



**AGENDA
CITY COMMISSION
MARCH 18, 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

1. Quarterly work anniversary recognition

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider approval of the March 4, 2025 Board of City Commissioner meeting minutes

F. PUBLIC HEARING

1. Consider a zone change from A - Agriculture and MC - Industrial to A - Agriculture for Heart River Women's Transformational Center Addition

G. BIDS

H. CONSENT AGENDA

1. Consider approval of monthly bills

2. Consider approval for the following budget amendments and transfers:

- a. Administration
- b. Fire Department
- c. Information Technology
- d. Finance Department
- e. Public Works
- f. Building Inspections
- g. Assessing
- h. Human Resources
- i. Engineering
- j. *Planning Department*
- k. *Business Development & Communications*

3. Consider approval to apply for the 2025 America The Beautiful Program Development Grant

4. Consider a Budget Amendment to the 2025 Public Works Cemetery Department Budget

5. Consider approval for the purchase of a Street loader with snowplow using sourcewell bid pricing

6. Consider approval of a raffle permit for Bismarck High Football Boosters Foundation

7. Consider approval of a 2025 Budget Amendment for the Police Department

8. Consider additional Engineering budget transfer and amendment requests

9. Consider approval of a task order amendment from Advanced Engineering and Environmental Services to perform a Sewer backup surcharge analysis for the City's long-term financial plan

I. OLD BUSINESS

J. NEW BUSINESS

1. Consider Memorial Highway Engineering Service Agreement and Project Update
2. Consider acceptance of a State Homeland Security Grant through the North Dakota Department of Emergency Services.
3. Legislative Update

K. RESOLUTIONS AND ORDINANCES

1. Resolution Establishing Rates And Charges For Services At the Cemetery
2. First Consideration of Ordinance 1460, a zone change from A - Agriculture and MC - Industrial to A - Agriculture for Heart River Women's Transformational Center Addition
3. Second and final consideration of Ordinance No.1462, which creates the prohibited camping ordinance

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- - March 25, 2025, at 5:30 p.m. Special Meeting, Working Session Long Range Financial Planning
 - April 1, 2025, at 5:30 p.m. (Board of Equalization at 7 p.m.)
 - April 8, 2025, at 5:30 p.m. Special Meeting, Working Session Long Range Financial Planning
 - April 15, 2025 at 5:30 p.m.
 - May 6, 2025 at 5:30 p.m.

N. ADJOURN



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: February 20, 2025
SUBMITTING DEPARTMENT: HR
DEPARTMENT DIRECTOR: Amy Berger
PRESENTER: Amy Berger, HR Director
SUBJECT: Quarterly work anniversary recognition

STATEMENT/PURPOSE:

To recognize work anniversaries of quarter one.

BACKGROUND/ALTERNATIVES:

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

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

3 years:

Megan Rohde - Police Officer

~~Brian Schmidt - Utility Operator II~~ *start date incorrect initially - updated.*

5 years:

Benjamin Buchmiller - PT Firefighter

Jace Timpe - Mechanical Supervisor

Alyson Gross - Equipment Operator II

10 years:

Brad Glass - Utility Maintenance Superintendent

15 years:

Candy Fleck - Clerk of Court

Matthew Hennessy - Firefighter

20 years:

Brian Dirk - Street Maintenance Superintendent

25 years:

Kenneth Albrecht - Water Treatment Plant Operator III

Jim Neubauer - City Administrator

ATTACHMENTS:

None

FISCAL IMPACT:

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

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

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

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

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

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

The total fiscal impact of the first quarter will be \$1,300.00

STAFF IMPACT:

NA

LEGAL REVIEW:

NA

RECOMMENDATION:

Recognition only. No action required.

SUGGESTED MOTION:

Recognition only. No action required.

The Mandan City Commission met in regular session at 5:30 PM on March 4, 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, James Froelich, Craig Sjoberg, Ryan Heinsohn. Commissioner Michael Braun was absent. Department heads present were City Administrator Neubauer, Finance Director Welch, Assistant City Engineer McAdoo-Roesler, Deputy Police Chief Bier, 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

D. APPROVAL OF AGENDA Commissioner Rohr moved and Commissioner Heinsohn seconded to approve the agenda as presented. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

E. MINUTES

1. *Consider approval of the following Board of City Commissioner minutes:.*

a. *Feb. 18, 2025 Regular Meeting.* Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve as presented. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

b. *Feb. 25, 2025 Special Meeting.* Commissioner Sjoberg moved and Commissioner Rohr seconded to approve as presented. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

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.* Commissioner Sjoberg asked to pull item 1 for discussion. Assistant City Engineer McAdoo-Roesler presented the item. Commissioner Rohr moved and Commissioner Heinsohn seconded to approve consent agenda item 1 as presented. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

2. *Consider acceptance of the High Intensity Drug Trafficking Area (HIDTA) grant.* Commissioner Rohr moved and Commissioner Heinsohn seconded to approve items 2-10 as presented. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

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.* Planner Stromme presented the item. The perspective buyer, Steven Mittleider, addressed the commission. His request is to be able to figure out the zoning issues at the March 24 Planning & Zoning meeting, but have the board vote on the purchase of the land at this meeting. Commissioner Sjoberg moved and Commissioner Rohr seconded to deny the offer. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

2. *Consider adoption of the 2024 Morton County Local Emergency Operations Plan.* Morton County Emergency Manager Patrick Martin presented the item. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve the resolution adopting the Morton County Local Emergency Operations Plan. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

3. *Consider a Growth Fund committee recommendation for a Storefront Improvement application for 1307 1st St NE.* Business Development & Communications Director Cermak presented the item. Commissioner Rohr moved and Commissioner Heinsohn seconded 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. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

4. *Consider a Growth Fund committee recommendation for a Storefront Improvement application for 1311 1st St NE.* Business Development & Communications Director Cermak presented the item. Commissioner Heinsohn moved and Commissioner Sjoberg seconded 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. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

5. *Legislative Update.* Administrator Neubauer provided an update on bills City staff is following closely. The legislature is currently in cross-over, with a short break and will return in session later this week. This was an update only, no action required.

K. RESOLUTIONS AND ORDINANCES

1. *Second and final consideration of Ordinance 1461 related to extension of the Zoning Moratorium.* Planner Stromme presented the ordinance. No changes have been made since the first reading. There have been no comments or interest received since the first consideration of the ordinance. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to approve Ordinance 1461. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

2. *Introduction and First Consideration of Ordinance No.1462, which creates the prohibited*

camping ordinance. Deputy Police Chief Bier presented the item. The police department did receive a letter from the executive director of Ministry on the Margins. In general, the letter is in support of the ordinance. Commissioner Sjoberg moved and Commissioner Rohr seconded to approve the introduction and first consideration of Ordinance No. 1462 as presented. Roll Call vote: Aye 4, Nay 0 (Absent Commissioner Braun). The motion passed.

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.*

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N. ADJOURN There being no further business to come before the board, the meeting adjourned at 6:22 p.m.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 12, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a zone change from A - Agriculture and MC - Industrial to A - Agriculture for HRWTC Addition.

STATEMENT/PURPOSE:

Consider a zone change from A - Agriculture and MC - Industrial to A - Agriculture for HRWTC Addition.

BACKGROUND/ALTERNATIVES:

The State of North Dakota Department of Corrections requests consideration of a zone change 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.

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.

Final Plat

The final plat was approved at Planning & Zoning Commission on February 24 and City Commission on March 4.

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 application and fee of \$600 was received on January 29, 2025.
- This item was published in the Mandan News as required. Forty-one letters were sent to adjacent property owners on February 25, 2025.

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 Zone Change

1. The City of Mandan and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by this zone change;
2. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;

3. The proposed zoning change is consistent with the Future Land Use Plan, other adopted plans and policies, and accepted planning practice;
4. The proposed zoning change would not adversely affect public health, safety and general welfare.

ATTACHMENTS:

1. Application
2. Final Plat
3. draft Ord. 1460
4. Zoning Map
5. 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 conducting a public hearing and approving the first consideration under resolutions and ordinances.

SUGGESTED MOTION:

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)	
This application is submitted in conjunction with the HRWTC Addition plat to change this property to a single MB zoning designation as required by code.	

Engineer/Surveyor			Property Owner or Applicant		
Name Andrew Schrank, PE - Highlands Engineering			Name State of ND		
Address 319 24th St E			Address 701 16th Ave SW		
City Dickinson	State ND	Zip 58601	City Mandan	State ND	Zip 58554
email schrank@highlandseng.com			email cjangula@nd.gov		
Phone 701-483-2444		Fax 701-483-2611	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	ETA	☐ New	☐ Addition	A & MB	MB	HRWTC Addition
Property Address				Legal Description		
701 16th Ave SW				Lot 1, Block 1, HRWTC Addition		
Current Use						
Correctional Center						
Proposed Use						
Correctional Center				Section 28/33	Township 139N	Range 81W
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking
86.91 ac	See Enclosed Site Plan	1	±240,000	±116		122

Print Name Chris Jangula	Signature Chris Jangula Digitally signed by Chris Jangula Date: 2025.01.21 17:03:08 -06:00	Date
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Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: \$ 1050. ⁰⁰	Date: 1-29-2025
Notice in paper	Mailed to neighbors	P&Z meeting	
☐ Approved	Approved with conditions:		
☐ Denied			

HRWTC ADDITION

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

LEGAL DESCRIPTION

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

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

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

SURVEYOR'S CERTIFICATE

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

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

KC HOMISTON, LS-5466

STATE OF _____ }
COUNTY OF _____ } SS

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

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

PROPRIETOR'S CERTIFICATE

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

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

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

STATE OF _____ }
COUNTY OF _____ } SS

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

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

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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

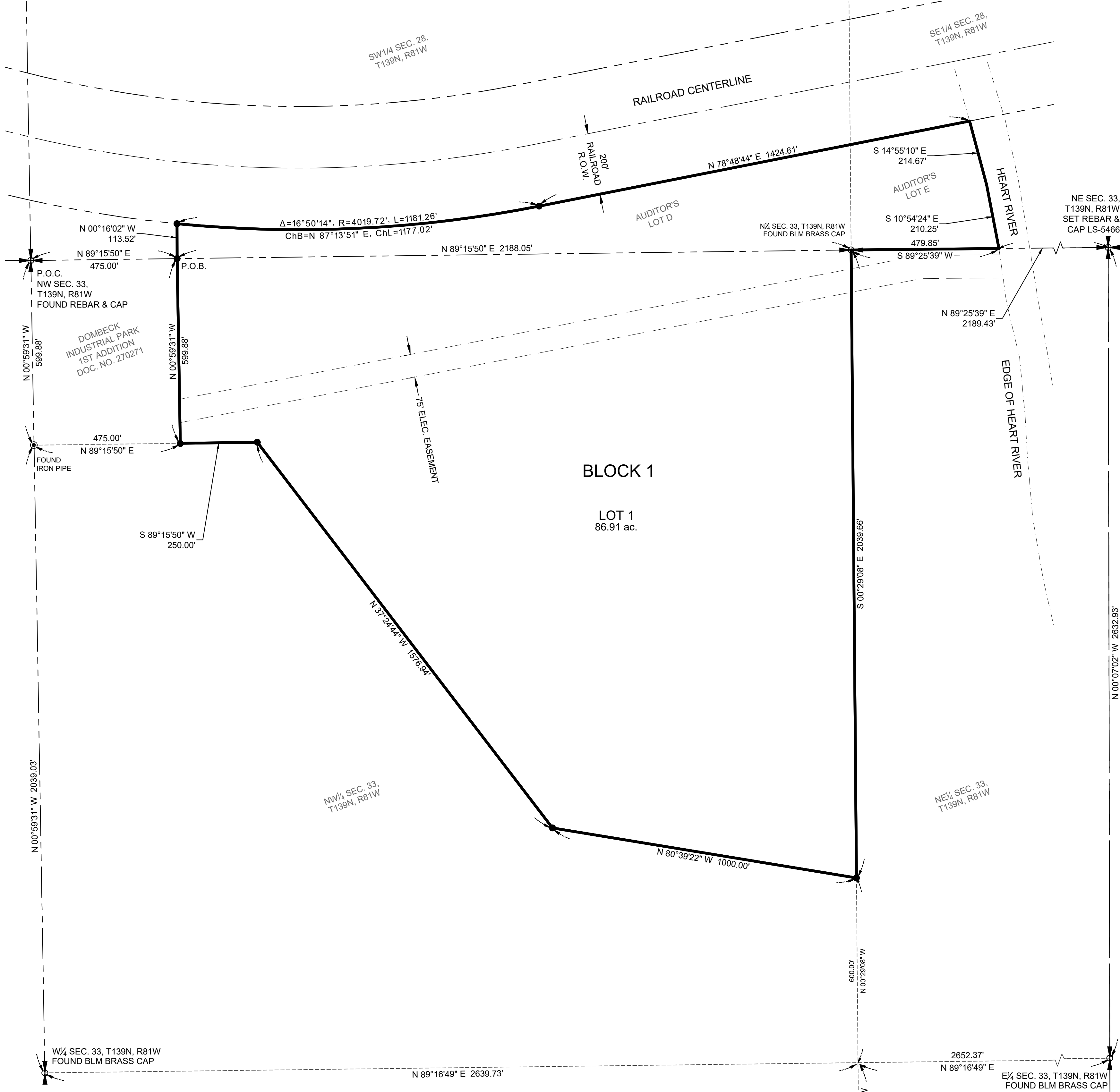
BY: _____
JAMES FROELICH, MAYOR

BY: _____
JIM NEUBAUER, CITY ADMINISTRATOR

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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

BY: _____
JAREK WIGNESS, CITY ENGINEER



LEGEND

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

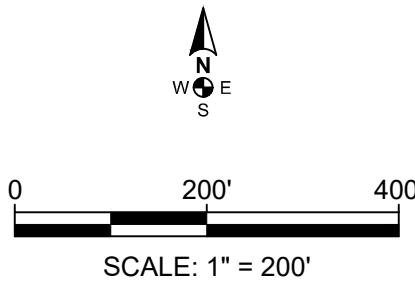
SURVEY NOTES

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

**HIGHLANDS
ENGINEERING**

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

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



ORDINANCE NO. 1460

AN ORDINANCE TO AMEND AND REENACT SECTION 105-2-2 OF THE MANDAN CODE OF ORDINANCES RELATING TO DISTRICT BOUNDARIES AND ZONING MAP OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA.

WHEREAS, The Mandan Land Use and Transportation Plan designates the subject property as public land use; and

WHEREAS, Adjacent properties are 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 would be appropriate; and

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

SECTION 1. ZONING AMENDMENT. Section 105-2-2 of the Mandan Code of Ordinances is amended to read as follows:

HRWTC ADDITION OF SECTIONS 28 & 33, TOWNSHIP 139N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

SAID TRACT OF LAND CONTAINING 86.91 ACRES, MORE OR LESS.

- SHALL BE REMOVED FROM THE A - AGRICULTURE AND MC – INDUSTRIAL DISTRICTS AND SHALL BE INCLUDED IN THE A – AGRICULTURE DISTRICT.

SECTION 2. RE-ENACTMENT. Section 105-2-2 of the Mandan Code of Ordinances is hereby re-enacted as amended. The city planner is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

James Froelich, President
Board of City Commissioners

Attest:

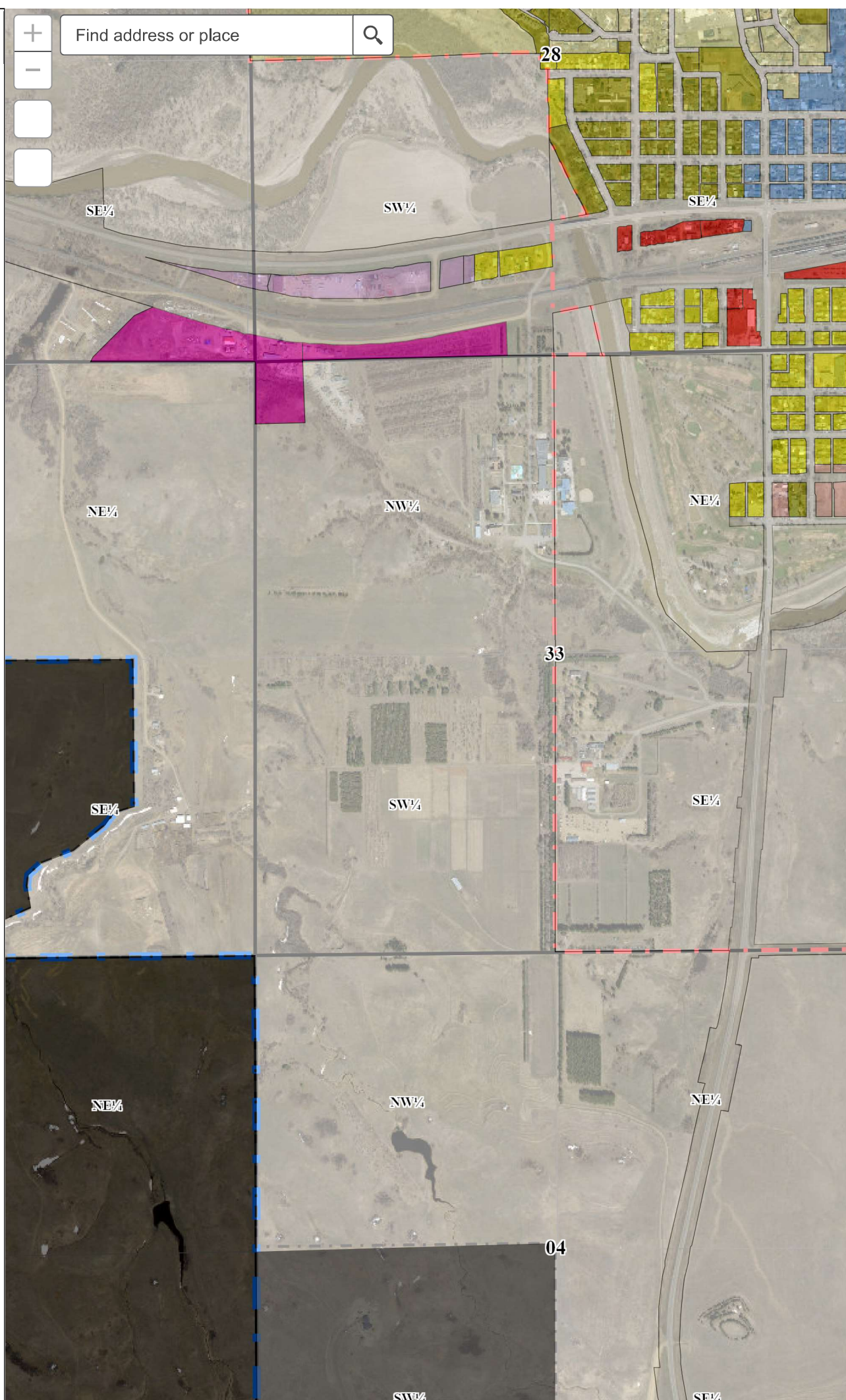
Jim Neubauer
City Administrator

Planning and Zoning Commission:
First Consideration:
Second Consideration and Final Passage:

February 24, 2025
March 18, 2025
April 1, 2025



- | | |
|--|---|
| | 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 |



0.2mi
-100.851 46.829 Degrees

All rights reserved



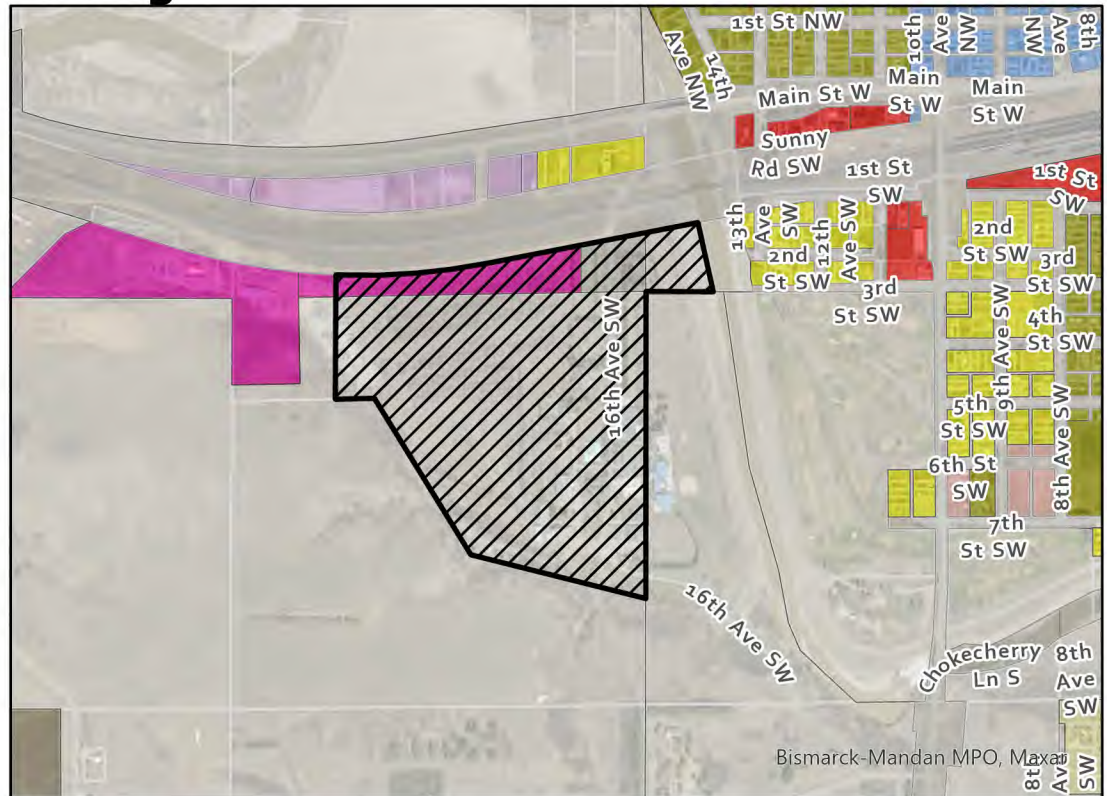
Zoning and Future Land Use Reference Map

Heart River Annexation

Zoning

Zoning Map Key

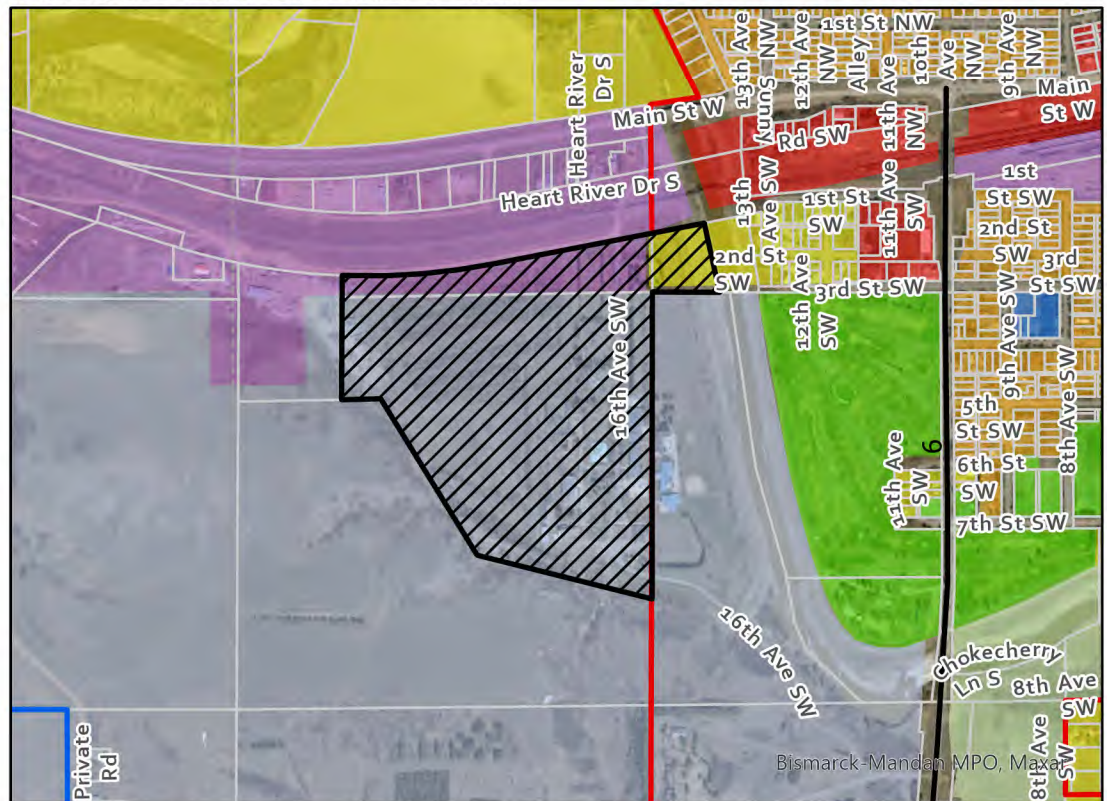
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light 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 18, 2025
PREPARATION DATE: March 1, 2025
SUBMITTING DEPARTMENT:
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT:

STATEMENT/PURPOSE:

BACKGROUND/ALTERNATIVES:

ATTACHMENTS:
None

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 6, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider 2024 Budget Transfer to 2025 Budget

STATEMENT/PURPOSE:

Consider transferring unused funds from the 2024 budget to the 2025 budget.

BACKGROUND/ALTERNATIVES:

Visitors Fund:

- The City Commission approved (Aug. 15, 2023) a recommendation from the Visitors Committee for funding assistance related to a Welcome to Mandan monument structure near the east end of Memorial Highway. Work continues on the design and potential use of stones from the existing bridge piers.

ATTACHMENTS:

None

FISCAL IMPACT:

Visitors Fund - Welcome Structure - \$270,000

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

To approve the request from the administration department to transfer the amount listed above related to the Visitors Fund from the 2024 budgets to the 2025 budget related to the project above.

SUGGESTED MOTION:

i move to approve the request from the administration department to transfer the amount listed above related to the Visitors Fund from the 2024 budget to the 2025 budget related to the project above.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 4, 2025
SUBMITTING DEPARTMENT: Fire
DEPARTMENT DIRECTOR: Mitch Bitz
PRESENTER: Mitch Bitz, Fire Chief
SUBJECT: Consider carrying over 2024 Capital Outlay funds to 2025

STATEMENT/PURPOSE:

Consider carrying over 2024 Capital Outlay funds to 2025

BACKGROUND/ALTERNATIVES:

In 2024, Fire Department Staff secured funding to allow for security cameras and card access controls to be installed at both fire stations 1 and 2. As part of the process, the 2024 capital outlay budget was amended to allow for the initial purchase of the equipment, knowing that the funds will be reimbursed after project completion. The project was not fully completed until 2025, thus we are respectfully requesting that we transfer \$52K (\$50,309.43 for installed equipment and \$1,690 for remaining incidental project expenses) from 2024 Fire Department capital outlay (100.126.62112) to 2025 Fire Department Capital Outlay

ATTACHMENTS:

None

FISCAL IMPACT:

Transfer \$52K from 2024 fire department capital outlay budget (100.126.62112) to 2025 budget

STAFF IMPACT:

N/A

LEGAL REVIEW:

Attorney Oster's Office has reviewed this request

RECOMMENDATION:

To transfer \$52K from 2024 fire department capital outlay budget (100.126.62112) to 2025 budget

SUGGESTED MOTION:

I move to transfer \$52K from 2024 fire department capital outlay budget (100.126.62112) to 2025 budget



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 7, 2025
SUBMITTING DEPARTMENT: Information Technology
DEPARTMENT DIRECTOR: Karie Mischel
PRESENTER: Karie Mischel, Computer Information Systems Manager
SUBJECT: Consider 2024 Budget Transfer to 2025 Budget

STATEMENT/PURPOSE:

Consider transferring unused funds from the 2024 budget to the 2025 budget

BACKGROUND/ALTERNATIVES:

In 2024, Information Technology (IT) staff began the process of purchasing new computer equipment. However, due to staffing issues and other projects, not all the planned purchases were completed before the end of the year.

To ensure these essential purchases are made in 2025, we are requesting the transfer of \$34,405.26 from the 2024 Information Technology Capital Outlay fund to the 2025 Information Technology Capital Outlay fund.

This transfer will allow us to finalize the procurement of the necessary equipment in year 2025, ensuring that the IT department has the required equipment to meet its operational needs.

ATTACHMENTS:

None

FISCAL IMPACT:

The capital outlay budget for Information Technology was approved in 2024

STAFF IMPACT:

NA

LEGAL REVIEW:

RECOMMENDATION:

Approve the request from the Information Technology department to transfer \$34,405.26 from the 2024 budget to the 2025 budget

SUGGESTED MOTION:

I move to approve the request from Information Technology department to transfer \$34,405.26 from the 2024 budget to the 2025 budget



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 8, 2025
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch, Finance Director
SUBJECT: Transfer funds from 2024 budget to 2025 budget and expenditure budget amendments to 2024 budget.

STATEMENT/PURPOSE:

To approve the request from the finance department to transfer funds from the 2024 budget to the 2025 budget and approve the expenditure budget amendments to the 2024 budget.

BACKGROUND/ALTERNATIVES:

On December 17, 2024, the Board of City Commissioners approved a Task Order Amendment from Advanced Engineering and Environmental Services to perform a utility rate analysis for the City's long-term financial plan. The City has a budget balance of \$29,800 from the long-term financial planning project that will need to be transferred from the finance department 2024 budget to the 2025 budget in the Water & Sewer Utility Fund. In addition, the City has expenditures that need budget amendments to the 2024 budget. The City had revenue collections, receivables, and/or existing cash balances available at year-end to offset these expenditures, however, amendments to the 2024 budget are recommended at this time.

ATTACHMENTS:

1. 2024 Expenditure Budget Amendments

FISCAL IMPACT:

Transfer of \$29,800 from the finance department 2024 budget to the 2025 budget in the Water & Sewer Utility Fund.

STAFF IMPACT:

None

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve the request from the finance department to transfer \$29,800 from the 2024 budget to the 2025 budget in the Water & Sewer Utility Fund and approve the expenditure budget amendments to the 2024 budget.

SUGGESTED MOTION:

I move to approve the request from the finance department to transfer \$29,800 from the 2024 budget to the 2025 budget in the Water & Sewer Utility Fund and approve the expenditure budget amendments to the 2024 budget.

2024 EXPENDITURE BUDGET AMENDMENTS

Fund	Purpose	Total
Cemetery	Operations & Maintenance	\$ 6,098
City Visitors' Promotion	2% City Lodging Taxes	\$ 7,589
Public Transportation System	Tax Collections	\$ 305
0.75% City Sales Tax	Bank of ND (Series 2016A Bonds)	\$ 3,638,991
Narcotics Task Force Asset	Metro Area Narcotics Task Force	\$ 45,573
Narcotics Task Force Grant	Metro Area Narcotics Task Force	\$ 151,214
Civil Asset Forfeiture	Metro Area Narcotics Task Force	\$ 6,400
Narcotics Task Force-HIDTA Grant	Metro Area Narcotics Task Force	\$ 129,717
AARC Grant	Abused Adult Resource Center	\$ 70,494
BSA Police Explorer Program	Police Department	\$ 11,706
SANE Grant	Sanford Bismarck	\$ 11,460
DCAC Grant	Dakota Children's Advocacy Center	\$ 77,420
Health & Safety	Special Assessment Repairs & Services	\$ 117,675
Refunding Improvement Bonds	Bank of ND Infrastructure Loans	\$ 763,701



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 10, 2025
SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Shane O'Keefe
PRESENTER: Shane O'Keefe, Public Works Director
SUBJECT: Public Works

STATEMENT/PURPOSE:

Public Works

BACKGROUND/ALTERNATIVES:

Due to ongoing projects and program development, several budget transfers are proposed to carry over funds from the 2024 budget to the 2025 budget across multiple Public Works departments.

A transfer of \$20,851 from the 2024 Public Works Ground Maintenance Department to the 2025 Ground Maintenance weed cutting and spraying line item (100.161.52124) is requested. This funding will allow for the continuation and further development of the city's weed spraying program to maintain well-kept and respectable public grounds.

Additionally, a \$6,000 transfer from the 2024 Public Works Forestry Department Capital Outlay (100.151.62114) to the 2025 Forestry Department Capital Outlay (100.151.62114) is proposed. This is a grant carryover from Marathon that will be used for tree planting initiatives across the city.

A transfer of \$1,341 from the 2024 Public Works Forestry Department Pards Tree Planting Program (100.151.59412) to the 2025 program (100.151.59412) is also recommended. This will support the continued growth of the forestry department while enhancing the Pards program to encourage greater citizen participation.

Finally, a transfer of \$399,000 from the 2024 Public Works Utility Maintenance Department Capital Outlay Collection System Projects Budget (601.660.622223) to the 2025 budget (601.660.622223) is proposed. These funds are associated with a 2024 project that remains incomplete and will be utilized to ensure its successful completion.

These transfers are necessary to maintain the continuity of essential projects and

programs while effectively utilizing budgeted funds.

ATTACHMENTS:

None

FISCAL IMPACT:

Transfer \$20,851 from 2024 Public Works Ground Maintenance Department to the 2025 Ground Maintenance (100.161.52124) weed cutting and spraying line item.

Transfer \$6K from 2024 Public Works Forestry Department Capital Outlay (100.151.62114) to the 2025 Forestry Department Capital Outlay (100.151.62114).

Transfer \$1,341 from 2024 Public Works Forestry Department Pards Tree Planting Program (100.151.59412) to the 2025 Forestry Department Pards Tree Planting Program (100.151.59412)

Transfer \$399K from 2024 Public Works Utility Maintenance Department Capitol outlay Collection System Projects Budget (601.660.622223) to the 2025 Public Works Utility Maintenance Department Capitol outlay Collection System Projects Budget (601.660.622223)

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

Transfer \$20,851 from 2024 Public Works Ground Maintenance Department to the 2025 Ground Maintenance (100.161.52124) weed cutting and spraying line item.

Transfer \$6K from 2024 Public Works Forestry Department Capital Outlay (100.151.62114) to the 2025 Forestry Department Capital Outlay (100.151.62114).

Transfer \$1,341 from 2024 Public Works Forestry Department Pards Tree Planting Program (100.151.59412) to the 2025 Forestry Department Pards Tree Planting Program (100.151.59412)

Transfer \$399K from 2024 Public Works Utility Maintenance Department Capitol outlay

Collection System Projects Budget (601.660.622223) to the 2025 Public Works Utility Maintenance Department Capitol outlay Collection System Projects Budget (601.660.622223)

SUGGESTED MOTION:

I move to Transfer \$20,851 from 2024 Public Works Ground Maintenance Department to the 2025 Ground Maintenance (100.161.52124) weed cutting and spraying line item.

I move to Transfer \$6K from 2024 Public Works Forestry Department Capital Outlay (100.151.62114) to the 2025 Forestry Department Capital Outlay (100.151.62114).

I move to Transfer \$1,341 from 2024 Public Works Forestry Department Pards Tree Planting Program (100.151.59412) to the 2025 Forestry Department Pards Tree Planting Program (100.151.59412)

I move to Transfer \$399K from 2024 Public Works Utility Maintenance Department Capitol outlay Collection System Projects Budget (601.660.622223) to the 2025 Public Works Utility Maintenance Department Capitol outlay Collection System Projects Budget (601.660.622223)



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 11, 2025
SUBMITTING DEPARTMENT: Building Inspections
DEPARTMENT DIRECTOR: Jordan Singer
PRESENTER: Jordan Singer, Building Official
SUBJECT: Consider 2024 Budget Transfers to 2025 Budget

STATEMENT/PURPOSE:

Consider transferring funds from the 2024 Budget to the 2025 Budget.

BACKGROUND/ALTERNATIVES:

During 2024 we switched Building Permit software. This change brought extra costs to get items set up. This is continuing into 2025 with the transfer of all permit data from the last 10 years being transferred into the new system.

ATTACHMENTS:

None

FISCAL IMPACT:

\$8,000 dollars from the 2024 Budget, transferred to the 2025 Budget. Books and Subscriptions, line item 59114

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

To approve the request from the Building Inspections department to transfer the amount listed above related to Subscriptions from the 2024 budget to the 2025 budget.

SUGGESTED MOTION:

I move to approve the request from the Building Inspections department to transfer the

amount listed above related to the Subscriptions Fund from the 2024 budget to the 2025 budget.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 11, 2025
SUBMITTING DEPARTMENT: Assessing
DEPARTMENT DIRECTOR: Kimberly Markley
PRESENTER: Kimberly Markley, City Assessor
SUBJECT: Budget Amendment

STATEMENT/PURPOSE:

Consider transferring unused funds from the 2024 budget to the 2025 budget.

BACKGROUND/ALTERNATIVES:

Professional Fees & Services

I have budgeted to purchase the Sketch Inspect Program from Eagleview. The program compares the sketches in our CAMA program to aerial photos in Eagleview.

ATTACHMENTS:

None

FISCAL IMPACT:

Professional Fees and Services - Sketch Inspect - \$4,815

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

To approve the request from the assessing department to transfer \$4,815 from the 2024 budget to the 2025 budget Professional Fees and Services fund.

SUGGESTED MOTION:

I move to approve the request from the assessing department to transfer \$4,815 from the 2024 budget to the 2025 budget Professional Fees and Services fund.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 12, 2025
SUBMITTING DEPARTMENT: HR
DEPARTMENT DIRECTOR: Amy Berger
PRESENTER: Amy Berger, HR Director
SUBJECT: Consider 2024 Budget Transfers to 2025 Budget

STATEMENT/PURPOSE:

Consider transferring unused funds from the 2024 budget to the 2025 budget.

BACKGROUND/ALTERNATIVES:

Safety and Wellness Committee:

- There is \$291.98 remaining in the Safety and Wellness Committee fund for 2024. These funds will be used for First Aide training and other safety initiatives that will be held in 2025.

ATTACHMENTS:

None

FISCAL IMPACT:

Transfer of \$291.98 from the Safety and Wellness Committee budget in 2024 to the 2025 budget.

STAFF IMPACT:

NA

LEGAL REVIEW:

NA

RECOMMENDATION:

To approve the request from the HR department to transfer \$291.98 from the 2024

budget to the 2025 budget under the Safety and Wellness Committee fund (55117).

SUGGESTED MOTION:

I move to approve the request from the HR department to transfer \$291.98 from the 2024 budget to the 2025 budget under the Safety and Wellness Committee fund. (55117).



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 12, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Engineering

STATEMENT/PURPOSE:

To consider and possibly approve 2024 budget transfers to 2025.

BACKGROUND/ALTERNATIVES:

The Engineering department has several budgeted 2024 efforts that will extend into 2025. As a result, we are requesting the following 2024 budget transfers to 2025:

1% City Sales Tax Fund

Cemetery Geotechnical Evaluation

Requesting \$360,255 to be transferred to 2025 for the contract with Moore Engineering

Capital Improvement Plan Assistance

Requesting \$25,581 to be transferred to 2025 for the contract with Moore Engineering

Capital Improvement Planning

Requesting \$22,829 to be transferred to 2025 for the contract with AE2S

Water & Sewer Utility Fund

ND LCRR PWS Public Notification

Requesting \$607 to be transferred to 2025 for the contract with AE2S

Stormwater Management Ordinance & Design Standards Manual

Requesting \$18,639 to be transferred to 2025 for the contract with Houston Engineering

Wastewater Treatment Facility Master Plan Update

Requesting \$18,570 to be transferred to 2025 for the contract with AE2S

Terra Vallee Sewer Improvements

Requesting \$110,283 to be transferred to 2025 for the contract with Apex Engineering

Master Lift Station BRIC Grant

Requesting \$85,179 to be transferred to 2025 for the contract with Apex Engineering

ATTACHMENTS:

None

FISCAL IMPACT:

These projects all have approved remaining budgets for the amounts listed, no additional funds are being requested.

STAFF IMPACT:

Minimal.

LEGAL REVIEW:

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

RECOMMENDATION:

To approve the budget transfer requests, as presented.

SUGGESTED MOTION:

I move to approve the Engineering budget transfer requests, as presented.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 17, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Planning 2024 / 2025 Budget Transfer

STATEMENT/PURPOSE:

Planning Department 2024 Budget Transfer Request

BACKGROUND/ALTERNATIVES:

The Planning Department requests a transfer of \$14,757 from the 2024 Capital Outlay (100.112.62114) to the same line item for 2025 to cover the completion of Mandan's Zoning Study.

A 2024 budget amendment allocated additional funds for developer engagement, but invoicing is still pending.

The enhanced engagement has yielded significant benefits for the project.

ATTACHMENTS:

None

FISCAL IMPACT:

These projects all have approved remaining budgets for the amounts listed, no additional funds are being requested.

STAFF IMPACT:

Minimal

LEGAL REVIEW:

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

RECOMMENDATION:

To approve the budget transfer requests, as presented.

SUGGESTED MOTION:

I move to approve the budget transfer requests, as presented.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 17, 2025
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Madison Cermak
PRESENTER: Madison Cermak, Business Development & Communications Director
SUBJECT: Transfer of funds from 2024 Growth Fund Budget to 2025 Budget

STATEMENT/PURPOSE:

To consider transferring funds from the 2024 Growth Fund budget to the 2025 budget for approved economic development projects and business development operations.

BACKGROUND/ALTERNATIVES:

GROWTH FUND

I request to transfer the following amounts to the 2024 budget for the completion of specific projects and initiatives:

Economic Development (224.224.65118) = \$100,000

Requesting a transfer from the line item from 2024 to 2025 for the following:

- Storefront Improvement Projects (in process not yet completed)
 - \$90,000 - Midwest Rentals
 - \$10,000 - Missouri Valley Rentals

ATTACHMENTS:

None

FISCAL IMPACT:

Finance Director Greg Welch has reviewed the request and indicates the funding is available.

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

I recommend transferring amounts outlined from the FY2024 budget balance to FY2025 budget for the Mandan Growth Fund and Business Development and Communications Department operations.

SUGGESTED MOTION:

I move to approve the outlined budget transfers for the Growth Fund from the fiscal year 2024 budget balance to the fiscal year 2025 budget.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 4, 2025
SUBMITTING DEPARTMENT: Public Works- (Forestry)

DEPARTMENT DIRECTOR: Shane O'Keefe
PRESENTER: Shane O'Keefe, Public Works Director
SUBJECT: Consider approval to apply for the 2025 America The Beautiful Program Development Grant.

STATEMENT/PURPOSE:

Consider allowing the forestry department to apply for an America the Beautiful Program Development Grant to assist with the cost of Dutch Elm Disease tree removal and selective ash removal on boulevards, right-of-ways, and other public property.

BACKGROUND/ALTERNATIVES:

The Forestry Department has applied for this grant when available through the North Dakota Forest Service to help offset the financial burden that comes with removal of Dutch Elm Disease-infected trees and selective ash on public property.

ATTACHMENTS:

None

FISCAL IMPACT:

Said grant awards up to \$10,000 in reimbursement funding. The forestry department has a line item specifically for yearly tree removal (30k). Said grant will help supplement some of the costs the city will incur.

STAFF IMPACT:

N/A

LEGAL REVIEW:

City Commission

Agenda Documentation

March 18, 2025

Subject: Consider approval to apply for the 2025 America The Beautiful Program Development Grant

Page 2 of 2

N/A

RECOMMENDATION:

I recommend allowing the forestry department to apply for the 2025 America The Beautiful Program Development Grant.

SUGGESTED MOTION:

I move to allow the forestry department to apply for the 2025 America The Beautiful Program Development Grant.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 11, 2025
SUBMITTING DEPARTMENT: Cemetery
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT: Consider a Budget Amendment to the 2025 Public Works Cemetery Department Budget

STATEMENT/PURPOSE:

Consider a Budget Amendment to the 2025 Public Works Cemetery Department Budget

BACKGROUND/ALTERNATIVES:

The amendment to the budget is necessary due to an insurance claim for the Union Cemetery sign, which was damaged in October 2024. The claim was processed and completed in 2025, but the repair costs should have been accounted for in 2024. Due to the delay in repairs, the expenses were paid in 2025. The claimant's insurance company covered the full cost of the damages and repairs. This amendment serves as a simple accounting adjustment to reflect the timing of the transaction accurately.

ATTACHMENTS:

None

FISCAL IMPACT:

\$7,800 added to the Cemetery repairs and maintenance budget (208.208.60312)

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

To amend the 2025 Public Works budget to include an additional \$7,800

City Commission

Agenda Documentation

March 18, 2025

Subject: Consider a Budget Amendment to the 2025 Public Works Cemetery Department Budget

Page 2 of 2

SUGGESTED MOTION:

I move to amend the 2025 Public Works budget to include an additional \$7,800



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 11, 2025
SUBMITTING DEPARTMENT: Public Works-Street
DEPARTMENT DIRECTOR: Shane O'Keefe
PRESENTER: Shane O'Keefe, Public Works Director
SUBJECT: Consider approval for the purchase of a Street loader using sourcewell contract pricing

STATEMENT/PURPOSE:

Consider approval for the purchase of a Street loader using source well contract pricing

BACKGROUND/ALTERNATIVES:

As part of the approved 2025 budget, the City has allocated funds for the purchase of a new wheeled loader for street maintenance operations. To ensure cost efficiency and competitive pricing, we will be utilizing Sourcewell contract bid pricing to acquire a CAT 938 wheeled loader equipped with a snowplow.

In addition to Sourcewell pricing, we conducted a market comparison with other manufacturers to confirm that we are securing fair market value. Selecting the CAT 938 aligns with our existing fleet, allowing for greater compatibility with spare parts and streamlining maintenance and repairs. This continuity enhances efficiency for our mechanics and operations team by leveraging their familiarity with the equipment, ultimately improving service response times and reducing downtime.

This machine will be an addition to our fleet as we continue to expand in response to the City's growth. With the planned addition of Memorial Highway to our maintenance responsibilities in 2027, building our fleet now ensures we are well-prepared to meet future demands efficiently.

ATTACHMENTS:

1. City of Mandan 938 2025 Final Machine

FISCAL IMPACT:

An amount of \$294,000 will be charged to the 2025 Capital Outlay account (100.131.62114)

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

I recommend approving the purchase of a Street Loader replacement using sourcewell contract pricing.

SUGGESTED MOTION:

I move to approve the purchase of a Street Loader replacement using sourcewell contract pricing.



Feb 03, 2025

CITY OF MANDAN
PUBLIC WORKS DEPARTMENT
411 6TH AVE SW
MANDAN, North Dakota 58554-4016



Dear City of Mandan,

We are pleased to quote the following for your consideration.

Caterpillar Model: NEW CAT 938 Wheel Loader *(CAT Sourcewell Contract #011723)*

MACHINE SPECIFICATIONS

938 14A WHEEL LOADER	LIGHTS, AUX, LED, PREMIUM
LANE 3 ORDER	LIGHTS, ROADING, LED, RH
PREP PACK, UNITED STATES	STANDARD RADIO (12V)
PRODUCT LINK, CELLULAR PLE643	WINDSHIELD ACCESS STEPS, NONE
FILM GP, WARNING, PL, ANSI	FENDERS, STANDARD
STANDARD LIFT, COUPLER READY	CTWT, HEAVY,3770LBS,7PCS
HYDRAULICS, STANDARD	TOOLBOX AUX
HYDRAULICS, 3V	HYDRAULIC OIL, STANDARD
JOYSTICK 3V, STEERING WHEEL	SERIALIZED TECHNICAL MEDIA KIT
STEERING WHEEL, STANDARD	LINES, AUX 3RD, STD LIFT
DIFFERENTIAL,LIMITED SLIP REAR	RIDE CONTROL
ENVIRONMENT, STANDARD	BEACON, WARNING, STROBE, AMBER
WEATHER, COLD START 120V	GUARD, POWERTRAIN, LOWER
CAB, STANDARD	ANTIFREEZE, -50C (-58F)
AIR CONDITIONING, R134A REF	BREATHING GROUP
ENGINE	TIRES,20.5R25 MX XSNOPUS * L2 (Chloride x2)
PUSH START, PASSCODE SECURITY	QUICK COUPLER,FUSION,EXT DUTY
CAMERA, REAR VIEW	JUMPER LINES, AUX 3RD, FUSION
MIRROR, BASE	BUCKET-GP, 3.5 YD3, FUS, BOCE
SEAT, DELUXE, TILT AND TELE	

SELL PRICE CAT 938 WHEEL LOADER (Sourcewell Contract #011723).....\$273,118.00

Caterpillar Model: NEW CAT 14' SNOW PLOW (CAT Sourcewell Contract #011723)

SNOW PLOW, 14 FOOT, FUSION COUPLER HOOKS.....\$20,569.00

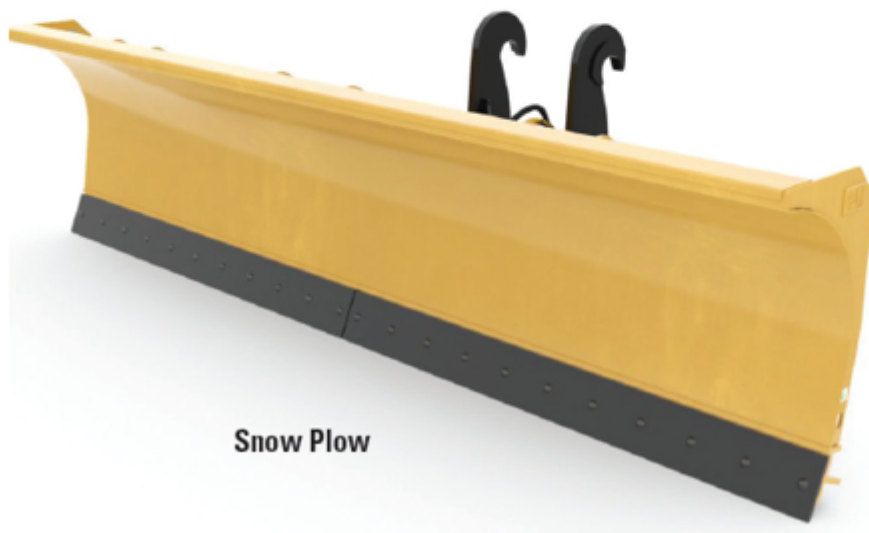
Snow Plow, Hydraulic angling 25 degrees left/right over center

Width straight - angled: 4265mm (168") - 3875mm (153")

Includes: 2 non trip steel edges, 2 skids and connecting lines.

FOR USE WITH: Fusion Coupler

REQUIRES: 3rd valve on machine



Snow Plow

Caterpillar Model: 938 Wheel Loader**STANDARD EQUIPMENT**

POWERTRAIN -Cat C7.1 ACERT engine --Auto Idle shut down feature --Auto Engine RPM --Power modes (Standard and Performance) --Power by range (High power in range 4) --Tier 4 final/Stage V compliant --Turbocharged and aftercooled --Filtered crankcase breather --Diesel particulate filter --Selective catalyst reduction -Dry type air cleaner -Coolant protection to -34C (-29F) -Fuel priming pump, automatic -Fuel Water separator -Auto Differential lock in front axle -Axle seal guards -Enclosed wet disc full hydraulic brakes -Parking brake, electric -Lubed for life driveshafts -

HYDRAULICS -S-O-S ports -Hydraulic sight gauge, visible -Load sensing hydraulics and steering -Seat mounted hydraulic joystick controls -Hydraulic diagnostic connectors and -medium, slow) -Hydraulic response setting (fast, -in Fork Mode -Fine mode control (fast, medium, slow) -mechanical end stops -Cylinder damping at kickout and -Bucket and fork modes, adjustable in-cab -adjustable in-cab -Automatic lift and bucket kickouts,

POWERTRAIN -oil -S-O-S port,engine,coolant,transmission -Hydraulically driven demand cooling fan -per inch density -Single plane cooling package wide 6 fins --Creeper control, adjust ground speed -torque --Auto Rimpull control, adjust wheel -Medium, Slow) --Directional shift aggressiveness (Fast, -and Ice) --Operator modes(TC, Hystat, Single Pedal -control -Hydrostatic transmission with electronic

HYDRAULICS -Cat Payload 250 hours of Demo -

OPERATOR ENVIRONMENT -Ground level cab door release -Hydraulic control lockout -Interior cab lighting, door -Lunch box storage

ELECTRICAL -Alternator, 115-amp, heavy duty -12V power supply in cab (2) -Batteries, 1,000 CCA (2) 24 volt system, -disconnect switch -Back up alarm -Emergency shutdown switch -LED rear stop and turn lights -Heavy duty gear reduction starter -Product Link -Remote jump start post -Resettable main and critical function -breakers -Roading lights front and rear -

OPERATOR ENVIRONMENT -75 mm (3 in) retractable seatbelt -Automatic temperature control -Cab, enclosed ROPS/FOPS pressurized -and sound suppressed -Push to Start -8 Inch Touch Screen -Jog Dial with Screen Control -Programmable Joystick -Cup holders -External heated mirrors with lower -parabolic -Operator warning system indicators

OTHER STANDARD EQUIPMENT -adjustable close/open force -Parallel lift loader linkage -Recovery hitch with pin -Remote mounted lubrication points -Vandalism protection- -lockable compartments -1000 hour Service Intervals -(after initial 500)

OPERATOR ENVIRONMENT -Radio ready speakers -Rear window defrost, electric -Seat mounted electronic implement -controls, adjustable -Sliding glass on the side windows -Column mounted multi function control --lights, wipers, turn signal -Suspension seat, fabric -Tilt steering wheel -Tinted front glass -Wet arm wiper/washer, 2-speed and -intermittent, front -Wet arm wiper washer, rear -Mounting Provision -Gauges --Digital hour meter, odometer and -tachometer --Digital ground speedometer and -direction indicator --Engine coolant temperature gauge --Fuel and diesel exhaust fluid level -indicator --Hydraulic oil temperature gauge -

WARRANTY

Standard Warranty:

12 Months Standard Warranty including 12 Months Mileage.

Extended Warranty:

938 - 60 MONTH / 2500 HOUR PREMIER COVERAGE

F.O.B/TERMS: Butler Machinery Bismarck N.D.

We believe the equipment as quoted will exceed your expectations. Thank you for the opportunity to quote this equipment.

Sincerely,

Kasey Erickson
Machine Sales Representative
KaseyErickson@butlermachinery.com
701-400-2903



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 12, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of a raffle permit for Bismarck High Football Boosters Foundation

STATEMENT/PURPOSE:

Consider approval of a raffle permit for Bismarck High Football Boosters Foundation

BACKGROUND/ALTERNATIVES:

One-time 50/50 raffle on March 23, 2025, at Send it! 24/7 Cornhole during the fundraising Corn Hole Tournament. See attached permit.

ATTACHMENTS:

1. Raffle Permit 2025-21

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the raffle permit for Bismarck High Football Boosters Foundation.

SUGGESTED MOTION:

City Commission

Agenda Documentation

March 18, 2025

Subject: Consider approval of a raffle permit for Bismarck High Football Boosters Foundation

Page 2 of 2

I move to approve the raffle permit for Bismarck High Football Boosters Foundation.



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

Permit Number
2025-21

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 Bismarck High Football Boosters Foundation		Dates Authorized (Read Instruction 2) March 23rd, 2025	
Organization or Group Contact Person Megan Schlafman	E-mail demonboosters2018@gmail.com	Telephone Number 7014254193	
Mailing Address PO Box 300	City Bismarck	State ND	ZIP Code 58504

SITE INFO

Site Name Send-It! 24/7 Cornhole		County Morton	
Site Address 1700 E Main St	City Mandan	State ND	ZIP Code 58554
If the city or county is placing restrictions on the permit, please explain N/A			
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) One time 50/50 raffle on March 23rd 2025, at 'Send It! 24/7 Cornhole' during fundraising cornhole tournament.			

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

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

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

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

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

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

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

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

CITY OR COUNTY CONTACT PERSON

Printed Name of City or County Official Michael Breid	Title of City or County Official Sergeant	Telephone Number 701-667-3250	E-mail Address mbreid@mandanpd.com
Signature of City or County Official 		Date 03/12/2025	Issuing Governing Body ☒ City ☐ County

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

Information required to be preprinted on a standard raffle ticket:

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

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

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

INSTRUCTIONS:

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

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

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

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



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (9-2023)

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games to be conducted ☐ Raffle by a Political or Legislative District Party

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

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

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

ORGANIZATION INFO

Name of Organization or Group Bismarck High Football Boosters Foundation		Dates of Activity (Does not include dates for the sales of tickets) March 23, 2025	
Organization or Group Contact Person Megan Schlafman	E-mail demonboosters2018@gmail	Telephone Number (701) 425-4193	
Business Address 1405 S 3RD St	City Bismarck	State ND	ZIP Code 58504
Mailing Address (if different) PO Box 300	City Bismarck	State ND	ZIP Code 58504

SITE INFO

Site Name Send-It! 24/7 Cornhole		County Morton	
Site Physical Address 1700 E main St	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 23, 2025 50/50 Raffle (1time)			

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

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

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds Support BHS Demons Football program	
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: 2215.00 (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 Megan Schlafman	Telephone Number (701) 425-4193	E-mail Address demonboosters2018@gmail.com
Signature of Organization Group's Permit Organizer Megan Schlafman	Title Treasurer	Date 3.10.2025



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 12, 2025
SUBMITTING DEPARTMENT: Police
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Bier, Deputy Chief of Police
SUBJECT: Consider approval of a 2025 Budget Amendment for the Police Department.

STATEMENT/PURPOSE:

Consider approval of a 2025 Budget Amendment for the Police Department.

BACKGROUND/ALTERNATIVES:

The Police Department's approved 2025 Capital Outlay budget includes the purchase of equipment for 4 new police officers. The equipment includes portable radios, tasers, and body cams. The cost of the items is higher than what I estimated for the budget. The radios have already been purchased and came with a rebate from the State of ND for \$6,000.00. This rebate was in the form of a check to the City and will be deposited into the General Fund. I am requesting the \$6,000.00 be put back into the Capital Outlay fund to assist in purchasing the remaining equipment. I am also requesting \$5,000.00 be used from the Police Asset Forfeiture Account to complete the purchase of the needed equipment. The total budget amendment requested is \$11,000.00.

ATTACHMENTS:

None

FISCAL IMPACT:

\$6,000.00 to be added to the Police Department Capital Outlay budget (100.121.62114) from the General Fund. And \$5,000.00 to be used from the Police Asset Forfeiture Account.

STAFF IMPACT:

None.

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve the 2025 budget amendment for the police department of \$11,000.00.

SUGGESTED MOTION:

I move to approve the 2025 budget amendment for the police department of \$11,000.00.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 13, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider additional Engineering budget transfer requests

STATEMENT/PURPOSE:

To consider and possibly approve 2025 budget transfer requests from 2024 departmental savings and 2025 budget amendments.

BACKGROUND/ALTERNATIVES:

Engineering Support Services - (2024 Departmental Savings to 100.113.52114)

The engineering department has approved engineering agreements in place to assist with City tasks. We are requesting that **\$109,000** of departmental savings be carried over for engineering services in 2025. In 2024, the Engineering department utilized about \$123,000 in professional services to supplement its internal capabilities. While the department can handle most duties internally, the volume or complexity of a task occasionally warrants the use of external help. We expect the following complex tasks to continue in 2025: MS4 program development, incremental specification refinement, grant application support, and more.

Wastewater Treatment Repairs - (2024 Departmental Savings to 601.659.60312)

The wastewater treatment plant staff experienced a litany of unexpected expenses during 2024. This included over six times the budgeted amount of heavy equipment repairs (\$50K vs. a budgeted \$8K) and increased tractor rental expenses for biosolids removal. Still, the department experienced overall budget savings. We are requesting that **\$28,000** of 2024 budget savings be transferred to 2025 to account for some of these unexpected breakdowns, which we can expect to occur more and more frequently as the plant ages.

Water Treatment Intake Maintenance - (601.658.60310)

With the new water intake structure substantially completed last year, water treatment staff experienced unexpected intake obstructions during the winter months. This

required the use of divers to clear the structure. Staff expects this maintenance process to be required annually and is requesting an additional **\$20,000** out of the City Utility Fund in the 2025 equipment repairs and maintenance budget to account for this.

Wastewater Treatment Biosolids Removal - (601.659.52148)

The wastewater treatment plant staff is now expecting tractor rental prices to increase significantly in 2025 from previous years. The department is requesting an addition **\$20,000** out of the City Utility fund to account for this increase.

ATTACHMENTS:

None

FISCAL IMPACT:

The Engineering department requests include a total of \$137,000 of budgeted transfers from 2024 to 2025, and \$40,000 of additional dollars out of the City Utility Fund to better align the 2025 maintenance budgets with expectations.

STAFF IMPACT:

Minimal.

LEGAL REVIEW:

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

RECOMMENDATION:

To approve the Engineering budget requests, as presented.

SUGGESTED MOTION:

I move to approve the Engineering budget requests, as presented.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 12, 2025
SUBMITTING DEPARTMENT: Public Works Utility Maintenance Department
DEPARTMENT DIRECTOR: Shane O'Keefe
PRESENTER: Shane O'Keefe, Public Works Director
SUBJECT: Consider approval of a task order amendment from Advanced Engineering and Environmental Services to perform a Sewer backup surcharge analysis for the City's long-term financial plan

STATEMENT/PURPOSE:

Consider approval of a task order amendment from Advanced Engineering and Environmental Services to perform a Sewer backup surcharge analysis for the City's long-term financial plan

BACKGROUND/ALTERNATIVES:

The proposed amendment to the existing engineering agreement includes additional services related to sewer rate adjustments. Specifically, the Engineer will:

- Develop a rate design for a sewer backup surcharge fee.
- Prepare five-year projections for future revenue collections and reserve balances

To compensate for these additional services, the Engineer will be paid a lump sum of \$3,000, bringing the total agreement amount to \$130,500. The draft rate design and projections are expected to be completed within one month of the amendment's approval. This amendment ensures the necessary financial planning and rate structure adjustments to support the City's long-term sewer utility management.

ATTACHMENTS:

1. P00510-2023-001_AE2S_City of Mandan_Long-Term Financial Planning_5

FISCAL IMPACT:

\$3,000 would need to come from the water and sewer Utility Fund

STAFF IMPACT:

Having this in place would make it easier for utility maintenance employees to handle situations when a citizen's home is affected

LEGAL REVIEW:

The Task Order Amendment was submitted to the City Attorney for review and approval.

RECOMMENDATION:

To approve the Task Order Amendment from Advanced Engineering and Environmental Services to perform a Sewer backup surcharge analysis for the City's long-term financial plan and to amend the 2025 Budget in the Water & Sewer Utility Fund for the amount of \$3,000.

SUGGESTED MOTION:

I move to approve the Task Order Amendment from Advanced Engineering and Environmental Services to perform a Sewer backup surcharge analysis for the City's long-term financial plan and to amend the 2025 Budget in the Water & Sewer Utility Fund for the amount of \$3,000.

AMENDMENT TO TASK ORDER No. 5

Amendment No. 2

Effective Date of Task Order: **August 15, 2023**
Owner: **City of Mandan**
Engineer: **Advanced Engineering and Environmental Services, LLC**
Specific Project: **Long-Term Financial Planning**

Nature of Amendment:

- ☒ Additional Services to be performed by Engineer
- ☒ Modifications of payment to Engineer
- ☒ Modifications to time(s) for rendering services

Description of Modifications:

- a. Engineer shall perform the following additional services:
 - Develop one (1) rate design for a sewer backup surcharge fee;
 - Develop five (5) year projections for future revenue collections and reserve balances.
- b. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation on a lump sum basis of \$3,000.00.
- c. The schedule for rendering services under this Amendment is modified as follows:
 - Draft rate design and projections approximately one (1) month from signed amendment.

Agreement Summary:

Original agreement amount:	\$ 74,500.00
Net change for prior amendments:	\$ 53,000.00
This amendment amount:	\$ 3,000.00
Adjusted Agreement amount:	\$ 130,500.00

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Article 4 of the Agreement.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is March 18, 2025.

OWNER:

City of Mandan

By:**Date:**

Name: James Froelich

Title: Mayor

ENGINEER:

Advanced Engineering and Environmental Services,
LLC

By: Jordan Geiger
Jordan Geiger (Mar 12, 2025 11:21 CDT)

Date: Mar 12, 2025

Name: Jordan Geiger

Title: Operations Manager



City Commission

Agenda Documentation

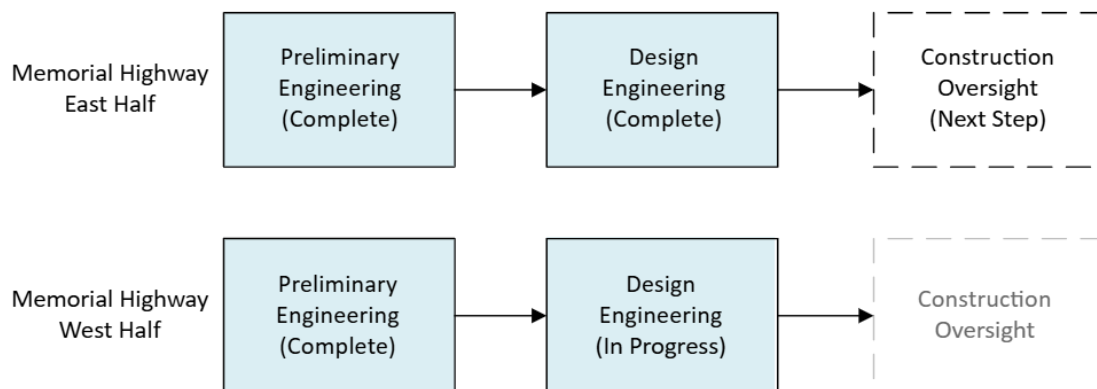
MEETING DATE: March 18, 2025
PREPARATION DATE: March 10, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Memorial Highway Engineering Service Agreement and Project Update

STATEMENT/PURPOSE:

To consider an amendment to our contract with HDR for construction oversight during the Memorial Highway Project, and to update the commission on the status of the project.

BACKGROUND/ALTERNATIVES:

Since 2019, HDR has been working with the City and the North Dakota Department of Transportation (NDDOT) to design and bid the Memorial Highway Reconstruction Project. Bids were opened for the first phase of this effort in December 2024, and a contract was awarded to Reede Construction for the segment from 32nd Ave SE to 46th Ave SE. Construction is expected to begin on April 1st. In order to be properly represented on and engaged with the project, we need to amend our agreement with HDR to include construction oversight and communication services.



The construction oversight for this project relates only to the city utility construction as NDDOT is performing the road oversight internally. HDR has subcontracted the construction oversight to AE2S, who was heavily involved in the design of these improvements.

ATTACHMENTS:

1. Amendment 5 to Engineering Agreement - Memorial Highway

FISCAL IMPACT:

The proposed amendment would add \$667,355 to the contract, increasing the total from \$1,764,528 to \$2,431,883. This is an expected amendment, and was accounted for during the special assessment calculations. There is one more expected amendment left, which would add construction oversight of the West Half. We usually phase out our engineering contracts like this to mitigate risk to the City.

STAFF IMPACT:

Significant effort working alongside HDR to execute the project.

LEGAL REVIEW:

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

RECOMMENDATION:

To approve the amendment, as presented.

SUGGESTED MOTION:

I move to approve the amendment to our engineering service contract with HDR, as presented.

AMENDMENT TO AGREEMENT
FOR
ENGINEERING SERVICES

WHEREAS:

HDR ENGINEERING, INC. ("HDR") entered into an Agreement on April 16, 2019 to perform engineering services for Memorial Highway – City Utilities ("Project");

CITY OF MANDAN desires to amend this Agreement in order for HDR to perform services beyond those previously contemplated;

HDR is willing to amend the agreement and perform the additional engineering services.

NOW, THEREFORE, HDR and CITY OF MANDAN do hereby agree:

The Agreement and the terms and conditions therein shall remain unchanged other than those sections and exhibits listed below;

Additional scope of services for final design activities included in Exhibit A.

The not to exceed fee estimate will be increased \$667,355.00 for the additional scope of services. The total contract amount will increase from \$1,764,528.00 to \$2,431,883.00 and if desired by the OWNER can be amended as necessary.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:

HDR ENGINEERING, INC. ("HDR")

CITY OF MANDAN ("OWNER")

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT A

March 2025

City of Mandan PROJECT SCOPE OF SERVICES – Amendment 5 HDR Engineering, Inc.

PROJECT OVERVIEW

The North Dakota Department of Transportation (NDDOT) is proposing to reconstruct Memorial Highway from Main Street to 46th Avenue in Mandan (the Project). This scope and fee outlines construction engineering services (CE) for the east portion of the project from 32nd Avenue to 46th Avenue, PCN 23277. CE includes oversight of City utility construction (water and sanitary sewer) and outreach services to support the City in informing area businesses and residents.

SCOPE OF SERVICES TO BE PERFORMED:

Task 100 – Project Administration

101 Project Staff Meetings

HDR's project manager will monitor project milestones and conduct staff meetings as needed to coordinate with project staff and to discuss work plan. The project scope and budget will be tracked and City of Mandan will be notified of potential changes.

102 Coordination with the City of Mandan

Coordination will take place with City of Mandan staff throughout the project. Communications methods may include in person meetings, phone calls and e-mails. Meeting minutes will be prepared and distributed to meeting attendees. Assist the City with project cost updates for financial planning.

Key Understandings and Assumptions:

- Monthly project cost updates.

103 QC/QA Reviews

QC/QA reviews will be conducted in accordance with an agreed upon Project QC/QA plan

Key Understandings and Assumptions:

- Each deliverable will have one hour of review.
- Reviews will be conducted concurrently by both City of Mandan staff and NDDOT to streamline the review process and keep the submission of final deliverables timely.
- Where possible and as mutually decided upon by the City of Mandan and HDR, reviews of different deliverables (e.g., web updates and newsletter content) will be conducted concurrently to streamline the review process and keep the submission of final deliverables timely.

104 Progress Reporting and Invoicing

HDR will prepare and submit monthly progress reports and invoices to City of Mandan.

Deliverables

- Progress Reports
- Invoices

Task 200 – 900 included in previous scope of services

Task 1000 – Construction Engineering Services

Subconsultant: Advanced Engineering & Environmental Services, LLC

See Attached Scope of Services

Task 1100 – Public Outreach Services

1101 Project Communication Protocols

HDR will develop a communications plan to serve as the roadmap for outreach and education. This plan will include contact information for NDDOT Bismarck District construction staff, NDDOT Communication staff, City of Mandan staff, and supporting contacts. The goal of the plan will be to provide communication hierarchy and a flow chart to guide disseminating project information.

1102 Project Website Updates

HDR will provide content for up to six (6) web updates and design up to six (6) graphics to be published on the City's website. Content for updates will be provided, at most, once every two weeks during construction season assuming an end date of June 2026 unless a longer timeframe, based on ongoing construction, is mutually agreed upon.

The content will cover information related to the existing construction progress including, but not limited to the planned construction schedule, the contractor, and subcontractors working on this project, descriptions of construction activities, equipment working, and interviews with project personnel, community leaders and the general public.

Key Understandings and Assumptions:

- The City of Mandan will maintain and post updates to the City's website.
- HDR will not be responsible for designing, developing, hosting, or management of a project website.

1103 Monthly Newsletter Content

HDR will provide content for up to 12 newsletters by the 15th of the month during construction season, assuming an end date of June 2026 unless a longer timeframe, based on ongoing construction, is mutually agreed upon.

The content will cover information related to the existing construction progress including, but not limited to the planned construction schedule, the contractor, and subcontractors working on this project, descriptions of construction activities, equipment working, and interviews with project personnel, community leaders and the general public.

Key Understandings and Assumptions:

- The City of Mandan will mail the newsletter to residents and distribute the newsletter via email to those who have signed up to receive it.
HDR will submit newsletter content to the client by the 5th of the month to allow for review and revisions. The final content will be approved by the 10th to prepare the newsletter for publication on the 15th of the month.

1104 Project Flyer and Business Card

Project Flyer: HDR will design and produce up to one (1) informational flyer to direct residents to the project website for up-to-date construction updates and relevant information. The flyer will include a clear, visible QR code that, when scanned, will direct users to the project page on the City of Mandan's website where they can access the important details pertaining to the construction progress, schedule, and updates. HDR will work closely with the City of Mandan's Business Development & Communications Department provide content that is accurate and aligns with the City's messaging strategy.

Business Card: HDR will design up to one (1) business card to provide contact information to residents with questions or concerns related to the construction process. The card will feature the contact information of designated project contacts who are available to answer inquiries or resolve issues regarding the project. The design will be user-friendly, so residents have clear, quick access to the appropriate contact for specific project-related questions or concerns. The business card design will be reviewed and approved by the City of Mandan's Business Development & Communications Department prior to printing.

Key Understandings and Assumptions:

- The City of Mandan will be responsible for printing and distributing the flyers and business cards. HDR will provide the necessary design files in the appropriate formats (e.g., JPEG, PNG, or PDF) for printing.

1105 Social Media and Text Updates

Social Media: HDR will coordinate with the City of Mandan's Business Development & Communications Department to develop a social media content calendar/schedule. Project specific accounts will not be created. Content will be prepared and provided to the City of Mandan's Business Development & Communications Department for publishing at their discretion on their existing accounts. Content will be developed to fit the intended use. HDR will provide content for up to 28 social media posts and design up to seven (7) graphics. Up to one (1) social media post will be provided every other week during construction season assuming an end date of June 2026 unless a longer timeframe, based on ongoing construction, is mutually agreed upon. The City of Mandan may choose to post materials to multiple social media channels.

The content will cover information related to the existing construction progress including, but not limited to the planned construction schedule, the contractor, and subcontractors working on this project, descriptions of construction activities, equipment working, and interviews with project personnel, community leaders and the general public.

Text Updates: HDR will coordinate with the City of Mandan's Business Development & Communications Department to develop text-based updates related to construction progress. HDR will provide content for up to 24 texts. Content for text updates will be provided twice a month during construction season assuming an end date of June 2026 unless a longer timeframe, based on ongoing construction, is mutually agreed upon.

The content will cover information related to the existing construction progress including, but not limited to traffic and detour alerts, safety precautions, unplanned construction or traffic disruptions, and new road openings or changes.

Key Understandings and Assumptions:

- The City of Mandan and the contractor will provide regular imagery, including but not limited to ground and drone imagery, video and audio soundbites, and panoramic video from the construction site to document progress and update the public. HDR will provide instruction on specific needs for communication channels.
- The City of Mandan will be responsible for long-term video hosting and distribution on their website, video platform(s) and social media channel(s).
- The City of Mandan is responsible for the distribution of text updates.
- The City of Mandan will be the primary decision-maker on the final content and timing of text updates. HDR will provide content drafts and recommendations, but the City will have final approval before distribution.
- The frequency and timing of text updates will be mutually agreed upon by HDR and the City of Mandan based on the project's status, key milestones, and public need for information.

1106 Corridor Visualization

HDR will produce up to one (1) photorealistic photo composite to visually represent the Memorial Highway project. The visualization will showcase a before-and-after perspective, aiding the public in understanding the potential impact and changes resulting from the project. HDR will coordinate with the City of Mandan to develop copy for the final deliverable, such as titles, callouts, descriptive text, or annotations.

Key Understandings and Assumptions:

- HDR will utilize model files that outline the area to be built and captured for the Memorial Highway project.
- HDR will use high-quality aerial photographs for the photo composition process.
- The final photorealistic image will be delivered in the requested file format (JPG, PNG, PDF, or other preferred format).
- This deliverable includes two rounds of reviews and updates. Further reviews or updates beyond these two rounds may incur additional costs.

PROJECT SCHEDULE

HDR will schedule activities and work to meet the milestone dates listed below.

ACTIVITY	PROJECTED END DATE
Construction anticipated to occur in 2025 and be complete in June 2026	6/30/2026



HDR Engineering 2025 Hourly Billing Rates

Billing Title	Billing Rate
Managing Principal	280
Project Manager 7	280
Project Manager 6	260
Project Manager 5	240
Project Manager 4	225
Project Manager 3	210
Project Manager 2	195
Project Manager 1	180
Engineer 11	280
Engineer 10	260
Engineer 9	240
Engineer 8	225
Engineer 7	210
Engineer 6	195
Engineer 5	180
Engineer 4	165
Engineer 3	150
Engineer 2	135
Engineer 1	125
System Integrator 4	225
System Integrator 3	195
System Integrator 2	175
System Integrator 1	155
CADD/GIS Technician 6	185
CADD/GIS Technician 5	165
CADD/GIS Technician 4	145
CADD/GIS Technician 3	125
CADD/GIS Technician 2	115
CADD/GIS Technician 1	105
Technician 5	170
Technician 4	150
Technician 3	135
Technician 2	115
Technician 1	105

Billing Title	Billing Rate
Right of Way 4	195
Right of Way 3	175
Right of Way 2	155
Right of Way 1	120
Right of Way Coordinator	105
Environmental/Hydrologist/Geologist 6	210
Environmental/Hydrologist/Geologist 5	195
Environmental/Hydrologist/Geologist 4	170
Environmental/Hydrologist/Geologist 3	150
Environmental/Hydrologist/Geologist 2	130
Environmental/Hydrologist/Geologist 1	110
Surveyor 5	190
Surveyor 4	170
Surveyor 3	150
Surveyor 2	130
Surveyor 1	110
Construction Manager 5	245
Construction Manager 4	235
Construction Manager 3	215
Construction Manager 2	205
Construction Manager 1	185
Strategic Comm/Graphic Designer 4	165
Strategic Comm/Graphic Designer 3	145
Strategic Comm/Graphic Designer 2	130
Strategic Comm/Graphic Designer 1	105
Project Controller	120
Project Accountant	110
Project Assistant	105
Admin Assistant	85



Rates shall be adjusted annually. HDR may hire contract workers that will be assigned a billing rate based on this rate sheet. HDR has technical experts in various geographic locations that may be utilized based on specific project need. This specialized expertise will be billed at the below rates.

Billing Title	Billing Rate
Technical Expert 9	375
Technical Expert 8	355
Technical Expert 7	335
Technical Expert 6	315
Technical Expert 5	305
Technical Expert 4	285
Technical Expert 3	265
Technical Expert 2	245
Technical Expert 1	225

REIMBURSABLE EXPENSES

Reimbursable Expense shall mean actual expenses incurred for travel, meals, subconsultants, shipping, and other incurred expense. If negotiated with Owner in the contract, HDR will add an agreed to percentage mark-up to subconsultant invoices to cover administrative expenses and vicarious liability. Specialty equipment charges apply to specific equipment used on the project.

Expense	Rate
Traffic Counting Equipment	\$120.00 per hour
Survey/GPS Equipment	\$50.00 per hour
Robotic Total Station	\$50.00 per hour
Side-by-Side Utility Vehicle	\$25.00 per hour
Handheld GPS	\$20.00 per hour
Drone	\$275.00 per day
HDR Vehicle Mileage	\$0.75 per mile
Personal Vehicle Mileage	IRS rate per mile
Printing (in-house)	
B&W 8.5x11	\$0.0857 each
Color 8.5x11	\$0.1801 each
B&W 11x17	\$0.1714 each
Color 11x17	\$0.3602 each
Plots Bond	\$0.55 per sq. ft.



March 6, 2025

HDR Engineering, Inc
Craig Mizera, PE
Vice President, Transportation Section Manager
3231 Greensboro Dr, Suite 200
Bismarck, ND 58503

**Re: Memorial Highway Reconstruction
City Water & Sewer Construction Support
Scope of Work and Fee Estimate**

Dear Mr. Mizera

Advanced Engineering and Environmental Services, LLC (Subconsultant) thanks you for the opportunity to submit this scope of services to HDR Engineering, Inc. (Engineer) for the City of Mandan (Owner) water and sewer final improvements for the Memorial Highway Reconstruction Project (Project).

Proposed Scope of Services

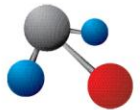
Subconsultant will perform the following tasks for Construction Support Services.

1. Project Management

- a. Subconsultant services will consist of:
 - i. Internal and external team management,
 - ii. Schedule and budget management,
 - iii. Coordination between City, Engineer, DOT, and Contractor.

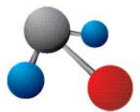
2. Construction Administration

- a. General Administration of Construction Contract: Consult with Owner and Engineer and act as Engineer's representative as provided in this scope and the Construction Contract.
- b. Review Shop Drawings. For the scope of this project, it was assumed that up to 10 shop drawing submittals will be prepared and submitted by the Contractor.
- c. Attend progress and coordination meetings: 24 meetings are included.
- d. Provide installed quantities through CARS for utilities. It is assumed this will be done on a weekly basis. As requested, review Contractor Payment requests.
- e. Contractor Schedules and Proposed Work Phasing: Review to the criteria of the Construction Contract, determine the acceptability of schedules that Contractor is



required to submit, including the progress schedule, or changes in project phasing. Advise DOT of the Subconsultant's comments or acceptance of schedules or changes in Phasing Plans.

- f. Review Change Order requests and consult with City and DOT on the validity and need for any Change Orders.
- g. Review third party Testing results and report results to Owner.
- h. Clarifications and Interpretations: Accept from Contractor and Engineer submittal of all matters in question concerning the requirements of the Construction Contract Documents (sometimes referred to as requests for information or interpretation—RFIs) or relating to the acceptability of the Work under the Construction Contract Documents. With reasonable promptness, render a written clarification, interpretation, or decision on the issue submitted, or initiate an amendment or supplement to the Construction Contract Documents.
- i. Field Orders: Subject to any limitations in the Construction Contract Documents, Subconsultant may support the DOT in preparation of Field Orders requiring minor changes in the Work.
- j. Change Orders and Work Change Directives: Recommend Change Orders and Work Change Directives to Owner, as appropriate.
- k. Change Proposals and Claims
 - i. Review and respond to Change Proposals. Provide information or data to City and DOT regarding matters pertaining to Claims.
- l. Subconsultant shall not at any time supervise, direct, control, or have authority over any contractor's work, nor shall Subconsultant have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at a project site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work. Subconsultant neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Engineer and such contractor. Subconsultant shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any of their agents or employees or of any other persons (except Subconsultant's own employees) at a project site or otherwise furnishing or performing any construction work; or for any decision made regarding the construction contract requirements, or any application, interpretation, or clarification of the construction contract other than those made by Subconsultant.



3. Construction Observation

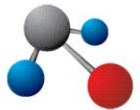
- a. Provide RPR to observe construction is in accordance with the contract documents. RPR services are generally considered part-time: the field time required is variable and can depend on the Contractor's ability to consistently perform in accordance with the contract documents.
 - i. Budget for RPR includes 50 hours per week for 20 weeks.
 - ii. Other duties and limitations as outlined in Exhibit A.
- b. In connection with observations of Contractor's Work while it is in progress: Make visits to the Site at intervals appropriate to the various stages of the Work to observe the progress of Contractor's executed Work. Such visits and observations by Subconsultant, including its RPR, if any, are not intended to be exhaustive or to extend to every aspect of the Work or to involve detailed inspections of the Work beyond the responsibilities specifically assigned to Subconsultant in this Agreement and the Construction Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on Subconsultant's exercise of professional judgment, as assisted by its RPR, if any. Based on information obtained during such visits and observations, Subconsultant will determine in general if the Work is proceeding in accordance with the Construction Contract Documents, and Subconsultant shall keep Owner informed of the progress of the Work.

4. Funding Assistance

- a. Coordination with the State Water Commission and City for the submission of construction cost share applications for the East and West water main replacements.
- b. Prepare and submit Construction reimbursement requests on behalf of the City.

5. Commissioning

- a. Instrumentation and Controls Support including:
 - i. PLC Programming
 - ii. Integration with the existing SCADA System
 - iii. Startup Support
 - iv. Controls System Shop Drawing Review



6. Project Close-out/Post-Construction

- a. Visit the site to observe any apparent defects in the Work, make recommendations as to replacement or correction of defective Work, if any, or the need to repair of any damage to the Site, and assist with consultations and discussions with Contractor concerning correction of any such defective Work and any needed repairs.
- b. Provide field documentation to City and DOT including field notes, sketches, and other pertinent records.
- c. Coordinate with City and DOT for closeout of project, including City utility documentation necessary to support substantial and final completion.
- d. City GIS Update: provide city with applicable field records, pictures, and survey shots for City to update their GIS based on installed.
 - i. Field Survey will be limited to Curb Stops and any Gate Valves that changed location from plan location.
 - ii. Provide updated files of water/sewer/storm utilities for City to upload into their GIS.

Fee & Performance Schedule

Proposed Fee:

Subconsultant proposes a fee of \$515,346.00 for services associated with the above-described scope of work. We propose completing this scope of work utilizing standard hourly rates. This fee assumes all underground work will be completed in the 2025 construction season

Thank you for the opportunity to assist in this project and we look forward to working with you.

Sincerely,

AE2S

Jasper Klein, PE
Senior Project Manager

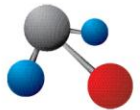


EXHIBIT A—DUTIES, RESPONSIBILITIES, AND LIMITATIONS OF AUTHORITY OF RESIDENT PROJECT REPRESENTATIVE

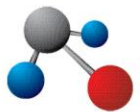
ARTICLE 1—RESIDENT PROJECT REPRESENTATIVE SERVICES

1.01 Resident Project Representative

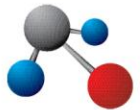
- A. Subconsultant shall furnish a Resident Project Representative ("RPR") to observe progress and quality of the Work. RPR is Subconsultant's representative at the Site, will act as directed by and under the supervision of Subconsultant, and will confer with Subconsultant regarding RPR's actions.
- B. Subject to the scope of RPR's observations of the Work, which may include field checks of materials and installed equipment, Subconsultant shall endeavor to identify defects and deficiencies in the Work. However, Subconsultant shall not, as a result of such RPR observations of the Work, supervise, direct, inspect, or have control over the Work, nor shall Subconsultant (including the RPR) have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, for security or safety at the Site, for safety precautions and programs incident to the Work or any Constructor's work in progress, for the coordination of the Constructors' work or schedules, or for any failure of any Constructor to comply with Laws and Regulations applicable to the performing and furnishing of its work. The Subconsultant (including RPR) neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform the Work, or any portion of the Work, in accordance with the Construction Contract Documents.

1.02 Duties and Responsibilities of RPR

- A. The duties and responsibilities of the RPR are as follows:
 - 1. General: RPR's dealings in matters pertaining to the Work in general will be with Contractor. RPR's dealings with Subcontractors shall only be through or with the full knowledge and approval of Contractor. RPR shall generally communicate with Owner only with the knowledge of and under the direction of Subconsultant.
 - 2. Safety Compliance: Comply with Site safety programs, as they apply to RPR, and if required to do so by such safety programs, receive safety training specifically related to RPR's own personal safety while at the Site.
 - 3. Liaison
 - a. Serve as Subconsultant's liaison with Contractor. Working principally through Contractor's authorized representative or designee, assist in providing information regarding the provisions and intent of the Construction Contract Documents.



- b. Assist Subconsultant in serving as Owner's liaison with Contractor when Contractor's operations affect Owner's on-Site operations.
 - c. Assist in obtaining from Owner additional details or information, when required for proper execution of the Work.
- 4. Proposed Modifications: Consider and evaluate Contractor's suggestions for modifications to the Drawings or Specifications, and report such suggestions, together with RPR's recommendations, if any, to Subconsultant. Transmit Subconsultant's response (if any) to such suggestions to Contractor.
- 5. Review of Work; Defective Work
 - a. Report to Subconsultant whenever RPR believes that any part of the Work is defective under the terms and standards set forth in the Construction Contract Documents, and provide recommendations as to whether such Work should be corrected, removed and replaced, or accepted as provided in the Construction Contract Documents.
 - b. Inform Subconsultant of any Work that RPR believes is not defective under the terms and standards set forth in the Construction Contract Documents, but is nonetheless not compatible with the design concept of the completed Project as a functioning whole, and provide recommendations to Subconsultant for addressing such Work.
 - c. Advise Subconsultant of that part of the Work that RPR believes should be uncovered for observation, or requires special testing, inspection, or approval.
- 6. Inspections, Tests, and System Start-ups
 - a. Consult with Subconsultant in advance of scheduled inspections, tests, and systems start-ups.
 - b. Verify that tests, equipment, and systems start-ups and operating and maintenance training are conducted in the presence of appropriate Owner's personnel, and that Contractor maintains adequate records thereof.
 - c. Observe, record, and report to Subconsultant appropriate details relative to the test procedures and systems start-ups.
 - d. Observe whether Contractor has arranged for inspections required by contract documents.
 - e. Nothing in this Agreement will be construed to require RPR to conduct inspections.
- 7. Records
 - a. Prepare a daily report or keep a diary or log book, recording Contractor's hours on the Site, Subcontractors present at the Site, weather conditions, data relative to questions of Change Proposals, Change Orders, Field Orders,



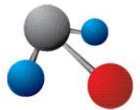
Work Change Directives, or changed conditions, Site visitors, deliveries of equipment or materials, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to Subconsultant.

- b. Maintain records for use in preparing Project documentation.
 - c. Upon completion of the Work, furnish original set of all RPR Project documentation to designated recipients.
8. Payment Requests: Review applications for payment with Contractor for compliance with the established procedure for their submission and forward with recommendations to Subconsultant, noting particularly the relationship of the payment requested to the schedule of values, Work completed, and materials and equipment delivered at the Site but not incorporated in the Work.
9. Certificates, Operation and Maintenance Manuals: During the course of the Work, verify that materials and equipment certificates, operation and maintenance manuals and other data required by the Contract Documents to be assembled and furnished by Contractor are applicable to the items actually installed and in accordance with the Contract Documents, and have these documents delivered to Subconsultant for review and forwarding to Owner prior to payment for that part of the Work.
10. Completion
- a. Observe whether all items on the final punch list have been completed or corrected, and make recommendations to Subconsultant concerning acceptance and issuance of the Notice of Acceptability of the Work (Exhibit E).

1.03 Limitations of Authority

A. Resident Project Representative shall not:

- 1. Authorize any deviation from the Construction Contract Documents or substitution of materials or equipment (including "or-equal" items).
- 2. Exceed limitations of Subconsultant's authority as set forth in this Agreement.
- 3. Undertake any of the responsibilities of Contractor, Subcontractors, or Suppliers, or any Constructor.
- 4. Advise on, issue directions relative to, or assume control over any aspect of the means, methods, techniques, sequences or procedures of the Work, by Contractor or any other Constructor.
- 5. Advise on, issue directions regarding, or assume control over security or safety practices, precautions, and programs in connection with the activities or operations of Owner or Contractor.



6. Participate in specialized field or laboratory tests or inspections conducted off-site by others except as specifically authorized by Subconsultant.
7. Accept Shop Drawing or Sample submittals from anyone other than Contractor.
8. Authorize Owner to occupy the Project in whole or in part.



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 14, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Patrick HAUG, Captain
SUBJECT: Consider acceptance of a State Homeland Security Grant through the North Dakota Department of Emergency Services for the purchase of a modular vehicle barrier system.

STATEMENT/PURPOSE:

Consider acceptance of a State Homeland Security Grant through the North Dakota Department of Emergency Services for the purchase of a modular vehicle barrier system.

BACKGROUND/ALTERNATIVES:

On the February 18th, 2025 Commission Meeting, the Police Department was approved to apply for a State Homeland Security Grant through the North Dakota Department of Emergency Services for the purchase of a modular vehicle barrier system to assist in securing the downtown area during public events.

On March 13th, 2025, we received an award letter from the North Dakota Department of Emergency Services regarding our application for the FY 2024 State Homeland Security Grant. We have been approved for the requested \$135,000.00 for the purchase of the barriers. We have 10 days to accept this award.

The State Homeland Security Grant is money provided by the U.S. Department of Homeland Security to the States, to allow local entities to Enhance Community Preparedness and Resilience, Combating Domestic Violent Extremism, or Planning, Training, and Awareness.

The anti-vehicle barrier system will be used to reduce the ability for a vehicle to enter a closed section of roadway during public events, which will reduce the potential for

citizens attending these events from being injured. The anti-vehicle barrier system is versatile, allowing for different configurations and can be used to block a street or sidewalks. When used on sidewalks, these barriers will still allow pedestrians to walk on the sidewalk.

ATTACHMENTS:

1. State Homeland Security Grant Award Letter

FISCAL IMPACT:

Amend the 2025 Police Department's Capital Outlay Budget \$135,000.00 for the purchase of the equipment. The grant will reimburse the actual amount spent on the equipment. This will have a net cost to the City of zero dollars.

STAFF IMPACT:

Minimal.

LEGAL REVIEW:

This has been reviewed by the City Attorney.

RECOMMENDATION:

To approve the acceptance of the FY2024 State Homeland Security Grant through the ND Department of Emergency Services in the amount of \$135,000.00 and to amend the 2025 Police Department's Capital Outlay Budget \$135,000.00 for the purchase of the equipment.

SUGGESTED MOTION:

I move to approve the acceptance of the FY2024 State Homeland Security Grant through the ND Department of Emergency Services in the amount of \$135,000.00 and to amend the 2025 Police Department's Capital Outlay Budget \$135,000.00 for the purchase of the equipment.

March 13, 2025

Mandan
Mr. Patrick Haug, Captain
205 2nd Ave. NW
Mandan, ND 58554

Dear Mr. Haug:

Congratulations on behalf of the North Dakota Department of Emergency Services (NDDDES) Division of Homeland Security, your grant application submitted for the FY 2024 State Homeland Security Grant Program (SHSP) has been approved for award in the amount of \$135,000.00.

To accept the award and the terms and conditions complete the following steps **within 10 days** from the date of this letter. If you need additional time to obtain signatures due to local administrative requirements, please inform NDDDES within the 10-day period.

- **Step 1:** Print or download the Notice of Grant Award and Special Conditions
- **Step 2:** Sign page 1 of the Notice of Grant Award
- **Step 3:** Initial all pages of the Special Conditions
- **Step 4:** Upload the signed Notice of Grant Award and Special Conditions pages into the NDDDES Grants System (<https://grants.des.nd.gov>) to the Project page. (See directions at the end of this letter.)
- **Step 5:** Upload a copy of your jurisdiction's/entity's procurement policy to the Project page. (Note: A documented procurement policy is required per 2 CFR §200.318.)

Do NOT begin any portion of your project including obligating or expending funds until the following requirement is met:

- Environmental and Historical Preservation (EHP) Review approval from DHS/FEMA. NDDDES will inform you when the EHP is approved and provide you with a copy of the DHS/FEMA approval letter for your records. Review by DHS can take several weeks. Starting your project prior to receiving approval from DHS will result in loss of funding for this project.

Procurement Requirements

Federal 2 CFR §200.318-200.326 Procurement Standards as well as applicable state and local procurement laws and regulations must be followed when purchasing goods (example: equipment) and services (example: planning, training, or exercise activities).

Projects with an aggregate cost of \$10,000 or more **must** obtain a **minimum** of **three quotes** (each from a different vendor). Subrecipients must accept the quote from the vendor providing the lowest aggregate cost of the goods or services. Quotes must be obtained within the project period of performance. Quotes obtained prior to the project period of performance, or after the work has already been completed will not be accepted.

Quotes must match in quantity and type of product or service. Therefore, to aid subrecipients NDDDES has provided the Quote (Informal) Request Form at grants.des.nd.gov. It is recommended that subrecipients use this form or a similar jurisdiction/entity specific form when requesting quotes to ensure that all vendors are quoting on the same specifications.



Doug
Burgum
GOVERNOR

Major General
Alan S. Dohrmann
DIRECTOR – DEPARTMENT
OF EMERGENCY SERVICES

Darin
Hanson
DIRECTOR – DIVISION
OF HOMELAND SECURITY

Darin
Anderson
DIRECTOR – DIVISION
OF STATE RADIO

Ensuring a safe and secure homeland for all North Dakotans

Please contact our office at 701-328-8250 or at drice@nd.gov for any questions about procurement. Upon request, NDDes prior to you accepting a quote will review the quotes for compliance with federal procurement standards and provide feedback.

NOTE: If your application included a name brand or a particular contractor/vendor, the award is **NOT** an approval of that brand name or contractor/vendor. All procurement transactions must be conducted in a manner providing full and open competition (2 CFR §200.319). Please see the *NDDes Fiscal Requirements and Other Program Rules, Regulations, Laws, and Policies for Federal Programs* as well as the Reimbursement Processing checklist at [HSGP - grants.des.nd.gov](https://grants.des.nd.gov) for more information on the types of documentation you will need to provide to NDDes to show compliance.

Finally, the North Dakota State Procurement Office has cooperative purchasing contracts that can be used by eligible entities, including cities, counties, townships, public education, and tribal entities. See [CooperativePurchasing.pdf \(nd.gov\)](#) for more information. A current list of State Contracts can be found at [ND State Contracts](#). If under the column entitled CP there is a Y then it has a cooperative purchasing contract.

Project Reporting

Project status reports are required quarterly, with a final report due at closeout. Quarterly reports are due fifteen (15) days after the end of the reporting period of each quarter. Reports should show a steady progression of the project. If there is no progression during a quarter and explanation as to why the project is not progressing is required. Failure to complete the reports will result in delays to reimbursement requests being processed. Reports are completed in the grants management system at <https://grants.des.nd.gov> on the Project page under Progress Monitoring tab.

Reporting Period	Report Due Date
March 13 – March 31	due by April 15, 2025
April 1 – June 30	due by July 15, 2025
July 1 – August 31, 2025	due prior to project closeout

DES Grants System Document Upload Instructions

1. Log in at <https://grants.des.nd.gov/>
2. On your home page click on **FY 2022 SHSP Round 2** - this takes you to a screen with a **red** banner at the top.
3. On the left-hand side, click on **Projects**, then click on the project that shows to the right – this takes you to a screen with a **blue** banner at the top.
4. Toward the bottom of the page on the right, click on **Add Document** – follow the directions on your screen and click **Upload** to upload your documents.

Please contact Karen Hilfer or Dave Rice at 701-328-8100 with any questions.

Sincerely,



Debbie LaCombe
Preparedness Chief



Doug
Burgum
GOVERNOR

Major General
Alan S. Dohrmann
DIRECTOR – DEPARTMENT
OF EMERGENCY SERVICES

Darin
Hanson
DIRECTOR – DIVISION
OF HOMELAND SECURITY

Darin
Anderson
DIRECTOR – DIVISION
OF STATE RADIO

Ensuring a safe and secure homeland for all North Dakotans

NOTICE OF GRANT AWARD			
Recipient Contact Name: Debbie LaCombe		Recipient Contact #: 701-328-8119	
Title of Grant Program: 2022 State Homeland Security Program			
Federal Award Identification Number: EMW-2022-SS-00076		Federal Award Date: September 1, 2022	
Federal Awarding Agency: U.S. Department of Homeland Security			
CFDA No. 97.067 SHSP			
Subrecipient Name and Address Mandan 205 2nd Ave. NW Mandan, ND 58554		Subrecipient Contact Name: Patrick Haug Telephone: 701-667-3250 Email: phaug@mandanpd.com	
Subrecipient UEI: STTML83LTFK3	Grant Number: 10	County/Tribe: Morton	
Performance Period	From: March 13, 2025	Through: August 31, 2025	
Grant Amount: \$135,000.00	Subrecipient Cost Share: \$0	Total Project Cost: \$135,000.00	
Scope of Service: The intent of this award is to enhance the capability of the subrecipient to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other catastrophic events in accordance with the federal Notice of Funding Opportunity for this grant program, the approved application scope of work and cost line items located in the NDDes grant portal.			
Reporting Requirements: Progress reports on the status of the project must be submitted to NDDes quarterly through the NDDes grant portal. Reports are due January 15, April 15, July 15, and October 15 for the life of the grant. A final report is due with the final reimbursement request.			
Special Conditions: The above grant project is approved subject to the special conditions or limitations as indicated on the attached page.			
Terms and Conditions: This award is subject to the terms and conditions incorporated directly or by reference in the following: 1) Fiscal Requirements and Other Program Rules, Regulations, Laws, and Policies for Federal Programs which can be found at https://grants/des/nd.gov/site/HSGP.cfm. 2) Applicable Federal and State requirements, laws and regulations. 3) The recipient agrees by signing this document that all allocations and use of funds under this grant will be in accordance with the FY 2022 Federal Notice of Funding Opportunity & FEMA Preparedness Grants Manual for this grant program.			
This contract is not effective until fully executed by both parties. By signing below, you are accepting the terms and conditions of the award. Please make sure you read and understand these documents before signing. Maintain a copy of these documents in your official file for this award.			
Evidence of Subrecipient's Acceptance		Evidence of NDDes Approval	
Signature	Date	Signature	Date
Typed Name and Title of Authorized Representative Patrick Haug Captain		Typed Name and Title of Authorized Representative Darin Hanson Director, Division of Homeland Security	3/13/2025

SPECIAL CONDITIONS State Homeland Security Grant Program (SHSP)

1. DHS Standard Terms and Conditions Generally

The Fiscal Year (FY) 2022 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY022. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations. They FY 2022 DHS Standard Terms and Conditions are at www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions.

2. Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

- DHS financial assistance sub-recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002.
- By accepting this agreement, sub-recipients, and their executives, as defined in 2 C.F.R. section 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

3. General Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

- Sub-recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS.
- Sub-recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel.
- Sub-recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
- Sub-recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.

4. Acknowledgement of Federal Funding from DHS

Sub-recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

5. Age Discrimination Act of 1975

Sub-recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

6. Americans with Disabilities Act of 1990

Sub-recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101 - 12213), which prohibits sub-recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

Initial

7. Best Practices for Collection and Use of Personally Identifiable Information

Sub-recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Sub-recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

8. Civil Rights Act of 1964 - Title VI

Sub-recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

9. Civil Rights Act of 1968

Sub-recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100.

10. Copyright

Sub-recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

11. Debarment and Suspension

Sub-recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

12. Drug-Free Workplace Regulations

Sub-recipients must comply with drug-free workplace requirements in Subpart B of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. sections 8101-8106).

13. Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude sub-recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

14. Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

Sub-recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

15. E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety

State, Tribal, local, and territorial law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. State, Tribal, local, and territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.

16. Energy Policy and Conservation Act

Sub-recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94-163 (1975) (codified as amended at 42 U.S.C. section 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

17. False Claims Act and Program Fraud Civil Remedies

Sub-recipients must comply with the requirements of the False Claims Act, 31 U.S.C. sections 3729-3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

18. Federal Debt Status

All sub-recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

19. Federal Leadership on Reducing Text Messaging while Driving

Sub-recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the Federal Government.

20. Hotel and Motel Fire Safety Act of 1990

Sub-recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a.

21. John S. McCain National Defense Authorization Act of Fiscal Year 2019

Sub-recipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. sections 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute - as it applies to DHS sub-recipients, and their contractors and subcontractors - prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

22. Limited English Proficiency (Civil Rights Act of 1964 - Title VI)

Sub-recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. section 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Initial



23. Lobbying Prohibitions

Sub-recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

24. National Environmental Policy Act

Sub-recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require sub-recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

25. Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participation of faith-based organizations in individual DHS programs.

26. Non-Supplanting Requirement

Sub-recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

27. Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

28. Patents and Intellectual Property Rights

Sub-recipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq, unless otherwise provided by law. Sub-recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

29. Procurement of Recovered Materials

States, political subdivisions of states (i.e., sub-recipients), and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. section 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Initial

30. Rehabilitation Act of 1973

Sub-recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973) (codified as amended at 29 U.S.C. section 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

31. Reporting of Matters Related to Recipient Integrity and Performance

General Reporting Requirements:

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the sub-recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

32. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Sub-recipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act Sections 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

33. SAFECOM

Sub-recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

34. Terrorist Financing

Sub-recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Sub-recipients are legally responsible to ensure compliance with the Order and laws.

35. Trafficking Victims Protection Act of 2000 (TVPA)

Trafficking in Persons:

Sub-recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. section 7104. The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.

36. Universal Identifier and System of Award Management

Requirements for System for Award Management and Unique Entity Identifier

Sub-recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

37. USA PATRIOT Act of 2001

Sub-recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

Initial

38. Use of DHS Seal, Logo and Flags

Sub-recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

39. Whistleblower Protection Act

Sub-recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C section 2409, 41 U.S.C. section 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

40. Environmental Planning and Historic Preservation (EHP) Review

DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the sub-recipient to comply with all federal, state, and local laws.

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/ FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and any other applicable laws and executive orders. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

41. Applicability of DHS Standard Terms and Conditions to Tribes

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

42. Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, sub-recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate sub-recipient acceptance of the changes to the award.

43. Disposition of Equipment Acquired Under the Federal Award

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state subrecipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

Initial

44. Prior Approval for Modification of Approved Budget

Before making any change to the approved budget for this award, you must request prior written approval from NDDes. NDDes may be required by 2 C.F.R. section 200.308 to request FEMA approval of any budget modifications.

45. National Cybersecurity Review

Sub-recipients are required to complete the Nationwide Cybersecurity Review (NCSR) to benchmark and measure their progress of improving their cybersecurity posture. The NCSR can be found at <https://www.cisecurity.org/ms-isac/services/ncsr>. The NCSR is available from October 1 – February 28 each year.

46. NDDes Fiscal Requirements and Other Program Rules, Regulations, Laws, and Policies for Federal Programs

Sub-recipient is required to also follow the applicable provisions of the NDDes Fiscal Requirements and Other Program Rules, Regulations, Laws, and Policies for Federal Programs as well as State or local provisions that may be stricter than Federal or State laws, regulations, or policies. This document can be found under the HSGP tab on the NDDes Grants website at <https://grants.des.nd.gov>.

47. Reimbursements, Quarterly Status Reports, Time Extension Requests, Scope Changes, and Project Closeout

Sub-recipient must submit all reimbursement requests, quarterly reports, time extension requests, scope change requests, and project closeouts along with required documentation in the NDDes Grants Management System at <https://grants.des.nd.gov>.

48. Un-expended Funds

At the conclusion of the period of performance as noted on the Notice of Grant Award, upon completion of the project, or withdrawal of the project by the sub-recipient; whichever comes first, unexpended funds will be de-obligated. By signing the Notice of Grant Award, the sub-recipient is authorizing NDDes to expend the de-obligated funds on program costs.

49. Award Acceptance

The Notice of Grant Award and these Special Conditions constitute the operative document obligating and reserving the Federal funds for use by the sub-recipient. By signing the Notice of Grant Award sub-recipients is certifying acceptance of the terms and conditions of the award.

Initial



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 5, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Legislative Update

STATEMENT/PURPOSE:

To update the City Commission regarding recent legislative items.

BACKGROUND/ALTERNATIVES:

Information will be provided prior to the meeting.

ATTACHMENTS:

None

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 11, 2025
SUBMITTING DEPARTMENT: Public Works (Mandan Union Cemetery)
DEPARTMENT DIRECTOR: Shane O'Keefe
PRESENTER: Shane O'Keefe, Public Works Director
SUBJECT: Resolution Establishing Rates And Charges For Services At the Cemetery

STATEMENT/PURPOSE:

This resolution is presented to the Board of City Commissioners to review and approve, setting new rates and charges for services provided by the Cemetery Fund.

BACKGROUND/ALTERNATIVES:

Due to the rising costs of maintenance, equipment, and staffing, it is proposed that Mandan Union Cemetery implement adjustments to its fee structure to help offset these increasing operational expenses. A \$50 increase is recommended for both the opening/closing fees and grave rights fees, while a \$100 increase is proposed for the after 3:30 p.m. charge and the Saturday burial fee. These adjustments are essential to ensuring the cemetery can continue providing quality services and meeting the financial demands of ongoing care and upkeep.

ATTACHMENTS:

1. May 1st 2025 Proposed Rates
2. Rate Changes Comparison Document

FISCAL IMPACT:

The proposed fee increases are essential to assist in offsetting the rising operational costs at Mandan Union Cemetery. As expenses for maintenance, equipment, and staff continue to grow, these adjustments will help support the cemetery in maintaining its operations, providing quality services, and addressing the financial needs for ongoing care and upkeep.

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

To approve the Resolution establishing rates and charges for services from the Cemetery Fund

SUGGESTED MOTION:

I move to approve the Resolution establishing rates and charges for services from the Cemetery Fund

RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES FROM THE CEMETERY FUND

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following rates and charges are hereby established for services from the Cemetery Fund:

Traditional Burial Resident Rates

Grave Rights

- Adults (per space) **\$750**
- Half Grave (per space) **\$550**

Opening and Closing

	Summer	Winter
Adults	\$650	\$800
Half Grave	\$450	\$600

Traditional Burial Non-Resident Rates

Grave Rights

- Adults (per space) **\$850**
- Half Grave (per space) **\$650**

Opening and Closing

	Summer	Winter
Adults	\$800	\$950
Half Grave	\$550	\$700

Columbarium Resident Rates

- Niche - Per Space **\$600** (includes 1st opening & closing; does not include tile engraving)
 - Additional Opening & Closing: **\$200**
-

Columbarium Non-Resident Rates

- Niche - Per Space **\$700** (includes 1st opening & closing; does not include tile engraving)
 - Additional Opening & Closing: **\$300**
 - One urn or urn vault per niche
-

Scatter Garden Resident Rates

- Scatter Garden usage – with name inscription **\$200**
 - Scatter Garden usage – no name inscription **\$50**
-

Scatter Garden Non-Resident Rates

- Scatter Garden usage – with name inscription **\$250**
 - Scatter Garden usage – no name inscription **\$75**
-

Interments and Additional Charges

- Interments are allowed Monday-Saturday.
- Additional charge of **\$300** for any burial not ready for cover before 3:30 p.m.
- Additional charge of **\$300** for Saturday burials.
- The maintenance staff must be notified with a request for a burial **48 business hours** in advance.
- Monday and Saturday burials must be scheduled by **10 a.m. on the Thursday prior**.

Burials are not allowed on Sundays and the following observed holidays:

- New Year's Day
 - Martin Luther King Day
 - President's Day
 - Good Friday
 - Memorial Day
 - Fourth of July
 - Labor Day
 - Veteran's Day
 - Thanksgiving Day
 - Christmas Eve
 - Christmas Day
-

Vault Rental

\$50 per day with a minimum charge of **\$100**

Disinterment's

Available **June 1 - October 31** only

Resident & Non-Resident Rates

- Full Grave: **\$1200**
 - Half Grave: **\$800**
-

BE IT FURTHER RESOLVED that the rates and charges for services from the Cemetery Fund shall be effective as of **May 1st, 2025**.

Dated this **18th day of March 2025**

President, Board of City Commissioners

Attest:

City Administrator:

RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES FROM THE CEMETERY FUND

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following rates and charges are hereby established for services from the Cemetery Fund:

Traditional Burial Resident Rates

Grave Rights

- Adults (per space) ~~\$700~~ \$750
- Half Grave (per space) ~~\$500~~ \$550

Opening and Closing

	Summer	Winter
Adults	\$600 \$650	\$750 \$800
Half Grave	\$400 \$450	\$550 \$600

Traditional Burial Non-Resident Rates

Grave Rights

- Adults (per space) ~~\$800~~ \$850
- Half Grave (per space) ~~\$600~~ \$650

Opening and Closing

	Summer	Winter
Adults	\$750 \$800	\$900 \$950
Half Grave	\$500 \$550	\$650 \$700

Columbarium Resident Rates

- Niche - Per Space **\$600** (includes 1st opening & closing; does not include tile engraving)
 - Additional Opening & Closing: **\$200**
-

Columbarium Non-Resident Rates

- Niche - Per Space **\$700** (includes 1st opening & closing; does not include tile engraving)
 - Additional Opening & Closing: **\$300**
 - One urn or urn vault per niche
-

Scatter Garden Resident Rates

- Scatter Garden usage – with name inscription **\$200**
 - Scatter Garden usage – no name inscription **\$50**
-

Scatter Garden Non-Resident Rates

- Scatter Garden usage – with name inscription **\$250**
 - Scatter Garden usage – no name inscription **\$75**
-

Interments and Additional Charges

- Interments are allowed Monday-Saturday.
- Additional charge of ~~\$200~~ **\$300** for any burial not ready for cover before 3:30 p.m.
- Additional charge of ~~\$200~~ **\$300** for Saturday burials.
- The maintenance staff must be notified with a request for a burial **48 business hours** in advance.
- Monday and Saturday burials must be scheduled by **10 a.m. on the Thursday prior**.

Burials are not allowed on Sundays and the following observed holidays:

- New Year's Day
 - Martin Luther King Day
 - President's Day
 - Good Friday
 - Memorial Day
 - Fourth of July
 - Labor Day
 - Veteran's Day
 - Thanksgiving Day
 - Christmas Eve
 - Christmas Day
-

Vault Rental

\$50 per day with a minimum charge of **\$100**

Disinterment's

Available **June 1 - October 31** only

Resident & Non-Resident Rates

- Full Grave: **\$1200**
 - Half Grave: **\$800**
-

BE IT FURTHER RESOLVED that the rates and charges for services from the Cemetery Fund shall be effective as of **May 1st, 2025**.

Dated this **18th day of March 2025**

President, Board of City Commissioners

Attest:

City Administrator:



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 12, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: First Consideration of Ordinance 1460, a zone change from A - Agriculture and MC - Industrial to A - Agriculture for HRWTC Addition

STATEMENT/PURPOSE:

Zone Change from A - Agriculture and MC - Industrial to A - Agriculture related to HRWTC Addition.

BACKGROUND/ALTERNATIVES:

Detailed background on this request can be found under Public Hearing No. 1.

ATTACHMENTS:

1. draft Ord. 1460

FISCAL IMPACT:

N/a

STAFF IMPACT:

Minor

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 first consideration of Ordinance 1460 contingent upon a utility servicing plan being approved by the City of Mandan.

SUGGESTED MOTION:

City Commission

Agenda Documentation

March 18, 2025

Subject: First Consideration of Ordinance 1460, a zone change from A - Agriculture and MC - Industrial to A - Agriculture for Heart River Women's Transformational Center Addition

Page 2 of 2

I move to approve the first consideration of Ordinance 1460 contingent on a utility servicing plan being approved by the City of Mandan.

ORDINANCE NO. 1460

AN ORDINANCE TO AMEND AND REENACT SECTION 105-2-2 OF THE MANDAN CODE OF ORDINANCES RELATING TO DISTRICT BOUNDARIES AND ZONING MAP OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA.

WHEREAS, The Mandan Land Use and Transportation Plan designates the subject property as public land use; and

WHEREAS, Adjacent properties are 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 would be appropriate; and

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

SECTION 1. ZONING AMENDMENT. Section 105-2-2 of the Mandan Code of Ordinances is amended to read as follows:

HRWTC ADDITION OF SECTIONS 28 & 33, TOWNSHIP 139N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

SAID TRACT OF LAND CONTAINING 86.91 ACRES, MORE OR LESS.

- SHALL BE REMOVED FROM THE A - AGRICULTURE AND MC – INDUSTRIAL DISTRICTS AND SHALL BE INCLUDED IN THE A – AGRICULTURE DISTRICT.

SECTION 2. RE-ENACTMENT. Section 105-2-2 of the Mandan Code of Ordinances is hereby re-enacted as amended. The city planner is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

James Froelich, President
Board of City Commissioners

Attest:

Jim Neubauer
City Administrator

Planning and Zoning Commission:
First Consideration:
Second Consideration and Final Passage:

February 24, 2025
March 18, 2025
April 1, 2025



City Commission

Agenda Documentation

MEETING DATE: March 18, 2025
PREPARATION DATE: March 12, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Bier, Deputy Chief of Police
SUBJECT: Second and final consideration of Ordinance No. 1462, which creates the prohibited camping ordinance.

STATEMENT/PURPOSE:

Second and final consideration of Ordinance No. 1462, which creates the prohibited camping ordinance.

BACKGROUND/ALTERNATIVES:

Since the first introduction of the ordinance, there has been one minor change. The word "levee" has been added to the ordinance in section (c)(1) at the request of staff.

One comment in writing was received and in turn provided to commissioners and Mandan Police Dept:

*From: Mary Rebenitsch
Sent: Saturday, March 8, 2025 8:48 AM
To: Jim Neubauer
Subject: Encampment ban*

City commissioners:

I see in the Mandan news that you are taking steps to protect the city from homeless actions that might negatively affect the "city", but you are charged with protecting the citizens as well and those homeless people are under that umbrella. How are you taking steps to protect and provide for them?

*Sincerely,
Mary Rebenitsch*

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. Resources contact information (1)
3. 24 HOUR NOTICE-PROHIBITED CAMPING - Final(19532944.1)
4. Ord No 1462 Prohibited Camping - signed

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 second and final consideration of Ordinance No. 1462 as presented.

SUGGESTED MOTION:

I move to approve the second and final consideration of Ordinance No. 1462 as presented.

City Commission

Agenda Documentation

March 18, 2025

Subject: Second and final consideration of Ordinance No.1462, which creates the prohibited camping ordinance

Page 3 of 3

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, levee, 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: March 18, 2025

Publication: _____

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)		
24-hr. crisis line.....	1-866-341-7009	
HIV/STD/Ryan White Program	701-328-2378	
Native Inc.	701-595-5181	
ND Center for Persons with Disabilities.....	800-233-1737	
Protection & Advocacy	701-328-2950	
Social Security.....	877-319-6044	
Vulnerable Adult Protection Services	855-462-5465	
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	



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, levee, 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.

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****

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, levee, 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

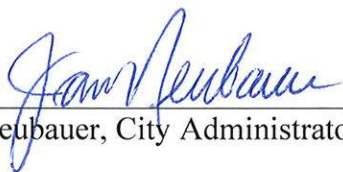
result of activities of the applicant. Any findings by the board shall specify the exact dates and location covered by the exemption.

- (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: March 18, 2025

Publication: _____