THE NORTHWEST QUARTER (NW¹/₄) OF SECTION THIRTY-THREE (33), TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W), OF THE 5TH PRINCIPAL MERIDIAN, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, ON THIS PLAT SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, DO HEREBY DECLARE THAT I HAVE CAUSED THE SAME TO BE SURVEYED AS SHOWN ON THE ACCOMPANYING PLAT, AND DO HEREBY DEDICATE ALL UTILITY EASEMENTS AND PUBLIC RIGHT OF WAY AS SHOWN TO PUBLIC USE FOREVER.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: _____
DOUG BURGUM, GOVERNOR OF THE STATE OF NORTH DAKOTA

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DOUG BERGUM, GOVERNOR OF THE STATE OF NORTH DAKOTA, TO ME KNOWN TO BE THE SAME PERSONS DESCRIBED IN AND THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND SEVERALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING AT COUNTY OF _____
STATE OF _____

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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

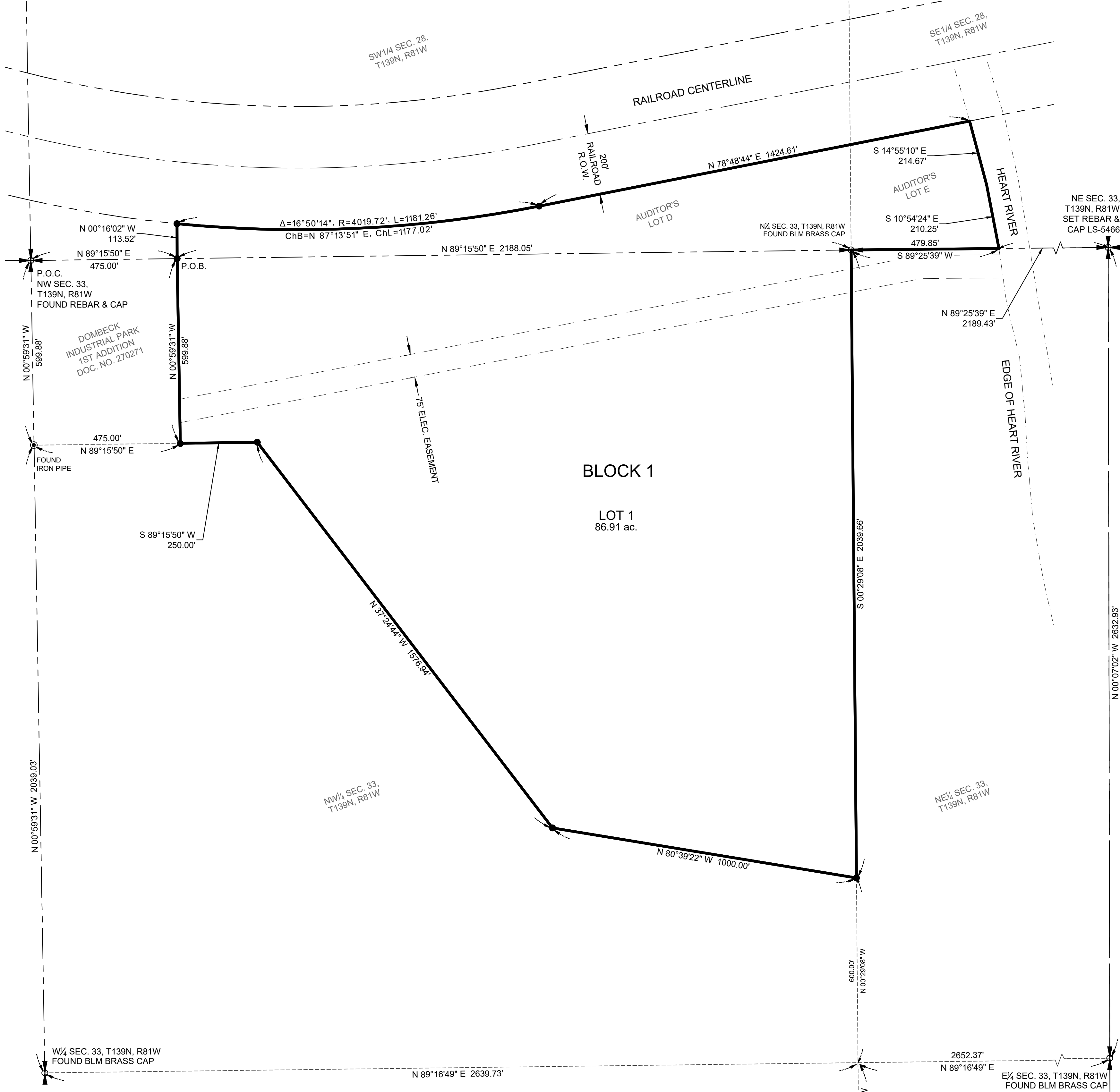
BY: _____
JAMES FROELICH, MAYOR

BY: _____
JIM NEUBAUER, CITY ADMINISTRATOR

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVE "HEART RIVER WOMEN'S TRANSFORMATIONAL CENTER ADDITION", CITY OF MANDAN, NORTH DAKOTA AS SHOWN ON THE PLAT.

BY: _____
JAREK WIGNESS, CITY ENGINEER



LEGEND

- PROPERTY BOUNDARY
- EXISTING LOTS
- FOUND MONUMENT
- SET #5, 18-INCH REBAR & CAP STAMPED "HIGHLANDS LS-5466"
- SECTION LINE
- QUARTER LINE
- SECTION CORNER
- QUARTER CORNER
- RIGHT OF WAY LINE
- EXISTING EASEMENTS
- EDGE OF WATER
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

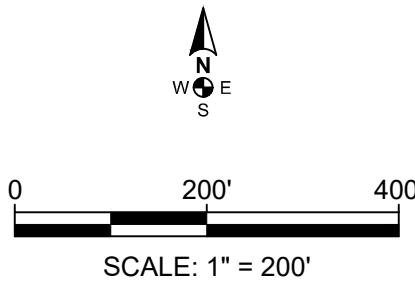
SURVEY NOTES

- DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- VERTICAL DATUM: NAVD 88
- DATE OF LATEST FIELD WORK: JANUARY 25, 2024

**HIGHLANDS
ENGINEERING**

319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM

PROJECT NUMBER:	231257	SCALE: 1" = 200'
DRAWN BY:	AJA	DATE: 12/06/24



HEART RIVER WOMEN'S TRANSFORMATIONAL CENTER ADDITION

LOCATED IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION TWENTY-EIGHT (28) AND LOCATED IN THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION THIRTY-THREE (33) TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W), OF THE 5TH PRINCIPAL MERIDIAN CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

EXISTING SITE LAYOUT

LEGEND

- PROPERTY BOUNDARY
- EXISTING LOT
- EXISTING BUILDING
- SET 48" BLANCH REBAR & CAP
- STAMPED "HIGHLANDS 15-548"
- SECTION LINE
- QUARTER CORNER
- QUARTER CORNER
- RIGHT OF WAY LINE
- EXISTING EASEMENTS
- EDGE OF WATER
- EDGE OF WATER
- POINT OF BEGINNING

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES. INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- 2) VERTICAL DATUM NAVD 88
- 3) DATE OF LATEST FIELD WORK: JANUARY 25, 2024

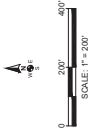




**HIGHLANDS
ENGINEERING**

319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE 701.483.2444 | WWW.HIGHLANDS-ENG.COM

PROJECT NUMBER:	231287	SCALE:	1" = 200'
DRAWN BY:	AJA	DATE:	11/15/24



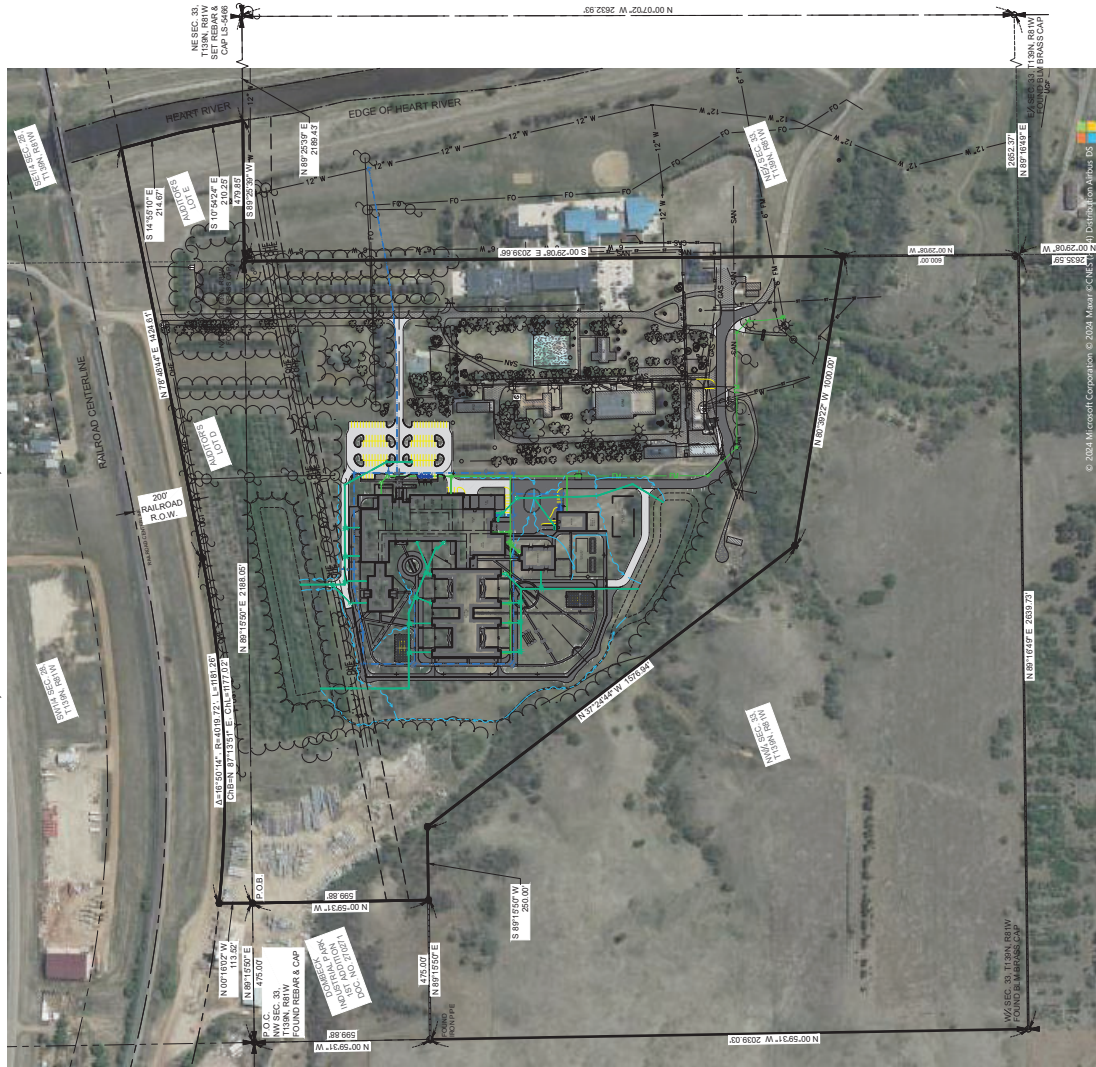
© 2024 Microfit Corporation © 2024 Microfit Corporation
86 SEC. 33, T139N, R81W
FOUND REBAR & CAP

LOCATED IN AUDITOR'S LOT D OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) AND AUDITOR'S LOT E OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION TWENTY-EIGHT (28) AND LOCATED IN THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION THIRTY-THREE (33) TOWNSHIP ONE HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W), OF THE 5TH PRINCIPAL MERIDIAN CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

LEGEND

- PROPERTY BOUNDARY
EXTINGUISHED
FOUND MONUMENT
SET AS 16 INCH IRON & COP
STAMPED "HIGHLAND L5-5400"
SECTION LINE
QUARTER CORNER
SECTION CORNER
QUARTER CORNER
RIGHT OF WAY LINE
EXISTING EASEMENTS
EDGE OF COMMENCEMENT
P.O.C.
POINT OF BEGINNING
P.O.B.

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES, INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
- 2) VERTICAL DATUM: NAVD 88
- 3) DATE OF LATEST FIELD WORK: JANUARY 25, 2024



319 24TH STREET EAST, DICKINSON, ND 58601
OFFICE: 701.483.2444 | WWW.HIGHLANDSENG.COM

PROJECT NUMBER:	231257	SCALE: 1" = 200'
DRAWN BY:	AJA	DATE: 11/15/24

ORDINANCE NO. 1449

AN ORDINANCE ANNEXING CERTAIN ADJOINING LANDS TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, AND EXTENDING THE CORPORATE BOUNDARIES THEREOF.

BE IT ORDAINED By the Board of City Commissioners of the City of Mandan, Morton County, North Dakota, as follows:

WHEREAS, the City of Mandan, Morton County, North Dakota has determined it to be its interests to annex the hereinafter described property, which is contiguous to the City of Mandan, Morton County, North Dakota, but not embraced within the limits thereof, and has met all requirements as directed by Section 40-51.2-03 of the North Dakota Century Code.

SECTION 1. PROPERTY ANNEXED. The following described land is situated in the County of Morton, State of North Dakota, and contiguous to the corporate limits of the City of Mandan, North Dakota, and is hereby added to, taken into, annexed and made part of the City of Mandan, namely:

PARCEL "A" in the attached Certificate of Survey, and described as:

A PARCEL OF LAND LOCATED IN THE SOUTH HALF (S½) OF SECTION TWENTY-EIGHT (28) AND THE NORTHWEST QUARTER (NW¼) OF SECTION THIRTY-THREE (33), TOWNSHIP ONE-HUNDRED THIRTY-NINE NORTH (T139N), RANGE EIGHTY-ONE WEST (R81W) OF THE FIFTH PRINCIPAL MERIDIAN (5TH.P.M.), CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION THIRTY-THREE (33) BEING A FOUND REBAR AND CAP; THENCE N 89°15'50" E ALONG THE NORTH LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 475.00 FEET TO THE POINT OF BEGINNING BEING A SET REBAR AND CAP LS-5466 ON THE EAST LINE OF DOMBECK INDUSTRIAL PARK FIRST ADDITION, AS RECORDED AT THE MORTON COUNTY RECORDER'S OFFICE PER DOCUMENT NUMBER 270271; THENCE N 00°16'02" W ALONG SAID EAST LINE AND LEAVING SAID NORTH LINE, A DISTANCE OF 113.52 FEET TO A SET REBAR AND CAP LS-5466 AT THE NORTHEAST CORNER OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION ALSO BEING ON THE SOUTH RIGHT-OF-WAY OF THE BURLINGTON NORTHERN RAILROAD AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 4019.72 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE, BEING SAID SOUTH RIGHT-OF-WAY OF SAID BURLINGTON NORTHERN RAILROAD, THOUGH A CENTRAL ANGLE OF 16°50'14" AND ARC LENGTH OF 1181.26 FEET TO A SET REBAR AND CAP LS-5466; THENCE CONTINUING N 78°48'44" E ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 1424.61 FEET TO THE WEST EDGE OF THE HEART RIVER; THENCE S 14°55'10" E ALONG SAID WEST EDGE OF SAID HEART RIVER LEAVING SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 214.67 FEET; THENCE CONTINUING S 10°54'24" E ALONG SAID WEST EDGE OF SAID HEART RIVER, A DISTANCE OF 210.25 FEET TO THE INTERSECTION OF SAID WEST EDGE OF SAID HEART RIVER AND SAID NORTH LINE OF SAID SECTION THIRTY-THREE (33); THENCE S 89°25'39" W ALONG SAID NORTH LINE LEAVING SAID WEST EDGE OF SAID HEART RIVER, A DISTANCE OF 479.85 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION THIRTY-THREE (33) BEING A FOUND BLM BRASS CAP; THENCE S 00°29'08" E LEAVING SAID NORTH LINE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW¼) OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 2039.66 FEET TO A SET REBAR AND CAP LS-5466; THENCE N 80°39'22" W LEAVING SAID EAST LINE, A DISTANCE OF 1000.00 FEET TO A SET REBAR AND CAP LS-5466; THENCE N 37°24'44" W, A DISTANCE OF 1576.94 FEET TO A SET REBAR AND CAP LS-5466; THENCE S 89°15'50" W PARALLEL TO SAID NORTH LINE OF SAID SECTION THIRTY-THREE (33), A DISTANCE OF 250.00 FEET TO A SET REBAR AND CAP LS-5466 AT THE SOUTHEAST CORNER OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION; THENCE N 00°59'31" W ALONG THE EAST LINE OF SAID DOMBECK INDUSTRIAL PARK FIRST ADDITION, A DISTANCE OF 599.88 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 86.91 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.

SECTION 2. CORPORATE BOUNDARY EXTENDED. Upon the taking effect of this Ordinance, the corporate limits and boundary lines of the City of Mandan shall thereafter include said lands.

James Froelich, President
Board of City Commissioners

Attest:

Jim Neubauer
City Administrator

First Consideration:
Second Consideration and Final Passage:
Recording Date:

July 2, 2024

July 16, 2024



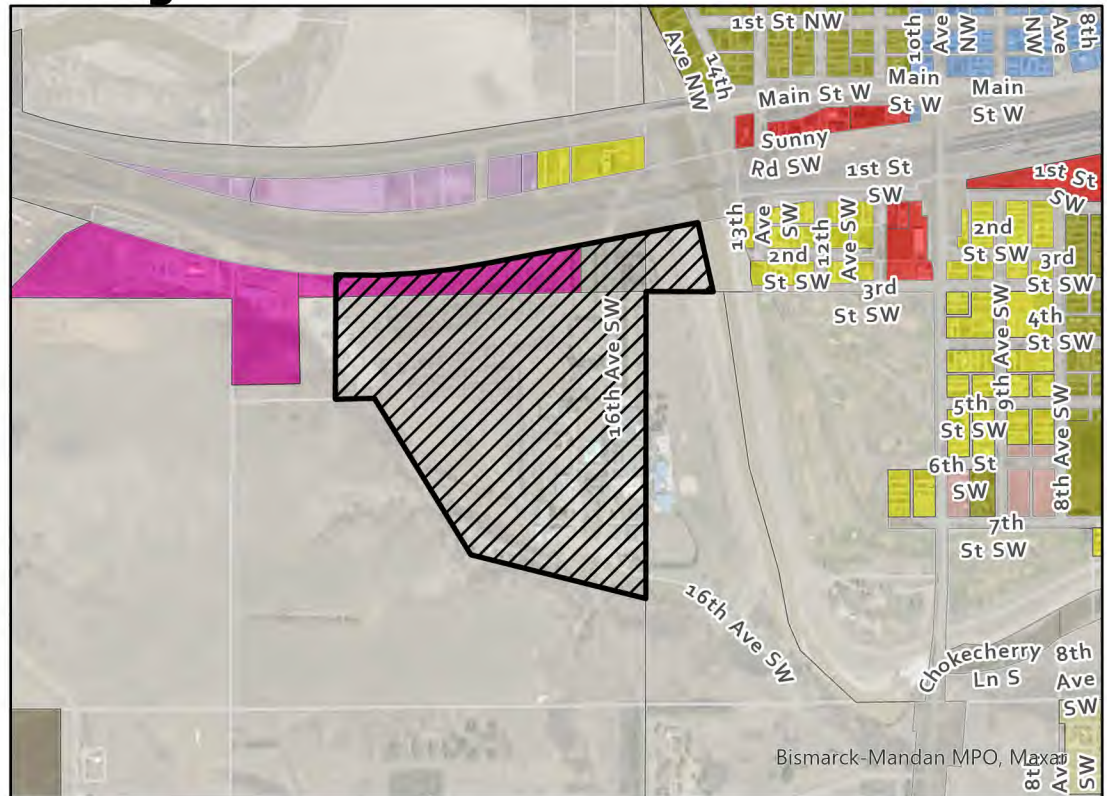
Zoning and Future Land Use Reference Map

Heart River Annexation

Zoning

Zoning Map Key

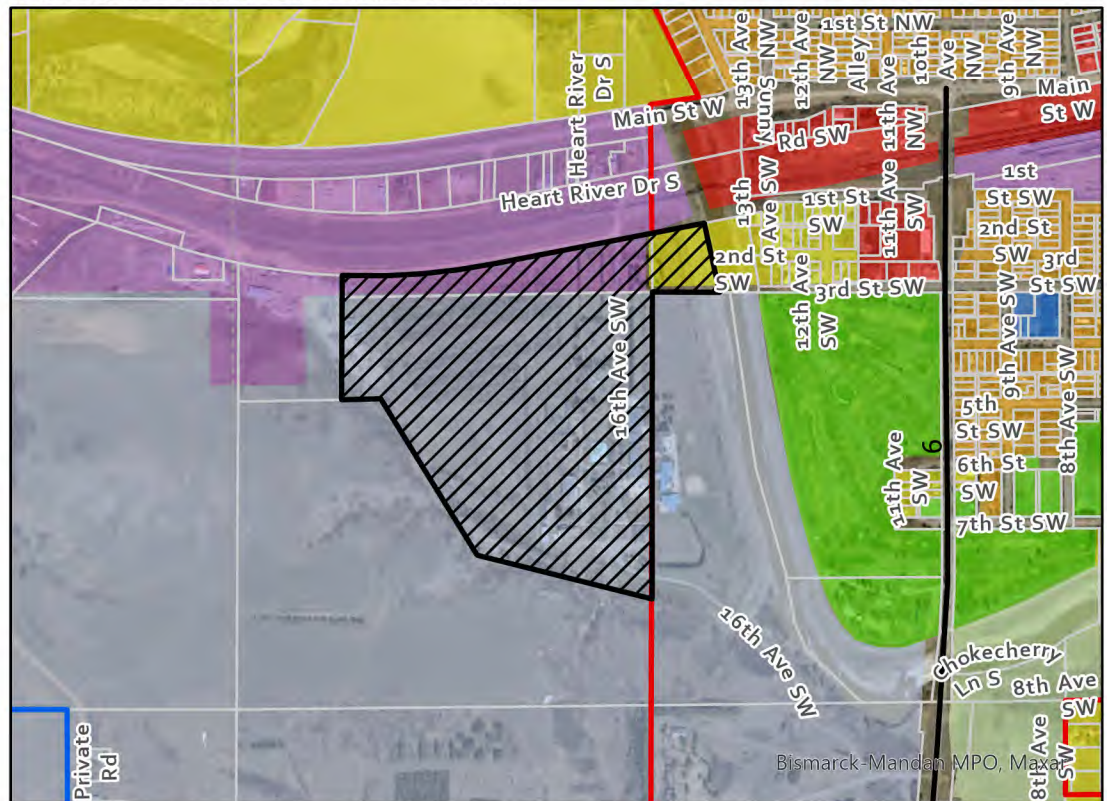
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light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



Future Land Use Plan Key

- Rural Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Industrial
- Public/Semi-Public
- Public Land
- Park
- Greenways
- Open Space
- Open Water
- Parcels
- City Limits
- ETA Line
- June '24 Planning Items

Future Land Use Plan





City Commission

Agenda Documentation

MEETING DATE: January 21, 2025
PREPARATION DATE: January 6, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Mule Deer Foundation Gaming Site Authorization

STATEMENT/PURPOSE:

Consider the gaming site authorization.

BACKGROUND/ALTERNATIVES:

A gaming site authorization for the Mule Deer Foundation Northern Badlands Chapter at Baymont Inn was received on Jan. 6, 2025. This is an application for a raffle on Feb. 8. Staff confirmed with the Police Department that this is the correct process and application for the organization.

ATTACHMENTS:

1. gaming site authorization mule deer foundation at baymont inn

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

Approve.

SUGGESTED MOTION:

I move to approve the gaming site authorization for the Mule Deer Foundation Northern Badlands Chapter at Baymont Inn on Feb. 8, 2025.

City Commission

Agenda Documentation

January 21, 2025

Subject: Consider a gaming site authorization for the Mule Deer Foundation Northern Badlands Chapter at Baymont Inn on Feb. 8

Page 2 of 2



GAMING SITE AUTHORIZATION

ND OFFICE OF ATTORNEY GENERAL

SFN 17996 (4-2023)

G - _____ (_____) _____

Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

Mule Deer Foundation, Northern Badlands Chapter

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

Name of Location

Baymont Inn

Street

2611 Old Red Trail

City

Mandan

ZIP Code

58554

County

Morton

Beginning Date(s) Authorized

February 8, 2025

Ending Date(s) Authorized

February 8, 2025

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

0

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

Baymont Inn

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

February 8, 2025

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

☐

Bingo

☐

Club Special

☐

Sports Pools

☐

ELECTRONIC Quick Shot Bingo

☐

Tip Board

☐

Twenty-One

☒

Raffles

☐

Seal Board

☐

Poker

☐

ELECTRONIC 50/50 Raffle

☐

Punchboard

☐

Calcuttas

☐

Pull Tab Jar

☐

Prize Board

☐

Paddlewheel with Tickets

☐

Pull Tab Dispensing Device

☐

Prize Board Dispensing Device

☐

Paddlewheel Table

☐

ELECTRONIC Pull Tab Device

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

North Dakota Century Code § 53-06.1-11 (Gross Proceeds - Allowable Expenses - Rent Limits)

4. For a site where bingo is conducted:
 - a. If bingo is the primary game, the monthly rent must be reasonable
 - b. If bingo is not the primary game, but is conducted with twenty-one, paddlewheels, or pull tabs, no additional rent is allowed.
5. For a site where bingo is not the primary game.
 - a. If twenty-one or paddlewheels is conducted, the monthly rent may not exceed two hundred dollars multiplied by the necessary number of tables based on criteria prescribed by gaming rule. For each twenty-one table with a wager greater than five dollars, an additional amount up to one hundred dollars may be added to the monthly rent. If pull tabs is also conducted involving only a jar bar, the monthly rent for pull tabs may not exceed an additional one hundred seventy-five dollars. If pull tabs is conducted involving only a dispensing device or a jar bar and dispensing device, the monthly rent for pull tabs may not exceed an additional three hundred twenty-five dollars.
 - b. If twenty-one and paddlewheels are not conducted but pull tabs is conducted involving either a jar bar or dispensing device, the monthly rent may not exceed four hundred dollars.
 - c. If pull tabs is conducted using one or more electronic pull tab devices, the monthly rent may not exceed one hundred seventy-five dollars per machine for the first five machines in the same venue. For each additional machine in the same venue beyond five, the monthly rent may not exceed seventy-five dollars per machine up to a maximum of one thousand two hundred fifty dollars per month for all electronic pull tab devices in a single venue.

North Dakota Administrative Code § 99-01.3-02-06 (Rental Agreement)

3. Rent must be a fixed dollar amount per month
 - a. A participatory or graduated rate arrangement based on gross proceeds or adjusted gross proceeds is prohibited.
 - b. If bingo is the primary game or if a site is leased by an organization that has the alcoholic beverage license for that site, the monthly rent must be reasonable. Factors include time usage, floor space, local prevailing rates, and available sites and services. An organization may pay seasonal expenses, such as snow removal, air-conditioning, and heating, to a vendor.
 - c. If bingo is not the primary game, the maximum monthly rent must be according to subsection 5 of North Dakota Century Code section 53-06.1-11.
Special considerations are:
 - (1) If two or more organizations conduct twenty-one or paddlewheels, or both, involving a table and pull tabs for less than a month at a temporary site which is a public or private premise, or if two or more organizations are issued site authorizations to conduct games at a site on different days of the week, the maximum monthly rent, in the aggregate, may not exceed the limit set by subsection 5 of North Dakota Century Code section 53-06.1-11; and
 - (2) If a raffle, calcutta, sports pool, or poker is conducted with twenty-one, paddlewheels or pull tabs, no additional rent is allowed.
 - d. Except for applying subsection 3 or 4 of section 99-01.3-03-04, and additional rent paid to a lessor for simulcast racing, an organization or employee may not pay any additional rent or expense, from any source, or for any other purpose, including office or storage space, snow removal, maintenance or cleaning fees, equipment, furnishings, entertainment, or utilities. Except for a leased site at which bingo is the primary game conducted, an organization may not pay for any capital or leasehold improvements or remodeling.
- *4. If there is a change in the monthly rent or any other material change to a rental agreement, the agreement must be amended and a copy received by the attorney general before its effective date.

North Dakota Administrative Code § 99-01.3-08-01 (Restrictions and Requirements)

4. An organization may pay monthly rent for more than one table provided that each additional table is used at least thirteen times a quarter. This level of activity is based on a site's historical experience, or seasonal activity, for each of the previous four quarters, regardless of which organization conducted twenty-one at the site. For a new site or a site that has been completely remodeled in appearance and function, the level of activity must be reviewed and reestablished after the first full quarter. If an additional table is used at least thirteen times in at least one but not all of the previous four quarters, the allowable monthly rent for that table must be prorated over all the active months of the licensing year. For example, if a second table was used at least thirteen times in only two of the previous four quarters, the additional monthly rent for the second table would be a maximum of two hundred dollars per month (or three hundred dollars per month if a wager greater than five dollars is accepted on the table) multiplied by six months (totaling one thousand two hundred dollars) and prorated to one hundred dollars per month for the licensing year. The organization shall document each table's usage, which includes the date, table number, and drop box cash amount for each table and how the prorated rental amounts were determined. This documentation must be retained with the organization's twenty-one records for three years.



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

License Number (Office Use Only)

Site Owner (Lessor) Gangl Hospitality		Site Name Baymont Inn		Site Phone Number 701-663-7401	
Site Address 2611 Old Red Trail		City Mandan	State ND	Zip Code 58554	County Morton
Organization Mule Deer Foundation, Northern Badlands Chapter		Rental Period 02/08/2025 to 02/08/2025			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?				☐ No ☐ Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				☐ No ☐ Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 ☒ Rent per Table \$				☐ No ☐ Yes	\$
Number of Tables with wagers over \$5 ☒ Rent per Table \$					\$
3. Is Paddlewheels conducted at this site? Number of Tables ☒ Rent per Table \$				☐ No ☐ Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☐ Jar Bar ☐ Standard Dispensing Device				☐ No ☐ Yes	\$
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices				☐ No ☐ Yes	\$
Total Monthly Rent					\$
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐					

TERMS OF RENTAL AGREEMENT:

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

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

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

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

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

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

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

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

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

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

Signature of Lessor Theresa Heit	Title Sales Manager	Date 1/6/25
Signature of Lessee S. BANKSON	Title MULE DEER FOUNDATION	Date



City Commission

Agenda Documentation

MEETING DATE: January 21, 2025
PREPARATION DATE: January 7, 2025
SUBMITTING DEPARTMENT: Engineering Department
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider approval of revised Sidewalk and Driveway Specifications

STATEMENT/PURPOSE:

To consider the presented revisions to the sidewalk and Driveway Specifications

BACKGROUND/ALTERNATIVES:

The Engineering Department believes the current sidewalk and driveway specifications can lead to some confusion. A goal of the engineering department is to present the requirements the city has with as much clarity as possible. The changes presented are more about how the information is presented in the specifications and less about changing the content of the specifications. The revision of the specifications are for the 2025 construction season and is a first step towards creation of the annual municipal concrete contract.

ATTACHMENTS:

1. Updated Driveway and Sidewalk Specs

FISCAL IMPACT:

There is no fiscal Impacts associated with this agenda item.

STAFF IMPACT:

The Engineering staff will spend time educating contractors on the updated specifications.

LEGAL REVIEW:

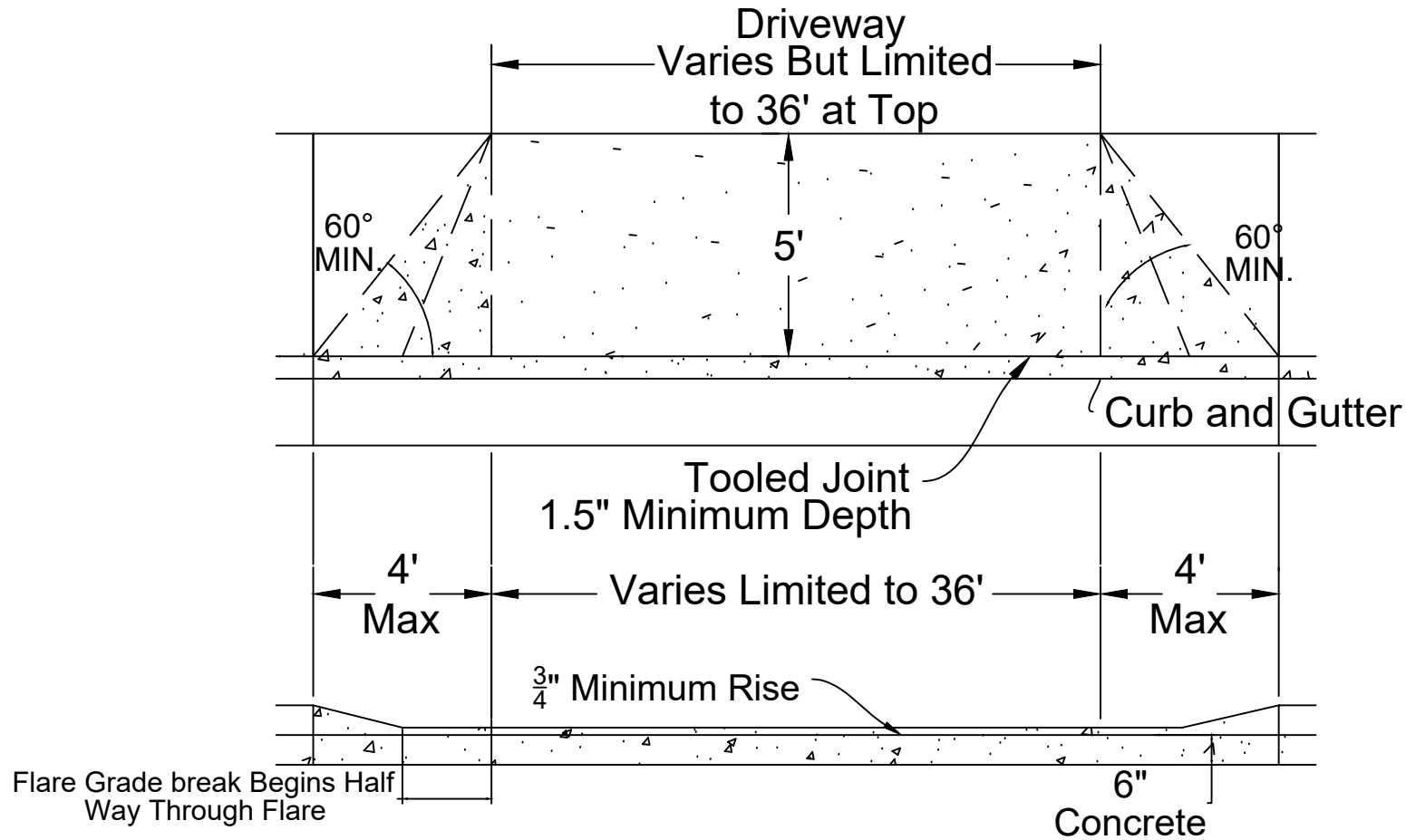
All documents have been made available to the City Attorney.

RECOMMENDATION:

To approve the updated sidewalk and driveway specifications.

SUGGESTED MOTION:

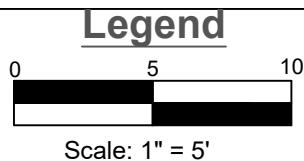
I move to approve the updates made to the sidewalk and driveway specifications.



Note: 4" Washed Sand, Crushed Concrete, or NDDOT Class 5 Base needed under concrete.

Refer to the Mandan Construction Specifications for the complete set of specifications on all details.

Scale	Sheet #
1" = 5'	1 of 1
Date	
10/2/2014	
File Name	
Standard Sidewalk Detail.dwg	



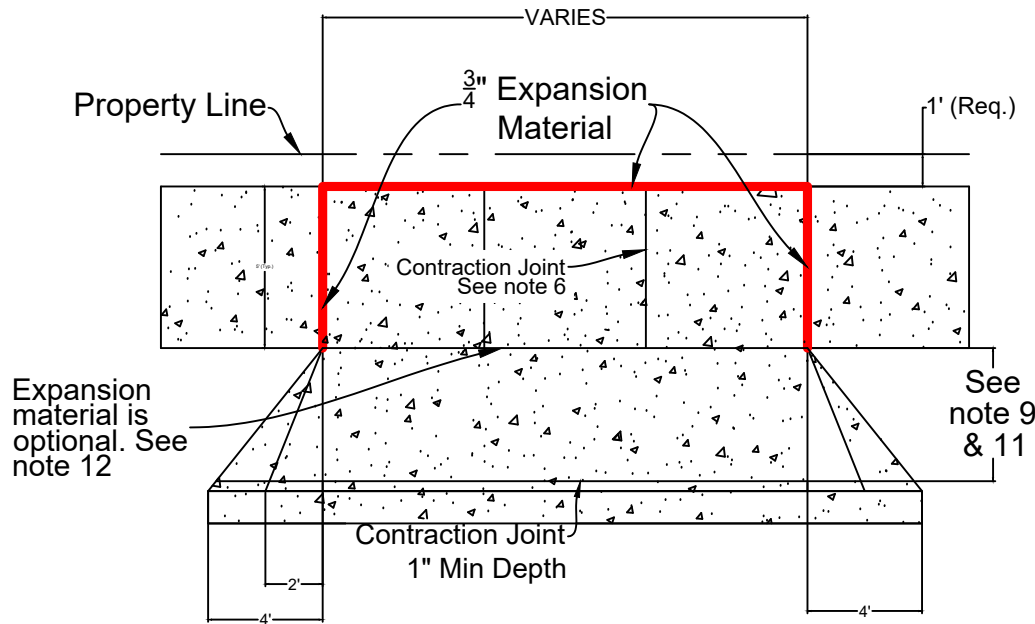
1304 SIDEWALK &
DRIVEWAY DETAIL



City of Mandan

Notes:

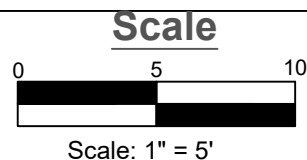
- 1) Expansion joint spacing shall be at 50' intervals, and when abutting existing concrete. Unless specified/approved by the engineer, and shall be sealed in accordance 501.3.
- 2) Concrete for driveways and sidewalks shall meet compressive strength requirements of 3500 P.S.I. along with rebar requirements.
- 3) Concrete for driveways and sidewalks abutting driveways shall be 6" thick, all other sidewalks shall be 4" thick.
- 4) Driveway apron widths:
 - Residential: 36' maximum or 10' minimum Or up to 50% of frontage whichever is less
Driveway aprons to have flares to match curb elevations. Standard flares will require 4' of additional curb cut.
 - Commercial: 40' maximum
Driveway aprons to have flares to match curb elevation. Standard flares will require 4' of additional curb cut.
If no sidewalk, driveway apron flare measured 8.5' from back of curb
- 5) Where necessary to remove existing curb and gutter it shall be removed to an existing joint.
- 6) Contraction joint spacing shall be at 5' intervals and be at a minimum $\frac{1}{4}$ depth of pour. (example, 4 inch concrete = 1 in depth or 6 inch concrete = 1.5 in depth)
- 7) When constructing a new driveway apron or altering an existing apron, full height curb cannot remain in place, unless the curb is cut to fit the in accordance to other specs. Curb and gutter may remain in place during driveway apron construction if it is an existing depressed curb and gutter section.
- 9) Sidewalk cross slope must drain toward street. 1.5% target, 2.0% max.
And $\frac{1}{4}$ " per foot from the front side of the sidewalk to backside of curb
- 10) All sidewalk and/or driveway aprons to have 4" of approved base material, including but not limited too washed sand, crushed concrete, class 5 or aggregate gradation found in the standard specs.
- 11) On all aprons over 36', contractors may fill in the flare with concrete to make it a straight flare. This will enable an additional 4' on each side of the apron. Where the straight flare meets the existing sidewalk, the sidewalk must be 6" thick
- 12) The expansion material between the 6" sidewalk and the driveway apron is now optional. If the contractor pours the sidewalk and apron on separate days/separate pours then form work with expansion and/or a keyway will be required. Without the expansion material there is a required saw cut of $\frac{1}{4}$ the depth of pour



Note: 4" Washed Sand, Crushed Concrete, or NDDOT Class 5 Base needed under Concrete.

Refer to the Mandan Construction Specifications for the complete set of specifications on all details.

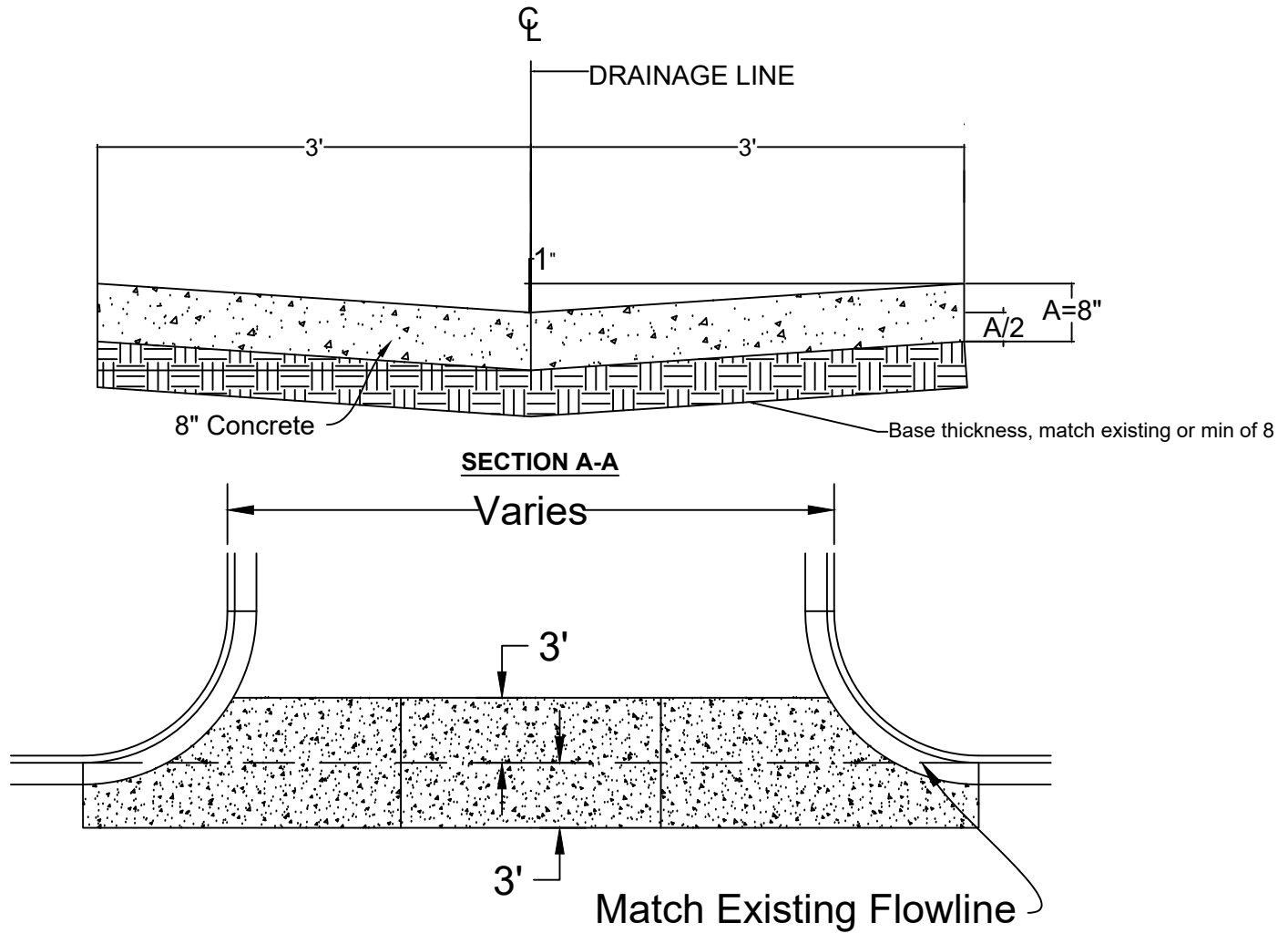
Scale	Sheet #
1" = 5'	1 of 1
Date	
10/2/2014	
File Name	
Standard Sidewalk Detail.dwg	



1304-A SIDEWALK & DRIVEWAY DETAIL

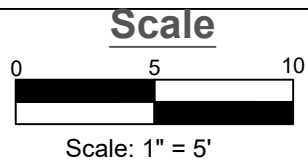


City of Mandan



Note: Remove adequate asphalt with saw cut to ensure smooth transition.

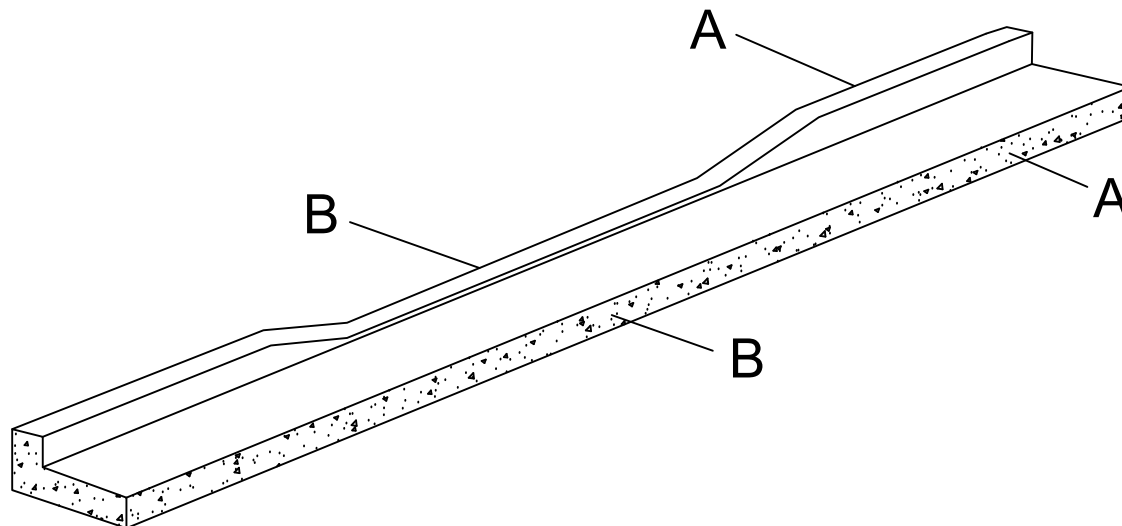
Scale	Sheet #
1" = 5'	1 of 1
Date	
10/2/2014	
File Name	
Standard Sidewalk Detail.dwg	



1304-B TYPICAL CURB & GUTTER DETAIL

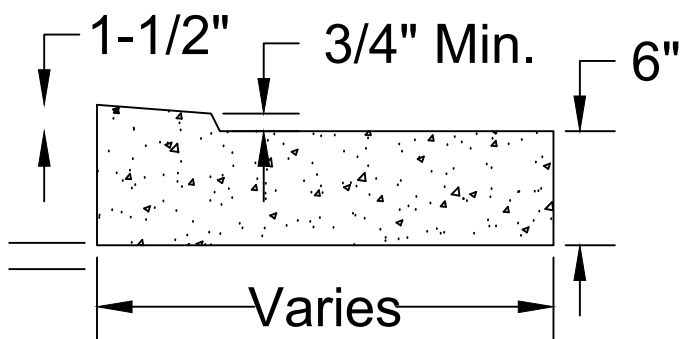


City of Mandan



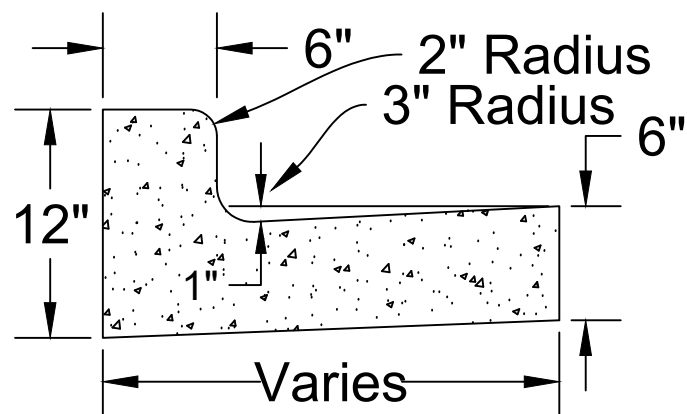
Section B - B

Depressed Curb

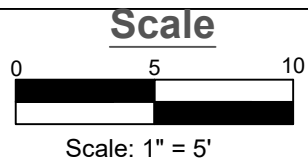


Section A - A

Full Curb



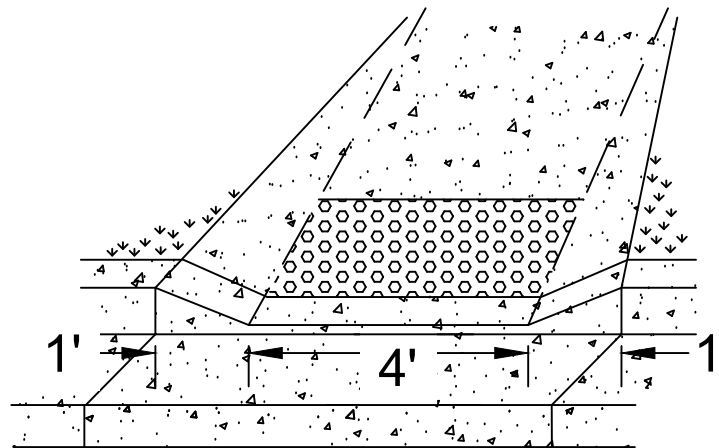
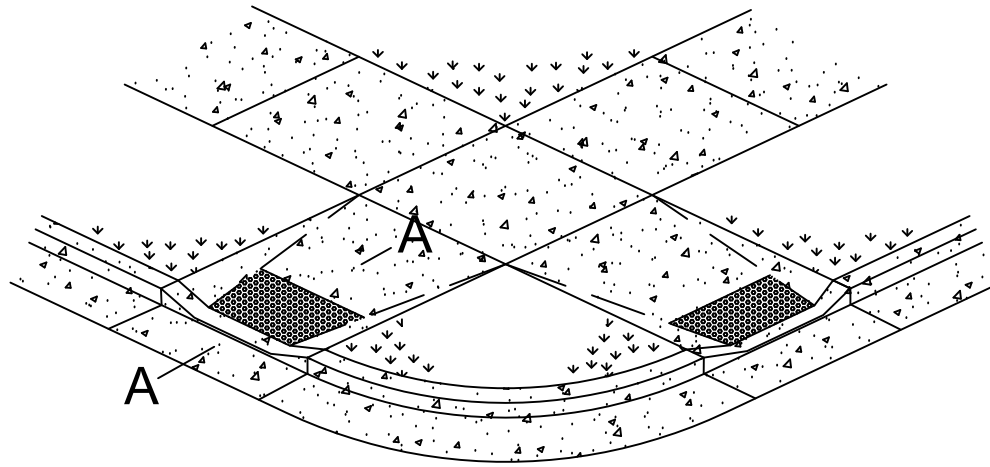
Scale	Sheet #
1" = 5'	1 of 1
Date	
10/2/2014	
File Name	
Standard Sidewalk Detail.dwg	



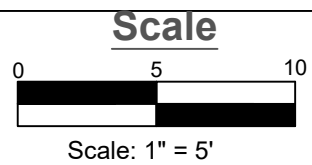
1304-B TYPICAL CURB
& GUTTER DETAIL



City of Mandan



Scale	Sheet #
1" = 5'	1 of 1
Date	
10/2/2014	
File Name	
Standard Sidewalk Detail.dwg	



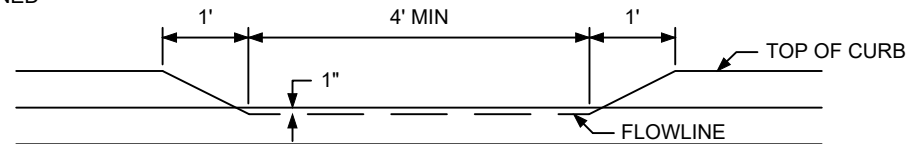
1304-C ADA RAMP DETAIL



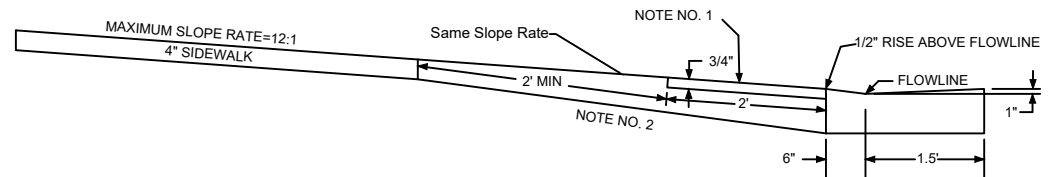
City of Mandan

- NOTE NO. 1 2'X2' DETECTABLE WARNING PANEL
- NOTE NO. 2 BOTTOM OF LANDING SHALL BE 6" THICK
TAPERED TO 4" THICK MIN. 4' UP THE LANDING
- NOTE NO. 3 LENGTH OF RAMP SHALL BE DETERMINED
BY THE ENGINEER

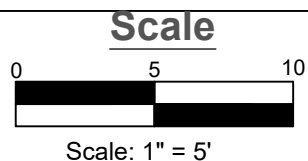
FLARED SIDES OF CURB RAMP



SECTION A-A



Scale	Sheet #
1" = 5'	1 of 1
Date	
10/2/2014	
File Name	
Standard Sidewalk Detail.dwg	



1304 C-1 ADA RAMP DETAIL



City of Mandan



City Commission

Agenda Documentation

MEETING DATE: January 21, 2025
PREPARATION DATE: January 10, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the raffle permit for ND Lions District 5 NW

STATEMENT/PURPOSE:

Consider approval of the raffle permit for ND Lions District 5 NW

BACKGROUND/ALTERNATIVES:

Consider approval of the raffle permit for ND Lions District 5 NW. A onetime raffle to be held on March 29, 2025, at Balancing Goat Coffee Shop. See attached raffle permit and application.

ATTACHMENTS:

1. Raffle Permit 2025-4

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the raffle permit for ND Lions District 5 NW.

SUGGESTED MOTION:

I move to approve the raffle permit for ND Lions District 5 NW.

City Commission

Agenda Documentation

January 21, 2025

Subject: Consider approval of the raffle permit for ND Lions District 5 NW

Page 2 of 2



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

Permit Number
2025-4

Permit Type (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games Authorized

☐ Raffle by a Political or Legislative District Party

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

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

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

ORGANIZATION INFO

Name of Organization or Group ND Lions District 5 NW		Dates Authorized (Read Instruction 2) March 29th, 2025	
Organization or Group Contact Person Sherry Fetch	E-mail joyfullion2@gmail.com	Telephone Number 701-426-3432	
Mailing Address 406 4th Ave NW	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Balancing Goat Coffee Shop		County Morton	
Site Address 2705 Sunset Drive	City Mandan	State ND	ZIP Code 58554
If the city or county is placing restrictions on the permit, please explain N/A			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) One time ticket raffle to be drawn at Balancing Goat Coffee Shop on March 29th, 2025.			

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

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

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

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official Michael Breid	Title of City or County Official Sergeant	Telephone Number 701-667-3250	E-mail Address mbreid@mandanpd.com
Signature of City or County Official 		Date 01/10/2025	Issuing Governing Body ☒ City ☐ County

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

Information required to be preprinted on a standard raffle ticket:

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

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

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

INSTRUCTIONS:

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

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

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

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



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (9-2023)

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games to be conducted

☐ Raffle by a Political or Legislative District Party

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

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

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

ORGANIZATION INFO

Name of Organization or Group ND Lions District 5NW		Dates of Activity (Does not include dates for the sales of tickets) 3/29/25	
Organization or Group Contact Person Sherry M. Fetch	E-mail joyfallion2@gmail.com	Telephone Number 701-426-3432	
Business Address _____	City _____	State _____	ZIP Code _____
Mailing Address (if different) 406 4 Ave NW	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Balancing Goat Coffee Shop (site for drawing)		County Morton	
Site Physical Address 2705 Sunset Drive	City Mandan	State ND	ZIP Code 58554
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) February 1st to March 29th 2025			

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

Game Type	Description of Prize	Exact Retail Value of Prize
Money Raffle	1st - \$1,199.00 (2nd - 5th - \$700.00) (6th - 9th - \$500.00)	\$ 7,999.00
	(10th - 13th - \$300.00) (14th - 17th - \$200.00)	
Total (limit \$40,000 per year)		\$ 7,999.00

ADDITIONAL REQUIRED INFORMATION

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

Printed Name of Organization Group's Permit Organizer Sherry M. Fetch	Telephone Number 701-426-3432	E-mail Address joyfallion2@gmail.com
Signature of Organization Group's Permit Organizer Sherry M. Fetch	Title District 5NW LCIF Chairperson	Date 1/08/2025



City Commission

Agenda Documentation

MEETING DATE: January 21, 2025
PREPARATION DATE: January 14, 2025
SUBMITTING DEPARTMENT: Building Inspection
DEPARTMENT DIRECTOR: Jordan Singer
PRESENTER: Jordan Singer, Building Official
SUBJECT: Consider a 2025 Budget Amendment for Building Inspections

STATEMENT/PURPOSE:

To consider a budget amendment for Building Inspection to account for the plan review of the Heart River Women's Transformational Center.

BACKGROUND/ALTERNATIVES:

The Board of City Commissioners approved the plan review service agreement with Interstate Engineering at its January 7, 2025 meeting. Interstate Engineering is providing civil and structural plan reviews at the Heart River Women's Transformational Center. We will be using dollars from the generated permit fee in order to pay for this. They are contracted up to \$80,000 to help with the technical plan review for this facility. The generated permit fee for the whole project is estimated to be close to \$500,000 dollars.

ATTACHMENTS:

1. 20241219 - City of Mandan Commercial Plan Review Contract - DRAFT 2

FISCAL IMPACT:

Up to \$80,000 to be taken from Building Permit Fees.

STAFF IMPACT:

Will improve time taken to complete this task.

LEGAL REVIEW:

Legal has reviewed this document.

RECOMMENDATION:

Recommended approval of the Budget Amendment for 2025 of up to \$80,000.

SUGGESTED MOTION:

I move to approve the 2025 Budget Amendment for Building Inspections of up to \$80,000.

CLIENT INFORMATION:

NAME: City of Mandan
BILLING ADDRESS: 205 2nd Ave NW
CITY, STATE, ZIP: Mandan, ND 58554
EMAIL: jordan.singer@cityofmandan.com
ORDER PLACED BY: Jordan Singer | Building Official CBO

PROJECT #: CR24-06-061
ORDER DATE: 12/17/2024
PHONE: 701-667-3236
CELL: _____

PROJECT DESCRIPTION:

Perform civil and structural plan reviews for the City of Mandan at the new "Heart River Women's Transformational Center" project utilizing City of Mandan ordinances and the North Dakota State Building Code. Assist the Building Official in supplying comments back to the applicant. Complete an extensive plan review ensuring all State and Federal requirements are met and timed to facilitate a start date for the project in 2025.

DESCRIPTION OF WORK:

1. Perform two civil and structural plan reviews for the Heart River Women's Transformational Center project.
2. Provide digitally marked-up plans and notes for the City of Mandan.
3. Perform the plan reviews in a timely manner, not to exceed 6 weeks.
4. Items not included in our scope of services, but could be added for an additional fee:
 - Electrical plan review
 - Mechanical plan review
 - Plumbing plan review.
 - Site Visits
 - Construction Inspection Services

Services for this contract will be performed at hourly rates as attached, not to exceed a cost of \$80,000.

COST OF ENGINEERING SERVICES: \$80,000 Hourly (hr), Not to Exceed

PROPOSAL PROVIDED BY: Maria Tomac, PE

IE OFFICE: 1403 27th St. NW, Mandan, ND 58554

To the fullest extent permitted by law, Client and Engineer (1) waive against each other, and the other's employees, officers, directors, members, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement or the Project, and (2) agree that Engineer's total liability to Client under this Agreement shall be limited to: **\$50,000**; or our fee, whichever is greater.

Payment for engineering services is due and payable when billed. Interest in the amount of 1.5% per month shall be added to accounts not paid within thirty (30) days of the invoice date.

AUTHORIZATION: I hereby authorize the above-described engineering services to be performed by Interstate Engineering, Inc. under the terms and conditions set forth.

SIGNATURE: _____ DATE: _____

**SCHEDULE OF RATES
ATTACHMENT #1**

<u>Hourly Rate</u>		<u>Hourly Rate</u>	
<u>Engineers</u>		<u>Technicians</u>	
ENG I	\$ 130.00	TECH I	\$ 85.00
ENG II	\$ 145.00	TECH II	\$ 100.00
ENG III	\$ 160.00	TECH III	\$ 115.00
ENG IV	\$ 175.00	TECH IV	\$ 130.00
ENG V	\$ 190.00	TECH V	\$ 145.00
ENG VI	\$ 205.00	TECH VI	\$ 160.00
ENG VII	\$ 220.00	TECH VII	\$ 175.00
ENG VIII	\$ 235.00	TECH VIII	\$ 190.00
ENG IX	\$ 250.00	TECH IX	\$ 205.00
ENG X	\$ 265.00	TECH X	\$ 220.00
<u>Surveyors</u>		<u>Planners</u>	
SURV I	\$ 105.00	PLANNER I	\$ 115.00
SURV II	\$ 120.00	PLANNER II	\$ 140.00
SURV III	\$ 135.00	PLANNER III	\$ 165.00
SURV IV	\$ 150.00	PLANNER IV	\$ 190.00
SURV V	\$ 165.00	PLANNER V	\$ 215.00
SURV VI	\$ 180.00		
SURV VII	\$ 195.00	<u>Administrative</u>	
SURV VIII	\$ 210.00	ADMIN I	\$ 85.00
SURV IX	\$ 225.00	ADMIN II	\$ 95.00
SURV X	\$ 240.00		
		<u>Information Technologists</u>	
<u>Expert Witness</u>	\$ 300.00	IT I	\$ 140.00
		IT II	\$ 190.00

CHARGEABLE EXPENSES

Subsistence.....Actual cost
 Subconsultant Services – Geotechnical ..Actual cost plus 15%
 Subconsultant Services – Other.....Actual cost plus 10%
 Survey Materials Required.....Actual cost plus 25%
 Plat Certification per Certification.....\$35.00
 Recordation per Monument.....\$35.00
 24" x 36" Prints per Page\$9.00
 Other Miscellaneous Project Expenses ..Actual cost

Travel Vehicle \$0.82 per mile
 Survey Vehicle \$0.92 per mile
 ATV \$75.00 per day
 ATV with Tracks..... \$125.00 per day
 UTV..... \$150.00 per day
 UTV with Tracks \$200.00 per day
 Snowmobile \$200.00 per day

Any and all sales and use tax, TERO or other special fees which apply to this contract.



City Commission

Agenda Documentation

MEETING DATE: January 21, 2025
PREPARATION DATE: January 14, 2025
SUBMITTING DEPARTMENT: Fire
DEPARTMENT DIRECTOR: Mitch Bitz
PRESENTER: Mitch Bitz, Fire Chief
SUBJECT: Consideration of Fire Department engine purchase contract.

STATEMENT/PURPOSE:

To allow the Fire Department to enter into a contract with Pierce Manufacturing for the purchase of a fire engine to be delivered in 2029.

BACKGROUND/ALTERNATIVES:

As part of our apparatus replacement plan, the Fire Department is scheduled to replace the front line engine assigned to fire station 2 in the year 2029. The industry standard for replacement of front line service fire engines is approximately 10-12 years. Apparatus build times from Pierce Manufacturing are currently estimated at 48-52 months. At the time of delivery in 2029, the apparatus that is being replaced will be 13 years old and will be moved to reserve engine status. As a point of reference, we have expended approximately \$78K in maintenance during the life of this truck, with \$76K being in the last five years. The new fire engine will be purchased using the Sourcewell cooperative purchasing agreement. Pierce manufacturing has offered a pre-payment discount option, however, it is our recommendation to not exercise the pre-payment option and pay for the apparatus at time of delivery. We plan to coordinate with the Finance Department to determine the best way to pay for this purchase, two possible funding sources are the Fire Department equipment replacement fund or the recently passed half cent sales tax.

ATTACHMENTS:

1. 2029 Pierce Proposal Letter

FISCAL IMPACT:

Full price of apparatus not to exceed \$1.3M to be paid on delivery (anticipated in 2029).

Subject: Consider allowing the Fire Department to enter into a contract with Pierce Manufacturing for the purchase of a new fire engine to be delivered in 2029

Page 2 of 2

STAFF IMPACT:

None

LEGAL REVIEW:

This item has been reviewed by Attorney Oster's office.

RECOMMENDATION:

Allow the Fire Department to enter into a contract with Pierce Manufacturing for the purchase of a new fire engine to be delivered in 2029.

SUGGESTED MOTION:

I move to allow the Fire Department to enter into a contract with Pierce Manufacturing for the purchase of a new fire engine to be delivered in 2029.

January 3, 2025

Chief Mitch Bitz
City of Mandan
110 Collins Ave.
Mandan, ND 58554

Subject: **Proposal for one (1) Pierce Enforcer HDR-Pumper
Proposal / Bid 1108**

Dear Chief Bitz,

With regard to the above subject, please find attached our completed proposal.
Pricing, is as follows, including 100% prepay option.

Pricing Summary:

Sale Price – **\$1,163,215.00***
**Sourcewell Consortium Pricing, Member ID 2313.*

100% Performance Bond:

Should the City of Mandan elect to have us provide a Performance Bond, \$3,383.00 will need to be added to the above sale price.

100% Prepayment Option:

Should the City of Mandan elect to make a 100% prepayment thirty (30) days from contract signing, a discount of (**\$115,675.00**) can be subtracted from the above "Sale Price" resulting in a revised contract price of **\$1,047,540.00 OR \$1,050,923.00 with Performance Bond**.

Terms and Conditions:

Taxes – Not Applicable
Freight – F.O.B. – Appleton, WI / Shipping to Mandan, ND
Terms – Net due prior to vehicle(s) release at the Pierce Manufacturing Plant (Appleton, WI). Net due thirty (30) days from Contract signing for **Prepay discount** to be applicable.
Delivery* – 48 – 51 months from receipt and acceptance of contract.

**Due to global supply chain constraints, any delivery date contained herein is a good faith estimate as of the date of this order/contract, and merely an approximation based on current information. Delivery updates will be made available, and a final firm delivery date will be provided as soon as possible.*

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or international conflicts, or other causes beyond our control not preventing, could alter the delivery schedule.

The specifications herein contained, shall form a part of the final contract, and are subject to changes as desired by the purchaser, provided such changes are acknowledged and agreed to in writing by the purchaser.

Various state or federal regulation agencies (e.g., NFPA, DOT, EPA) may require changes to the Specifications and/or the Product and in any such event any resulting cost increases incurred to comply therewith will be added to the Purchase Price to be paid by the Customer. Any future drive train upgrades (engine, transmission, axles, etc.) or any other specification changes have not been calculated into our annual increases and will be provided at additional cost. The Company reserves the right to update pricing in response to manufacturer-imposed increases as a result of PPI inflation. The Company will document and itemize any such price increase for the Customer's review and approval before proceeding. Should the customer choose not to accept the pricing update, the customer has the ability to cancel without penalty.

This proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications.

The attached proposal is valid for thirty (30) days.

We trust the above and the enclosed to be full and complete at this time; however, should you have any questions or require additional information, please do not hesitate to contact me at 701-840-0615 or scott.berge@macqueengroup.com.

We wish to thank the City of Mandan for the opportunity to submit our proposal.

Respectfully,

Scott Berge

Scott Berge
Apparatus Sales
MacQueen Equipment LLC
DBA MacQueen Emergency Group



City Commission

Agenda Documentation

MEETING DATE: January 21, 2025
PREPARATION DATE: January 7, 2025
SUBMITTING DEPARTMENT: Engineering Department
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Application to the 2025 Raise Grant

STATEMENT/PURPOSE:

To consider an application for the 2025 Raise Grant for the Mandan Proper Revitalization Project

BACKGROUND/ALTERNATIVES:

After a discussion between the administration, finance, and engineering departments. It was decided to move forward with drafting an application for the 2025 RAISE Grant for the Mandan Proper Road Revitalization Project.

RAISE stands for Rebuilding American Infrastructure with Sustainability and Equity. This is a grant program through the USDOT that allows the federal government to support and maintain transportation infrastructure that they otherwise could not. RAISE is not the first grant program to do this. BUILD (better utilizing investments to leverage development) and TIGER (transportation investment generating economic recovery) and similar grant programs the USDOT had in the past. The RAISE grant program is funded by the Bipartisan Infrastructure Law. This provides 1.5 billion dollars annual for the years 2022-2026. RAISE grants are award on a competitive basis. The maximum grant award for a capital project is 25 million dollars

A RAISE Grant was selected because the Engineering department had been researching grant opportunities that would help lessen the impact of special assessments to residents. The RAISE grant appears to be an excellent opportunity for the city of Mandan to receive federal funding.

Mandan Proper is a project that was identified in the 2024 Pavement condition report. Of the approximately 6 miles of road only .4 Miles are not identified as a reconstruct. This mean approximately 93% of all roads in this area are in need of a full reconstruction. Along with the roads approximately 15,000 feet of water main will be

replaced as part of this project. There have been 36 water breaks since 2015. 80% of those breaks occurring in the last 5 years. For several reasons the project was intended to be split into 4 phases.

ATTACHMENTS:

None

FISCAL IMPACT:

The total project cost is estimated to be \$34,268,062.50. The Engineering Department intends to ask for the maximum RAISE grant allocation amount of 25 million dollars. If a RAISE grant is awarded the city would be responsible for \$9,268,062.50. These funds would be a combination of municipal infrastructure funds and the utility fund.

STAFF IMPACT:

The engineering department will spend minimal time finishing the grant application

LEGAL REVIEW:

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

RECOMMENDATION:

To have the engineering department finalize grant application and allocate the funds should the grant be awarded to the City.

SUGGESTED MOTION:

I move to have the engineering department finalize grant application and allocate the funds should the grant be awarded to the City.



City Commission

Agenda Documentation

MEETING DATE: January 21, 2025
PREPARATION DATE: January 16, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Legislative Update

STATEMENT/PURPOSE:

To update the Commission regarding legislative items

BACKGROUND/ALTERNATIVES:

Legislative Update report will be available after hearings are scheduled for the week of Jan 20.

More information coming Tuesday.

ATTACHMENTS:

None

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

n/a

SUGGESTED MOTION:

n/a

