



AGENDA
CITY COMMISSION
MARCH 4, 2025
ED "BOSH" FROEHLICH MEETING ROOM
MANDAN CITY HALL
5:30 PM
WWW.CITYOFMANDAN.COM

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A. ROLL CALL

1. Roll call of all City Commissioners

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider approval of the following Board of City Commissioner minutes:
 - a. Feb. 18, 2025 Regular Meeting
 - b. Feb. 25, 2025 Special Meeting

F. PUBLIC HEARING

G. BIDS

H. CONSENT AGENDA

1. Consider a funding commitment letter for North Dakota Emergency Services Advanced Assistance Funding in regards to the Cemetery Geotechnical Evaluation project
2. Consider acceptance of the High Intensity Drug Trafficking Area (HIDTA) grant

3. Consider approval of a raffle permit for North Dakota State United States Bowling Congress (USBC) Association
4. Consider a final plat for Heart River Women's Transformational Center (HRWTC) Addition
5. Consider a minor plat for Midway 17th Addition
6. Consider a minor plat for Eide Addition
7. Consider a minor plat for Lakewood 11th Addition
8. Consider a minor plat for replat of Sunset 2nd Addition
9. Consider approval for the purchase of a Landfill Loader replacement using State Bid pricing
10. Consider entering into a cost participation and maintenance agreement for a Highway Safety Improvement Project to install Rapid Rectangular Flashing Beacons

I. OLD BUSINESS

J. NEW BUSINESS

1. Consider an offer on a City-owned lot
2. Consider adoption of the 2024 Morton County Local Emergency Operations Plan
3. Consider a Growth Fund committee recommendation for a Storefront Improvement application for 1307 1st St NE
4. Consider a Growth Fund committee recommendation for a Storefront Improvement application for 1311 1st St NE
5. Legislative Update

K. RESOLUTIONS AND ORDINANCES

1. Second and final consideration of Ordinance 1461 related to extension of the Zoning Moratorium
2. Introduction and First Consideration of Ordinance No.1462, which creates the prohibited camping ordinance

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- - March 18, 2025 at 5:30 p.m.
 - March 25, 2025 at 5:30 p.m. Special Meeting, Working Session
 - April 1, 2025 at 5:30 p.m. (Board of Equalization at 7 p.m.)
 - April 15, 2025 at 5:30 p.m.

N. ADJOURN

The Mandan City Commission met in regular session at 5:00 PM on February 18, 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, CIS Manager Mischel and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS Public Works Director O’Keefe shared a reminder for residents to check water meters and water lines with the cold weather and frozen pipes. Some helpful tips are available at cityofmandan.com/news.

1. *Consider proclaiming the month of February as Career and Technical Education Month.* Mandan High School Student and DECA Executive Vice President Rylen Kautzman presented the request to proclaim February as Career and Technical Education (CTE) Month in the City of Mandan. Commissioner Sjoberg moved and Commissioner Braun seconded to proclaim February as CTE month. Roll Call vote: Aye 5, Nay 0. The motion passed.

D. APPROVAL OF AGENDA Commissioner Rohr 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 following Board of City Commissioner minutes:.*

a. *Feb. 4, 2025 State of the Cities Quorum.* Commissioner Heinsohn moved and Commissioner Rohr seconded to approve as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

b. *Feb. 4, 2025 Regular Meeting.* Commissioner Heinsohn moved and Commissioner Braun seconded to approve as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

c. *Feb. 11, 2025 Special Meeting Minutes.* Commissioner Braun moved and Commissioner Rohr seconded to approve as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

F. PUBLIC HEARING

G. BIDS

H. CONSENT AGENDA Commissioner Heinsohn asked to pull items 2 and 3 for discussion, and Commissioner Sjoberg requested item 10 be pulled for discussion. Commissioner Rohr moved and Commissioner Braun seconded to approve consent agenda items 1, and 4 through 9 including all sub items as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

1. *Consider approval of monthly bills.*

2. *Consider the updated utility pipe backfill compaction standards in the City's construction specifications.* Engineer Wigness presented the item. Commissioner Rohr moved and Commissioner Sjoberg seconded to approve consent agenda item 2 as presented. Roll Call vote: Aye 5, Nay 0. The

motion passed.

3. *Consider approval of the plans and specifications, Engineer's Report, and authorize the call for bids for the 2025 Municipal Sidewalk Improvement Project 2025-05.* Engineer Wigness presented the item. Commissioner Heinsohn moved and Commissioner Rohr seconded to approve consent agenda item 3 as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

4. *Consider a cost-share agreement with the Department of Water Resources for the 2025 Reconstruction Project - Monte Drive.*

5. *Consider approval of a raffle permit for Heaven Helpers Soup Cafe.*

6. *Consider approval of the following gaming site authorizations:.*

a. *NoDak RMEF Inc at Mandan Eagles Club for March 22, 2025.*

b. *ABATE of North Dakota at the HideAway from July 1, 2025 to June 30, 2026.*

7. *Consider for Abatement: .*

a. *2023 & 2024 Abatement Application for Huntley; 4722 Pintail Loop.*

b. *Mac Iver 2023 & 2024 Veterans Credit Abatement.*

8. *Considering entering into an Engineering Service Agreement with Moore Engineering for the Old Red Trail Construction Admin Services.*

9. *Consider approval of the IT intern job description.*

10. *Consider approval of Department of Water Resources funding application (Memorial Highway).* Engineer Wigness presented the item. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve consent agenda item 10 as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

I. OLD BUSINESS

J. NEW BUSINESS

1. *Consider approval of the Mandan Police Department applying for a State Homeland Security Grant through the North Dakota Department of Emergency Services to purchase an anti-vehicle barrier system.* Police Captain Haug presented the item. Commissioner Heinsohn moved and Commissioner Rohr seconded to approve the Mandan Police Department applying for the State Homeland Security Grant through the North Dakota Department of Emergency Services to purchase an anti-vehicle barrier system. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *Consider a Renaissance Zone rehab application by 420 Holdings LLC at 418 W Main St.* Business Development & Communications Director Cermak presented the Renaissance Zone rehab application for 418 Holdings LLC. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve the application for the rehabilitation of the 418 W Main St. as a Renaissance Zone project to include the five-year 100% property tax exemption on the value of the building as improved and the 100% five-year state income tax exemption contingent upon receiving all required city permits. Roll Call vote: Aye 5, Nay 0. The motion passed.

3. *Consider a Renaissance Zone lease application for Minneapolis Private Equity LLC at 418 W Main St..* Business Development & Communications Director Madison Cermak presented the Renaissance Zone lease application. Commissioner Sjoberg moved and Commissioner Braun seconded to approve the lease of 418 W Main St. by Minneapolis Private Equity Group LLC as a Renaissance Zone

project to include 100% five-year state income tax exemption. Roll Call vote: Aye 5, Nay 0. The motion passed.

4. *Consider a Renaissance Zone lease application by Allstate Radon Services LLC at 418 W Main St.* Business Development & Communications Director Cermak presented the Renaissance Zone lease application. Commissioner Heinsohn moved and Commissioner Braun seconded to approve the lease of 418 W Main St. by Allstate Radon Services LLC as a Renaissance Zone project to include 100% five-year state income tax exemption. Roll Call vote: Aye 5, Nay 0. The motion passed.

5. *Consider introduction of the Mandan Art Alley project.* Planner Stromme presented the item. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to support staff in pursuing this project in 2025. Roll Call vote: Aye 5, Nay 0. The motion passed.

6. *Consider a task order to support waste water treatment plant interim improvements.* Engineer Wigness presented the task order. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve the task order with AE2S, as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

7. *Consider the 2025 Reconstruction Project - Monte Drive plans, specifications, and authorization to advertise for bids.* Engineer Wigness presented the item. Letters have been mailed to property owners in the area and a public input meeting has been held. Fairly favorable feedback has been received. There have been 27 water main breaks in the area since 2008. Commissioner Rohr moved and Commissioner Braun seconded to approve the Plans and Specifications and authorize the advertisement of the project. Roll Call vote: Aye 5, Nay 0. The motion passed.

8. *Consider the Sunset Drive Interchange project decision document.* Engineer Wigness presented the item. This project is slated for 2027. However, there are possibilities that it could start as early as 2026. A single point urban intersection is planned for the interchange, along with an improved stoplight at Boundary Rd and Sunset Drive, and a multi-lane roundabout for the intersection of Old Red Trail and Sunset Dr. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to submit Alternative 1b as the City's preferred option. Roll Call vote: Aye 5, Nay 0. The motion passed.

9. *Consider resolutions necessary to create Street Improvement District 236 - Downtown Phase I.* Engineer Wigness presented the item. Commissioner Heinsohn moved and Commissioner Braun seconded to approve the resolutions to create improvement district, approve the Engineer's report, approve feasibility report, and approve declaring necessity for Street Improvement District No. 236. Roll Call vote: Aye 5, Nay 0. The motion passed.

10. *Legislative Update.* Administrator Neubauer presented the item. Crossover will happen towards the end of February. This was just an update, no action requested.

K. RESOLUTIONS AND ORDINANCES

1. *First Consideration of Ordinance 1461 related to extension of Zoning Moratorium.* Planner Stromme presented the ordinance. Commissioner Heinsohn moved and Commissioner Braun seconded to approve the first consideration of Ordinance 1461. Roll Call vote: Aye 5, Nay 0. The motion passed.

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- Feb. 25, 2025 at 5:30 p.m., Special Meeting, Working Session
- March 4, 2025 at 5:30 p.m., Regular Meeting

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- ~~March 11, 2025 at 5:30 p.m., Special Meeting, Working Session~~
 - ~~March 18, 2025 at 5:30 p.m., Regular Meeting~~
 - ~~April 1, 2025 at 5:30 p.m., Regular Meeting (Board of Equalization at 7 p.m.)~~

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N. ADJOURN There being no further business to come before the board, the meeting adjourned at 6:17 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 February 25, 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 Sjoborg, Ryan Heinsohn. Department heads present were City Administrator Neubauer, Finance Director Welch, Assistant Finance Director Schultz, Engineering Director Wigness, Assistant City Engineer, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Communications Specialist Schmidt, Planner Stromme, Library Director Sandstrom, CIS Manager Mischel, Laith Hintz (AE2S) and Grant Dockter (Moore Engineering).

B. THE PLEDGE OF ALLEGIANCE

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

D. NEW BUSINESS

1. *Long Term Financial Planning - Infrastructure Projects.* City Engineer Wigness presented a way for the commission to review and prioritize infrastructure projects for the next 5 years. The commissioners will bring back their feedback by March 18, and then the City will hold a working session on March 25 to set priorities for the infrastructure projects.

E. OTHER BUSINESS

F. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

G. ADJOURN There being no further business to come before the board, the meeting adjourned at 6:24 p.m.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 13, 2025
SUBMITTING DEPARTMENT: Engineering Department
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Riley McAdoo-Roesler, Assistant City Engineer
SUBJECT: Cemetery Geotechnical Evaluation Project Advanced Assistance Funding

STATEMENT/PURPOSE:

To consider providing a funding commitment letter to NDES

BACKGROUND/ALTERNATIVES:

The City of Mandan is currently dealing with geotechnical issues on the southeast side of Union Cemetery. The issues have been present for many years but have not been significantly problematic until recently. A hill slough has continued to creep back further into the cemetery property, and there are concerns that if the ground continues to slide, it will impact existing grave sites and/or erode away land that is planned to be used for future grave sites. Additionally, in the spring of 2023, the movement caused a watermain to break, which led to an acceleration of the ground movement. This acceleration of ground movement then prompted the city to invest in a technical memo from BARR engineering in the summer of 2023. The technical memo provided a high level overview of the issue and surrounding area.

The hill is approximately 40 feet high, with the cemetery at the top of the slope and BNSF railroad tracks at the base of the slope. Based on a review of historical imagery, the movement has likely been present for decades. It is possible that the slope was originally cut to install the BNSF railroad tracks, but the slough may have been present before the railroad was installed. In addition to the slide.

ATTACHMENTS:

1. Mandan Union Cemetery Funding Commitment Letter

FISCAL IMPACT:

The Commission has already approved the funds for all phases of the project. The

commitment of funds letter is to show the commitment to NDDDES and apply for funds to cover the some of the costs that the city has already committed to paying.

Description of Service	Amount
Initial Investigative Work in Fall 2024 (Sept. 15, 2024 – Dec. 31, 2024)	\$200,720
Monitoring, Modeling, Preliminary Design (January 1, 2025 – June 1, 2025)	\$162,360
Preliminary Engineer's Report in the Summer of 2025 (June 1, 2025 – August 1, 2025)	\$28,955
FEMA HMGP Application Preparation & Submission (Aug 1, 2025 – Sept. 30, 2025)	\$20,090
TOTAL COMPENSATION	\$412,125

STAFF IMPACT:

There is no Staff Impact related to this agenda item

LEGAL REVIEW:

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

RECOMMENDATION:

To provide the funding commitment letter to NDES for Advanced Assistance Funding.

SUGGESTED MOTION:

I move to provide the funding commitment letter to NDES for Advanced Assistance Funding for the Cemetery Geotechnical Evaluation Project.

March 04, 2025

Justin Messner
Disaster Recovery Chief
North Dakota Department of Emergency Services
jmessner@nd.gov | 701-328-8107

Re: City of Mandan Local Commitment Letter for the Union Cemetery Geotechnical Evaluation Project

Dear Mr. Messner,

The City of Mandan is currently dealing with issues related to slope instability on the southeast side of Union Cemetery. The issue has been present for many years but has become a significant concern in recent years. In Spring 2023, the issue caused a water main break and uncontrolled release of water until the main was shut off. Furthermore, the slope poses a threat to critical infrastructure such as a BNSF railroad, gas line, and electrical utility line.

In July 2024, the City followed federal procurement guidelines to solicit services for funding assistance, project planning, preliminary design, and final design of a landslide mitigation solution. The City selected Moore Engineering Inc. and Barr Engineering, and began Phase I of the effort in September 2024. The total effort is split into the 4 discrete phases outlined below.

- Phase I – Initial Investigative Work (Cost Estimate - \$200,720)
- Phase II – Modeling and Preliminary Design (Cost Estimate - \$162,360)
- Phase III – Preliminary Engineer's Report (Cost Estimate - \$28,955)
- Phase IV – FEMA Application (Cost Estimate - \$20,090)

The City of Mandan has committed \$200,720 to support the Phase I effort. This initial phase includes the evaluation of previous studies, utility and BNSF coordination, a boundary survey, and the installation of different instrumentation to collect slope movement measurements. To date, Phase I is 90% complete.

The cost for phases II through IV is \$211,405. The City is now committing \$42,281 to support phases II through IV. Before initiating the Phase II effort, the City plans to request \$169,124 in Advanced Assistance funding through the Hazard Mitigation Grant Program. This request will cover 80% of the costs for phases II through IV, as outlined above.

Thank you for your consideration of this project, which will mitigate damage to public infrastructure and prevent costly disruptions to essential services. The City gratefully recognizes that your agency's partnership is vital to disaster preparedness, prevention, and protection for communities throughout North Dakota.

Sincerely,

James Froelich
Mayor, City of Mandan



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 20, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider acceptance of the High Intensity Drug Trafficking Area Grant

STATEMENT/PURPOSE:

Consider acceptance of the HIDTA Grant

BACKGROUND/ALTERNATIVES:

The City of Mandan has participated for a number of years in the HIDTA Grant to provide funding for the Metro Area Narcotics Task Force (MANTA). This grant award is for the time period of 1/1/2024 to 12/31/2025. The amount awarded to MANTF provides for overtime and facilities costs. Upon approval of this grant award acceptance, the FY 2024 HIDTA award packet attachment requires the signature of the Mayor under the "Authorized Official".

ATTACHMENTS:

1. MANTF - 59423 Award Documents

FISCAL IMPACT:

100% federally funded

STAFF IMPACT:

Deputy Chief Bier is the Fiscal Officer for this grant

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the acceptance of the HIDTA Grant award to provide funding to the Metro Area Narcotics Task Force.

City Commission

Agenda Documentation

March 4, 2025

Subject: Consider acceptance of the High Intensity Drug Trafficking Area (HIDTA) grant

Page 2 of 2

SUGGESTED MOTION:

I move to approve accepting the HIDTA Grant award to provide funding to the Metro Area Narcotics Task Force.



Drew H. Wrigley
ATTORNEY GENERAL

STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL

www.attorneygeneral.nd.gov
(701) 328-2210

February 19, 2025

S/A Luke Kapella
MANTF
PO Box 1054
Bismarck, ND 58502

Dear Special Agent Kapella,

Your initiative has been awarded \$127,973 in FY 2024 High Intensity Drug Trafficking Area (HIDTA) Program fund to be used to implement the HIDTA strategy proposed by the Executive Board of Midwest HIDTA and approved by the Office of National Drug Control Policy (ONDCP).

To accept this award, please review, complete, sign, and return the enclosed documents (listed below) by Friday, March 7, 2025:

1. Grant Award and Acceptance
2. Budget Detail
3. Certified Conditions
4. A-133 Audit Certification

**Please be sure to retain a copy of the above documents for your grant file.*

Federal funds will not be disbursed/reimbursed until these forms have been completed, signed, and returned to the Office of Attorney General via email to agogrants@nd.gov.

Please contact Katie Huizenga at 701-328-4497 or khuizenga@nd.gov with questions.

We look forward to working with you and your initiative.

Sincerely,

A handwritten signature in cursive script that reads "Katie Huizenga".

Katie Huizenga
Grants/Contracts Officer
ND Office of Attorney General



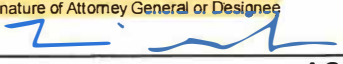
GRANT AWARD AND ACCEPTANCE
HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)
OFFICE OF ATTORNEY GENERAL
BUREAU OF CRIMINAL INVESTIGATION
03/2016

Subgrantee City of Mandan		Unique Entity Identifier # (REQUIRED)		Grant # 59423	
Implementing Agency Metro Area Narcotics Task Force		Make Check Payable To Morton County			
Project Director Luke Kapella		Title SA/Coordinator		Email lk426@nd.gov	
Fiscal Officer Jason Bier		Title Deputy Chief		Email jbier@mandanpd.com	
Federal Awarding Agency Office of National Drug Control Policy (ONDCP)		CFDA # 95.001		FAIN # G24MW0006A	
Project Description High Intensity Drug Trafficking Areas (HIDTA) Program		Federal Award Period 1/1/2024-12/31/2025		Project Period 1/1/2024-12/31/2025	
Subgrantee Award Amount \$127,973.00		Amount of Federal Funds Obligated by this Action \$239,929.00		Total Federal Award \$367,902.00	

BUDGET SUMMARY					
BUDGET	MANTF	BCI	TOTAL	SOURCE OF FUNDS	PERCENTAGE
Personnel		\$122,830	\$122,830	FEDERAL	100%
Fringe		\$39,249	\$39,249		
Overtime	\$15,006		\$15,006		
Travel		\$25,500	\$25,500		
Facilities	\$112,967		\$112,967		
Services		\$25,168	\$25,168		
Equipment				MATCH	0%
Supplies		\$8,000	\$8,000		
Other (PE/PI)		\$19,182	\$19,182		
TOTAL	\$127,973	\$239,929	\$367,902	TOTAL	100%

GENERAL AND SPECIAL CONDITIONS

This is a non-R&D award and approved subject to the conditions outlined above and on the attached pages.

Date Awarded January 1, 2025	Signature of Attorney General or Designee 	Printed Name and Title Lonnie Grabowska, Director
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ACCEPTANCE

The subgrantee and implementing agency accept this grant and promises to comply with all conditions and terms that apply to it. The project director and fiscal officer agree to submit timely financial and progress reports as set forth.

Date Accepted	Signature of Authorized Official	Name and Title (printed)
Date Accepted 02/19/2025	Signature of Project Director 	Name and Title (printed) Luke Kapella - MANTF Coordinator
Date Accepted	Signature of Fiscal Officer	Name and Title (printed)



BUDGET DETAIL
HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)
OFFICE OF ATTORNEY GENERAL
BUREAU OF CRIMINAL INVESTIGATION

Subgrantee:	Morton County	
Implementing Agency:	Metro Area Narcotics Task Force	
Contact Name (P.D.):	S/A Luke Kapella	
Email (PD):	lk426@nd.gov	
Phone Number (P.D.):	701-220-7026	
Contact Name (F.O.):	Jason Bier	
Email (F.O.):	jbier@mandanpd.com	
Phone Number (F.O.):	701-667-3250	
Grant #	59423	G24MW0006A

AWARD BUDGET DETAIL				
Overtime				
Item	Qty	Unit	\$/Unit	Total
Task Force Officers	1.00	year	15,006.00	15,006.00
Total Overtime Awarded			\$	15,006.00
Facilities				
Item	Qty	Unit	\$/Unit	Total
Office Rent	1.00	year	112,967.00	112,967.00
Total Facilities Awarded			\$	112,967.00
Reportable Total			\$	127,973.00

I have reviewed the approved budget and will comply with the budgetary guidelines as set forth in the grant award documents.

Signature	Authorized Official	Date
Signature	Project Director	Date
Signature	Fiscal Officer	Date



AUDIT CERTIFICATION
HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)
OFFICE OF ATTORNEY GENERAL
BUREAU OF CRIMINAL INVESTIGATION
03/2016

FY2023

A-133 Audit Certification

Subrecipient: City of Mandan
Grant Number: 59423 (HIDTA G24MW0006A)
Federal Award Amount: \$ 127,973

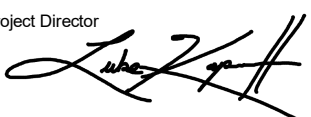
We certify that:

☐ We are a non-federal entity that expended \$750,000 or more in federal awards during our fiscal year (from all sources including pass-through sub awards), and are required to arrange for a single organization-wide audit conducted in accordance with the provisions of Office of Management and Budget (OMB) 2 C.F.R. Part 200.514. This audit report will be submitted to the Office of Attorney General, Bureau of Criminal Investigation.

OR

☐ We are a non-federal entity that expended less than \$750,000 a year in federal awards, and are therefore exempt from federal audit requirements for the award year. We realize however, that we must keep records that are available for review or audit by appropriate officials including the federal agency, pass-through entity, and U.S. Government Accountability Office (GAO).

Certified By:

Date Accepted	Signature of Authorized Official	Name and Title
Date Accepted	Signature of Project Director 	Name and Title Luke Kapella - MANTF Coordinator
Date Accepted	Signature of Fiscal Officer	Name and Title



CERTIFIED CONDITIONS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)

OFFICE OF ATTORNEY GENERAL

BUREAU OF CRIMINAL INVESTIGATION

07/2017

I. INTRODUCTION

Subgrantee

Subgrantees are state agencies, units of local government (such as a city or county), other general-purpose political subdivisions of a state, or Indian tribes.

Implementing Agency

The implementing agency has direct responsibility for carrying out the activities of the grant (such as a police department or sheriff's office).

Authorized Official

The authorized official must have the legal authority to commit the subgrantee to a contract or other agreement. Examples are the mayor, city auditor, county auditor, director of the state agency, or Tribal chairperson. Overall responsibility for the administration of the project rests with this individual.

Project Director

The project director has direct responsibility for implementation of the project activities. This person will prepare and submit all progress reports as required by the Office of Attorney General.

Fiscal Officer

The fiscal officer prepares and submits all financial reports as required by the Office of Attorney General and has responsibility for the financial administration of the project.

II. GENERAL TERMS AND CONDITIONS

General terms and conditions are available online at

www.whitehouse.gov/ondcp/grants

- A. This award is subject to The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200 (the "Part 200 Uniform Requirements"), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. part 3603. For this 2017 award, the Part 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

For more information on the Part 200 Uniform Requirements, see <https://cfo.gov/cofar/>. For specific, award-related questions, subrecipients should contact BCI promptly for clarification.

B. This award is subject to the following additional regulations and requirements:

- 28 C.F.R. Part 69-“New Restrictions on Lobbying”
- 2 C.F.R. Part 25-“Universal Identifier and System of Award Management”
- Conflict of Interest and Mandatory Disclosure Requirements

- Conflict of Interest Requirements

As a non-federal entity, you must follow ONDCP’s conflict of interest policies for federal awards. Sub recipients must disclose, in writing, any potential conflict of interest to BCI. This disclosure must take place immediately.

A conflict of interest would arise when the employee, officer, agent, or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an organization considered for a contract.

- Mandatory Disclosure Requirement

As a non-federal entity, subrecipients must disclose, in a timely manner, in writing to BCI, all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award.

- Non-profit Certifications (when applicable)

C. Recipients and sub recipients must comply with the Government-wide Suspension and Debarment provisions set forth at 2 C.F.R. Part 180.

D. As specified in the HIDTA Program Policy and Budget Guidance, the sub recipient must:

- a. Establish and maintain effective internal controls over the Federal award that provides reasonable assurance that federal award funds are managed in compliance with federal statutes, regulations and award terms and conditions. These internal controls should be in compliance with the guidance in “Standards for Internal Control in the Federal Government,” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework,” issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- b. Comply with federal statutes, regulations, and the terms and conditions of the federal awards.
- c. Evaluate and monitor compliance with applicable statute and regulations, and the terms and conditions of the federal award.
- d. Take prompt action when instances of noncompliance are identified, including noncompliance identified audit findings.

- e. Take reasonable measures to safeguard protected personally identified information (PII) and other information ONDCP or recipient designates consistent with applicable federal, state, and local laws regarding privacy and obligations of confidentiality.

III. PROGRAM SPECIFIC TERMS AND CONDITIONS

A. Special Conditions

- This grant is awarded as listed on grant award and acceptance document. Variation from the description of activities approved by BCI and ONDCP and/or from the budget attached to this letter must comply with the reprogramming requirements as set forth in ONDCP's HIDTA Program Policy and Budget Guidance.
- This award is subject to the requirements in ONDCP's HIDTA Program Policy and Budget Guidance.
- No HIDTA funds shall be used to supplant state or local funds that would otherwise be made available for the same purposes.
- The requirements of 28 C.F.R. Part 23, which pertain to information collection and management of criminal intelligence systems, shall apply to any such systems support by this award.
- Special accounting and control procedures must govern the use and handling of HIDTA Program funds for confidential expenditures; i.e., the purchase of information, evidence, and services for undercover operations. Those procedures are described in Section 6 of HIDTA Program Policy and Budget Guidance.
- Property acquired with these HIDTA grant funds is to be used for the activities of the Midwest HIDTA. If your agency acquires property with these funds and then ceases to participate in the HIDTA, this equipment must be made available to the HIDTA's Executive Board for use by other HIDTA participants.
- All law enforcement entities that receive funds from this grant must report all methamphetamine laboratory seizure data to the National Clandestine Laboratory Database/National Seizure System at the El Paso Intelligence Center.

B. Collaboration

Subgrantee and implementing agency agree to work with local, state, and federal criminal justice agencies in the performance of the project.

C. Third-Party Participation

No contract or agreement may be entered into by the subgrantee and implementing agency for execution of project activities or provision of services for a grant project, unless the contract or agreement was part of the original grant award or is approved in advance by the BCI (exception: purchase of supplies, or standard commercial or maintenance services). Any contract or agreement entered into shall provide that the subgrantee and implementing agency retain ultimate control

and responsibility for the grant project and that the contractor shall be bound by these conditions and any other requirements applicable to the subgrantee and implementing agency in the conduct of the project.

D. Written Approval Required for Changes

All changes must be forwarded to BCI to be approved by Midwest HIDTA and/or ONDCP, therefore subgrantee and implementing agencies need to send a written request to BCI to request changes to any of the follow:

- Changes of substance in project activities, designs, or research plans as set forth in the approved application;
- Changes in the project director or key professional personnel identified in the approved application;
- Changes in the approved project budget as specified under financial conditions; and
- Grant extensions.

A grant extension must be requested in writing before the project period end date. The written request for an extension must state the need for the extension and indicate the additional time frame required to complete the project. In order to receive approval for an extension, all required reports must be completed and submitted to the BCI. BCI will then contact Midwest HIDTA or ONDCP for approval.

E. Performance Goals & Progress Reporting

- All entities that receive funds from this award are responsible for achieving performance goals established in the HIDTA Performance Management Process (PMP) and approved by the HIDTA's Executive Board and ONDCP.
- All entities that receive funds from this award must report progress in achieving performance goals at least quarterly using PMP.

IV. FINANCIAL MANAGEMENT

A. Accounting Requirements and Procedures

Subgrantee and implementing agency agree to establish financial accounting procedures to assure proper disbursement and accounting for all federal funds. These procedures should include timely recording and documentation of receipts and expenditures. At a minimum, your accounting system must:

- Separately account for the receipt of federal funds under each grant awarded; and
- Separately account for expenditures under each subgrant, even though it may

be a project that is receiving continuation funding. Total costs and receipts must be identifiable under each grant award.

B. Pre-Agreement Costs

The BCI reimburses only for goods or services purchased during the grant period. Expenditures or costs incurred prior to the "beginning date" listed on the Grant Award and Acceptance will not be allowed. Cannot spend or commit funds until January 1, 2024.

C. Budget Deviation

All expenditures of the project must be in accordance with the detailed Budget Summary of the Grant Award and Acceptance. The BCI will not reimburse expenses which are not in the approved budget. Requests to purchase items that are not in accordance with the detailed Budget Summary must be made in writing to the BCI and will be considered on a case-by-case basis.

D. Reimbursement/Allowable Expenses

BCI reimburses actual expenses on a quarterly basis unless otherwise agreed upon by the BCI and the subgrantee. The Summary Financial Report (known as the SFR) must be used to report all grant expenditures and a template will be provided to you. The report is required quarterly and must be submitted to BCI within 30 days following the end of the reporting period. The SFR must show all project expenditures during the period of the report. Expenditures should be reported as actual amounts and must be accompanied by complete documentation as indicated below.

1. Personnel Expenditures

Includes: Salary

Documentation required: Hourly rates, copies of check stubs or payroll ledgers, itemization of withholding amounts and benefits paid, and supporting calculations of wages paid (timesheets may be reviewed during audits).

2. Fringe Expenditures

Includes: Payroll taxes; Benefits

Documentation required: Hourly rates, copies of check stubs or payroll ledgers, itemization of withholding amounts and benefits paid, and supporting calculations of wages paid (timesheets may be reviewed during audits).

3. Overtime Expenditures

Includes: Overtime Salary; OT related payroll taxes; Benefits

Documentation required: Overtime Vouchers, hourly rates (straight and time-and-a-half), copies of check stubs or payroll ledgers, itemization of withholding amounts and benefits paid, and supporting calculations of wages paid (timesheets may be reviewed during audits).

4. **Equipment**

Includes: Tangible property having an acquisition cost of \$5,000 or more per unit and a useful life of more than one year.

Documentation required: Invoices, vouchers, receipts, purchase orders, bids and/or sole source documentation if necessary, or other supporting documentation. Note check number and payment date on supporting documentation.

5. **Travel**

Includes: Meals, lodging, mileage, and commercial transportation for travel approved in the subgrantee's budget.

Documentation required: Sufficient detail must be submitted to support the claim. Include case number (if applicable), destination, purpose of travel, dates, and authorization.

Mileage, meals and lodging: Will be reimbursed at the local or state rate - whichever is lower; or for out-of-state travel, GSA rates will prevail.

Meals

Rate

To receive reimbursement for meals you must document departure and arrival times, and you must travel a minimum of four (4) hours, which cover the following time frames:

Breakfast (leave on or before 7:00 a.m.)	20% of daily rate
Lunch (11:00 a.m. - 1:00 p.m.)	30% of daily rate
Dinner (5:00 p.m. - 7:00 p.m.)	50% of daily rate

6. **Services**

Includes: Service contracts, subscriptions, training (registration fees), vehicle allowance/leases, software maintenance.

Documentation required: Invoices, vouchers, receipts, purchase orders, bids and/or sole source documentation if necessary, or other supporting documentation. Note check number and payment date on supporting documentation.

Please note:

Consultant and contractual services, leases, and agreements must be supported by written contracts stating the services to be provided, rate of compensation, and length of time over which the services will be provided. Payments must be supported by invoices providing details on the services provided and when these services were provided. Subgrantees must submit a copy of approved contracts, leases, or agreements before reimbursement will be made.

7. **Supplies**

Includes: Investigative/operational, office, software, fuel.

Documentation required: Invoices, vouchers, receipts or other supporting documentation. Note check number and payment date on supporting documentation.

8. Other

Includes: PE/PI funds, administrative fees.

Documentation required: CI vouchers, invoices, or other supporting documentation. Note check number and payment date on supporting documentation.

E. Audit Requirements

Subgrantees receiving a total of \$750,000 or more in federal funds: The subgrantee agrees to have an audit which shall be in compliance with the audit requirements of the Office of Management and Budget Circular A-133, "Audits of State and Local Governments, Institutions of Higher Education, Hospitals, and Other Nonprofit Institutions", if \$750,000 or more in total federal financial assistance is received. The audit must cover the period of the award.

Units of local government and non-profit organizations must provide a copy of the audit report to BCI.

State agencies must give the BCI a copy of that part of the audit report conducted by the State Auditor's Office which pertains to project funds at the time the agency received funds.

Subgrantees receiving a total of less than \$750,000 in federal funds: The subgrantee agrees to meet the following criteria:

1. Establish an accounting system integrated with adequate internal fiscal and management control to provide full accountability for revenues, expenditures, assets, and liabilities;
2. Prepare financial reports to support claims charged toward the grant award. Reports should be supported by accurate and reliable financial data and **should be in accordance with the terms of the applicable agreements; and**
3. Expend project funds in accordance with the Grant Award and Acceptance and federal and state rules.

Agencies not required to have an audit must provide and maintain adequate financial records for each period in which they received or spent project funds.

F. Potential Fraud, Waste, Abuse or Misconduct

The subrecipient must promptly refer to the ND Office of Attorney General, BCI, any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds.

V. INSPECTION OF RECORDS

Subgrantees must maintain their project file and financial records for three years after the close of the grant and completion of an audit.

A. Records Inspection

Subgrantee and implementing agency give the Office of Attorney General, ONDCP or the Government Accountability Office, or its representative permission to audit and inspect any records, objects, or premises pertaining to this grant and to value and monitor the project at any reasonable time.

B. Monitoring

Subawards must be monitored as outlined in 2 C.F.R. 200.331. Program monitoring involves the ongoing collection of information to determine if programs are operating according to plan. Monitoring also provides ongoing information on program implementation and functioning. It is our policy that the Office of Attorney General or its representatives will monitor your program on an annual basis via telephone, desk review, or on-site visit.

VI. PROCUREMENT

A. Adequate Competition

All procurement transactions, whether negotiated or competitively bid, and without regard to dollar value, should be conducted in a manner so as to provide maximum open and free competition. A state purchase price as obtained by the Office of Management and Budget, State of North Dakota, may be considered the same as a bid price.

B. Level of Competition Required

When needed commodities or services cannot be obtained from an existing source or a government entity, state procurement procedures must be used. The dollar of the purchase determines the level of competition required:

Purchasing Thresholds Effective July 1, 2018		
State Agencies, excluding Higher Education institutions, must follow OMB guidelines .		
Level	Competition Requirements	Documentation Maintenance Requirement
Level 1 "Micro" Purchase	Obtain at least one fair and reasonable quote. Note: Equipment and software must be added to inventory if \$5,000 or greater. (N.D.C.C. §	NDUS: Documentation not required Alternate Procurement form

Less than \$10,000	54-27-21 Fixed Asset Minimum Reporting Value) OMB: Rotate vendors solicited on an equitable basis (N.D.A.C. § 4-12-08-02) OMB: State agencies (excluding Higher Education institutions) must submit printing purchase requests \$5,000 and over to OMB State Procurement.	not required if multiple quotes not solicited OMB: Document vendors solicited, quotes received, and award determination.
Level 2 Small Purchase At least \$10,000 but less than \$50,000	Solicit informal quotes/bids or proposals from at least three vendors, or post to SPO Online with appropriate state bidders list. May send to additional vendors. OMB: ITD must review IT purchases over \$25,000. Contact itdprocurement@nd.gov	Documentation is required. Alternate Procurement form required if competition is not solicited from at least three vendors. The form is not required if three vendors are solicited and fewer than three bids or proposals are received.
Level 3 Informal Written Purchase At least \$50,000 but less than \$100,000	Solicit informal bids or proposals using SPO Online with appropriate state bidders list. May send to additional vendors. OMB: ITD must review IT purchases over \$25,000. Contact itdprocurement@nd.gov	Documentation is required Alternate Procurement form required if: 1. Competition is not solicited. 2. SPO Online is not used. 3. OMB: Competition is limited.
Level 4 Formal Purchase \$100,000 and over	Must be purchased using formal sealed bids: Invitation for Bid (IFB) or Request for Proposal (RFP). Solicitations must be posted using SPO Online with appropriate state bidders list. May send to additional bidders. OMB: ITD must review IT purchases over \$25,000. Contact itdprocurement@nd.gov	Documentation is required. Alternate Procurement required if: 1. Competition is not solicited, or competition is limited. 2. SPO Online is not used. 3. OMB: Competition is Limited.

C. Sole-Source Procurement

When only one bid is received or only one vendor is contacted, the purchase is deemed to be a sole source purchase. Sole-source purchases of \$2,500.01 or more require prior approval by the BCI.

All requirements for equipment and supplies considered sole-source by the agency must be approved by the BCI prior to issuance of a purchase order.

All sole-source purchases must be fully documented and retained in the grant file with the purchase order and payment documents. Documentation must include justification for the sole-source determination and written vendor's price quotation.

VII. EQUIPMENT

A. Equipment Inventory

A purchase of equipment and other tangible property that has a useful life of one year or greater and has an initial cost of \$5,000 or greater must be reported to BCI and tracked.

Please supply BCI with the following information:

- A. Equipment description
- B. Brand name
- C. Model numbers
- D. Serial numbers
- E. Unit cost

B. Ownership of Equipment

Subgrantees and implementing agencies shall exercise due care in the maintenance, protection, and preservation of such property during the period of project use. Equipment acquired with HIDTA funds must be used for the maximum benefit of the HDITA to support the goals of the initiative.

C. Disposition

When equipment is no longer needed for HIDTA purposes, the subgrantee must contact the BCI for disposition instructions.

VIII. DRUG FREE WORKPLACE REQUIREMENTS

The subgrantee certifies that it will provide a drug-free workplace by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the subgrantee's workplace and specifying the actions that will be taken against

employees for violation of such prohibition.

- B. Establishing a drug-free awareness program to inform employees about
 - 1. The dangers of drug abuse in the workplace;
 - 2. The subgrantees policy of maintaining a drug-free workplace;
 - 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- C. Requiring that each employee engaged in the performance of the drug grant be given a copy of the statement required by paragraph (A).
- D. Notifying the employee in the statement required in paragraph (A) that, as a condition of employment under the grant, the employees will
 - 1. Abide by the terms of the statement; and
 - 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- E. Taking one of the following actions within 30 days of receiving notice under subparagraph (D)(2), with respect to any employee who is so convicted:
 - 1. Taking appropriate personnel action against such an employee, up to and including termination; or
 - 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency;
- D. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A), (B), (C), (D), and (E).

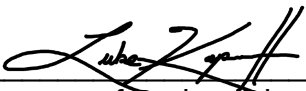


CERTIFIED CONDITIONS Signature Page
HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM (HIDTA)
OFFICE OF ATTORNEY GENERAL
BUREAU OF CRIMINAL INVESTIGATION
07/2017

I certify that the project proposed in this award meets all the requirements of the High Intensity Drug Trafficking Areas (HIDTA) Program, that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with all federal laws, regulations, and guidelines. The undersigned has reviewed the above-certified conditions and agrees that the applicable conditions above will be followed.

Signature of Authorized Official

Date



Signature of Project Director

02/19/2025

Date

Signature of Fiscal Officer

Date

Please make a copy for your records and return the original with the other required award and acceptance documents to: khuizenga@nd.gov



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 21, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of a raffle permit for North Dakota State United States Bowling Congress (USBC) Association

STATEMENT/PURPOSE:

Consider approval of a raffle permit for North Dakota State USBC Association

BACKGROUND/ALTERNATIVES:

50/50 raffle to be held at Midway Lane on March 22, 23, 29 and 30. April 12, 13, 26, and 27, 2025. See attached permit.

ATTACHMENTS:

1. Raffle Permit 2025-18

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the raffle permit for North Dakota State USBC Association.

SUGGESTED MOTION:

I move to approve the raffle permit for North Dakota State USBC Association.

City Commission

Agenda Documentation

March 4, 2025

Subject: Consider approval of a raffle permit for North Dakota State United States Bowling Congress (USBC) Association

Page 2 of 2



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

Permit Number
2025-18

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 North Dakota State USBC Association		Dates Authorized (Read Instruction 2) 3/22/25 - 4/27/25	
Organization or Group Contact Person Duane Sandvick	E-mail duane.sandvick@gmail.com	Telephone Number 701-425-4017	
Mailing Address 207 Crown Butte Drive	City Mandan	State ND	ZIP Code 58554

SITE INFO

Site Name Midway Lanes		County Morton	
Site Address 3327 Memorial Highway SE	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.) 50/50 ticket raffle to be held at Midway Lanes in the lanes area, separate from bar on the following dates: March 22, 23, 29, and 30. April 12, 13, 26, and 27. All dates in 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:
- 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 02/21/2025	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 a 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)

PD 25.00
chck 1002
2-14-25sm

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 North Dakota State USBC Association		Dates of Activity (Does not include dates for the sales of tickets) 3/22/25 - 4-27-25	
Organization or Group Contact Person Duane Sandvick	E-mail duane.sandvick@gmail.com	Telephone Number 701-425-4017	
Business Address 207 Crown Butte Drive	City Mandan	State ND	ZIP Code 58554
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Midway Lanes		County Morton	
Site Physical Address 3327 Memorial Highway	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.) March 22/23, 29/30 April 12/13, 26/27			

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

Game Type	Description of Prize	Exact Retail Value of Prize
50 / 50 Raffle	Cash	3,000.00
Total (limit \$40,000 per year)		\$ 3,000.00

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds Youth bowling scholarships to be awarded	
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 Duane Sandvick	Telephone Number 701-425-4017	E-mail Address duane.sandvick@gmail.com
Signature of Organization Group's Permit Organizer 	Title President	Date 2-14-2025



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 21, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider Final Plat for HRWTC Addition.

STATEMENT/PURPOSE:

Consider Final Plat for HRWTC Addition.

BACKGROUND/ALTERNATIVES:

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

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.

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.

Final Plat

The final plat comprises 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. The property is to be served by municipal utilities.

Zone Change

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. The Agriculture zoning district is the best zoning district the City has for this use. The zoning change will take place at future City Commission meetings on March 18 and April 1, 2025, due to noticing requirements.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is currently 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.

Additional Information and Public Outreach

The Planning and Zoning Commission conducted a Public Hearing on Monday, February 24, 2025 regarding the final plat and zone change. The hearing was noticed as required. The board recommended approval of the plat and zone change with the contingency being the utility servicing plan approval.

Staff Comments

- 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

Final Plat

1. All technical requirements for approval of a final plat have been met;
2. The final plat generally conforms to the preliminary plat for the proposed

subdivision that was approved by the Planning and Zoning Commission;

3. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
4. 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;
5. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
6. The proposed subdivision is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
7. 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 final plat for HRTWC Addition contingent upon a utility servicing plan being approved by the City.

SUGGESTED MOTION:

I move to approve the final plat for HRTWC Addition with the contingency that the utility servicing plan be approved by the city.

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 schrack@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				Legal Description			
701 16th Ave SW, Mandan, ND				See enclosed plat.			
Current Use							
Correctional Center							
Proposed Use							
Correctional Center				Section	Township	Range	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
86.91	See Enclosed Map	1	±241,000 total	t.b.d.		±122 added	

Print Name Chris Jangula	Signature <i>Chris Jangula</i>	Date 11-18-24
-----------------------------	-----------------------------------	------------------

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____.

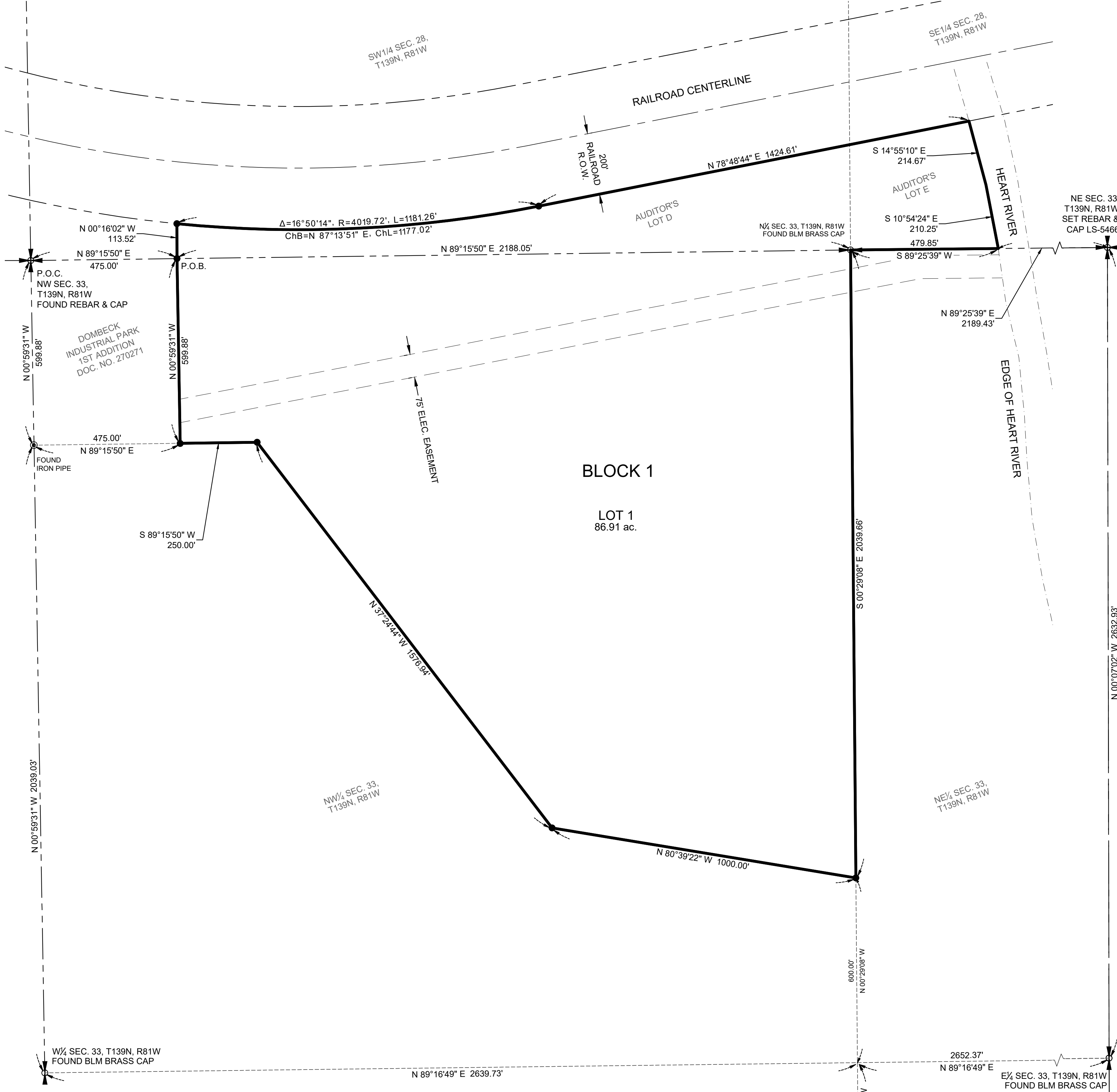
BY: _____
JAMES FROELICH, MAYOR

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



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

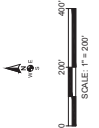
- PROPERTY BOUNDARY
- EXISTING LOT
- EXISTING BUILDING
- SET 48" BLANCH REBAR & CAP
- STAMPED "HIGHLANDS 15-548"
- SECTION LINE
- QUARTER CORNER
- QUARTER CORNER
- RIGHT OF WAY LINE
- EXISTING EASEMENTS
- EDGE OF WATER
- EDGE OF WATER
- POINT OF BEGINNING

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



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

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

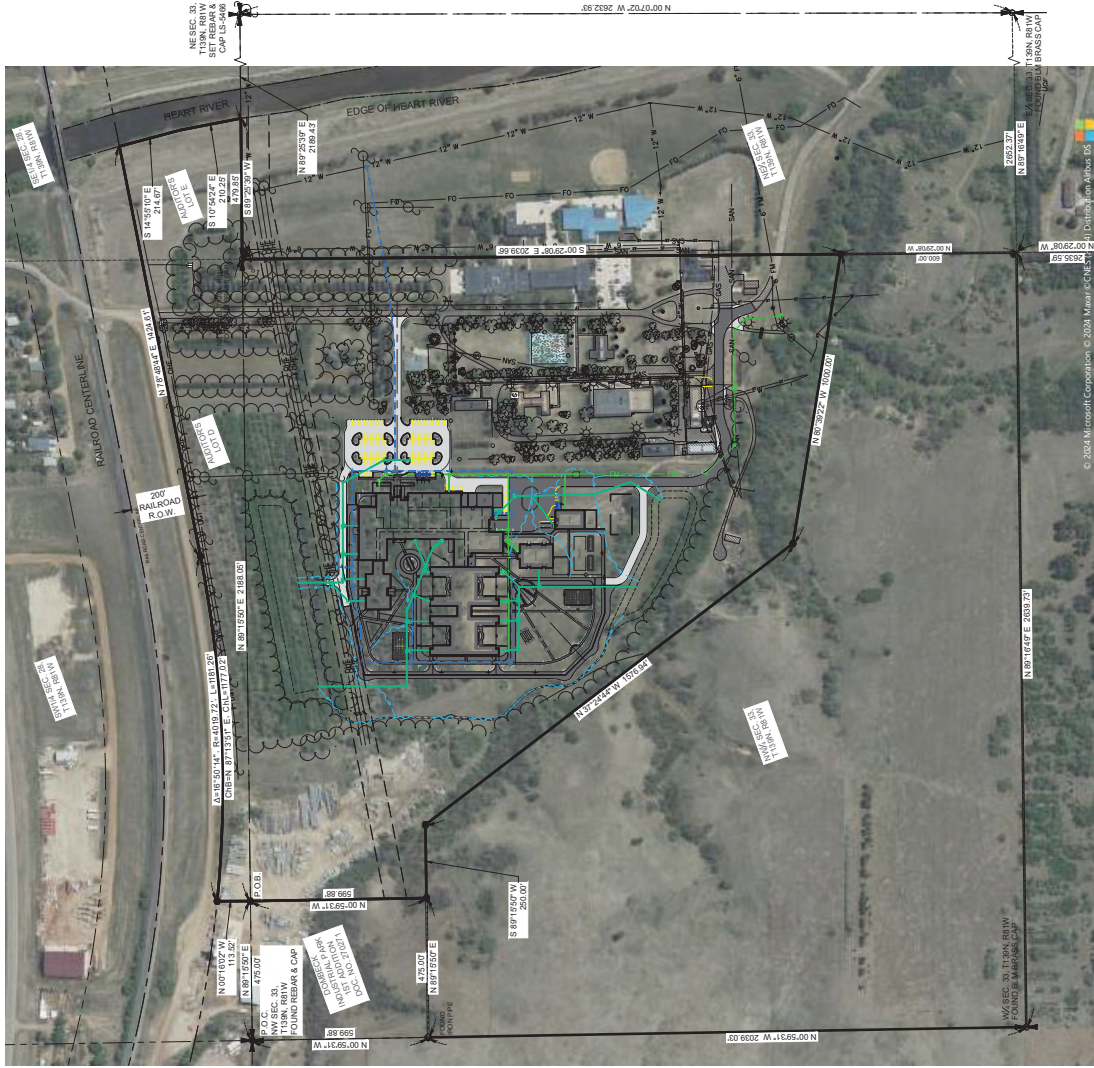
PROPOSED SITE LAYOUT

LEGEND

- PROPERTY BOUNDARY
- EXISTING LOT
- PROPOSED LOT
- SET 48" IN-CH REBAR & CAP
- STAMPED "HIGHLANDS 15-548"
- SECTION LINE
- QUARTER CORNER
- QUARTER CORNER
- RIGHT OF WAY LINE
- EXISTING EASEMENTS
- EDGE OF WATER
- POINT OF BEGINNING
- P.O.B.

SURVEY NOTES

- 1) DISTANCES SHOWN ARE MEASURED GROUND DISTANCES. INTERNATIONAL FOOT, DERIVED FROM A LOCAL COORDINATE SYSTEM.
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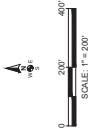




**HIGHLANDS
ENGINEERING**

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



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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



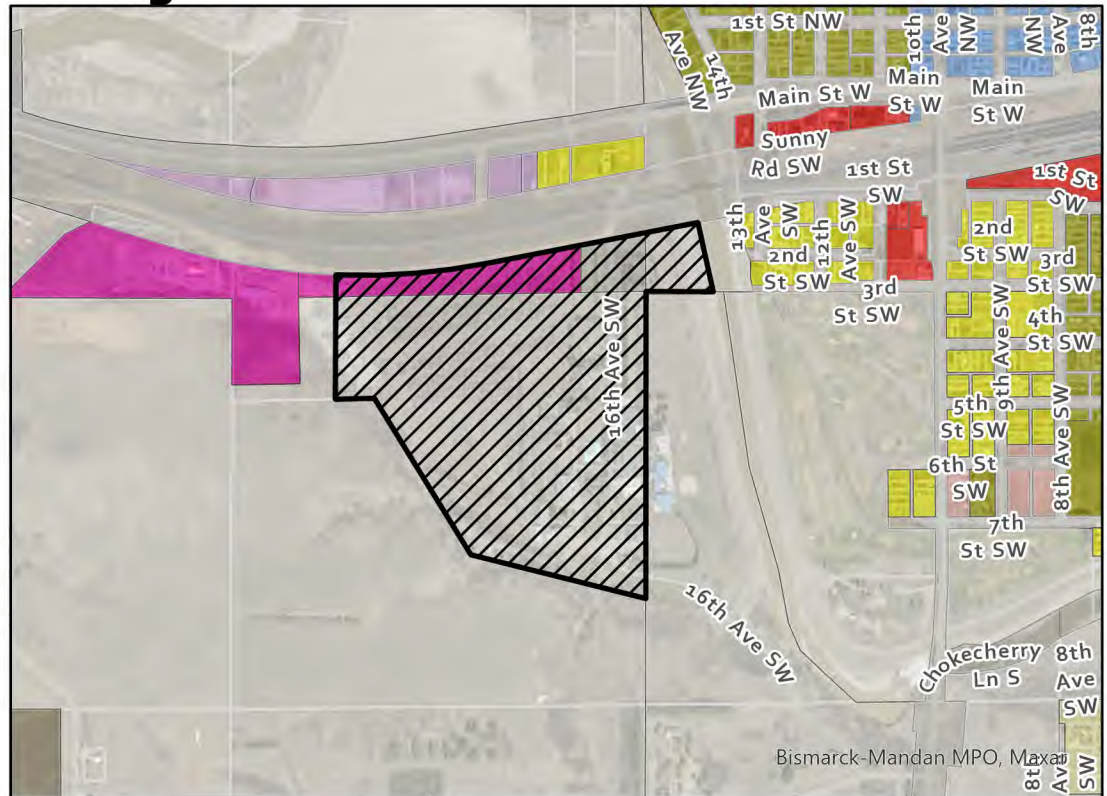
Zoning and Future Land Use Reference Map

Heart River Annexation

Zoning

Zoning Map Key

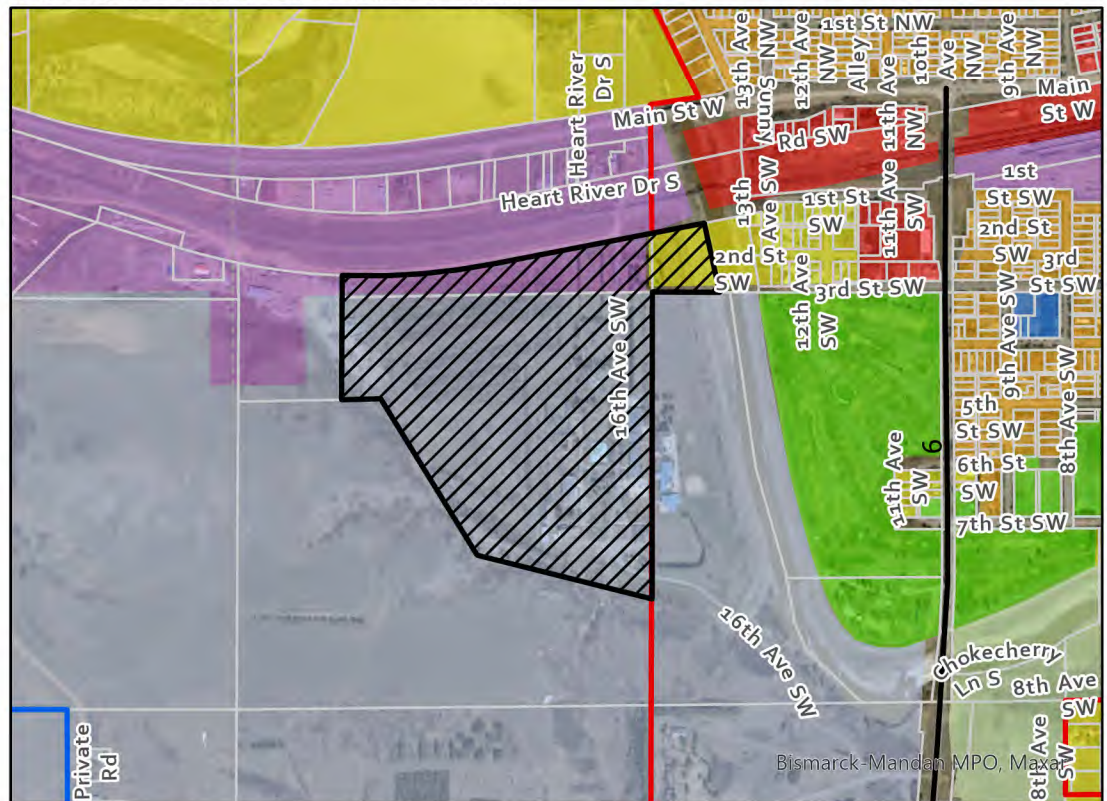
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light 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: March 4, 2025
PREPARATION DATE: February 24, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a minor plat for Midway 17th Addition

STATEMENT/PURPOSE:

Consider a request for a minor plat for Midway 17th Addition.

BACKGROUND/ALTERNATIVES:

PMKC Mandan LLP (Eide) is requesting approval of a minor plat for Midway 17th Addition.

Property History

The property has been used as motor vehicle sales and service facility since the building was constructed in 2006. Prior uses are believed to be industrial in nature. The City granted a setback variance in the spring of 2024 in order to permit the proposed expansion of Kia of Mandan within setback areas. It was stipulated at that time that a minor plat would be required in order for the east building setback to work and for the lot to be combined with a neighboring lot that was previously its own auto sales lot. In the future an additional minor plat may follow in order to combine the lot with a portion of currently leased property the dealership is in the process of purchasing, which would increase the size of the lot in its northwest portion and square it out to some extent.

Minor Plat

The plat is 1.52 acres in size and the property has roughly six hundred eighty-three feet of frontage along the memorial highway. There is an overhead electrical easement along the north property line.

Adjacent Properties Zoning, Land Use and Future Land Use

Adjacent properties to the north include BNSF Railroad Right-of-Way, and an MC - Industrial zoned manufactured housing park. To the east, the properties are zoned MC - Industrial and used for Retail B sales. Properties to the west are zoned MC - Industrial

and used for Service Group B. The property to the south is zoned CC - Commercial and used for Retail Group B. The future land use priority for the referenced properties north of Memorial Highway SE is Industrial. South of Memorial Highway properties referenced are designated for Commercial.

Additional Information and Public Outreach

- The application was received on February 18, 2025.
- This item as a minor plat does not require notices.

Findings of Fact Minor Plat

1. All technical requirements for approval of a minor plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed plat 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;
4. The proposed plat is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed plat is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. The proposed plat would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. Application
2. Midway 17th Add. minor plat
3. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of Midway 17th Addition.

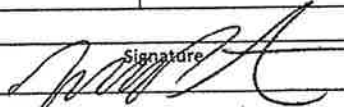
SUGGESTED MOTION:

I move to approve Midway 17th Addition.

CITY OF MANDAN	
Development Review Application	
☒ Minor Plat (\$300)	Zone Change (\$600)
☐ Preliminary Plat up to 20 acres (\$400)	Planned Unit Development (\$700)
☐ Preliminary Plat more than 20 acres (\$450)	Land Use and Transportation Plan Amendment (\$1,000)
☐ Final Plat up to 20 lots (\$400)	Vacation (\$500)
☐ Final Plat 21 to 40 lots (\$550)	Variance (\$400)
☐ Final Plat more than 40 lots (\$700)	Special Use Permit (\$450)
☐ Annexation (\$450)	Stormwater submittal (\$300)
☐ Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
☐ Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	
Summary of Request (Add separate sheet(s) as necessary)	
Combine lot 1, Block 1, Midway 13th with Aud. Lots N & N-A in NE 1/4 Sec. 36 T139N R81W	

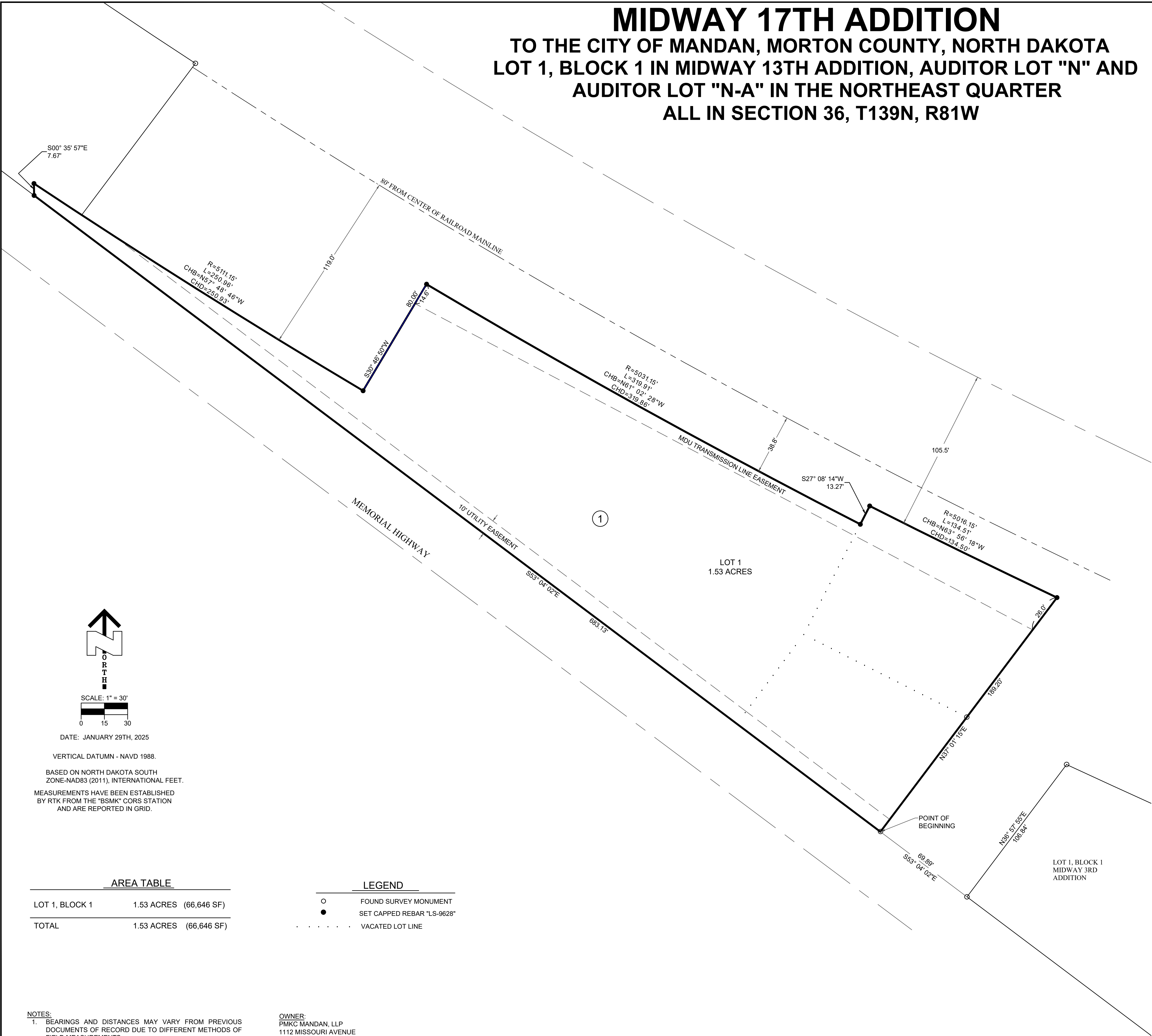
Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name PMKC Mandan LLP		
Address 4215 Old Red Trail NW			Address 1112 Missouri Ave		
City Mandan	State ND	Zip 58554	City Bismarck	State ND	Zip 58504
email mark@ilsurveynd.com			email jpeterson@eidechrysler.com		
Phone 701-595-2079		Fax	Phone 701-426-4467		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
☒ City	☐ ETA	☐ New	☒ Addition	MC	MC	MIDWAY 17TH ADDITION	
Property Address				Legal Description			
3334 Memorial Highway, Mandan, ND				lot 1, Block 1, Midway 13th along with			
Current Use							
Industrial				Aud. Lots N & N-A in NE 1/4 Sec. 36 T139N R81W			
Proposed Use							
Industrial				Section 36	Township 139	Range 81	
Parcel Size 1.52 Acres	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	

Print Name Jesse Peterson - PMKC Mandan LLP	Signature 	Date 1/23/25
--	---	-----------------

Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: \$ 300	Date 2/18/2025
Notice in paper		Mailed to neighbors	P&Z meeting
☐ Approved	Approved with conditions:		
☐ Denied			

MIDWAY 17TH ADDITION
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
LOT 1, BLOCK 1 IN MIDWAY 13TH ADDITION, AUDITOR LOT "N" AND
AUDITOR LOT "N-A" IN THE NORTHEAST QUARTER
ALL IN SECTION 36, T139N, R81W



DESCRIPTION

LOT 1, BLOCK 1 IN MIDWAY 13TH ADDITION, AUDITOR LOT "N", AND AUDITOR LOT "N-A" ALL IN THE CITY OF MANDAN AND ALL SITUATED IN THE NORTHEAST QUARTER IN SECTION 36, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA MORE PARTICULARLY DESCRIBED AS FOLLOWS,

BEGINNING AT THE SOUTHEAST CORNER OF SAID AUDITOR LOT "N"; THENCE NORTH 37° 01' 15" EAST ON THE EAST LINE OF SAID LOT "N" A DISTANCE OF 189.20 FEET TO THE NORTHEAST CORNER OF SAID AUDITOR LOT "N-A" AND THE POC OF A CURVE TO THE RIGHT; THENCE NORTHWESTERLY ON SAID CURVE FOR AN ARC DISTANCE OF 134.51 FEET AND HAVING A RADIUS OF 5016.15 FEET, SAID CURVE HAS A CHORD BEARING NORTH 63° 56' 18" WEST A DISTANCE OF 134.50 FEET; THENCE SOUTH 27° 08' 14" WEST A DISTANCE OF 13.27 FEET TO THE POC OF A CURVE TO THE RIGHT AND THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1 IN MIDWAY 13TH ADDITION; THENCE NORTHWESTERLY ON SAID CURVE FOR AN ARC DISTANCE OF 319.91 FEET HAVING A RADIUS OF 5031.15 FEET, SAID CURVE HAS A CHORD BEARING NORTH 61° 02' 28" WEST A DISTANCE OF 319.86 FEET TO A CORNER OF SAID LOT 1; THENCE SOUTH 30° 46' 50" WEST ON A LINE OF SAID LOT 1 A DISTANCE OF 80.00 FEET TO A CORNER OF SAID LOT 1 AND THE PC OF A CURVE TO THE RIGHT; THENCE NORTHWESTERLY ON SAID CURVE FOR AN ARC DISTANCE OF 250.96 FEET AND HAVING A RADIUS OF 5111.15 FEET, SAID CURVE HAS A CHORD BEARING NORTH 57° 48' 46" WEST A DISTANCE OF 250.93 FEET TO A CORNER OF SAID LOT 1; THENCE SOUTH 00° 35' 57" EAST ON A LINE OF SAID LOT 1 A DISTANCE OF 7.67 TO THE NORTH RIGHT OF WAY LINE OF MEMORIAL HIGHWAY; THENCE SOUTH 53° 04' 02" EAST ON THE NORTH RIGHT OF WAY LINE OF MEMORIAL HIGHWAY A DISTANCE OF 683.13 FEET TO THE POINT OF BEGINNING, CONTAINING 1.53 ACRES (66,646 SQUARE FEET), MORE OR LESS.

SURVEYOR'S CERTIFICATE

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

MARK R. ISAACS, RLS 9628

OWNER'S CERTIFICATE OF DEDICATION

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

PMKC MANDAN, LLP - JESSE PETERSON

LOT 1, BLOCK 1 & LOT 1, BLOCK 2

SUBSCRIBED AND SWORN BEFORE ME, AND NOTARY PUBLIC. THIS ___ DAY OF _____, 20__.

NOTARY PUBLIC.

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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

JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVES "MIDWAY 17TH ADDITION" OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

AREA TABLE		
LOT 1, BLOCK 1	1.53 ACRES	(66,646 SF)
TOTAL	1.53 ACRES	(66,646 SF)

LEGEND	
○	FOUND SURVEY MONUMENT
●	SET CAPPED REBAR "LS-9628"
· · · · ·	VACATED LOT LINE

- NOTES:
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
 - SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.

OWNER:
PMKC MANDAN, LLP
1112 MISSOURI AVENUE
BISMARCK, ND 58504

MIDWAY 17TH ADDITION
LOT 1, BLOCK 1 IN
MIDWAY 13TH ADDITION
AUD. LOT "N" AND AUD. LOT "N-A"
NE 1/4 ; SEC. 36-T139N-R81W
MANDAN, NORTH DAKOTA

Independent
Land
Surveying &
Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2079
mark@isurveynd.com

SHEET: 1 OF 1
SCALE: 1"= 30'
DRAWN BY: MRI
DWG DATE: 1/29/25
DWG NAME: 23149 Midway 17th Addition.dwg

JOB NUMBER: 24129
DWG REVISION DATES
- - -
- - -

Page 50 of 131



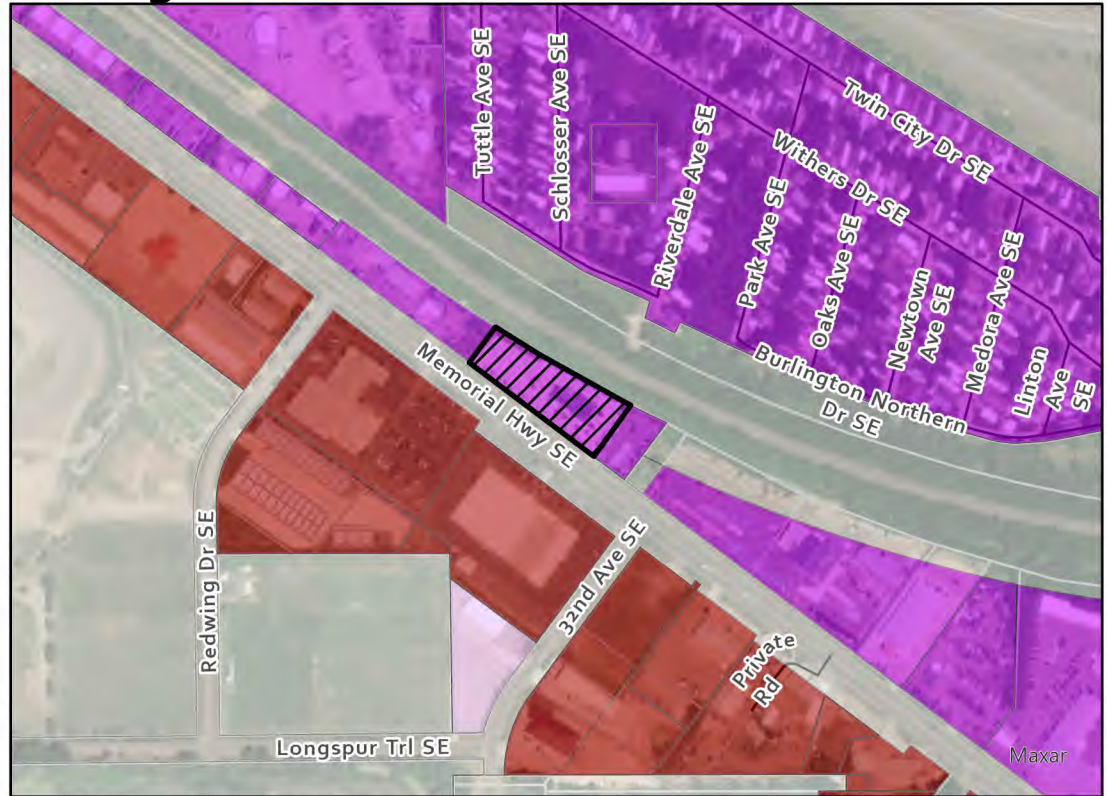
Zoning and Future Land Use Reference Map

Lot 1, Block 1, Midway 13th Addition

Zoning Map Key

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

Zoning



Future Land Use Plan Key

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

Future Land Use Plan





City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 24, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a minor plat for Eide Addition.

STATEMENT/PURPOSE:

Consider a request for a minor plat for Eide Addition.

BACKGROUND/ALTERNATIVES:

PMKC Mandan LLP (Eide) is requesting approval of a minor plat for Eide Addition.

Property History

The property has been in use as a motor vehicle sale/service dealership for many years.

Project Overview

The project intends to clean up the platting and legal description of the property. No change in use is proposed.

Minor Plat

The plat is 3.54 acres in size and the property has roughly three hundred twenty-eight feet of frontage along Mandan Avenue and four hundred twenty-eight feet of frontage along 2nd Street NE. The plat shows a ten foot utility easement and a 20' NDDOT easement. There are two lots in two blocks. The blocks are separated by the existing street 2nd Avenue NE.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned DF - Downtown Fringe. Properties to the North, South, East, and West are zoned DF - Downtown Fringe. The Future Land Use Plan designates this property as Commercial.

Additional Information and Public Outreach

- The application was received on February 18, 2025.
- This item as a minor plat does not require notices.

Findings of Fact

Minor Plat

1. All technical requirements for approval of a minor plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed plat 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;
4. The proposed plat is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed plat is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. The proposed plat would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. Application
2. Eide Add. minor plat
3. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of Eide Addition.

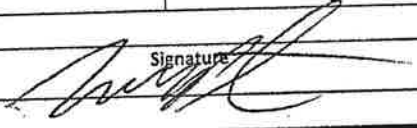
SUGGESTED MOTION:

I move to approve Eide Addition.

CITY OF MANDAN	
Development Review Application	
☒ Minor Plat (\$300)	Zone Change (\$600)
☐ Preliminary Plat up to 20 acres (\$400)	Planned Unit Development (\$700)
☐ Preliminary Plat more than 20 acres (\$450)	Land Use and Transportation Plan Amendment (\$1,000)
☐ Final Plat up to 20 lots (\$400)	Vacation (\$500)
☐ Final Plat 21 to 40 lots (\$550)	Variance (\$400)
☐ Final Plat more than 40 lots (\$700)	Special Use Permit (\$450)
☐ Annexation (\$450)	Stormwater submittal (\$300)
☐ Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
☐ Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	
Summary of Request (Add separate sheet(s) as necessary)	
Combine lots and vacated rights of way into 2 lots in Helmsworth and McLean Addition	

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name PMKC Mandan LLP		
Address 4215 Old Red Trail NW			Address 1112 Missouri Ave		
City Mandan	State ND	Zip 58554	City Bismarck	State ND	Zip 58504
email mark@ilsurveynd.com			email jpeterson@eidechrysler.com		
Phone 701-595-2079		Fax	Phone 701-426-4467		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name
☒ City	☐ ETA	☐ New	☒ Addition	DF	DF	EIDE ADDITION
Property Address				Legal Description		
1500 2nd Street NE, Mandan, ND				Lots 1-18, Blk. 22; & Lots 1-11, Blk 23; & Lots 1-6, Blk. 9, & Lot 1, Blk 8		
Current Use						
Commercial				in Helmsworth & McLeans Addition and Vacated Right of Way		
Proposed Use						
Commercial				Section 26	Township 139	Range 81
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking
3.54 Acres						

Print Name Jesse Peterson - PMKC Mandan LLP	Signature 	Date 1/23/25
--	---	-----------------

Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: \$ 300	Date 2/18/2025
Notice in paper		Mailed to neighbors	
P&Z meeting			
☐ Approved	Approved with conditions:		
☐ Denied			

EIDE ADDITION

TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

LOTS 1 TO 18, BLOCK 22; LOTS 1 TO 11, BLOCK 23;

LOTS 1 TO 6, BLOCK 9; AND LOT 1, BLOCK 8 ALL IN

HELMSWORTH AND McLEANS ADDITION; AND VACATED

RIGHT OF WAY; ALL IN SECTION 26, T139N, R81W

DESCRIPTION - #1

LOTS 1 TO 18, BLOCK 22 AND LOTS 1-11, BLOCK 23 IN HELMSWORTH AND MCLEAN'S ADDITION TO THE CITY OF MANDAN AND VACATED RIGHTS OF WAY, ALL SITUATED IN SECTION 26, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA MORE PARTICULARLY DESCRIBED AS FOLLOWS,

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 18, BLOCK 22; THENCE NORTH 10° 54' 17" WEST ON THE EAST RIGHT OF WAY LINE OF 13TH AVENUE A DISTANCE OF 139.89 FEET TO THE CENTERLINE OF A VACATED ALLEY; THENCE NORTH 79° 03' 42" EAST ON SAID CENTERLINE A DISTANCE OF 150.00 FEET; THENCE NORTH 10° 54' 17" WEST ON THE CENTERLINE OF A VACATED ALLEY A DISTANCE OF 159.73 FEET TO THE SOUTH RIGHT OF WAY LINE OF 3RD STREET; THENCE NORTH 79° 06' 33" EAST ON SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 414.17 FEET TO THE WEST RIGHT OF WAY LINE OF MANDAN AVENUE; THENCE SOUTH 13° 28' 52" WEST ON SAID WEST RIGHT OF WAY LINE A DISTANCE OF 328.39 FEET TO THE NORTH RIGHT OF WAY LINE OF 2ND STREET; THENCE SOUTH 79° 01' 34" WEST ON SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 428.58 FEET TO THE POINT OF BEGINNING, CONTAINING 2.86 ACRES (124,644 SQUARE FEET), MORE OR LESS.

DESCRIPTION - #2

LOTS 1 TO 6, BLOCK 9 AND LOT 1, BLOCK 8 IN HELMSWORTH AND MCLEAN'S ADDITION TO THE CITY OF MANDAN AND VACATED RIGHTS OF WAY, ALL SITUATED IN SECTION 26, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA MORE PARTICULARLY DESCRIBED AS FOLLOWS,

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 9; THENCE NORTH 79° 01' 34" EAST ON THE SOUTH RIGHT OF WAY LINE OF 2ND STREET A DISTANCE OF 232.30 FEET TO THE WEST RIGHT OF WAY LINE OF MANDAN AVENUE; THENCE SOUTH 13° 28' 52" WEST ON SAID WEST RIGHT OF WAY LINE A DISTANCE OF 164.63 FEET TO THE NORTH LINE OF A PLATTED ALLEY; THENCE SOUTH 79° 01' 34" WEST ON SAID NORTH LINE A DISTANCE OF 164.32 FEET TO THE EAST LINE OF A PLATTED ALLEY; THENCE NORTH 10° 54' 17" WEST ON SAID EAST LINE A DISTANCE OF 149.86 FEET TO THE POINT OF BEGINNING, CONTAINING 0.68 ACRES (29,718 SQUARE FEET), MORE OR LESS.

SURVEYOR'S CERTIFICATE

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

MARK R. ISAACS, RLS 9628

OWNER'S CERTIFICATE OF DEDICATION

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

PMKC MANDAN, LLP - JESSE PETERSON

LOT 1, BLOCK 1 & LOT 1, BLOCK 2

SUBSCRIBED AND SWORN BEFORE ME, AND NOTARY PUBLIC, THIS ____ DAY OF _____, 20__.

____ NOTARY PUBLIC.

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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

JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD
OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVES "FOUNDATION 2ND ADDITION" OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

AREA TABLE

LOT 1, BLOCK 1	2.86 ACRES	(124,644 SF)
LOT 1, BLOCK 2	0.68 ACRES	(29,718 SF)
TOTAL	3.54 ACRES	(154,362 SF)

NOTES:

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.

OWNER:
PMKC MANDAN, LLP
1112 MISSOURI AVENUE
BISMARCK, ND 58504

EIDE ADDITION
LOTS 1-18, BLOCK 23 &
LOTS 1-11, BLOCK 22 &
LOTS 1-6, BLOCK 9 & LOT 1, BLOCK 8
& VACATED RIGHT OF WAY
FOUNDATION 2ND ADDITION
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1
SCALE: 1"= 30'
DRAWN BY: MRI
DWG DATE: 10/30/24
DWG NAME: 24129 Survey.dwg

Independent
Land
Surveying &
Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-653-5184
Cell: 701-595-2079
mark@isurveynd.com



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 24, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a minor plat for Lakewood 11th Addition.

STATEMENT/PURPOSE:

Consider a request for a minor plat for Lakewood 11th Addition.

BACKGROUND/ALTERNATIVES:

LH Holdings, LLP is requesting approval of a minor plat for Lakewood 11th Addition.

Property History

The existing subdivision titled Lakewood 10th Addition was approved in 2022. It created 24 lots for 12 twin homes (24 units total) to be constructed on. Lakewood 11th Addition would modify the side-lot lines for the furthest south six lots (three buildings, six units) of the development in order for home footprints to work with existing setback requirements.

Minor Plat

The plat is 1.09 acres in size and the property has roughly two hundred thirty feet of frontage along 34th Avenue SE. The plat shows a 10' utility easement and a 10' sanitary sewer easement.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned R3.2 - Residential. Properties to the North are zoned R3.2 Residential, to the West and South are zoned R7 Residential, and to the East zoned RM - Residential. The land use plan identifies this property as low-density residential.

Additional Information and Public Outreach

- The application was received on February 5, 2025.

- This item as a minor plat does not require notices.

Staff Comments

- A development agreement is required to be updated with the new legal descriptions. Following approval and prior to plat signature this will be drafted and entered into.

Findings of Fact Minor Plat

1. All technical requirements for approval of a minor plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed plat 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;
4. The proposed plat is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed plat is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. The proposed plat would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. Application
2. Location Map
3. Lakewood 11th Add. minor plat
4. Lakewood 10th Addition

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of Lakewood 11th Addition contingent upon the updated development agreement.

SUGGESTED MOTION:

I move to approve Lakewood 11th Addition contingent on the development agreement.

CITY OF MANDAN		
Development Review Application		
☒	Minor Plat (\$300)	Zone Change (\$600)
☐	Preliminary Plat up to 20 acres (\$400)	Planned Unit Development (\$700)
☐	Preliminary Plat more than 20 acres (\$450)	Land Use and Transportation Plan Amendment (\$1,000)
☐	Final Plat up to 20 lots (\$400)	Vacation (\$500)
☐	Final Plat 21 to 40 lots (\$550)	Variance (\$400)
☐	Final Plat more than 40 lots (\$700)	Special Use Permit (\$450)
☐	Annexation (\$450)	Stormwater submittal (\$300)
☐	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
☐	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	
Summary of Request (Add separate sheet(s) as necessary)		
Reconfigure lot lines for Lots 20-25, block 1 in Lakewood 10th Addition		

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name LH Holdings, LLP		
Address 4215 Old Red Trail NW			Address PO Box 1421		
City Mandan	State ND	Zip 58554	City Bismarck	State ND	Zip 58502
email mark@ilsurveynd.com			email joe.hillerson@investcore.com		
Phone 701-595-2079		Fax	Phone 701-400-5554		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
☒ City	☐ ETA	☐ New	☒ Addition	R-3.2	R-3.2	Lakewood 11th Addition	
Property Address				Legal Description			
2510 34th Street SE, Mandan, ND				Lots 20, 21, 22, 23, 24, 25; Block 1			
Current Use							
Residential				in Lakewood 10th Addition			
Proposed Use							
Residential				Section 1	Township 138	Range 81	
Parcel Size 1.08 Acres	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	

Print Name		DocuSigned by:		Signature	Date
Joseph Hillerson					02-04-2025
Ashley Hillerson					02-04-2025
Office Use Only					
Date Received:	Initials: ym	Fees Paid:	\$ 300	Date 2-5-2025	
Notice in paper		Mailed to neighbors		P&Z meeting	
☐ Approved	Approved with conditions:				
☐ Denied					



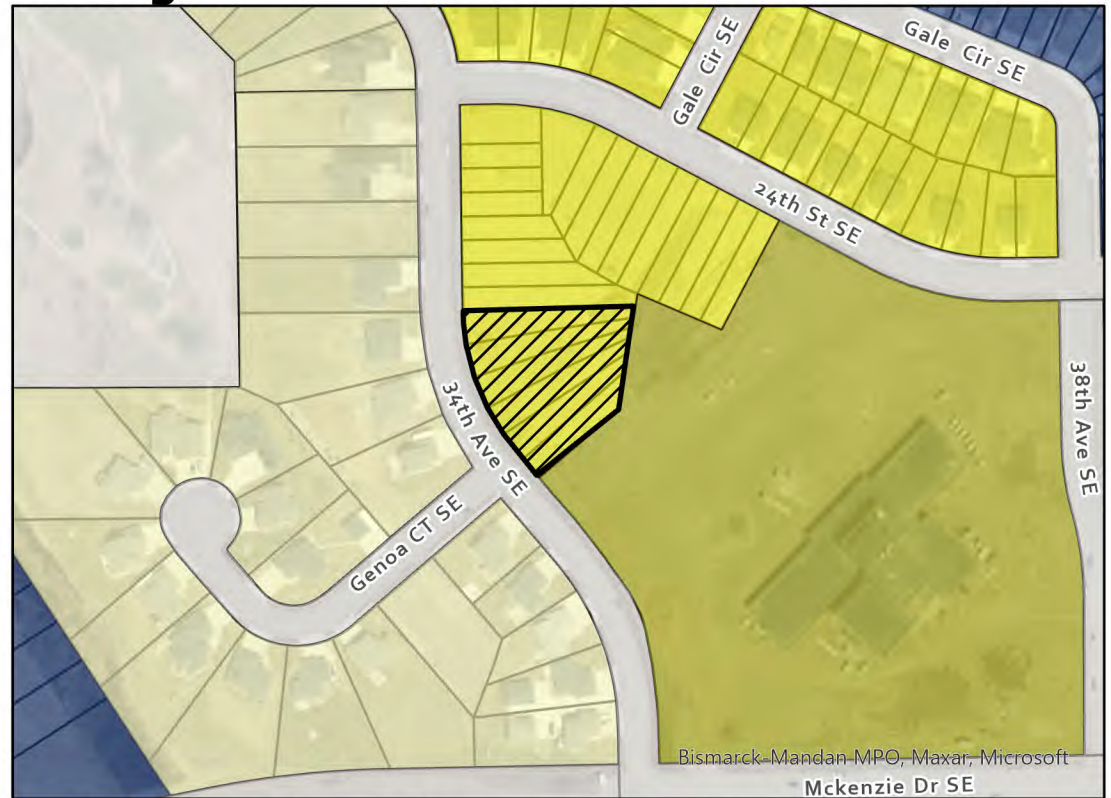
Zoning and Future Land Use Reference Map

Lakewood 11th Addition

Zoning

Zoning Map Key

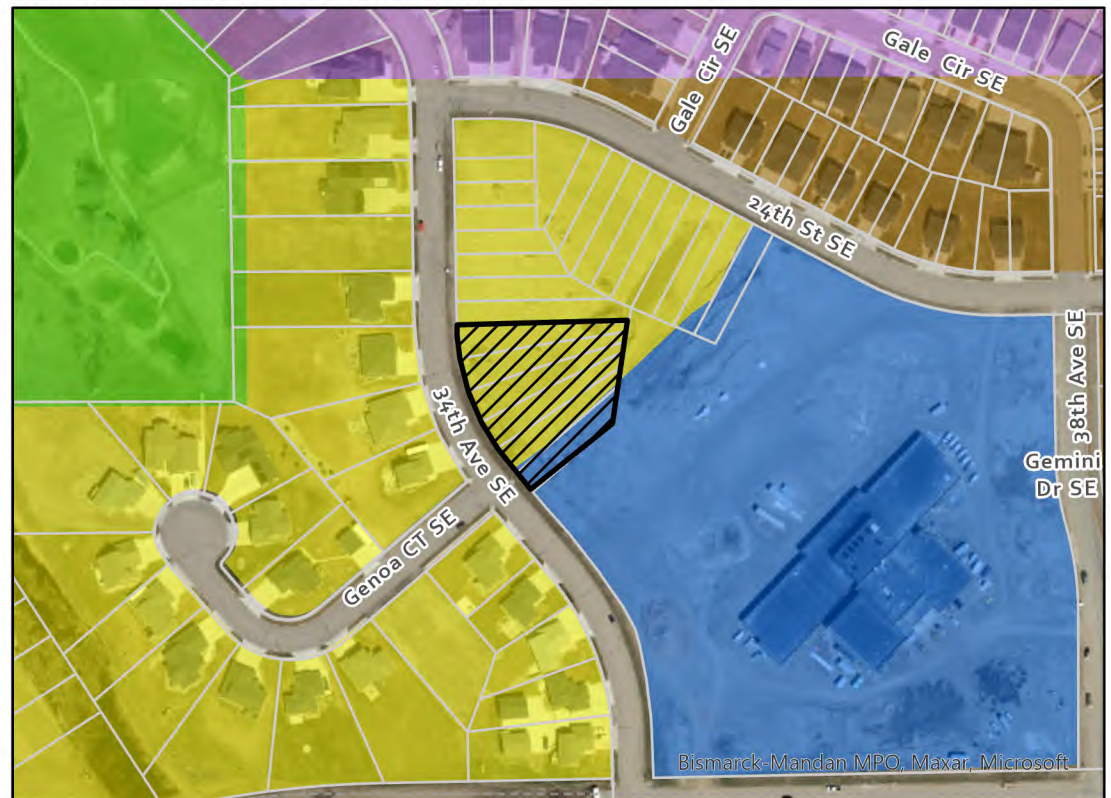
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light Industrial
- MB - Heavy Commercial/Heavy Industrial
- MC - Heavy Commercial/Light Industrial Restricted
- MD - Heavy Commercial/Heavy Industrial Restricted
- MHS - Trailer Park
- PUD - Planned Unit Development
- R3.2 - Residential Single & Two Family
- R7 - Residential Single Family
- RH - Residential Mobile Home Park
- RM - Residential Multi-family Dwellings
- RMH - Residential Mobile Home Subdivision
- Residential - County Residential Zoning
- ROW - Right-of-Way
- February '25 Planning Activities



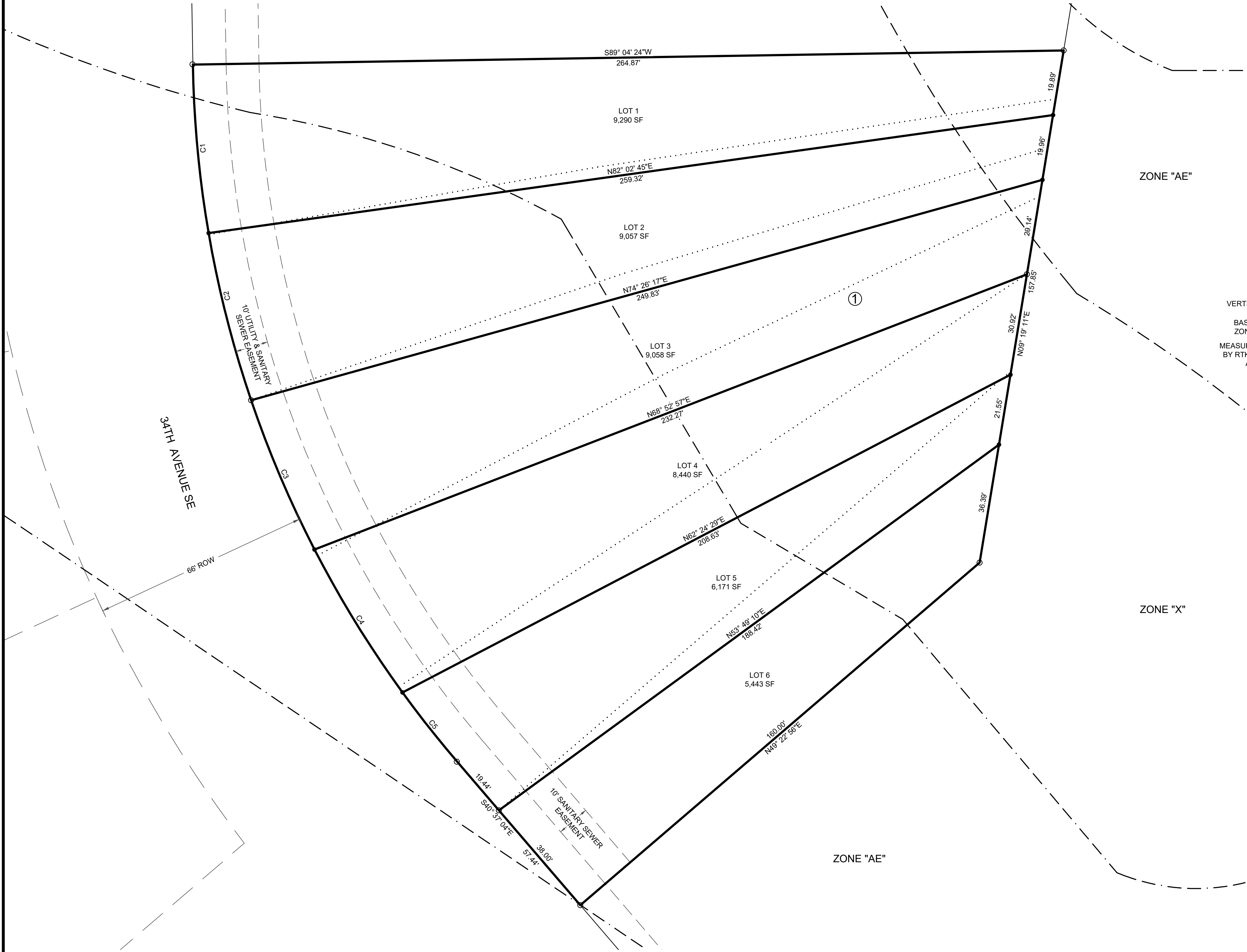
Future Land Use Plan Key

- 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
- February '25 Planning Activities

Future Land Use Plan



LAKESWOOD 11TH ADDITION
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
LOTS 20, 21, 22, 23, 24, & 25 BLOCK 1 IN LAKESWOOD 10TH ADDITION
ALL IN SECTION 1, T138N, R81W



LAND DESCRIPTION

ALL OF LOTS 20, 21, 22, 23, 24 & 25, BLOCK 1 IN LAKEWOOD 10TH ADDITION, SITUATED IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN IN MORTON COUNTY, NORTH DAKOTA, SAID TRACT OF LAND CONTAINS (47,459 SF) 1.09 ACRES.

SURVEYOR'S CERTIFICATE

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

MARK R. ISAACS, RLS 9628

SCALE: 1" = 16'

0 8 16

DATE: FEBRUARY 3, 2025

VERTICAL DATUM - NAVD 1988(2011).

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

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

OWNER'S CERTIFICATE OF DEDICATION

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

JOSEPH PAUL HILLERSON - MANAGING PARTNER
LH HOLDINGS, LLP

ASHLEY HILLERSON - MANAGING PARTNER
LH HOLDINGS, LLP

STATE OF _____ }
COUNTY OF _____ } SS

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC. THIS ____ DAY OF _____, 2025.

NOTARY PUBLIC _____

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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

JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA. HEREBY APPROVES "LAKEWOOD 11TH ADDITION" TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JAREK WIGNESS, PE

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	51.50'	334.00'	S05° 20' 38"E	51.45'
C2	52.50'	334.00'	S14° 15' 53"E	52.45'
C3	49.38'	334.00'	S23° 00' 12"E	49.33'
C4	51.09'	334.00'	S31° 37' 14"E	51.04'
C5	26.90'	334.00'	S38° 18' 37"E	26.90'

LEGEND

○ FOUND SURVEY MONUMENT

● SET CAPPED REBAR "LS-9628"

..... VACATED LOTLINES

ACREAGE TABLE			
LOT 1	9,290 SF	0.21 ACRES	
LOT 2	9,057 SF	0.21 ACRES	
LOT 3	9,058 SF	0.21 ACRES	
LOT 4	8,440 SF	0.19 ACRES	
LOT 5	6,171 SF	0.14 ACRES	
LOT 6	5,443 SF	0.12 ACRES	
TOTAL	47,459 SF	1.09 ACRES	

- NOTES:**
- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
 - SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
 - THIS PROPERTY IS LOCATED WITHIN ZONE AE 100-YEAR FLOOD PLAIN. FEMA PANEL 38059C0515D. EFFECTIVE DATE: OCTOBER 16, 2015, BASE FLOOD ELEVATION = 1637±
 - LOMR-F DATE: JANUARY 18, 2024
CASE No.: 24-08-0142A

OWNER:
LH HOLDINGS, LLP
PO BOX 1421
BISMARCK, ND 58502

LAKEWOOD 11TH ADDITION
REPLAT OF LOTS 20 & 25, BLOCK 1
LAKEWOOD 10TH
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1
SCALE: 1"= 16'
DRAWN BY: MRI
DWG DATE: 2/3/25
DWG NAME: 25005_Survey.dwg

JOB NUMBER: 25005
DWG REVISION DATES
- -
- -

Independent
Land
Surveying &
Engineering

4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2079
mark@ilsurveynd.com

LAKEWOOD 10TH ADDITION

TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

LOTS 1 & 2, BLOCK 1 IN SCHOOL DISTRICT 7TH ADDITION, 1ST REPLAT

ALL IN SECTION 1, T138N, R81W

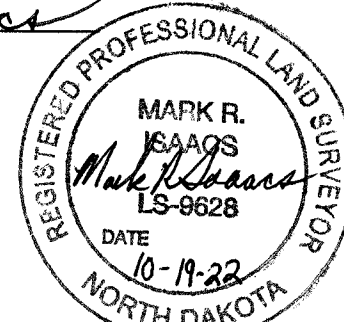
COUNTY RECORDER, MORTON COUNTY, ND
I certify that this instrument was filed and recorded.
Nancy Seefeldt, County Recorder Fee \$20.00
Recorded Electronically
11/4/2022 10:21:19 AM

512917

Return To:
INDEPENDENT LAND SURVEYING & ENGINEERING
4215 OLD RED TRAIL NW
MANDAN, ND 58554

Morton County
County Recorder
Mandan ND 58554
Page 1 of 1

MARK R. ISAACS, RLS 9628



NOTES:

- BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS DOCUMENTS OF RECORD DUE TO DIFFERENT METHODS OF FIELD MEASUREMENTS.
- SUBJECT TO ALL EASEMENTS OF RECORD WHETHER SHOWN OR NOT SHOWN.
- THIS PROPERTY IS LOCATED WITHIN ZONE AE 100-YEAR FLOOD PLAIN FEMA PANEL 38059C0515D, EFFECTIVE DATE: OCTOBER 16, 2015, BASE FLOOD ELEVATION = 1637±

OWNERS:
MANDAN SCHOOL DISTRICT #1
901 DIVISION STREET NW
MANDAN, ND 58554

LH HOLDINGS, LLP
PO BOX 1421
MANDAN, ND 58554

OWNER'S CERTIFICATE OF DEDICATION

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

RYAN LAGASSE - BUSINESS MANAGER
MANDAN SCHOOL DISTRICT #1
LOT 1, BLOCK 1

STATE OF ND } SS
COUNTY OF Morton

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS 20 DAY OF October, 2022.

LINDSEY THRONDET
Notary Public
State of North Dakota
My Commission Expires July 13, 2024

JOSEPH PAUL HILLERSON - MANAGING PARTNER
LH HOLDINGS, LLP
LOTS 2-25, BLOCK 1

AMY LARSEN, MANAGING PARTNER
LH HOLDINGS, LLP
LOTS 2-25, BLOCK 1

STATE OF ND } SS
COUNTY OF Morton

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, THIS 20 DAY OF October, 2022.

LINDSEY THRONDET
Notary Public
State of North Dakota
My Commission Expires July 13, 2024

PLANNING COMMISSION APPROVAL

THE SUBDIVISION SHOWN HEREON HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MANDAN ON THIS 26 DAY OF September, 2022, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORINANCES OF THE CITY OF MANDAN, AND REGULATIONS ADOPTED BY THE PLANNING COMMISSION OF SAID CITY, IN WITNESS WHEREOF ARE SET THE HANDS OF THE CHAIRMAN AND THE SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA.

BILL ROBINSON - CHAIRMAN

NANCY MOSER - SECRETARY

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

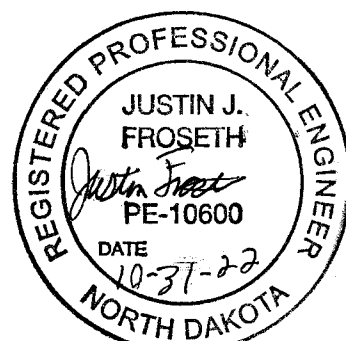
THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MANDAN, HAS ACCEPTED THE DEDICATION OF ALL PARKS AND PUBLIC GROUNDS SHOWN HEREON, FURTHERMORE, SAID BOARD OF CITY COMMISSIONERS HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS SHOWN HEREON AS AN AMENDMENT TO THE MASTER STREET PLAN OF THE CITY OF MANDAN, THE FOREGOING ACTION BY THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, HAS TAKEN BY RESOLUTION APPROVED THE 18 DAY OF October, 2022.

JIM NEUBAUER - CITY ADMINISTRATOR

TIM HELBLING - PRESIDENT OF THE BOARD OF CITY COMMISSIONERS

I, JUSTIN FROSETH, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVES "LAKEWOOD 10TH ADDITION" TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

JUSTIN FROSETH, PE



LAKEWOOD 10TH ADDITION
REPLAT OF LOTS 1 & 2, BLOCK 1
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1 JOB NUMBER: 22124
SCALE: 1" = 50' DWG REVISION DATES
DRAWN BY: MRL 10/19/22
DWG DATE: 8/25/22
DWG NAME: 22124_FINAL_PLAT.dwg

Independent
Land
Surveying &
Engineering
4215 Old Red Trail NW
Mandan, ND 58554
Phone: 701-663-5184
Cell: 701-595-2079
mark@isurveynd.com

ACREAGE TABLE

LOT 1	6,697 SF	11.67 ACRES
LOT 2	0.15 ACRES	
LOT 3	6,792 SF	0.16 ACRES
LOT 4	6,887 SF	0.16 ACRES
LOT 5	6,982 SF	0.16 ACRES
LOT 6	7,095 SF	0.16 ACRES
LOT 7	7,135 SF	0.16 ACRES
LOT 8	7,087 SF	0.16 ACRES
LOT 9	6,678 SF	0.15 ACRES
LOT 10	6,081 SF	0.14 ACRES
LOT 11	7,934 SF	0.18 ACRES
LOT 12	7,375 SF	0.17 ACRES
LOT 13	4,625 SF	0.11 ACRES
LOT 14	4,625 SF	0.11 ACRES
LOT 15	4,625 SF	0.11 ACRES
LOT 16	5,304 SF	0.12 ACRES
LOT 17	6,011 SF	0.14 ACRES
LOT 18	7,460 SF	0.17 ACRES
LOT 19	9,450 SF	0.22 ACRES
LOT 20	8,542 SF	0.20 ACRES
LOT 21	8,372 SF	0.19 ACRES
LOT 22	8,040 SF	0.18 ACRES
LOT 23	8,083 SF	0.19 ACRES
LOT 24	7,483 SF	0.17 ACRES
LOT 25	6,938 SF	0.16 ACRES

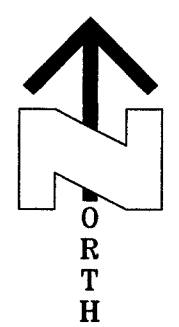
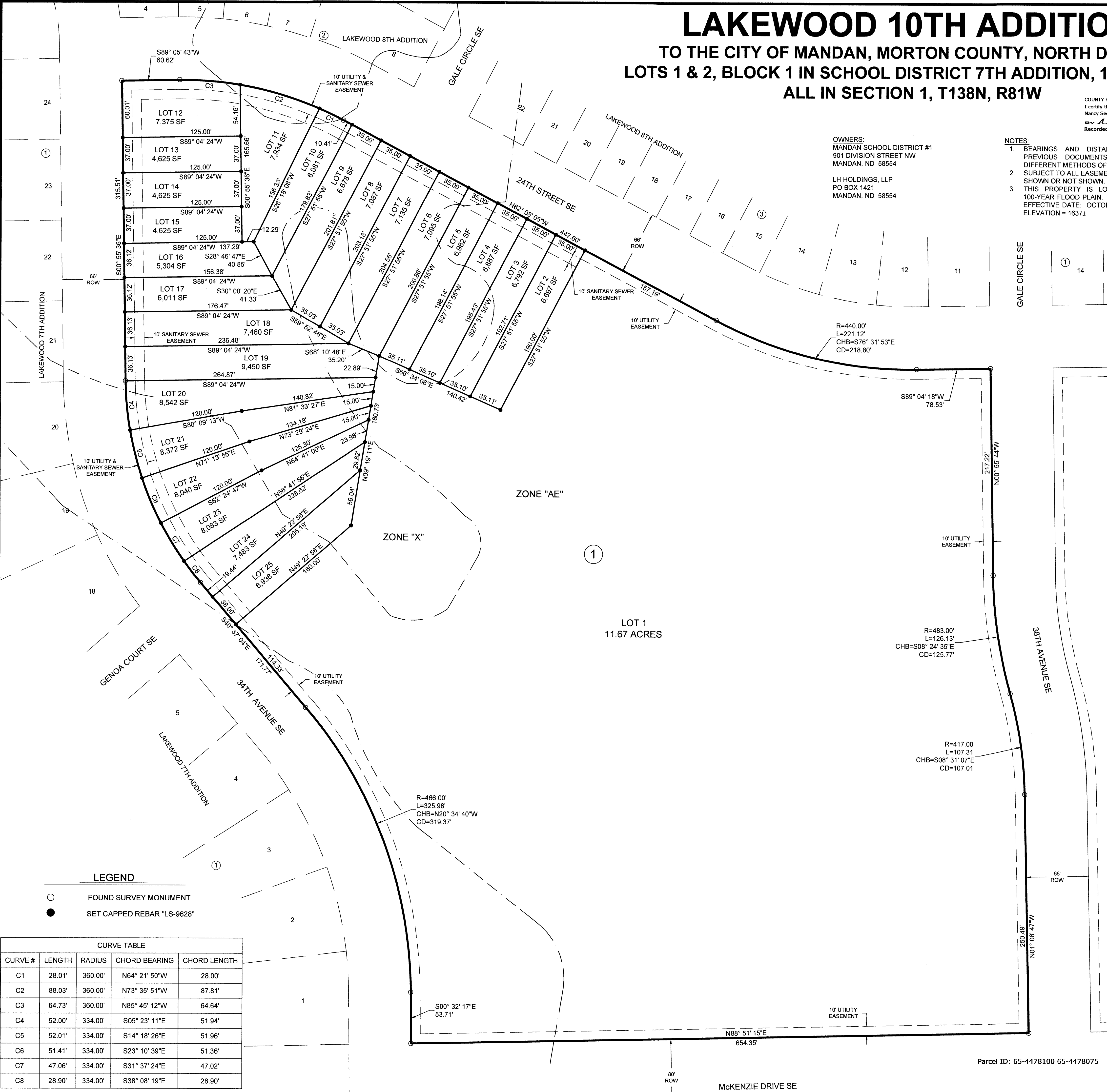
TOTAL 15.49 ACRES

Auditor's Office, Morton Co., ND
Delinquent Taxes and Special Assessments
of Instruments of Special Assessments,
Polls and Transfers
DAWN R. RHONE, County Auditor
By: *[Signature]* Deputy
11/4/2022

Parcel ID: 65-4478100 65-4478075

- LEGEND
- FOUND SURVEY MONUMENT
 - SET CAPPED REBAR "LS-9628"

CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	28.01'	360.00'	N64° 21' 50"W	28.00'
C2	88.03'	360.00'	N73° 35' 51"W	87.81'
C3	64.73'	360.00'	N85° 45' 12"W	64.64'
C4	52.00'	334.00'	S05° 23' 11"E	51.94'
C5	52.01'	334.00'	S14° 18' 26"E	51.96'
C6	51.41'	334.00'	S23° 10' 39"E	51.36'
C7	47.06'	334.00'	S31° 37' 24"E	47.02'
C8	28.90'	334.00'	S38° 08' 19"E	28.90'



DATE: OCTOBER 19, 2022

VERTICAL DATUM - NAVD 1988.

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

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



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 24, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a minor plat for Replat of Sunset Second Addition.

STATEMENT/PURPOSE:

Consider a request for a minor plat for Replat of Sunset Second Addition.

BACKGROUND/ALTERNATIVES:

WBI Energy Transmission, Inc. is requesting approval of a minor plat for Replat of Sunset 2nd Addition.

Property History

Sunset 2nd Addition was approved in 1978. It appears at the time of plat approval the subdivision was developed with or developing with buildings. Notably, the plat shows WBI Energy - owned property in a strip between the buildings and Boundary Road. This is the parcel involved with the replat.

Project Overview

WBI is upgrading its energy transmission infrastructure and that will include a site east of the current apartment building being developed as an above ground energy transmission support facility. The site was located on a lot line which is not permissible. The plat eliminates the lot line.

Minor Plat

The plat is 1.3 acres in size and the property has roughly nine hundred eighty-nine feet of frontage along Boundary Road NW. The plat shows a 10' utility easement and sideyard.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned CA - Neighborhood Commercial. Properties to the North are zoned CA - Neighborhood Commercial and CB - Business Commercial, to the West

zoned CB - Business Commercial, to the South and East are zoned CA - Neighborhood Commercial. The Future Land Use Plan designates this property as Low Density Residential.

Additional Information and Public Outreach

- The application was received on February 19, 2025.
- This item as a minor plat does not require notices.

Staff Comments

- The City will need to grant access through a strip of land it owns between the WBI site and Boundary Road as a concrete driveway is proposed to the site and WBI desires clear access allowance to their site. This is more favorable at the present time than pursuing a right of way dedication for the City-owned property. Other property west of here is owned by different groups and associated with the developed buildings (gas station, religious facility, apartment building).

Findings of Fact Minor Plat

1. All technical requirements for approval of a minor plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed plat 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;
4. The proposed plat is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed plat is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. The proposed plat would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. Application
2. Replat of Sunset Second Add.
3. Location Map Repat Sunset 2nd

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of Replat of Sunset 2nd Addition contingent on the access agreement.

SUGGESTED MOTION:

I move to approve the Replat of Sunset 2nd Addition contingent on an access agreement.

CITY OF MANDAN		
Development Review Application		
x	Minor Plat (\$300)	Zone Change (\$600)
	Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
	Preliminary Plat more than 20 acres (\$500)	Land Use and Transportation Plan Amendment (\$1,000)
	Final Plat up to 20 lots (\$450)	Vacation (\$500)
	Final Plat 21 to 40 lots (\$600)	Variance (\$400)
	Final Plat more than 40 lots (\$750)	Special Use Permit (\$450)
	Annexation (\$450)	Stormwater submittal (\$300)
	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)		
Replating of Lots 1 & 2, Block 1, Sunset Second Addition to the City of Mandan into a single parcel		

Engineer/Surveyor			Property Owner or Applicant		
Name James A. Harned			Name WBI Energy Transmission, Inc.		
Address 11815 Robindale Road			Address 2010 Montana Ave		
City	State	Zip	City	State	Zip
Louisville	KY	40243	Glendive	MT	59330
email			email		
jim.harned@hse-inc.com			Michaelk.Johnson@WBIEnergy.com		
Phone		Fax	Phone		Fax
502-254-3921		502-254-6093	406-359-7321		406-437-4630
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
x	City	ETA	New	Addition	ETZ	ETZ	Sunset 2nd Add Minor Replat
Property Address					Legal Description		
706 Boundary St NW, Mandan, ND 58554					Lots 1 & 2, Block 1, Sunset Second Addition to the City of Mandan		
Current Use					being a part of the NE 1/4 of Section 21, Township 139 North, Range 81 West,		
Pipeline Right-of-Way					County of Morton, State of North Dakota		
Proposed Use							
Pipeline R-O-W w/aboveground Facilities					Section 22	Township 139	Range 81
Parcel Size	Building Footprint	Stories	Building SF		Required Parking		Provided Parking
1.3 +/- ac.	NA	NA	NA		NA		Gravel/Concrete Pad

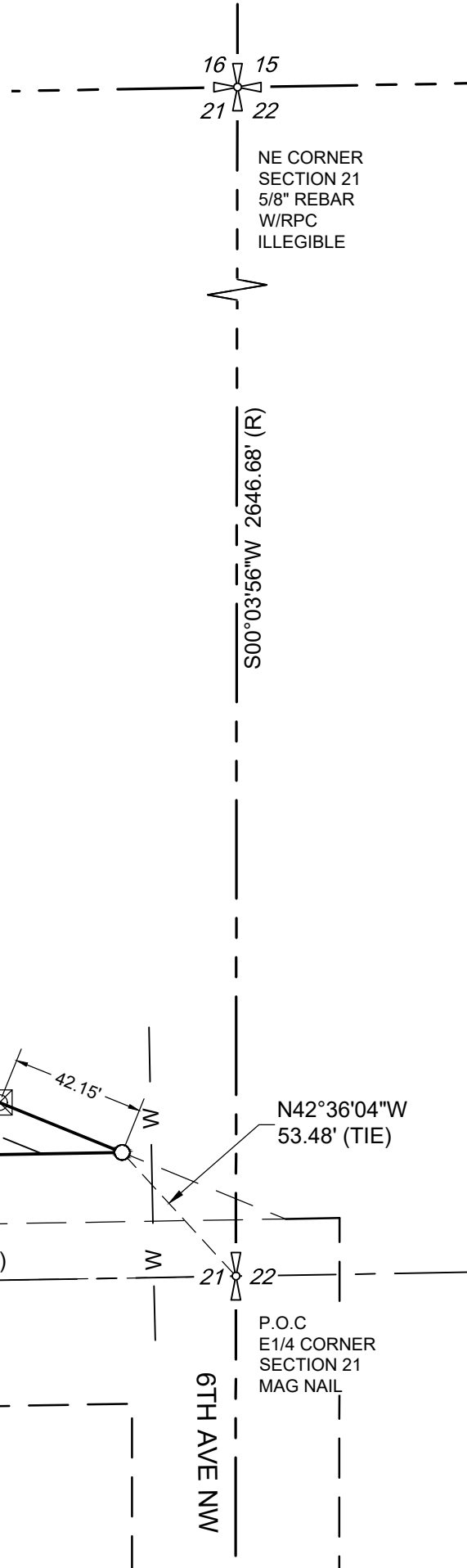
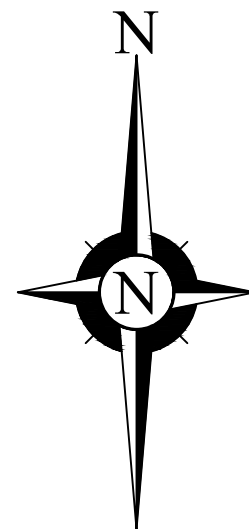
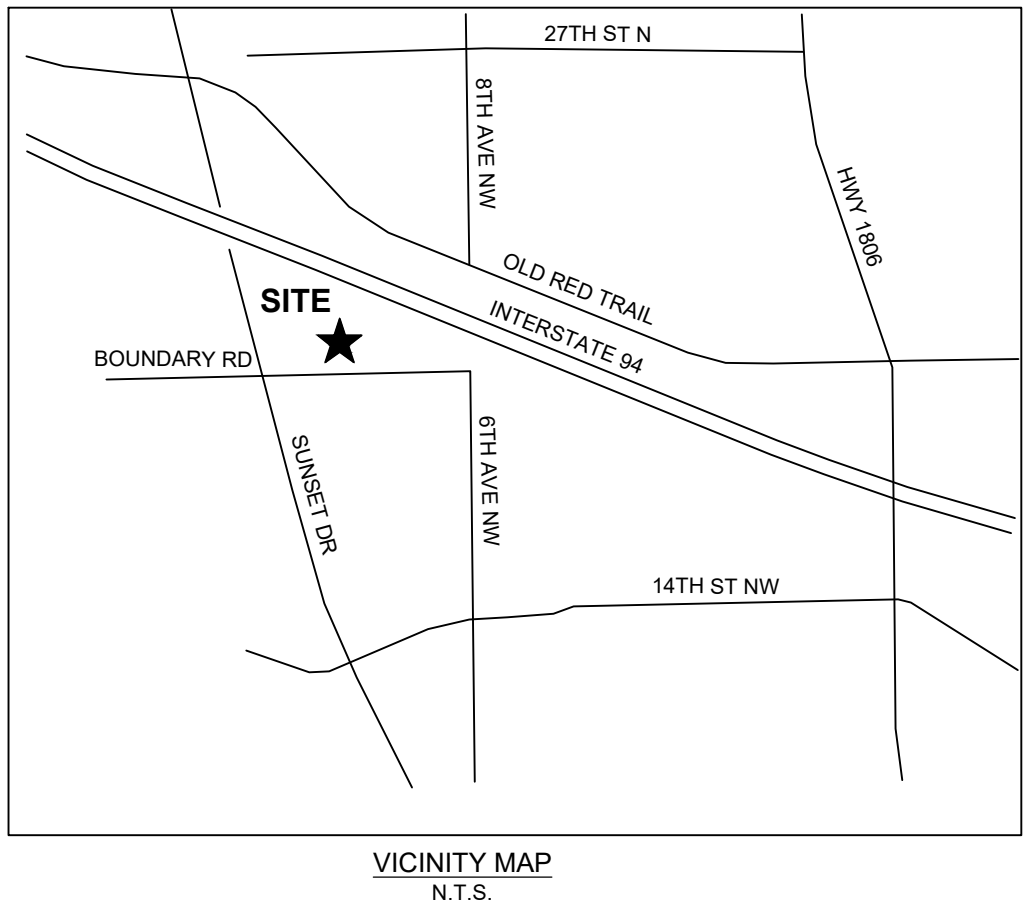
Print Name Michael K. Johnson	Signature <i>Michael K. Johnson</i>	Date 2/14/2025
----------------------------------	--	-------------------

Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: \$ 300	Date 2-19-2025
Notice in paper	Mailed to neighbors	P&Z meeting	
Approved	Approved with conditions:		
Denied			

RE-PLAT OF SUNSET SECOND ADDITION

TO THE CITY OF
MANDAN, NORTH DAKOTA

PLAT OF A PORTION OF THE NE 1/4
INCLUDING AUDITOR'S LOTS 1 & 2 OF LOT "A" OF AUDITOR'S LOT 1
SECTION 21, T139N, R 81W, MORTON COUNTY, NORTH DAKOTA



OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WBI ENERGY TRANSMISSION INC., BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "REPLAT OF SUNSET SECOND ADDITION", MANDAN, NORTH DAKOTA.

MARC DEMPEWOLF, VP OPERATIONS, WBI ENERGY TRANSMISSION INC.

STATE OF _____
COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, APPEARED _____, WELL KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE FOREGOING DESCRIPTION AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS OWN FREE ACT AND DEED.

MY COMMISSION EXPIRES _____
NOTARY PUBLIC, _____ COUNTY, STATE OF _____

SURVEYOR'S CERTIFICATE

I, ROBERT W. STANHOPE, REGISTERED LAND SURVEYOR NO. 3593 IN THE STATE OF NORTH DAKOTA, ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, DO HEREBY CERTIFY THE SURVEY REPRESENTED BY THIS PLAT WAS PERFORMED UNDER MY SUPERVISION OR PERSONS UNDER MY SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

ROBERT W. STANHOPE, R.L.S. NO. LS-3593

STATE OF _____
COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, APPEARED _____, WELL KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE FOREGOING DESCRIPTION AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS OWN FREE ACT AND DEED.

MY COMMISSION EXPIRES _____
NOTARY PUBLIC, _____ COUNTY, STATE OF _____

DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHEAST QUARTER INCLUDING AUDITOR'S LOTS ONE & TWO (1& 2) OF LOT "A" OF AUDITOR'S LOT ONE (1), IN SECTION TWENTY-ONE (21) OF TOWNSHIP ONE-HUNDRED THIRTY NINE (139) NORTH, RANGE EIGHTY ONE (81) WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, IN SUNSET SECOND ADDITION TO THE CITY OF MANDAN, SAID TRACT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 21, THENCE ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 21 SOUTH 89°01'29" WEST, 229.07', THENCE NORTH 0°58'31" WEST, 105.95' TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 94 AND THE POINT OF BEGINNING, THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 89°01'29" EAST, 38.89', THENCE SOUTH 67°52'31" EAST, 168.14', THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 89°01'29" WEST, 989.71' TO A POINT ON THE EASTERLY LINE OF SUNSET DRIVE, THENCE ALONG SAID EASTERLY LINE NORTH 14°46'31" WEST, 67.84', THENCE LEAVING SAID EASTERLY LINE NORTH 89°01'01" EAST, 673.47', THENCE NORTH 21°03'24" EAST, 69.75' TO A POINT ON SAID 1/4 ROW, THENCE ALONG SAID ROW SOUTH 67°52'14" EAST, 42.59', THENCE SOUTH 57°52'01" EAST, 87.79' TO THE POINT OF BEGINNING.

SAID LOT 1 OF BLOCK 1 OF SUNSET SECOND ADDITION CONTAINS 65,513 SQUARE FEET OR 1.504 ACRES MORE OR LESS.

NOTES:

1. AN ACCESS EASEMENT FROM MDU TO GUON WAS RECORDED JULY 9, 1963 IN BOOK 49 MISC., PAGE 460. THIS ACCESS EASEMENT WAS TRANSFERRED FROM GUON TO HUMBLE OIL BY DEED RECORDED NOV. 22, 1965 IN BOOK 119, PAGE 601. THIS ACCESS EASEMENT, ON FILE IN THE OFFICE OF THE REGISTER OF DEED AT THE MORTON COUNTY COURTHOUSE, GRANTS ACCESS BETWEEN LOTS 7 AND 8 ACROSS LOT 1.
2. ADDITIONALLY ACCESS FOR LOTS 3,4,5,6 AND 7 ACROSS LOT 1 WAS GRANTED AND IS RECORDED IN BOOK 67 MISC., PAGE 348.
3. ORIGINAL PLAT, DOCUMENT NUMBER 256390, WAS RECORDED WITH GROUND DISTANCES. THE PROPOSED REPLAT WAS SURVEYED IN STATE PLANE COORDINATES (SPC ND SOUTH) AND THEREFORE GRID DISTANCES. BOTH ORIGINAL RECORD DISTANCES AND REPLAT MEASURED DISTANCES ARE SHOWN AS GRID DISTANCES AND DENOTED AS RECORD (R) OR MEASURED (M) IN US SURVEY FEET.
4. BEARINGS AND DISTANCES ARE BASED ON ND STATE PLANE COORDINATES IN US FEET.
5. PURPOSE OF RE-PLAT IS TO COMBINE LOTS 1 AND 2 OF THE ORIGINAL SUNSET SECOND ADDITION PLAT.
6. MISSING PROPERTY CORNERS TO BE SET WHEN WEATHER ALLOWS.
7. ZONING: CA COMMERCIAL
8. LOT 1 - BLOCK 1 NOT LOCATED IN FLOODPLAIN PER CITY OF MANDAN PANEL NO. 38059C0485E, DATED 10/16/2015.
9. THE SURVEY WAS CONDUCTED USING TRIMBLE DUAL FREQUENCY RECEIVERS RESULTING IN A BOUNDARY THAT CLOSES BY LATITUDE AND DEPARTURE OF 1:534545 AND RELATIVE POSITIONAL ACCURACY OF 1:94904.
10. SETBACKS:
FRONT YARD: 15'
SIDE AND REAR YARDS: 10'



Zoning and Future Land Use Reference Map

Replat of Sunset 2nd Addition

Zoning

Zoning Map Key

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



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 |
| Planning Activities |

Future Land Use Plan





City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 25, 2025
SUBMITTING DEPARTMENT: Public Works-Solid Waste Utility
DEPARTMENT DIRECTOR: Shane O'Keefe
PRESENTER: Shane O'Keefe, Public Works Director
SUBJECT: Consider approval for the purchase of a Landfill Loader replacement using State Bid pricing.

STATEMENT/PURPOSE:

Consider approval for the purchase of a Landfill Loader replacement using State Bid pricing.

BACKGROUND/ALTERNATIVES:

The City's landfill has been utilizing a leased John Deere 744P loader, which has now reached the end of its lease term. To ensure continued efficient operation, we propose replacing this unit with a new John Deere 744P equipped with the landfill package. This purchase will be made utilizing the state bid contract, allowing the City to secure competitive pricing and streamline the procurement process.

As part of the procurement process, the City reached out to other vendors to obtain estimates for equivalent equipment. After thorough evaluation, the John Deere 744P was determined to be the best option when considering price, performance, and compatibility with the landfill's current and future operational needs. The John Deere loader not only offers the most competitive pricing under the state bid contract but also provides superior reliability and serviceability compared to alternative models. Additionally, the next closest bid came in at \$30,000 higher, further reinforcing the value of the John Deere 744P as the most cost-effective choice.

This purchase was included in the approved 2025 budget, ensuring financial planning aligns with the City's long-term equipment management strategy. Approval of this purchase will allow for a seamless transition without disruption to landfill operations.

ATTACHMENTS:

1. Investment Proposal (Quote)_638759901414149198

FISCAL IMPACT:

An amount of \$511,000 will be charged to the 2025 Capital Outlay account (620.620.62114)

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the purchase of a Landfill Loader replacement using State Bid pricing.

SUGGESTED MOTION:

I move to approve the purchase of a Landfill Loader replacement using State Bid pricing.



JOHN DEERE

Investment Proposal (Quote)

RDO Equipment Co.
2000 Industrial Drive / PO Box 1098
Bismarck ND, 58502
Phone: (701) 223-5798 - Fax: (701) 223-2819

Proposal for:
CITY OF MANDAN PUBLIC WORKS DEPT
411 6TH AVE SW
MANDAN, ND, 58554

Investment Proposal Date: 2/24/2025
Pricing Valid Until: 3/10/2025
Deal Number: 1867244
Customer Account#: 3240008
Sales Professional: Scott Owens
Phone: (701) 221-4128
Fax:
Email: sowens@rdoequipment.com

Equipment Information

Quantity	Serial Number Stock Number	Hours (approx.)	Status / Year / Make / Model Additional Items	Cash Price
1	TBD TBD	0	New 2025 JOHN DEERE 744P	\$510,950.00
			Other 2 SETS OF BOOM MATS	\$0.00
			State Bid Minnesota State Bid Pricing	\$0.00
			Warranty -John Deere Comprehensive-60 Months, 7500 Hours,Deductible: 200, Exp Date: 2/23/2030	\$0.00
Equipment Subtotal:				\$510,950.00

Purchase Order Totals

Balance:	\$510,950.00
Total Taxable Amount:	\$0.00
ND STATE TAX:	\$0.00
ND COUNTY TAX:	\$0.00
ND CITY TAX:	\$0.00
Sales Tax Total:	\$0.00
Sub Total:	\$510,950.00
Cash with Order:	\$0.00
Balance Due:	\$510,950.00

Equipment Options

Qty	Serial Number	Year / Make / Model	Description
1	TBD	2025 JOHN DEERE 744P	6080DW 744 P-Tier Wheel Loader 0202 United States 0259 English 0351 Translated Text Labels 0401 Waste Handler 0451 Standard Z-BAR 0603 Level 3 Trim 0651 Level 1 Performance 8500 Cold Weather Package 8295 Heated Exterior Mirrors 8501 Debris Package 0956 Rear Camera (Secondary Display) 1100 Less Detection System 1602 Steering Wheel 183E JDLink™ 2206 SmartWeigh 4067 John Deere 9.0L - FT4/SV 6520 Less Counterweight & Rear Hitch 7026 Joystick Controls 7053 Two Function Hydraulics 5550 Less Fenders And Rear Platforms 7408 Factory Pin-on Bucket Ready 7880 5.50 YD (4.20 CM) Enhanced Performance 7458 Bolt-On Cutting Edge 7500 Less Fork Frame 7700 Less Tines BYT13181 WASTE HANDLER KIT - 744/824P GEN A, FULL CONVERSION BYT13184 HYDRAULIC OPERATED EXTREME SERVICE BOTTOM GUARDS BYT13189 REAR GRILLE GUARD ZEROOUTMDP ZERO OUT MDP SO THE CONTRACT MDP CAN BE ADDED CONTRACT MPD PRICE PROTECTED CONTRACT MDP 5130 FIRESTONE SDT LD - 26.5-25 L5 20PR BIAS TIRES W/ 5



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 25, 2025
SUBMITTING DEPARTMENT: Engineering Department
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: To considering entering into a cost participation and maintenance agreement with the NDDOT for RRFB's

STATEMENT/PURPOSE:

To consider a cost participation and maintenance agreement with the North Dakota Department of Transportation for the Rapid Rectangular Flashing Beacon project.

BACKGROUND/ALTERNATIVES:

The City of Mandan has been working to improve pedestrian safety throughout the city. The city was awarded a 90% grant to install Rapid Rectangular Flashing Beacons (RRFB) in four locations. The project will include RRFB installation and ADA improvements at:

- 2nd Avenue NW and Main Street
- 1st Street and 6th Avenue NE (Near Custer Elementary)
- 46th Street SE (Near Raging Rivers)
- 2nd Street and Collins Avenue (Near St. Joes)

Moore Engineering completed the design of the project and the NDDOT is ready to bid. It would be constructed this summer.

ATTACHMENTS:

1. CPM Agreement

FISCAL IMPACT:

The City originally received \$112,000 to make these improvements through the NDDOT's Highway Safety Improvement Program. Because applications for this program are submitted years in advance, the cost of these improvements grew significantly

Subject: Consider entering into a cost participation and maintenance agreement for a Highway Safety Improvement Project to install Rapid Rectangular Flashing Beacons
Page 2 of 2

during the period between 2019 and 2025. Typically, the federal funding dollar amount available for these types of projects is set in stone. After significant coordination with Moore Engineering and the State's program management team, this amount was increased to \$287,351.46 to accommodate *some* of these cost increases. This represents a 90% share for 3 of the 4 crossing locations. The City would have financial responsibility for the remaining amount. We are proposing to assess some of the non-eligible sidewalk improvements along 46th to the adjacent properties and cover the remaining share with City Sales tax. The total amount will be determined after the project is bid, though we are estimating the total project to cost about \$400k.

STAFF IMPACT:

Moderate coordination with the NDDOT and Moore Engineering.

LEGAL REVIEW:

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

RECOMMENDATION:

To enter into a cost participation and maintenance agreement with the North Dakota Department of Transportation.

SUGGESTED MOTION:

I move to enter into a cost participation and maintenance agreement with the North Dakota Department of Transportation.

MEMO TO: Chad Orn
Deputy Director for Planning

FROM: Marohl, Sengaroun H., 328-4449
Local Government Division

DATE: 12/17/2024

SUBJECT: Cost Participation, Construction and Maintenance Agreement for Project
HEU-CPU-1-988(051) PCN 24054

This contract is a Cost Participation, Construction and Maintenance (CPM) agreement with City of Mandan 2025 HSIP project.

Contract # 38241623

- The type of work is ADA Ramps, Bulb-Outs, RRFBs, Sidewalk, Signing, Pavement Marking
- The HEU Federal Funds for this project is limited to \$ 287,351.46.
- Any costs over the above limited amount will be City responsibility.
- Construction work on 46th Ave will be 100% city funds.
- There is no one time changes on the standard agreement template.

38/sm

Contract routing:
Seng Marohl - Contract Owner
Stacey Hanson
Derek Pfeifer
Nicole Lagasse
Jarek Wigness - Mandan City Engineer
City of Mandan Officials
Seng Marohl
Legal
Chad Orn

NDDOT Contract No. 38241623

**North Dakota Department of Transportation
COST PARTICIPATION, CONSTRUCTION, AND MAINTENANCE AGREEMENT
LPA FEDERAL AID PROJECT**

Federal Award Information – to be provided by NDDOT

Assistance Listing No: 20.205

Assistance Listing Title: Highway Planning & Construction

Award Name: Federal Aid Highway Program

Awarding Fed. Agency: Federal Highway Admin

NDDOT Program Mgr: Marohl, Sengaroun

Telephone: (701) 328-4449

Notice to Subrecipients: Federal awards may have specific compliance requirements. If you are not aware of the specific requirements for your award, please contact your NDDOT Program Manager.

For NDDOT use only.

FHWA Authorization date:

Project No. HEU-CPU-1-988(051) PCN: 24054

LPA: CITY OF MANDAN

Location: MANDAN ELEMENTARY SCHOOLS, 46TH AVE

Type of Improvement: ADA RAMPS, BULB-OUTS, SIDEWALK, RRFBS, SIGNING, MARKING

Length:

This agreement is between the state of North Dakota, acting by and through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and the Local Public Agency (LPA) of City of Mandan, North Dakota, hereinafter referred to as the LPA, who agree that:

It is in the best interest of both parties to have the LPA construct and maintain this project according to the terms and conditions set forth in this agreement. NDDOT will assist the LPA with the preparation and distribution of the bid documents and include the project in a scheduled bid opening.

The LPA agrees to the terms and conditions required for this project by the Federal Highway Administration (FHWA).

NDDOT will procure federal funds for the construction of the project, pursuant to Title 23 of the United States Code.

Federal funds obligated for this project shall not exceed 90 percent of the total eligible project cost up to a maximum of \$287,351.46. The balance of the project is the obligation of the LPA.

Additional Funding Clause

Construction work on 46th Ave is 100% city funds.

The total eligible project costs include the cost of those items shown in the engineer's detailed estimate as approved for federal funds and any project changes approved by NDDOT for the use of federal funds.



Federal funds may not be obligated by the LPA, prior to FHWA approval of the program documents for the project.

PART I

LPA Obligation:

1. To comply with the Disadvantaged Business Enterprise (DBE) requirements established by NDDOT for the project.

The LPA shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The LPA shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. NDDOT's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the LPA of its failure to carry out its approved program, the USDOT may impose sanctions as provided for under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et. Seq.).

Include the following paragraph verbatim in any subcontracts they sign relative to this project:

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the solicitation, award, and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as NDDOT deems appropriate.

2. To comply with requirements of 23 CFR Part 633, Required Contract Provisions, and 23 CFR Part 635, Construction and Maintenance.
3. To construct the project in conformity with the construction contract, changes to the plans shall meet the requirements of 23 CFR Part 625, Design Standards for Highways and the current edition of the NDDOT's *Local Government Manual*.
4. To construct the project in conformity with the approved environmental documents and provide for the implementation of any measures mitigating the environmental impact of the project.
5. To comply with the procedures outlined in the current edition of NDDOT's *Local Government Manual*.
6. To comply with the current edition of NDDOT's *Right of Way Acquisition Procedures for Local Public Agency Federal Aid Projects*.
7. The LPA will be responsible for any consideration, avoidance, and minimization of impacts upon real property related to this project, such as changes in the grades of streets, inconvenience to property or business, and any loss of light, air, view, access, egress, drainage, support, or nuisance,
8. To comply with the requirements of Appendices A and E of the Title VI Assurances, attached and incorporated by reference herein.



PART II

Contracting and Construction:

1. On behalf of the LPA, NDDOT will:
 - a. Prepare the bid package, solicit proposals, and include the project in a scheduled bid opening as provided in the North Dakota Century Code, Chapter 24-02.
 - b. Evaluate the bids as to the sufficiency of Disadvantaged Business Enterprise (DBE) participation and the bidder's good faith efforts in satisfying the requirements of the current edition of the DBE special provision, and 49 CFR Part 26. NDDOT shall have exclusive authority in evaluating the adequacy of DBE participation.
 - c. Tabulate the bids and send to the LPA.
 - d. Concur in the award of the contract, after the LPA has executed the contract, for the sole purpose of enabling the LPA to procure federal aid for the construction of the project.
2. The LPA will:
 - a. Review bids to determine the lowest responsible bidder.
 - b. Execute the contract.
 - c. Distribute copies of the executed contract and contract bond to NDDOT.
3. During the construction of the project, the LPA will:
 - a. Provide engineering services, material testing, and inspection of the work as required by the contract documents and the current editions of NDDOT's *Sampling and Testing Manual* and the *Standard Specifications for Road and Bridge Construction*.
 - b. Keep all project records and documentation as required in NDDOT's current editions of the *Construction Records Manual* and the *Construction Automated Records System*.
 - c. Make all records available to NDDOT and FHWA for inspection upon request. The LPA will submit all documents and records to NDDOT for review before final payment is made. NDDOT will maintain the project records for three years from the final voucher date of FHWA and then return them to the LPA.
 - d. Be responsible for any changes in plan, character of work, quantities, site conditions, or any claim for extra compensation. NDDOT will review all contract adjustments to determine if the adjustments are eligible for federal aid. Federal aid shall be limited to the amount stated on page one of this agreement.

PART III

Post Construction:

After the project is completed the LPA agrees to:

1. Control the length and location of curb openings for future entrances and to not permit the length of curb openings for entrances to exceed the length shown on the plans or as shown on a sketch of typical



entrances for similar entrances; and prohibit the construction or use of any entrances along the project within the LPA other than those shown on the plans, without prior approval of NDDOT.

2. Prohibit double parking and diagonal parking within the limits of the project. Additional parallel parking will be allowed within the limits of the project if designed considering the effects the added parking will have on the entire traffic corridor. The design will meet the requirements of 23 CFR Part 625, Design Standards for Highways.
3. If the traffic corridor intersects a state highway, the LPA must justify to NDDOT that any new access allowed will have minimal impact to the state highway. The design will meet the requirements of 23 CFR Part 625, Design Standards for Highways.
4. Prohibit the installation of traffic signals and pedestrian beacons on or in connection with the project, including those installed at the sole cost and expense of the LPA or by others, without NDDOT approval.
5. Maintain all traffic control devices on the project according to the current edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways*, as supplemented and amended.
6. Restrict the speed limit on the project at or below the maximum design speed. Any changes to the speed limit will be pursuant to North Dakota Century Code, Chapter 39-09.
7. Provide maintenance to the completed project at its own cost and expense.
8. Prohibit access and encroachments upon the right of way pursuant to 23 CFR Part 1.23, Rights of Way, and Part 710 Subpart D, Right of Way, Real Property Management.

PART IV

General:

1. NDDOT will make all contract payments on behalf of the LPA. Payment will be made upon receipt of the engineer's estimate. The LPA will reimburse NDDOT for payments made less the amount paid by FHWA. No costs will be incurred by NDDOT for the construction and maintenance of this project.

If the LPA fails to reimburse NDDOT within 60 days after billing for funds advanced on behalf of the LPA, this document will constitute an assignment of funds now or hereafter coming into the hands of the state treasurer, which would otherwise be distributed to the LPA out of the highway tax distribution fund, NDCC 54-27-19. The state treasurer is hereby directed to pay NDDOT all such funds until the total equals the sum billed pursuant to this agreement.

2. The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.
3. No official, employee, or other person performing services for the LPA who is authorized to negotiate or approve any contract or subcontract in connection with the project shall have any financial or other personal interest in any such contract or subcontract. No officer or employee of such person retained by the LPA shall have any financial or other personal interest in any real property acquired for the project unless such interest is openly disclosed upon public records of NDDOT and of the LPA, and such officer, employee, or person has not participated in such acquisition for and in behalf of the LPA.
4. The failure of the state to enforce any provisions of this contract shall not constitute a waiver by the state of that or any other provision.



5. Entities that receive federal funds through NDDOT may be required to obtain an audit in accordance with 2 C.F.R. Part 200, Subpart F. A copy of such audit shall be submitted to NDDOT. Entities that spend less than \$750,000 of federal funds from all sources may be subject to reviews by NDDOT at its discretion. Additionally, all entities receiving federal funds through NDDOT shall certify whether a Single Audit has been completed as part of the annual Federal award process. These requirements are applicable to counties, cities, state agencies, Indian tribes, colleges, hospitals, and non-profit businesses.
6. All notices, certificates, or other communications shall be sufficiently given when delivered or mailed, postage prepaid, to the parties at the respective places of business as set forth below or at a place designated hereafter in writing by the parties.

Local Government Engineer
ND Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700

7. The LPA is advised that its signature on this contract or agreement certifies that any person associated therewith is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three years; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction on any matter involving fraud or official misconduct within the past three years.
8. This agreement constitutes the entire agreement between the parties. No waiver consent, modification or change of terms of this agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. The LPA, by the signature below of its authorized representative, hereby acknowledges that the LPA has read this agreement, understands it, and agrees to be bound by its terms and conditions.



Executed by the LPA of _____, North Dakota, the date last below signed.

APPROVED:

LPA/STATES ATTORNEY (TYPE OR PRINT)

SIGNATURE

DATE

ATTEST:

AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

LPA of _____

★

NAME (TYPE OR PRINT)

SIGNATURE

★

TITLE

DATE

Executed by the North Dakota Department of Transportation the date last below signed.

APPROVED as to substance:

Derek Pfeifer

SH

LOCAL GOVERNMENT ENGINEER (TYPE OR PRINT)

Derek Pfeifer

SIGNATURE

12/17/24

DATE

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

DIRECTOR (TYPE OR PRINT)

SIGNATURE

M

DATE

*Mayor, President or Chairperson of Commission

CLA 19256 (Div. 38)
L.D. Approved 4-12-93; 10-22



Project HEU-CPU-1-988(051)

CERTIFICATION OF LOCAL MATCH

It is hereby certified that the LPA of _____ will provide non-federal funds, whose source is identified below, as match for the amount the LPA is obligated to pay under the terms of the attached agreement with the North Dakota Department of Transportation. The certified amount does not duplicate any federal claims for reimbursement, nor are the funds used to match other federal funds, unless expressly allowed by federal regulation.

Non-Federal Match Funds provided by LPA. Please designate the source(s) of funds in the LPA budget that will be used to match the federal funds obligated for this project through the North Dakota Department of Transportation.

Source:

Executed at _____, North Dakota, the last date below signed.

ATTEST:

APPROVED:

AUDITOR (TYPE OR PRINT)

LPA of _____

SIGNATURE

NAME (TYPE OR PRINT)

DATE

SIGNATURE

*

TITLE

DATE

*Mayor, President or Chairperson of Commission

CLA 19256 (Div. 38)
L.D. Approved 4-12-93; 1-23



**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX A OF THE TITLE VI ASSURANCES**

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

1. Compliance with Regulations: The Contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. Non-discrimination: The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. Information and Reports: The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.



NORTH DAKOTA DEPARTMENT OF TRANSPORTATION APPENDIX E OF THE TITLE VI ASSURANCES

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).



Risk Management Appendix

Routine* Service Agreements with Sovereign Entities and Political Subdivisions of the State of North Dakota:

Parties: **State** – State of North Dakota, its agencies, officers and employees

Governmental Entity – The Governmental Entity executing the attached document, its agencies, officers and employees

Governments – State and Government Entity, as defined above

Each party agrees to assume its own liability for any and all claims of any nature including all costs, expenses and attorney's fees which may in any manner result from or arise out of this agreement.

Each party shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds, authorized to do business in North Dakota, the following insurance coverages:

- 1) **Commercial general liability and automobile liability** insurance – minimum limits of liability required of the Governmental Entity are **\$437,500 per person and \$1,750,000 per occurrence**. The minimum limits of liability required of the State are **\$437,500 per person and \$1,750,000 per occurrence**.
- 2) **Workers compensation** insurance meeting all statutory limits.
- 3) The policies and endorsements may not be canceled or modified without **thirty (30) days prior written notice** to the undersigned State representative.

The State reserves the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

Each party that hires subcontractors shall require any non-public subcontractors, prior to commencement of work set out under an agreement between that party and the non-public subcontractor, to:

Defend, indemnify, and hold harmless the Governments, its agencies, officers and employees, from and against claims based on the vicarious liability of the Governments or its agents, but not against claims based on the Government's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by the Subcontractor to the Governments under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the Governments is necessary. Subcontractor also agrees to defend, indemnify, and hold the Governments harmless for all costs, expenses and attorneys' fees incurred if the Governments prevail in an action against Subcontractor in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this agreement.

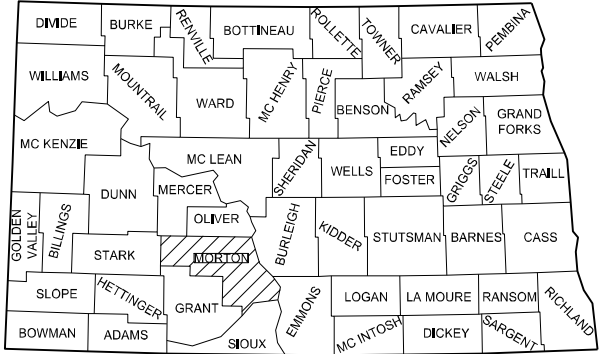
Subcontractor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota: 1) commercial general liability; 2) automobile liability; and 3) workers compensation insurance all covering the Subcontractor for any and all claims of any nature which may in any manner arise out of or result from this agreement. The minimum limits of liability required are \$500,000 per person and \$2,000,000 per occurrence for commercial general liability and automobile liability coverages, and statutory limits for workers compensation. The Governments shall be endorsed on the commercial general liability policy and automobile liability policy as additional insureds. The Governments shall have all the benefits, rights and coverages of an additional insured under these policies that shall not be limited to the minimum limits of insurance required by this agreement or by the contractual indemnity obligations of the Contractor. Said endorsement shall contain a "Waiver of Subrogation" waiving any right of recovery the insurance company may have against the Governments as well as provisions that the policy and/or endorsement may not be canceled or modified without thirty (30) days prior written notice to the undersigned representatives of the Governments, and that any attorney who represents the State under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08. Subcontractor's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the Governments. Any insurance, self-insurance or self-retention maintained by the Governments shall be excess of the Contractor's insurance and the Subcontractor's insurance and shall not contribute with them. The insolvency or bankruptcy of the insured Subcontractor shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Subcontractor from meeting the retention limit under the policy. Any deductible amount or other obligations under the Subcontractor's policy(ies) shall be the sole responsibility of the Subcontractor. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. The Governments will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Subcontractor in excess of the minimum requirements set forth above. The Government Entity that hired the Subcontractor shall be held responsible for ensuring compliance with the above requirements by all Subcontractors. The Governments reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

*See *North Dakota Risk Management Manual*, section 5.1 for discussion of "unique" and "routine" agreements.

RM Consulted 2007
Revised 6-24



	STATE	PROJECT NO.	PCN	SECTION NO.	SHEET NO.
	ND	HEU-CPU-1-988(051)	24054	1	1



STATE COUNTY MAP

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

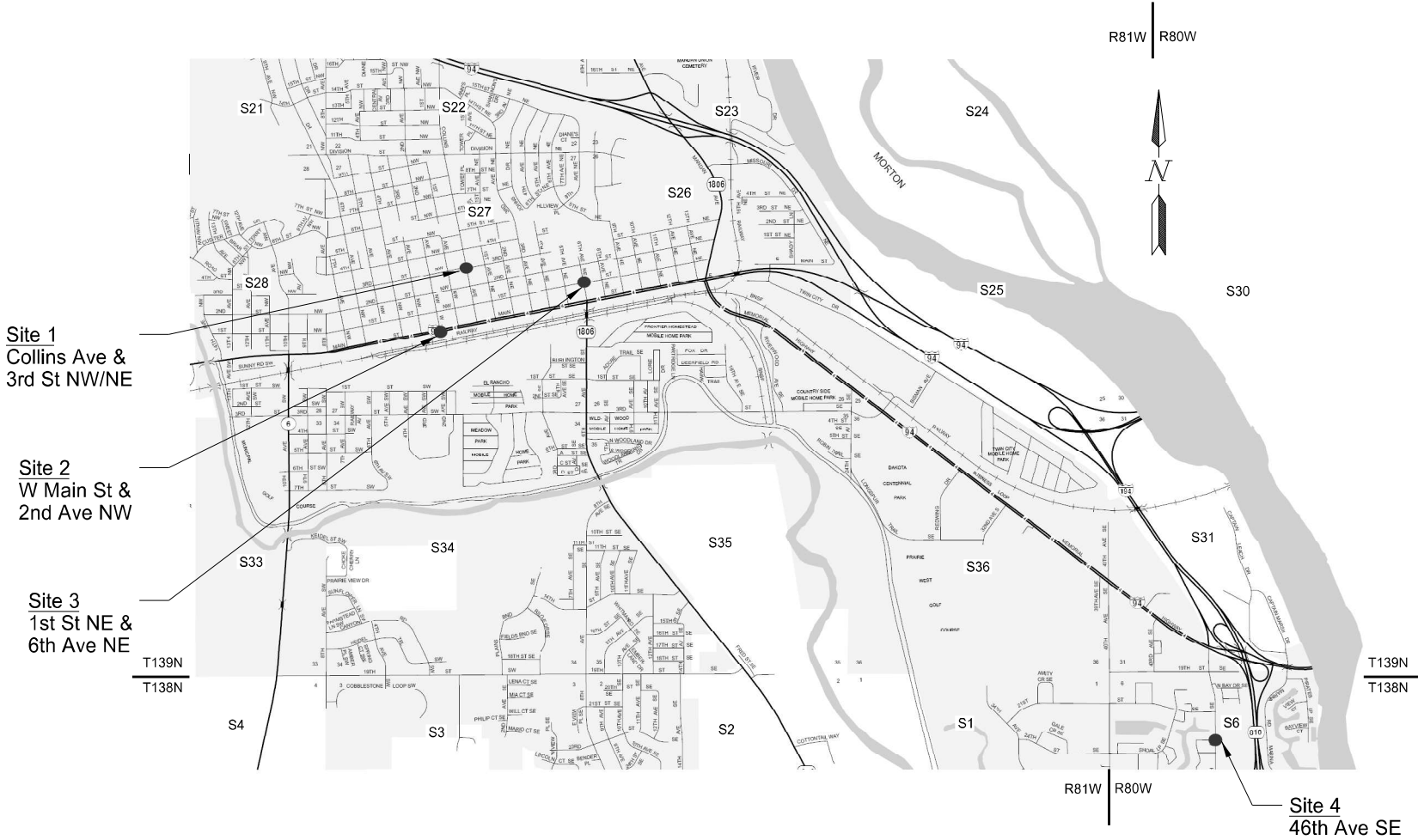
HEU-CPU-1-988(051)

Morton County
City of Mandan
Collins Ave & 3rd St NW/NE, W Main St & 2nd Ave NW, 1st St NE & 6th Ave NE ,
46th Ave SE
ADA Ramps, Bulb Outs, Sidewalk, RRFBs, Striping, Signing

GOVERNING SPECIFICATIONS	Date Published and Adopted by the North Dakota Department of Transportation
Standard Specifications	7/1/2024
Supplemental Specifications	NONE

PROJECT NUMBER \ DESCRIPTION

- HEU-CPU-1-988(051)
- HEU
- Site 1 - Collins Ave & 3rd St NW/NE
 - Site 2 - W Main St & 2nd Ave NW
 - Site 3 - 1st St NE & 6th Ave NE
- CPU
- Site 4 - 46th Ave SE



DESIGNER
Amy Schaaf, PE





City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 20, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider offer on City-owned lot.

STATEMENT/PURPOSE:

Consider offer on City-owned lot.

BACKGROUND/ALTERNATIVES:

Steven and Erica Mittleider have submitted an offer to purchase a City-owned lot (Parcel No. 65-6102835) for the purpose of developing multi-use shop condos. The proposal includes an offer amount of \$7,320.00 along with estimates for the costs associated with site development that they desire be factored into the offer amount.

Analysis and Staff Recommendation

Staff recommends denial of the proposed purchase for the following reasons:

Conflicting Land Uses:

The proposed multi-use shop condo development is incompatible with the surrounding land uses, which include a preschool, townhouses, and multifamily residential units. The nature of shop condos typically involves business activities with varied hours of operation, increased traffic, and potential noise, which conflict with the quiet residential character and sensitive land uses nearby, such as the preschool. Special Use Permits are not guaranteed to be approved. The issuance of such a permit requires compliance with City's plans in order to receive a recommendation to approve.

Inconsistency with City's Adopted Plan:

The proposed land use does not align with the City's adopted comprehensive plan, which designates this area for residential and community-supportive uses. Introducing a commercial component such as shop condos would undermine the planned land use pattern and disrupt the cohesive development of the neighborhood.

Potential Land Use Conflicts:

- Hours of Operation and Activity Levels: Shop condos typically involve business activities during early mornings, evenings, and weekends, conflicting with the operating hours of the adjacent preschool and the residential lifestyle of nearby townhomes and multifamily units.
- Noise Impact: Potential noise from business operations and increased vehicular traffic could negatively impact the residential character of the area and the quality of life for neighboring residents.

Additional Considerations

The lot was listed at \$1.80 per square foot (\$85,000) per consideration with a commercial realtor utilized by the City. A small portion was sold in 2022 to an adjoining owner to resolve a property line issue (far southeast corner).

Staff informed the prospective buyer of the existing land use conflicts and the inconsistency with the City's plan.

Given the aforementioned conflicts, Staff recommends denial of the purchase request. Additionally, staff will recommend denial of any future applications for multi-use shop condo development on this property due to the same land use conflicts and lack of alignment with the City's adopted plan.

ATTACHMENTS:

1. Mittleider Offer On City Lot
2. Dirtwork Estimate 1
3. Dirtwork Estimate 2
4. Draft Development Application 1
5. Draft Development Application 2
6. Rendering
7. Site Plan
8. Images of property
9. Location Map

FISCAL IMPACT:

Minor positive fiscal impact could come from the sale. This is minimized by the impact the proposed development may have on existing neighboring residential uses to the east, south and west.

STAFF IMPACT:

Minor

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends considering the Mittleider's offer and recommends denial.

SUGGESTED MOTION:

I move to deny the offer.

Mittleider Offer on City Lot

From Steven M <mitty36@hotmail.com>

Date Mon 10/28/2024 8:27 AM

To darren@oaktree-realtors.com <darren@oaktree-realtors.com>

 2 attachments (254 KB)

Knife River fill dirt city lot.pdf; Bowers Spreading and Packing.pdf;

Good Morning, Darren,

Hope you had a wonderful weekend! Such great weather for the end of October! I wanted to send you an email highlighting what we spoke about on the phone. We would like to make an offer on the Lot east of the lot we recently purchased, which is owned by the City Of Mandan. Parcel ID: 656102835. We have been working with KLJ and Swenson Hagen & Company concerning both lots. It appears that the city's lot is roughly 7.5 feet deep and would require approximately 7005 cubic yards or 11,900 tons of fill dirt. See the attached estimates for fill dirt, spreading, and compaction. There will also be additional costs for environmental studies. Both KLJ and Swenson Hagen expressed concerns as to the nature of the low spot and if it is indeed wetlands. The Corps will need to be involved and this will likely lead to additional costs.

However, to get an amount for an offer, we will add what the dirt part will cost.

Dirt is \$160,650.

Spreading and compaction is \$42,030.

Total for dirt associated items is \$202,680.

We just purchased our lot(656102820) which is right next to the City's lot for \$210,000 in September of this year. With us making our purchase for \$210,000 and the City's lot requiring \$202,680 just for dirt, we would like to make an offer in the amount of \$7,320. We hope to develop the land, which will lead to additional tax dollars for the City of Mandan. In addition, we will provide mantaince and be paying taxes and specials once purchased. Let us know if you have questions. Thank you very much.

Steve and Erica Mittleider

701-870-0995

Bowers Excavating, LLC

Mandan, ND 58554

Estimate

Date	Estimate #
10/23/2024	3787

Name / Address
Steve Mittleider

Project

Description	Qty	Rate	Total
Spread and pack 7005 CY dirt	7,005	6.00	42,030.00
Total			\$42,030.00



3303 ROCK ISLAND PLACE * BISMARCK, ND 58504 * 701-223-5480 * FAX 701-223-5557

Contractor: Steve Mittleider
 Project: 2510 40th Ave SE, Mandan, ND 58554
 Max. Fuel Rate: \$ 4.50

FUEL SURCHARGE TABLE - PER LOAD				
FUEL RATE				
Miles	Up to \$4.50	\$4.51 - \$5.50	\$5.51 - \$6.50	\$6.51 - \$7.50
0-15	\$0.00	\$8.00	\$16.00	\$24.00
16-30	\$0.00	\$12.00	\$24.00	\$36.00
31-45	\$0.00	\$16.00	\$32.00	\$48.00
46-60	\$0.00	\$20.00	\$40.00	\$60.00
61-75	\$0.00	\$24.00	\$48.00	\$72.00
76-90	\$0.00	\$28.00	\$56.00	\$84.00
91-105	\$0.00	\$32.00	\$64.00	\$96.00

FUEL RATE				
Miles	\$7.51 - \$8.50	\$8.51 - \$9.50	\$9.51 - \$10.50	\$10.51 - \$11.50
0-15	\$32.00	\$40.00	\$48.00	\$56.00
16-30	\$48.00	\$60.00	\$72.00	\$84.00
31-45	\$64.00	\$80.00	\$96.00	\$112.00
46-60	\$80.00	\$100.00	\$120.00	\$140.00
61-75	\$96.00	\$120.00	\$144.00	\$168.00
76-90	\$112.00	\$140.00	\$168.00	\$196.00
91-105	\$128.00	\$160.00	\$192.00	\$224.00

Our Fuel Surcharge Calculation will be based on the US government's energy information website for the Midwest Region, this website can be viewed at:

www.eia.gov/dnav/pet/pet_pri_gnd_dcus_r20_w.htm

BID ITEMS	HAUL MILES
Semi	6
End Dump	6

Contractor

Knife River- North Central

CITY OF MANDAN		
Development Review Application		
Minor Plat (\$300)		Zone Change (\$600)
Preliminary Plat up to 20 acres (\$450)		Planned Unit Development (\$700)
Preliminary Plat more than 20 acres (\$500)		Land Use and Transportation Plan Amendment (\$1,000)
Final Plat up to 20 lots (\$450)		Vacation (\$500)
Final Plat 21 to 40 lots (\$600)		Variance (\$400)
Final Plat more than 40 lots (\$750)		Special Use Permit (\$450)
Annexation (\$450)		Stormwater submittal (\$300)
Masterplanned Subdivision (not accepted without preliminary plat) (\$250)		Stormwater 2 nd & subsequent resubmittal (\$50)
Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)		Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)		
We are presenting an offer on the city-owned parcel 656102835, which is next to ours. We are also seeking a special use permit to build a business shop development on the two lots. Thank you for your time.		

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen and Company			Name Steven and Erica Mittleider		
Address 909 Basin Ave			Address 4300 Southbay Drive SE		
City Bismarck	State ND	Zip 58504	City Mandan	State ND	Zip 58554
email Lniemiller@swensonhagen.com			email mitty36@hotmail.com		
Phone 701-223-2600		Fax	Phone 701-870-0995		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	
x	City	x	New	CB	CB	Mittleider	
Property Address					Legal Description		
2510 40th Ave SE					Lakewood Comm Park 3rd ADDN 4th RPLT		
Current Use							
Vacant Lot					Lot: 1B Block: 1		
Proposed Use							
Business Shop					Section 0	Township 0	Range 0
Parcel Size 0.92	Building Footprint 60x180 ft	Stories 1	Building SF 10,800 sq ft	Required Parking 27	Provided Parking 28		

Print Name	Signature	Date

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

Additional Submittals

Conditional-Special Use Permit

A special or conditional use permit application shall include the following additional submittals:

1. An answer with explanation for each of the following questions (please answer the below questions as completely as possible. Incomplete applications will not be accepted and may cause a delay in the application process):

- a. Will the proposed use be designed, constructed, operated, and maintained so as to be compatible in appearance with the existing or intended character of the neighborhood?

Yes, please note similar properties in the near vicinity:

Lakewood Marina Boat, RV, and Auto storage is 0.5 miles to the South.

The Cove at Lakewood Shop Condos are 0.2 miles to the North.

STS Properties LLP Shop is 0.1 mile to the West

Monte Gawryluk Shop Condos are 0.4 miles to the East

Having lived in the Lakewood area since 2007 and been part of multiple new builds, we are aware of the high aesthetic standards of the area. The proposed development will be visually attractive and maintain and or enhance the appearance of the area.

- b. Will the proposed use involve activities, processes, materials, equipment, or conditions of operation that will be incompatible with the neighborhood due to the production of traffic, noise, smoke, fumes, glare, or odors?

No

- c. Will the hours of operation of the proposed use be different than the adjacent uses?

No

- d. Will the proposed use require exterior lighting of a type and intensity greater than the adjacent uses?

No

- e. Will the site of the proposed use have sufficient area to provide the parking required for the use?

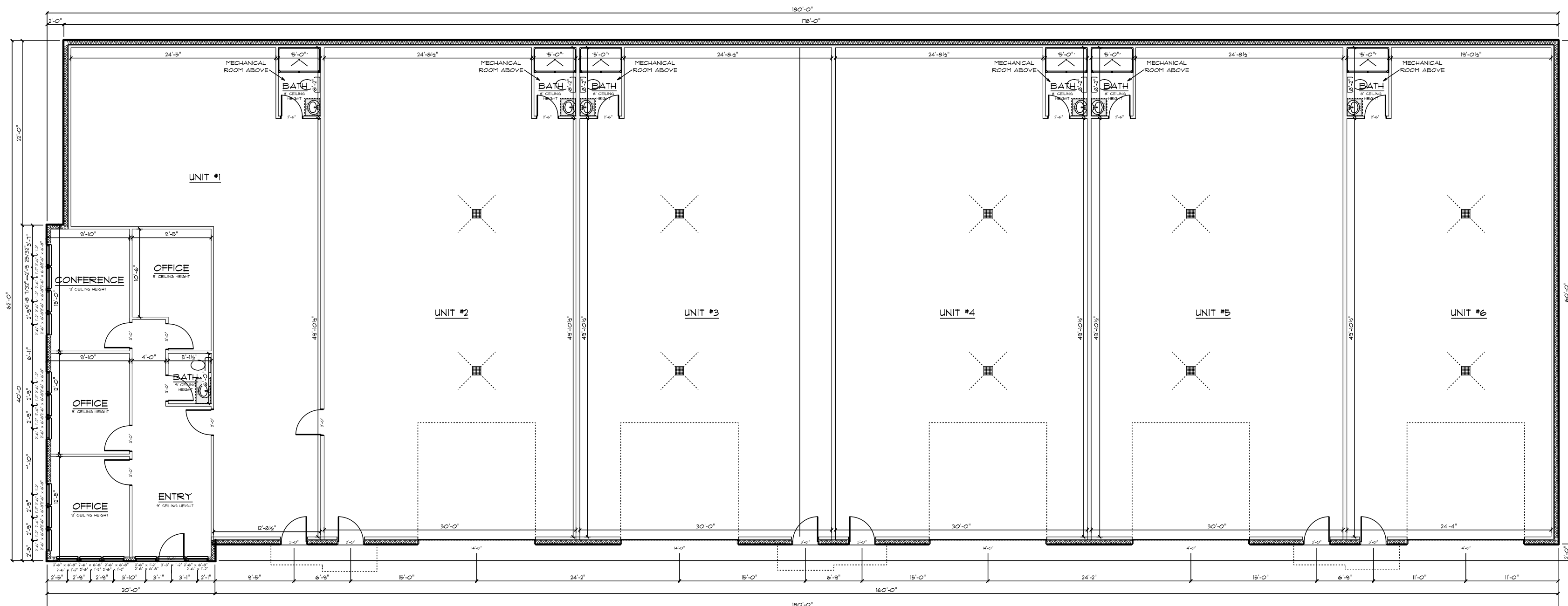
Yes, Swenson, Hagen, & Co. has calculating 1 parking spot per 400sq feet and will ensure it is up to standard.

- f. Will the proposed use require adjustments to the normal lot size, height, and setback requirements of the district?

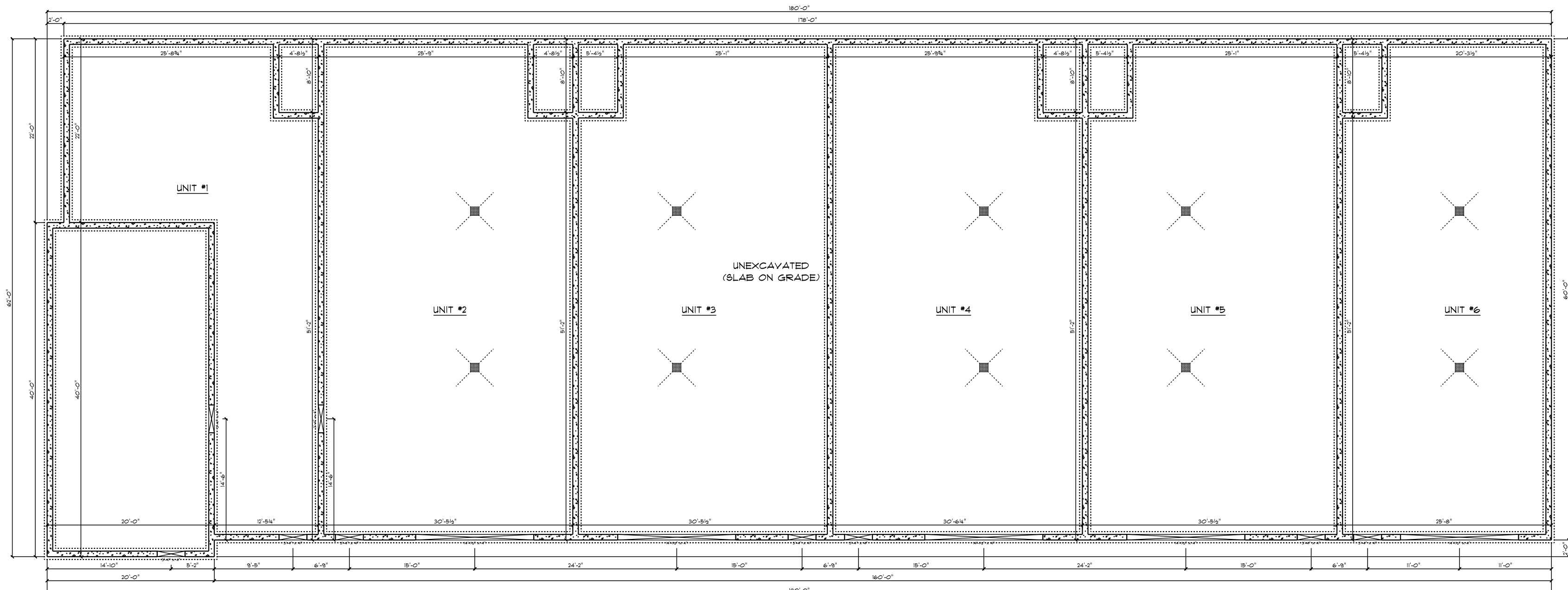
No, Swenson, Hagen, & Co. is keeping the project within the proper setbacks.

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

Shop Information
-180' x 62'
-10,795 Sqft
-2x10 Exterior Walls
-20' Sidewalls - North
-18' Sidewalls - South
-12' Sidewalls - Unit #1 Offices
-Mono Trusses
-Slab On Grade



-- PRELIMINARY DRAWING --
-- NOT FOR CONSTRUCTION --



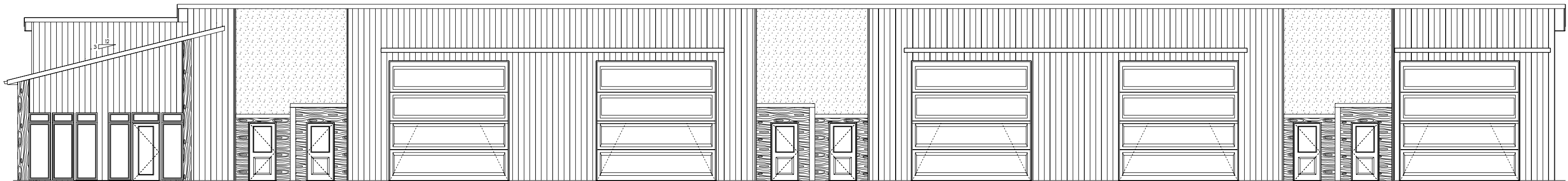
-- NOT FOR CONSTRUCTION --
-- PRELIMINARY DRAWING --

NOTE: CONTRACTOR /HOMEOWNER RESPONSIBLE FOR SENDING PLANS TO SUBCONTRACTORS AND/OR MATERIAL SUPPLIERS.

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE SAME FOR ALL GOVERNING CODES AND BUILDING PRACTICES. THESE DRAWINGS CONFORM TO GENERALLY ACCEPTED BUILDING PRACTICES, HOWEVER, STATE AND LOCAL CODES VARY WIDELY. THE DESIGNER AND "TEAM" SHALL NOT BE HELD LIABLE FOR ANY ERRORS. ALL CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE STATE AND LOCAL CODES. DO NOT SCALE DRAWINGS. PRINTED DIMENSIONS OVERRIDE SCALING. VERIFY WITH THE WINDOW MANUFACTURER ON ALL WINDOW SIZES AND APPLICABLE EGRESS REQUIREMENTS. CONTRACTOR SHALL VERIFY ALL MECHANICAL AND ELECTRICAL REQUIREMENTS AND CLEARANCES. CONTRACTOR SHALL VERIFY ALL FLOOR AND ROOF BEARING LOCATIONS. CONTRACTOR SHALL VERIFY ALL BEAM AND HEADER SIZES FOR CODE COMPLIANCE.

****VERIFY ALL DIMENSIONS****

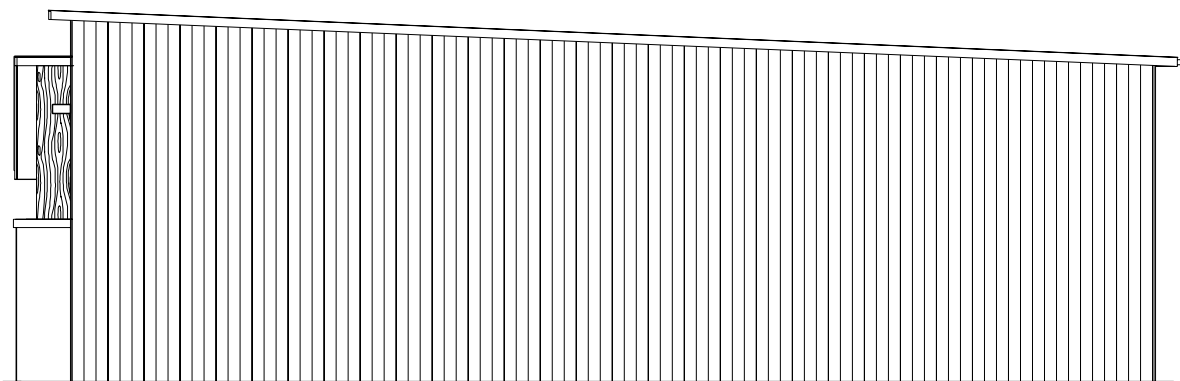
PLAN # 24-056	PRINT DATE: Wednesday, February 26, 2025 PRINT TIME: 08:48 AM
CONTRACTOR: Mittleider	SCALE: 3/32"=1'0"
CUSTOMER: Shop Condos	DRAWN BY Callista Moch



NORTH ELEVATION

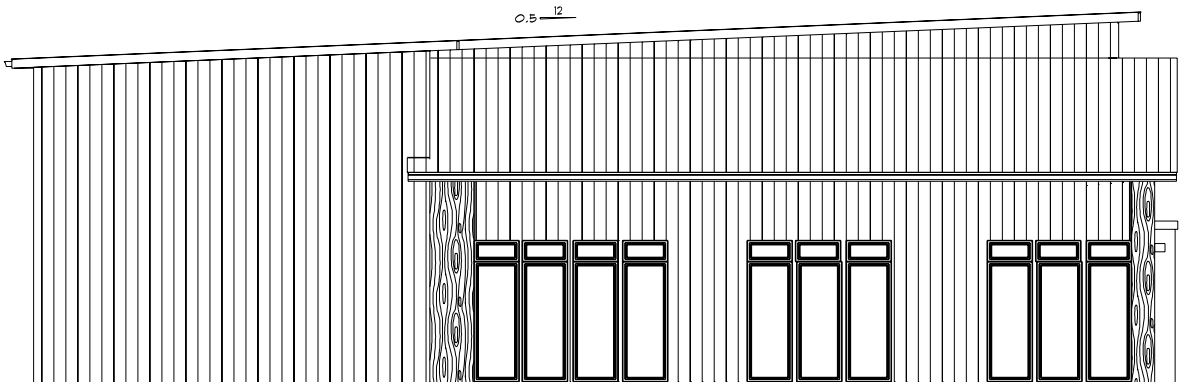
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-- PRELIMINARY DRAWING --
-- NOT FOR CONSTRUCTION --



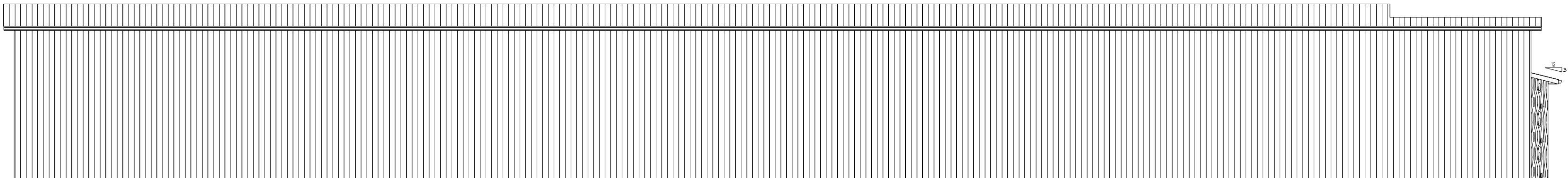
WEST ELEVATION

SCALE: 3/32"=1'0"



EAST ELEVATION

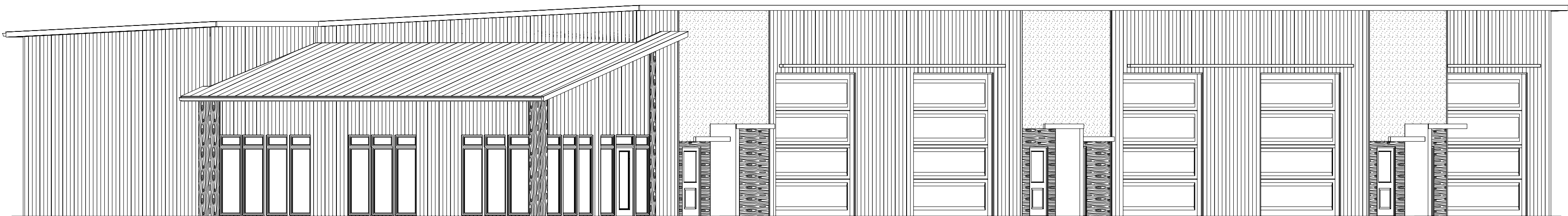
SCALE: 3/32"=1'0"



SOUTH ELEVATION

SCALE: 3/32"=1'0"

-- PRELIMINARY DRAWING --
-- NOT FOR CONSTRUCTION --



PERSPECTIVE VIEW

SCALE: NOT TO SCALE

NOTE: CONTRACTOR /HOMEOWNER RESPONSIBLE FOR SENDING PLANS TO SUBCONTRACTORS AND/OR MATERIAL SUPPLIERS.

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE SAME FOR ALL GOVERNING CODES AND BUILDING PRACTICES. THESE DRAWINGS CONFORM TO GENERALLY ACCEPTED BUILDING PRACTICES, HOWEVER, STATE AND LOCAL CODES VARY WIDELY. THE DESIGNER AND "FEE" SHALL NOT BE HELD LIABLE FOR ANY ERRORS. ALL CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE STATE AND LOCAL CODES. DO NOT SCALE DRAWINGS. PRINTED DIMENSIONS OVERRIDE SCALING. VERIFY WITH THE WINDOW MANUFACTURER ON ALL WINDOW SIZES AND APPLICABLE EGRESS REQUIREMENTS. CONTRACTOR SHALL VERIFY ALL MECHANICAL AND ELECTRICAL REQUIREMENTS AND CLEARANCES. CONTRACTOR SHALL VERIFY ALL FLOOR AND ROOF BEARING LOCATIONS. CONTRACTOR SHALL VERIFY ALL BEAM AND HEADER SIZES FOR CODE COMPLIANCE.

****VERIFY ALL DIMENSIONS****

PLAN # 24-056	PRINT DATE: Wednesday, February 26, 2025 PRINT TIME: 08:48 AM
CONTRACTOR: Mittleider	SCALE: As Noted
CUSTOMER: Shop Condos	DRAWN BY Callista Moch



IMAGES





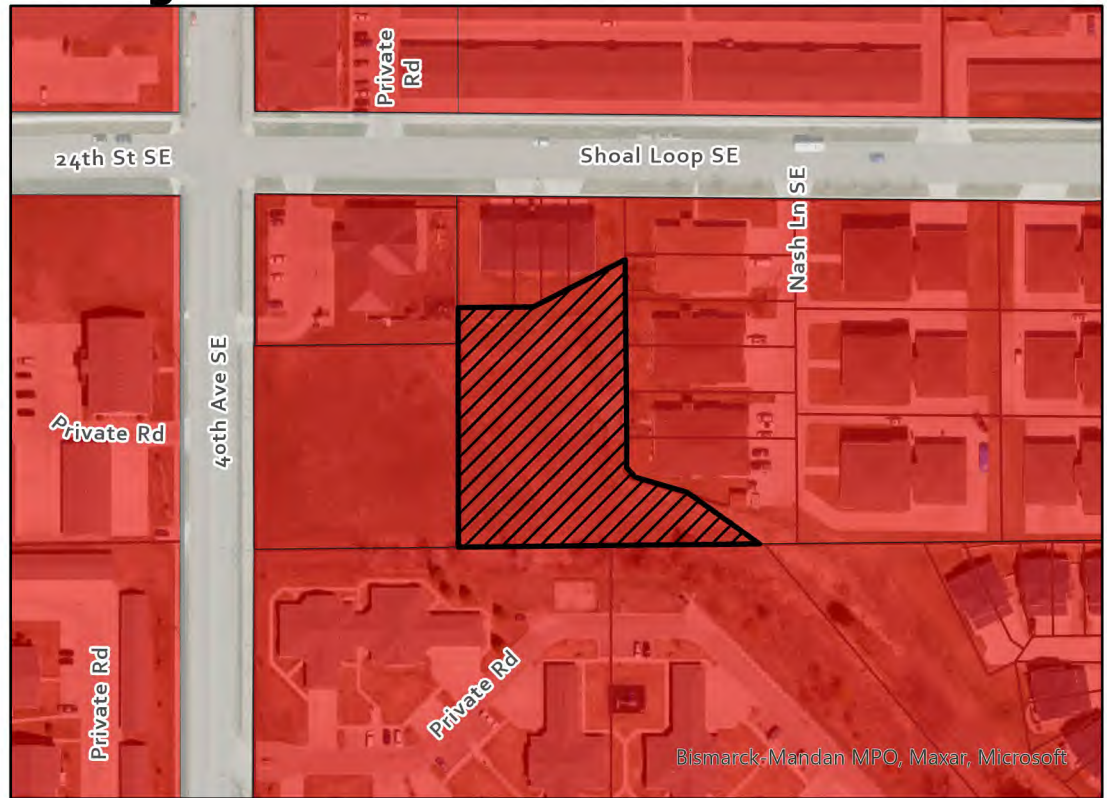
Zoning and Future Land Use Reference Map

46th / Shoal City-owned lot

Zoning

Zoning Map Key

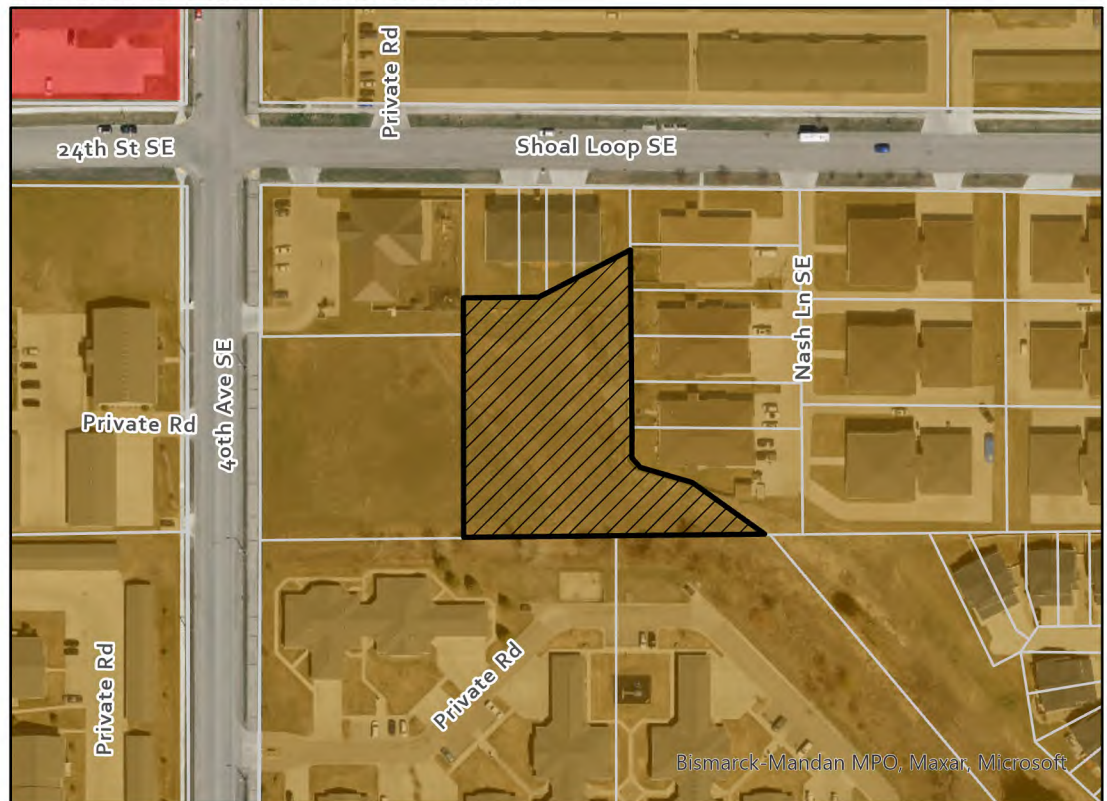
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light 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
- Planning Activities



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
- Planning Activities

Future Land Use Plan





City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 25, 2025
SUBMITTING DEPARTMENT: Morton County Emergency Management
DEPARTMENT DIRECTOR: Patrick Martin
PRESENTER:
SUBJECT: Consider the adoption of a resolution approving the Local Emergency Operations Plan (LEOP) for Morton County.

STATEMENT/PURPOSE:

To consider the adoption of a resolution approving the Local Emergency Operations Plan (LEOP) for Morton County.

BACKGROUND/ALTERNATIVES:

Morton County Emergency Manager, Patrick Martin, would present the LEOP to the Mandan City Commission to request formal adoption through formal resolution.

The LEOP has not been changed other than the addition of new names and titles along with one Annex added last year, "Livestock Emergency" related to transportation accidents.

Mandan Fire and Police are in support of the LEOP.

Full plan is available upon request.

ATTACHMENTS:

1. Morton-County-LEOP-Signed-Resolution 2024
2. Mandan LEOP signed

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

I recommend adoption of the LEOP to the Mandan City Commission.

SUGGESTED MOTION:

I move to approve the resolution adopting the Morton County Local Emergency Operations Plan.



MORTON COUNTY

STATE OF NORTH DAKOTA

OFFICE OF EMERGENCY MANAGEMENT

Patrick Martin, Director

701.667.3290 • patrick.martin@mortonnd.org



RESOLUTION

LOCAL EMERGENCY OPERATIONS PLAN MORTON COUNTY, NORTH DAKOTA

August 27, 2024

WHEREAS, the ND Legislative Assembly passed the "North Dakota Disaster Act of 1985: (NDCC 37-17.1) enacting an emergency management law embodying all aspects of disaster/emergency preparedness for all types of hazards which could seriously affect this county; and

WHEREAS, the law provides that each county shall maintain an emergency management organization that serves the entire county, and each city shall provide an emergency management organization of its own, or it shall participate in the countywide emergency management organization; and

WHEREAS, the State Law requires the cities and counties shall notify the division of homeland security of the manner in which the city and the county are providing or securing emergency management activities, identify each individual who will coordinate the activities of the local emergency management organization, and furnish additional information relating thereto as the division requires,

WHEREAS, the Morton County Local Emergency Operations Plan utilizes the National Incident Management System and assigns tasks and responsibilities to organizations within the County. It establishes a broad concept for conducting response and recovery operations should an emergency or disaster threaten or occur in the Morton County and cities therein.

NOW, THEREFORE, BE IT RESOLVED, that the Morton County Commission adopts the revised Morton County Local Emergency Operations Plan for Morton County, North Dakota. We further order that all Morton County Departments maintain the capability for executing their assigned responsibilities pursuant to this Plan.

DATED at Mandan, North Dakota this 27th day of August, 2024.


Nathan Boehm, Chairman
Morton County Commission



MORTON COUNTY
STATE OF NORTH DAKOTA
OFFICE OF EMERGENCY MANAGEMENT
Patrick Martin, Director
701.667.3290 • patrick.martin@mortonnd.org

February 13, 2025

Jim Neubauer
(City Administrator, City of Mandan)
205 2nd Ave. NW
Mandan, ND 58554

Dear Mr. Neubauer:

The Morton County Board of County Commissioners recently voted through resolution to adopt Morton County's updated/revised Local Emergency Operations Plan (LEOP) dated **August 2024**.

I am requesting the opportunity to present the LEOP to the Mandan City Council and request consideration for adoption through formal resolution.

As Morton County's Emergency Manager, I am requesting to be heard at a future meeting of Mandan's City Council (February 18, 2025 at 5 p.m.).

If adopted, please provide a formal/signed resolution to Patrick Martin, Morton County Emergency Management, 210 2nd Ave. NW, Mandan, ND 58554 or email to patrick.martin@mortonnd.org.

Thanks for your consideration and devotion to keeping the citizens of Morton County better prepared and safe from the consequences of likely local threats and hazards.


Patrick Martin
Morton County Emergency Manager



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 26, 2025
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Madison Cermak
PRESENTER: Madison Cermak, Business Development & Communications Director
SUBJECT: Consider a Storefront Improvement application for 1307 1st St NE

STATEMENT/PURPOSE:

To consider a Mandan Growth Fund (MGF) Committee recommendation for approval of a Storefront Improvement application for 1307 1st St NE by Steven Kilen.

BACKGROUND/ALTERNATIVES:

The MGF Committee met on Feb. 20, 2025. Agenda items included consideration of an application for Storefront Improvement of 1307 1st St NE by Steven Kilen.

The building at 1307 1st St NE was an addition built by Apex Builders LLC in 2022. With the unfortunate and unforeseen passing of North Dakota State Sen. Doug Larsen, owner of Apex Builders LLC- the exterior of the building was never finished.

Plans are to remodel the existing building to match the exterior of the new building that was finished on the adjacent property, as well as update the existing buildings' exterior finishes, doors and ADA doors, signage, and windows. The proposed scope of work includes diamond kote siding, brick and stone work, new lettering for windows, and replacing some of the front windows with new large windows with dark bronze energy-efficient windows.

Improving the building will greatly enhance the corner on which it is located, surrounded by very nice local businesses which are all well-maintained. It will add a more modern office-building feel and will complement the local businesses and residences in the vicinity.

The estimated cost of these improvements is \$67,150. The applicant is applying for a \$30,000 match. Funds will not be disbursed until the project is complete and expenses

verified by staff.

ATTACHMENTS:

1. 1307 first street ne
2. Attachment 2- Drawings 1307 20250218_15322471

FISCAL IMPACT:

The Mandan Growth Fund's uncommitted balance for economic development projects as of Jan 31, 2025, was \$330,986.64, and \$220,986.64 after commitments.

STAFF IMPACT:

Minimal for the application processing and finalization.

LEGAL REVIEW:

Attorney Oster will review the application.

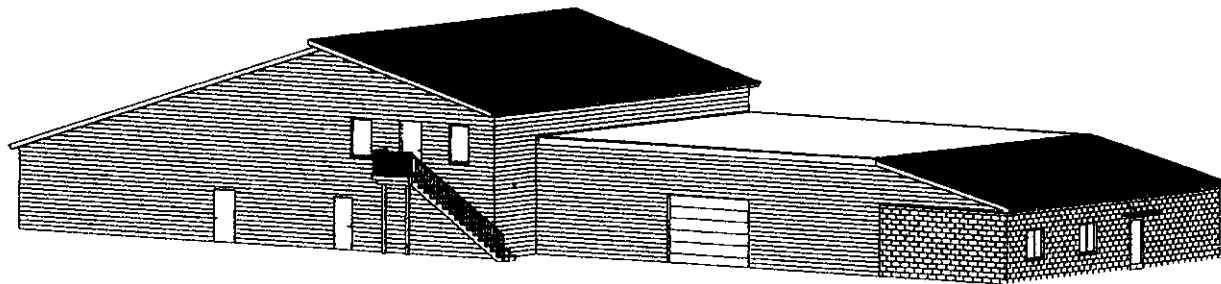
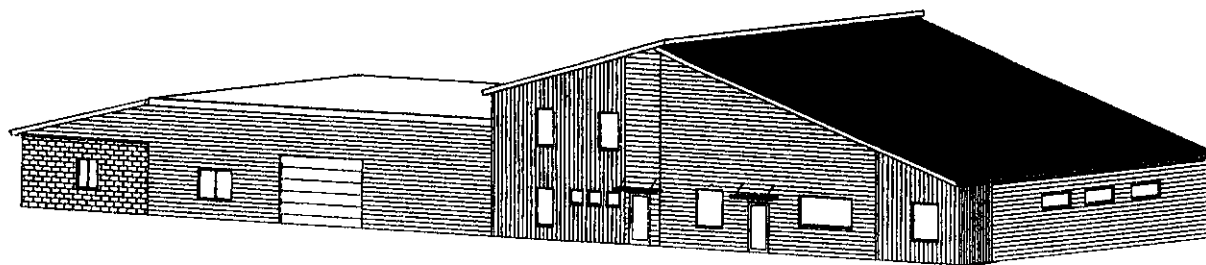
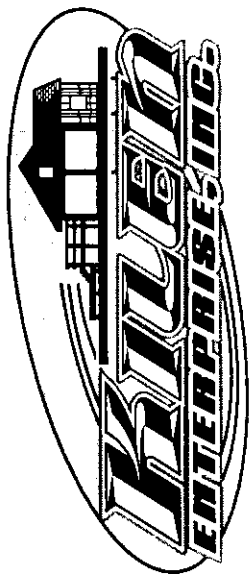
RECOMMENDATION:

The MGF voted 8-0 (1 absent) to recommend approval of the Storefront Improvement application for 1307 1st St NE by Steve Kilen for up to \$30,000 in matching funds be structured as a forgivable loan, contingent upon receiving Mandan Architectural Review Committee approval.

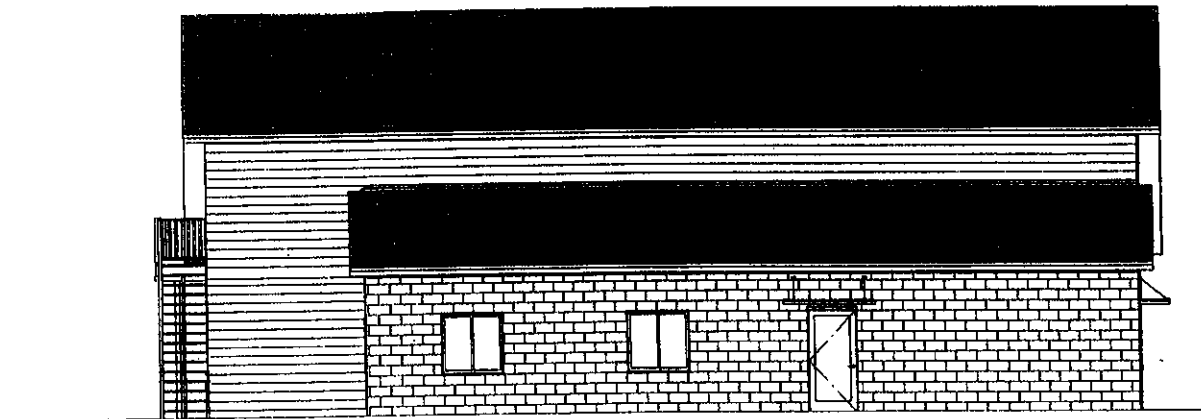
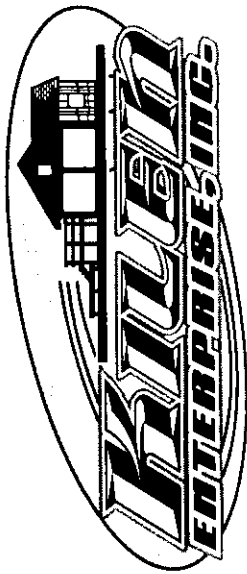
SUGGESTED MOTION:

I move to approve the Storefront Improvement application for 1307 1st St NE by Steve Kilen for up to \$30,000 in matching funds be structured as a forgivable loan, contingent upon receiving Mandan Architectural Review Committee approval.

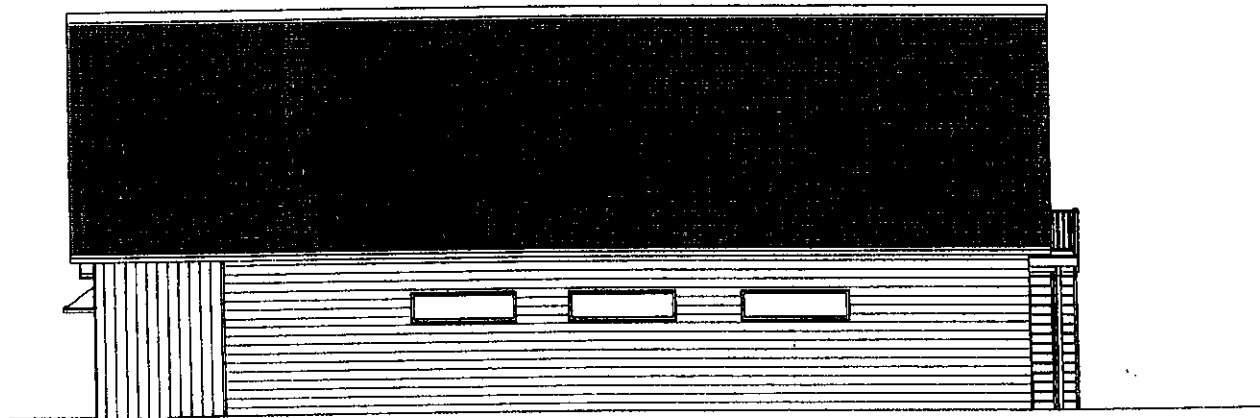




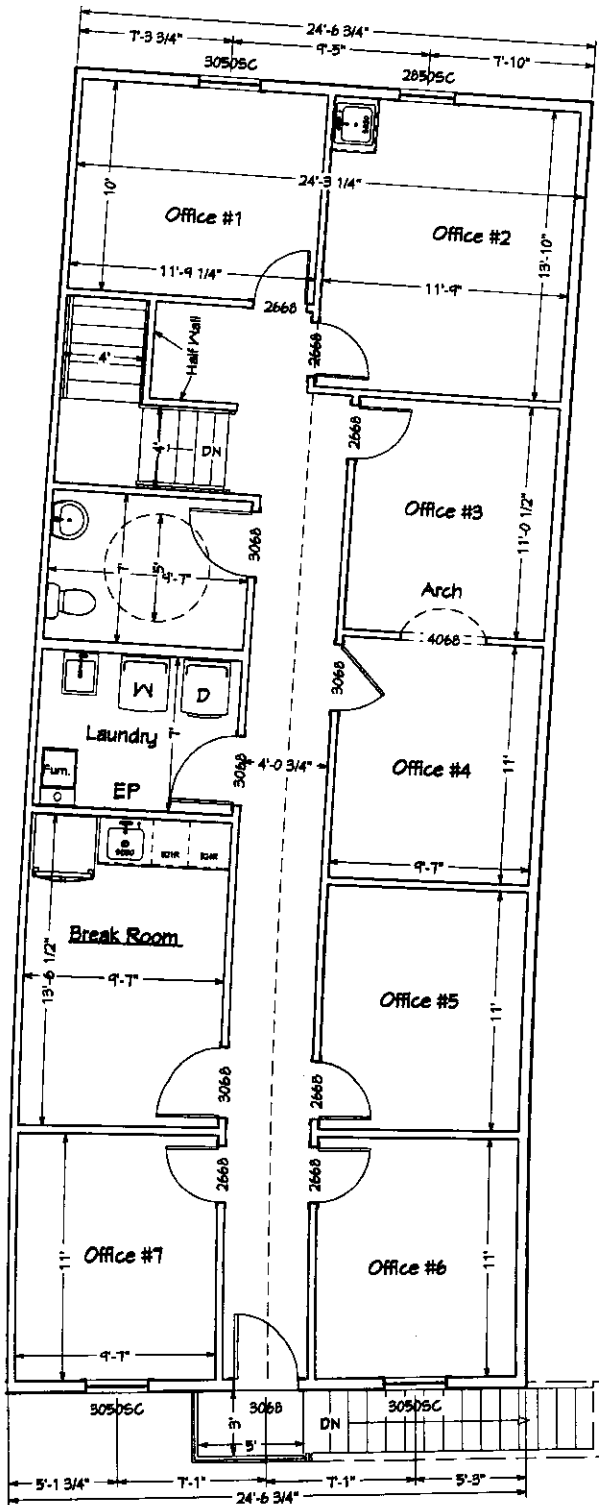
2115 MISSOURI LOOP, MANDAN, NORTH DAKOTA 58554 • 701-527-2465



East Elevation
1/8"=1'-0"



West Elevation
1/8"=1'-0"



2nd Floor Plan
 1/4" = 1'-0"

Drawn By: Dave Anderson

Date: 1-1-25

Scale: 1/4" = 1'-0"

PROJECT: Building Built Out
 ADDRESS: 1307 1st Street NE, Mandan ND
 OWNER: Steve Kilen

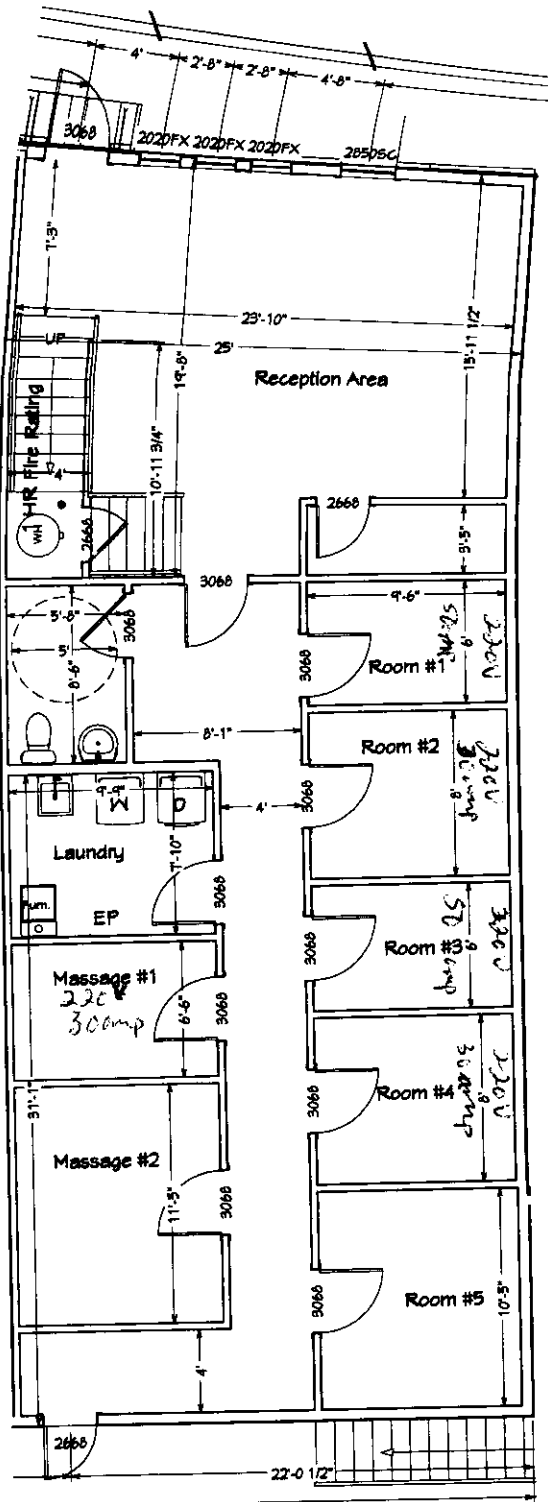
The Plans and elevations are only conceptual & give the client and example of what is to be built. A contractor or an Architect is responsible for verifying the dimensions & other information on these plans. Midwest Drafting & Design can not be held responsible for inaccurate information that may lead to additional cost for the owner or a delay in the project.

Midwest Drafting & Design

1204 Johns Drive
 Mandan ND
 Cell # 400-5081

Sheet

1 of 1



1st Floor Plan
 1/4"=1'-0"



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 26, 2025
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Madison Cermak
PRESENTER: Madison Cermak, Business Development & Communications Director
SUBJECT: Consider a Storefront Improvement application for 1311 1st St NE

STATEMENT/PURPOSE:

To consider a Mandan Growth Fund (MGF) Committee recommendation for approval of a Storefront Improvement application for 1311 1st St NE by Steven Kilen.

BACKGROUND/ALTERNATIVES:

The MGF Committee met on Feb. 20, 2025. Agenda items included consideration of an application for Storefront Improvement of 1311 1st St NE by Steven Kilen.

The building at 1311 1st St NE was most recently used as an automotive repair shop. The current condition of the building is commercial metal and steel siding with dents. Rust spots and holes that need to be filled. The windows are not energy efficient and the wood is rotting. The cement building also needs new windows and some exterior work.

Plans are to remove all metal siding on the building and replace it with a mix of minimum maintenance materials; LP, hardier board, steel siding, and possibly brick/stone. Changing the existing windows in the metal building. Replacing all windows with dark bronze for more energy-efficient. Repairing and repainting the current building block. Adding landscaping/rock around the building on the east side entrance.

The estimated cost of these improvements is \$143,200. 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 buildings on corner lots. The applicant is applying for a \$60,000 match. Funds will not be disbursed until the project is complete and expenses verified by staff.

ATTACHMENTS:

1. 1311 first st ne
2. Attachment 2- Drawings 1311 20250218_15425106

FISCAL IMPACT:

The Mandan Growth Fund's uncommitted balance for economic development projects as of Jan 31, 2025, was \$330,986.64, and \$220,986.64 after commitments.

STAFF IMPACT:

Minimal for the application processing and finalization.

LEGAL REVIEW:

Attorney Oster will review the application.

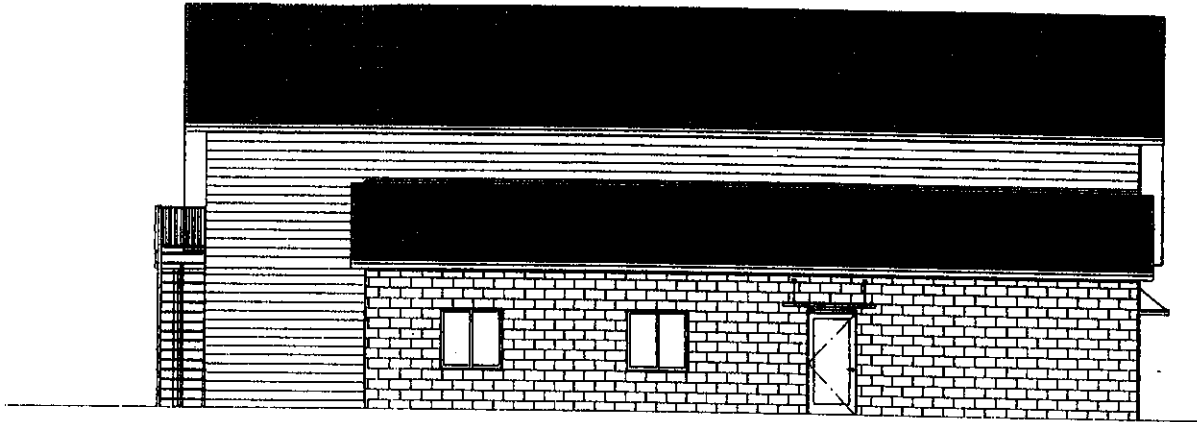
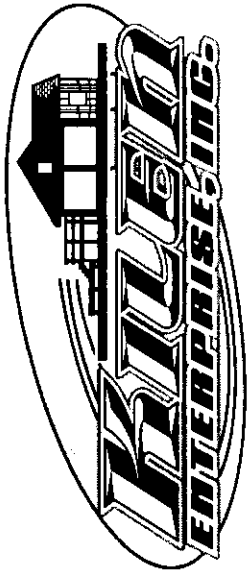
RECOMMENDATION:

The MGF voted 8-0 (1 absent) to recommend approval of the Storefront Improvement application for 1311 1st St NE by Steve Kilen for up to \$60,000 in matching funds be structured as a forgivable loan, contingent upon receiving Mandan Architectural Review Committee approval.

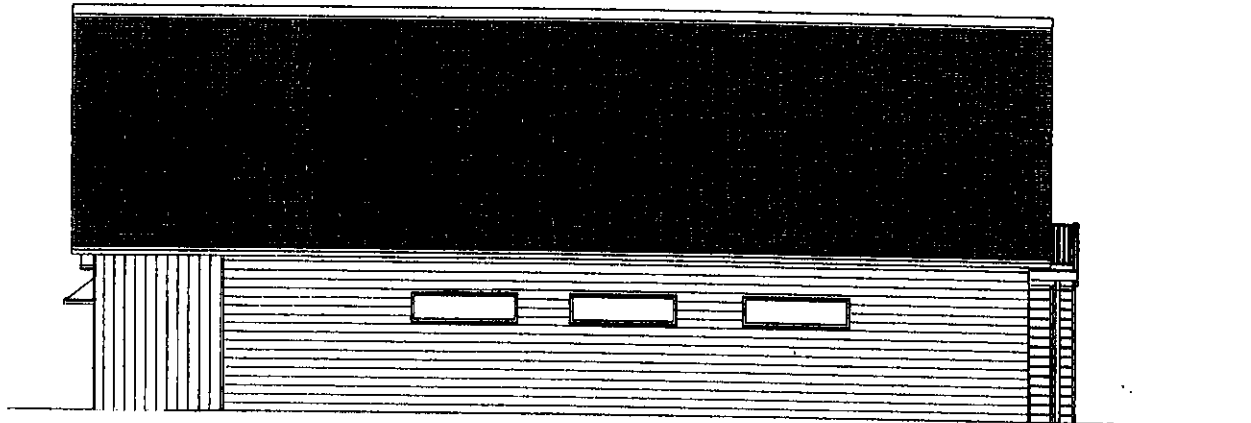
SUGGESTED MOTION:

I move to approve the Storefront Improvement application for 1311 1st St NE by Steven Kilen for up to \$60,000 in matching funds be structured as a forgivable loan, contingent upon receiving Mandan Architectural Review Committee approval.

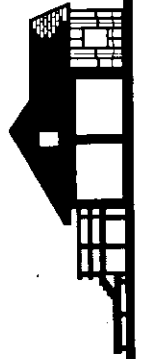


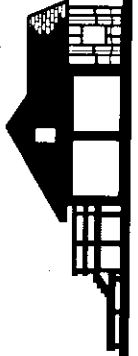
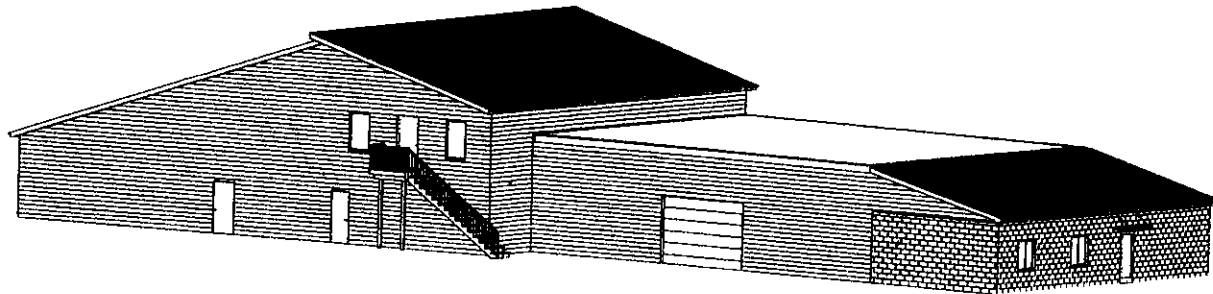
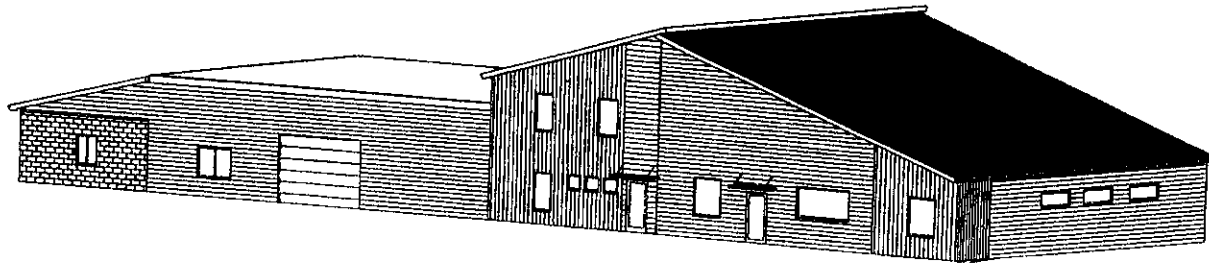
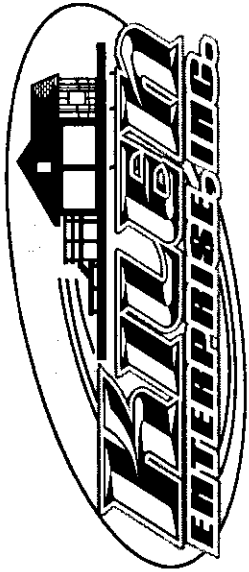


East Elevation
1/8"=1'-0"



West Elevation
1/8"=1'-0"





2115 MISSOURI LOOP, MANDAN, NORTH DAKOTA 58554 • 701-527-2465



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 26, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Legislative Update

STATEMENT/PURPOSE:

To update the City Commission related to legislative items.

BACKGROUND/ALTERNATIVES:

Information will be provided prior to the Commission Meeting.

ATTACHMENTS:

None

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 19, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Second Consideration of Ordinance related to Zoning Moratorium

STATEMENT/PURPOSE:

Second Consideration of Ordinance related to Zoning Moratorium

BACKGROUND/ALTERNATIVES:

On January 16, 2024, the City Commission adopted Ordinance No. 1442, implementing a temporary moratorium on the acceptance and processing of applications for self-storage facilities within Mandan and its extra-territorial zoning jurisdiction. The moratorium was enacted to allow for a comprehensive review of the City's zoning and land development regulations including those related to self-storage facilities.

Since then, staff has continued to advance the zoning ordinance study, which identified concerns with the City's current approach to permitting such development. Due to an approved schedule change, the project is now anticipated to be completed by the end of May, with adoption of new zoning provisions to follow.

To ensure adequate time for final public engagement, stakeholder input, and regulatory updates, staff is requesting the City Commission approve the first consideration of an ordinance extending the temporary moratorium until June 31, 2025. A draft is attached.

ATTACHMENTS:

1. Ordinance 1461 - Zoning Moratorium Extension

FISCAL IMPACT:

N/a

STAFF IMPACT:

A considerable amount of staff time has gone into the zoning ordinance study.

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of Ordinance 1461.

SUGGESTED MOTION:

I move to approve Ordinance 1461.

ORDINANCE NO. 1461

AN ORDINANCE ADOPTING AND ESTABLISHING AN EXTENSION OF THE TEMPORARY MORATORIUM PROHIBITING THE CITY OF MANDAN FROM RECEIVING AND PROCESSING APPLICATIONS FOR SELF-STORAGE FACILITIES WITHIN THE CITY LIMITS OF MANDAN AND ITS EXTRA-TERRITORIAL ZONING JURISDICTION.

WHEREAS, the City of Mandan has undertaken a comprehensive examination and evaluation of its zoning and land development ordinances, encompassing regulations concerning self-storage facilities, with the intention of utilizing the findings to recommend and propose amendments to the Planning and Zoning and City Commissions for consideration;

WHEREAS, an initial audit report for this ongoing study has revealed that the existing regulations pertaining to self-storage development do not align with adopted plans and best planning best practices. The City of Mandan foresees the enactment of new code provisions, rendering this moratorium unnecessary, upon adoption of the new code, or within four months from the date of this resolution's adoption;

WHEREAS, the moratorium established under Ordinance No. 1442 remains necessary as the City continues to evaluate and refine regulatory recommendations to align with best planning practices and community needs.

BE IT HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF MANDAN, NORTH DAKOTA, THAT:

No applications for self-storage facilities within the City of Mandan and its extra-territorial zoning jurisdiction will be processed until June 31, 2025.

This ordinance shall be in full force and effect on its passage and approval as provided by law.

James Froelich
President, Board of City Commissioners

Jim Neubauer
City Administrator

INTRODUCTION: February 4, 2025
FIRST CONSIDERATION: February 18, 2025
SECOND CONSIDERATION: March 4, 2025



City Commission

Agenda Documentation

MEETING DATE: March 4, 2025
PREPARATION DATE: February 26, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Bier, Deputy Chief of Police
SUBJECT: Consider Introduction and First Consideration of Ordinance No. 1462, which creates the prohibited camping ordinance.

STATEMENT/PURPOSE:

Consider Introduction and First Consideration of Ordinance Nos. 1462, which creates the prohibited camping ordinance.

BACKGROUND/ALTERNATIVES:

Cities in North Dakota, including Bismarck and Fargo, have recently passed ordinances prohibiting camping on public property and rights-of-way. Commissioner Sjoberg has requested that staff bring forward a proposed ordinance for the Board's consideration. This ordinance would largely mirror the ordinance currently in place in Bismarck. The ordinance prohibits camping on public property and rights-of-way. It also provides the police department the tools to give notice for personal property to be removed from public spaces.

The sleeping portion of the ordinance is narrower. It does not prohibit sleeping at parks or other public property, except on rights-of-way like alleys, streets, and sidewalks.

This ordinance has been reviewed by the Police Department, Public Works, the Park District, the Water Resource District, and Western Plains Public Health. Information related to the ordinance has also been provided to area human service providers. The ordinance is similar to ordinances being enacted by cities in North Dakota and across the country. It provides protection for the public and for unhoused individuals and reduces liability for the City, as it provides notice and a set process for removing items of personal property left on public property.

Violation of the ordinance is a Class B misdemeanor, which carries a maximum penalty of thirty days' imprisonment, a \$1,500 fine, or both. If the ordinance is enacted, the police department will provide guidance to its officers on implementing the ordinance, as well as a template for the 24-hour notice and information on resources for individuals affected by homelessness in the Bismarck-Mandan community.

ATTACHMENTS:

1. Ordinance 1462 - Prohibited Camping(19429716.1)
2. 24 HOUR NOTICE-PROHIBITED CAMPING(19470991.1)
3. Resources contact information

FISCAL IMPACT:

Minimal.

STAFF IMPACT:

Training and guidance for police officers related to implementation and enforcement of the ordinance.

LEGAL REVIEW:

Attorney Oster has drafted the attached ordinance.

RECOMMENDATION:

To approve the introduction and first consideration of Ordinance No. 1462 as presented.

SUGGESTED MOTION:

I move to approve the introduction and first consideration of Ordinance No. 1462 as presented.

ORDINANCE NO. 1462

An Ordinance to Enact New Section 18-1-11 to
Chapter 18 of the Mandan Code of Ordinances Relating to Prohibited Camping

Be it Ordained by the Board of City Commissioners as follows:

An Ordinance to create new Section 18-1-11 to Chapter 18 of the Mandan Code of Ordinances relating to prohibited camping is hereby enacted as follows:

Sec. 18-1-11. – Prohibited camping.

- (a) Definitions. Unless the context requires otherwise, the following definitions apply to this section:
- (1) “To camp” means to set up or to remain in or at a campsite.
 - (2) “Campsite” means any place where bedding, a sleeping bag, or other material used for bedding purposes, or any stove or fire, is placed, established, or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.
- (b) Sleeping on sidewalks, streets, alleys, or within doorways prohibited.
- (1) No person may sleep on public sidewalks, streets, or alleyways at any time as a matter of individual and public safety.
 - (2) No person may sleep in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk.
 - (3) In addition to any other remedy provided by law, any person found in violation of this section may be immediately removed from the premises.
- (c) Camping prohibited.
- (1) No person may occupy a campsite in or upon any sidewalk, street, alley, lane, public right of way, park, recreational area, bench, or any other publicly owned property or under any bridge or viaduct, unless: (i) otherwise specifically authorized by this Code; (ii) as part of an authorized, paid campsite; or (iii) by a formal declaration of the Chief of Police in emergency circumstances.
 - (2) Upon board resolution, the board of city commissioners may exempt a special event from the prohibitions of this section, if the board finds such exemption to be in the public interest and in accordance with conditions imposed by the Chief of Police. Any conditions imposed will include a condition requiring that the applicant provides evidence of adequate insurance coverage and agrees to indemnify the city for any liability, damage, or expense incurred by

the city as a result of activities of the applicant. Any findings by the board shall specify the exact dates and location covered by the exemption.

- (d) Removal of campsite on public property. Upon discovery of a campsite on public property, removal of the campsite by the police department may occur under the following circumstances:
 - (1) Prior to removing the campsite, the city shall post a notice 24 hours in advance.
 - (2) At the time the 24-hour notice is posted, if practicable, the city shall inform a local agency delivering social services to homeless individuals of the location of the campsite.
 - (3) After the 24-hour notice period has passed, the police department is authorized to remove the campsite and all personal property related thereto.
- (e) Disposition and release of personal property. For purposes of this section, “personal property” means any item reasonably recognizable as belonging to a person and having apparent utility or monetary value. Items having no apparent utility or monetary value and items in an unsanitary condition or which constitute a biohazard (including but not limited to items containing blood, feces, urine, or spoiled food) may be immediately discarded. Weapons, drug paraphernalia, items appearing to be stolen, and evidence of any crime may be retained as evidence by the police department until an alternate disposition is determined. All personal property removed from a campsite which is not retained, disposed of, or held as evidence as provided above shall be stored by the police department for a minimum of thirty days, during which time it shall be reasonably available for and released to an individual confirming ownership.
- (f) Mitigation. An offense under this section is a class B misdemeanor. Upon conviction for a violation of this section, in addition to any other factors deemed appropriate by the court, the court shall consider in mitigation whether or not the person immediately removed all personal property and litter, including but not limited to bottles, cans, and garbage, from the campsite after being informed it was in violation of the law.

By: _____
James Froelich, President, Board of
City Commissioners

Attest:

James Neubauer, City Administrator

First Consideration: March 4, 2025

Second Consideration and Final Passage: _____

Publication: _____



MANDAN POLICE DEPARTMENT
PROHIBITED CAMPING 02/25

This is a 24-hour notice giving you an opportunity to comply with Section 18-1-11 as listed below.

Officer issuing notice: _____

Property owner name (if known): _____ Location: _____

24-hour notice issued on: Date _____ Time: _____

18-1-11 Prohibited camping (Excerpt)

(a) Definitions. Unless the context requires otherwise, the following definitions apply to this section:

- (1) "To camp" means to set up or to remain in or at a campsite.
- (2) "Campsite" means any place where bedding, a sleeping bag, or other material used for bedding purposes, or any stove or fire, is placed, established, or maintained for the purpose of maintaining a temporary place to live, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

(b) Sleeping on sidewalks, streets, alleys, or within doorways prohibited.

- (1) No person may sleep on public sidewalks, streets, or alleyways at any time as a matter of individual and public safety.
- (2) No person may sleep in any pedestrian or vehicular entrance to public or private property abutting a public sidewalk.
- (3) In addition to any other remedy provided by law, any person found in violation of this section may be immediately removed from the premises.

(c) Camping prohibited.

- (1) No person may occupy a campsite in or upon any sidewalk, street, alley, lane, public right of way, park, recreational area, bench, or any other publicly owned property or under any bridge or viaduct, unless: (i) otherwise specifically authorized by this Code; (ii) as part of an authorized, paid campsite; or (ii) by a formal declaration of the Chief of Police in emergency circumstances.
- (2) Upon board resolution, the board of city commissioners may exempt a special event from the prohibitions of this section, if the board finds such exemption to be in the public interest and in accordance with conditions imposed by the Chief of Police. Any conditions imposed will include a condition requiring that the applicant provides evidence of adequate insurance coverage and agrees to indemnify the city for any liability, damage, or expense incurred by the city as a result of activities of the applicant. Any findings by the board shall specify the exact dates and location covered by the exemption.

Safekeeping Property Retrieval Notice

If your property is held for safekeeping under this ordinance, you must contact the Mandan Police Department to arrange pick up of your property within 30 days of the notice issued. Any property not claimed within that time will be considered abandoned and will be destroyed per departmental policy.

- A governmental issued photo ID is required for all releases.
- A notarized letter will be needed for any person other than the owner to collect the property for the owner.
- A background check is required to be completed on the individual intending to collect any firearm prior to the release.

Mandan PD/Evidence Phone Number: (701) 667-3250

Evidence Hours: 9 AM – 4 PM Monday through Friday (Closed major holidays)

****Appointments only – Walk-ins will not be served****

MENTAL HEALTH/ALCOHOL/SUBSTANCE ABUSE

TREATMENT/SUPPORT

A.D.A.P.T. – Behavioral Health Agency	701-255-3717
Alcohol Anonymous	701-222-2100
CHI/St. Alexius	701-530-5530
Heartview Foundation	701-222-0386
Narcotics Anonymous	800-494-8381
Native Inc.	701-595-5181
ND Teen Challenge	701-667-2131
Sanford Medical Center	701-323-6000
West Central Human Services	701-328-8888

TRANSITIONAL LIVING/SHELTERS

Abused Adult Resource Center (domestic violence/sexual assault) 24-hr. crisis line	701-222-8370 1-866-341-7009
United Way Emergency Shelter	701-401-5606
Welcome House (families only)	701-751-0142
Women's Action and Resource Center – Beulah (domestic violence/simple assault)	701-873-2274
Youthworks (emergency shelter ages 12-17 & transitional living ages 18-24)	701-255-6909

TRANSPORTATION

Aid Inc.	701-663-1274
Capitol Area Transit	701-751-6188
Dakota Taxi	701-989-8676
Native Inc. (clients only)	701-595-5181
North Dakota Association for the Disabled	800-532-6323
Taxi	701-223-9000
Uber/Lyft	App on Smart Phone

THRIFT STORES

Aid Inc.	701-663-2122
The Arc	701-258-1410
Dakota Boys and Girls Thrift Store	701-223-7979
Goodwill Store	701-222-7210
Heaven's Helpers Closet 701 919 E. Main Ave./2306 E. Broadway, Bismarck	701-751-1468
Second Chances	701-751-0208
Seeds of Hope	701-222-8895

ADDITIONAL RESOURCES

Adult Disability Resource Link (ADRL)	855-462-5465
Bismarck Global Neighbors	701-595-0135
Bismarck Police Department	701-223-1212
Burleigh County Sheriff Department	701-222-6651
Emmons County Sheriff Department	701-254-4411
Heaven's Helpers Repurpose Store	701-757-0405
Kidder County Sheriff Department	701-475-2422
Mandan Police Department	701-667-3250
McLean County Sheriff Department	701-462-8103
Mercer County Sheriff Department	701-745-3333
Morton County Sheriff Department	701-667-3330
ND Navigator (health insurance)	800-233-1737
Sheridan County Sheriff Department	701-363-2200
Sioux County Sheriff Department	701-854-3481



For additional copies of this pocket resource guide, contact MFP Housing at 800-233-1737.

Revised 5/19/23



This is not a complete list of services. For more information, call 2-1-1 or visit www.myfirstlink.org.

BISMARCK & SURROUNDING AREA RESOURCES:

ACCESS POINTS (If you are homeless you MUST start at one of the following highlighted places):

Abused Adult Resource Center (victims of domestic violence) 218 W. Broadway Ave., Bismarck	701-222-8370
24-hr. crisis line	1-866-341-7009
Community Action Program 2105 Lee Ave., Bismarck	701-258-2240
Ministry on the Margins 201 N. 24th St., Bismarck	701-223-6315
Native, Inc. 2403 E. Thayer Ave., Bismarck	701-595-5181
United Way Emergency Shelter 1140 S. 12th St., Bismarck	701-401-5606
Youthworks 217 W. Rosser Ave., Bismarck (24 years old & younger)	701-255-6909

EMPLOYMENT		
ADD Vocational Rehab	701-328-8800	
Command Center	701-250-9675	
Community Options	701-751-1406	
Job Service of ND	701-328-5000	
Labor Finders	701-258-6007	
Labor Max Staffing	701-751-7014	
Native Inc.	701-595-5181	
People Ready	701-258-9800	
HOUSING/RENTAL ASSISTANCE		
Aid Inc	701-663-1274	
Burleigh County Housing Authority	701-255-2540	
Community Action Program	701-258-2240	
Community Works	701-667-7600	
High Plains Fair Housing	701-203-1077	
Money Follows the Person Housing	800-233-1737	
Morton County Housing Authority	701-663-7494	
Native Inc.	701-595-5181	
North Dakota Housing Finance Agency	800-292-8621	
Salvation Army	701-223-1889	
Standing Rock Housing Authority	701-854-3891	
Supportive Services for Veteran Families	701-258-2240	
VA Supportive Housing (HUD-VASH)	701-200-1057	
Welcome House	701-751-0142	
PREPARED MEALS		
Dream Center – The Banquet	701-955-2150	
Heaven's Helpers Soup Cafe	701-751-7687	
220 N. 23rd St., Bismarck		
Spirit of Life Church	701-663-1660	
ADVOCACY/ADULT SERVICES		
Abused Adult Resource Center	701-222-8370	
(domestic violence/sexual assault)	1-866-341-7009	
24-hr. crisis line	701-328-2378	
HIV/STD/Ryan White Program	701-595-5181	
Native Inc.	800-233-1737	
ND Center for Persons with Disabilities	701-328-2950	
Protection & Advocacy	877-319-6044	
Social Security	855-462-5465	
Vulnerable Adult Protection Services		
VETERAN RESOURCES		
Service Member & Family Support	701-333-3800	
Supportive Services for Veteran Families	701-258-2240	
VA Supportive Housing (HUD-VASH)	701-200-1057	
Vet Center	701-224-9756	
LEGAL ASSISTANCE		
Legal Services (Under 60 years old)	800-634-5263	
Legal Services (60+ years)	866-621-9886	
COUNTY SOCIAL SERVICES		
Burleigh County Human Service Zones	701-222-6622	
Emmons County Human Service Zones	701-254-4502	
Grant County Human Service Zones	701-622-3706	
McLean County Human Service Zones		
Stanton	701-745-3384	
Washburn	701-462-3581	
Morton County Human Service Zones	701-667-3395	
Sheridan County Human Service Zones	701-363-2281	
Sioux County Human Service Zones	701-854-3821	
EMERGENCY FOOD PANTRY/FOOD ASSISTANCE PROGRAMS		
Abundance of Grace Pantry	701-595-0417	
Aid Inc	701-663-1274	
Bismarck Emergency Food Pantry	701-258-9188	
Community Action	701-258-2240	
Corpus Christi Church	701-255-4600	
Great Plains Food Bank	701-232-6219	
Ministry on the Margins	701-223-6315	
Salvation Army	701-223-1889	
SNAP Hotline	855-405-0000	
Spirit of Life Food Pantry	701-663-1660	
Supplemental Nutrition Assistance Program	701-222-6622	
Women, Infants, & Children Food Program (WIC)		
Bismarck	701-255-3397	
Mandan	701-667-3364	
MEDICAL/DENTAL SERVICES		
Bismarck-Burleigh Public Health	701-355-1540	
Bridging the Dental Gap	701-221-0518	
CHI/St. Alexius	701-530-7000	
Custer Family Health	701-667-3370	
Custer Family Planning	701-255-3535	
Experience Health ND	866-435-4306	
First Choice Clinic	701-751-4575	
Health Now (on-demand telemedicine)	701-988-9001	
Northland Community Health Center	701-255-4242	
Sanford Hospital	701-323-6000	
UND Family Practice Center	701-751-9500	
MEDICATION ASSISTANCE		
North Dakota Association for the Disabled	701-838-7345	