



AGENDA
CITY COMMISSION
MAY 6, 2025
ED “BOSH” FROEHLICH MEETING ROOM
MANDAN CITY HALL
5:30 PM
WWW.CITYOFMANDAN.COM

The public may access the LIVE meeting at:

Watch & Listen

Government Access (Midcontinent) cable channels 2 &
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A. ROLL CALL

1. Roll call of all City Commissioners

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. National Bike Month Proclamation
2. Proclaiming the month of May as Building Safety Month

D. APPROVAL OF AGENDA

E. MINUTES

1. Consider approval of the following Board of City Commissioners meeting minutes:
 - a. Apr. 15 Regular Meeting
 - b. Apr. 22 Special Meeting

F. PUBLIC HEARING

1. Consider the Resolution Determining the Insufficiency of Protests for Street Improvement District No. 236

G. BIDS

H. CONSENT AGENDA

1. Consider a minor plat for Ramblewood 16th Addition
2. Consider a Cost Participation and Maintenance Agreement for the I94 Chip Seal Project
3. Consider approval of the following gaming site authorizations:
 - a. New Salem Civic Club at Bennigan's from July 1, 2025 to June 30, 2026
 - b. Mandan Baseball Club at Broken Oar from July 1, 2025 to June 30, 2026
 - c. Mandan Baseball Club at The Drink from July 1, 2025 to June 30, 2026
 - d. Mandan Baseball Club at Seven Seas from July 1, 2025 to June 30, 2026
 - e. Mandan Baseball Club at Silver Dollar Bar from July 1, 2025 to June 30, 2026
 - f. Mandan Touchdown Club at Starion Sports Complex from Aug. 1, 2025 to Dec. 1, 2025
 - g. Mandan Touchdown Club at Dickey's BBQ from July 1, 2025 to June 30, 2026
 - h. Furry Friends Rockin Rescue at Stryker Enterprises LLC (dba Main Street Drive Thru Liquor) from July 1, 2025 to June 30, 2026
 - i. Furry Friends Rockin Rescue at Send It! 24/7 Cornhole on June 1, 2025
 - j. American Legion Post 91 at Send It 24/7 from July 1, 2025 to June 30, 2026
 - k. Prairie Public Broadcasting, Inc. at Strawberry Bar & Grill from July 1, 2025 to June 30, 2026
4. Consider approval of the special event permit for the Mandan Rodeo Days Concert
5. Consider a minor plat for West Hills 5th Addition First Replat
6. Consider permission to dispose of obsolete vehicles
7. Consider a minor plat for West Bay Estates 4th Addition
8. Assessments for Weed Cutting of 2024B, Health & Safety of 2024B, and Sidewalks of 2024B
9. Consider approval of a plat change at the City Landfill

10. Consider approval of a Temporary Workspace Easement - WBI Energy Transmission Project
11. Consider a minor plat for Northern Pacific 5th Addition
12. Consider a minor plat for Northern Pacific 4th Addition

I. OLD BUSINESS

J. NEW BUSINESS

1. Consider an amendment to the Memorial Highway Cost Participation and Maintenance agreement
2. Consider an 8th Avenue NW and 24th Street road closure request to complete natural gas main upsizing
3. 2024 Mandan Measure 1 Sales Tax Collection Update and Public Transportation Grant Program
4. Consider entering into State Water Commission cost-share agreements
 - a. Memorial Highway
 - b. Monte Drive (2025 Reconstruction)
 - c. Water Treatment Plant Phase III
5. Legislative Update

K. RESOLUTIONS AND ORDINANCES

1. Second consideration of Ordinance 1464, a zone change from CA - Commercial to R7 - Residential for Lot 9, Block 1, Developers West Acres 2nd Addition
2. Second consideration of Ordinance 1465, a zone change from Ag - Agriculture to CB - Commercial for Lot 1, Block 1, MDU Addition

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- - May 20, 2025 at 5:30 p.m.
 - May 27, 2025 at 5:30 p.m. Special Meeting, Working Session Long Range Financial Planning

- June 3, 2025 at 5:30 p.m.
- June 17, 2025 at 5:30 p.m.

N. ADJOURN



NATIONAL BIKE MONTH PROCLAMATION

WHEREAS, the bicycle is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation and enjoyment of the city of Mandan's scenic beauty; and

WHEREAS, the city of Mandan's trail system and attractions draw many bicyclists each year, providing economic health, transportation, tourism, and scenic benefits; and

WHEREAS, creating a bicycling-friendly community has been shown to improve citizens' health, well-being, and quality of life, growing the economy of the city of Mandan, attracting tourism dollars, improving traffic safety, supporting student learning outcomes, and reducing pollution, congestion, and wear and tear on our streets and roads; and

WHEREAS, the City of Mandan is recognized as a **Bronze Level Bicycle Friendly Community** by the League of American Bicyclists, reflecting its commitment to advancing bicycle infrastructure, education, and encouragement; and

WHEREAS, the Bicycle and Pedestrian Subcommittee of the Bismarck-Mandan Metropolitan Planning Organization, the League of American Bicyclists, local schools, parks and recreation departments, public health districts, and civic groups will be promoting bicycling during the month of May 2025; and

NOW THEREFORE, I, JAMES FROELICH, President of the Board of City Commissioners of the City of Mandan, do hereby proclaim May 2025 to be

"National Bike Month"

In the City of Mandan and do urge all citizens to participate in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Mandan to be affixed on May 6, 2025.

James Froelich
Mayor of Mandan



GAME ON!



Week 1: The Warm Up (May 1–3)

Discover how building safety impacts our daily lives including the places where we work, learn and play.



Week 2: Build Your Offense (May 4–10)

Create a plan to actively support building safety programs in your community.



Week 3: Build Your Defense (May 11–17)

Stay prepared for natural hazards such as severe weather, wildfires, earthquakes and more with our disaster toolkits.



Week 4: The Starting Lineup (May 18–24)

Meet building safety professionals and learn about rewarding careers in building safety.



Week 5: Going Into Overtime (May 25–31)

See what's next for the building safety industry, including global trends, artificial intelligence and more.

Get in the game and celebrate building safety!



www.buildingsafetymonth.org

#BuildingSafety365    

International Code Council family of solutions

The Mandan City Commission met in regular session at 5:30 PM on April 15, 2025 in the Ed “Bosh” Froehlich Meeting Room at City Hall, Mandan, North Dakota. Mayor Froelich called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners.* Those present were Dennis Rohr, Mike Braun, James Froelich, Craig Sjoberg, Ryan Heinsohn. Department heads present were City Administrator Neubauer, Finance Director Welch, Assessor Markley, 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, CIS Manager Mischel, and Attorney Oster.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

1. *Proclaiming May as Welcome Month.* Mayor Froelich signed the proclamation for Welcome Month.

2. *Proclaiming May 2, 2025 as Arbor Day in the City of Mandan.* Mayor Froelich signed the proclamation for Arbor Day.

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

E. MINUTES

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

a. *Apr. 1, 2025 Regular Meeting.* Commissioner Braun moved and Commissioner Sjoberg seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

b. *Apr. 1, 2025 Board of Equalization.* Commissioner Braun moved and Commissioner Rohr seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

c. *Apr. 8, 2025 Special Meeting.* Commissioner Braun moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

F. PUBLIC HEARING

1. *Consider a zone change from CA - Commercial to R7 - Residential for Lot 9, Block 1, Developers West Acres 2nd Addition.* Planner Stromme presented the item. Mayor Froelich opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing closed.

2. *Consider Final Plat and Zone Change for Lot 1 from A - Agriculture to CB - Commercial for MDU Addition.* Planner Stromme presented the item. Mayor Froelich opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing closed.

3. *Consider a variance for Lot 2, Block 1, North Prairie Subdivision Replat.* Planner Stromme presented the item. The property owner, Cheydon Gordon, answered questions from the Commission. Mayor Froelich opened the public hearing and invited the public to come forward to comment. A second and third invitation for comment was given. Hearing none, the public hearing closed. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0. The

motion passed.

G. BIDS

H. CONSENT AGENDA

1. *Consider approval of monthly bills.*
2. *Consider the following Abatements:.*
 - a. *Ripplinger Veterans Credit Abatement.*
 - b. *Reimer Veterans Credit Abatement.*
 - c. *Mertz Veterans Credit Abatements.*
 - d. *Dittus Veterans Credit Abatements.*
 - e. *Ereth Veterans Credit Abatement.*
 - f. *Smith & Evans Veterans Credit Abatements.*
3. *Consider the correction of Civil Service Commission Member's term date.*
4. *Consider Mandan Progress Organization Event Grant Applications.*
5. *Consider extension of protest period for Street Improvement District 236.*
6. *Consider reappointing Jason Arenz to the Dakota Media Access Board of Directors for a four-year term expiring July 1, 2029.* Commissioner Rohr moved and Commissioner Sjoberg seconded to approve consent agenda items 1-6, including all sub-items, as presented. Roll Call vote: Aye 5, Nay 0. The motion passed.

I. OLD BUSINESS

1. *Consider driveway width variance request for 1207 1st Street SW.* Assistant City Engineer Riley McAdoo-Roesler introduced property owner Scott Wiese to present his variance request. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to deny the variance request. Roll Call vote: Aye 4, Nay 1 (Mike Braun). The motion passed.

J. NEW BUSINESS

1. *Growth Fund recommendation on business assistance for Memorial Highway during construction.* Business Development & Communications Director Cermak presented the item. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.
2. *Consider Building Blocks Action Plan (Third Street SE Study).* Planner Stromme presented the item. Commissioner Heinsohn moved and Commissioner Sjoberg seconded to accept the Building Blocks Action Plan. Roll Call vote: Aye 5, Nay 0. The motion passed.
3. *Legislative Update.* Administrator Neubauer presented the update.
4. *Discovery Properties LLC Application for Property Tax Exemption for Improvements to Commercial & Residential Buildings North Dakota Century Code 57-02.2.* Assessor Markley presented the item. Commissioner Sjoberg moved and Commissioner Heinsohn seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

K. RESOLUTIONS AND ORDINANCES

1. *First Consideration of Ordinance 1464, a zone change from CA - Commercial to R7 -*

Residential for Lot 9, Block1, Developers West Acres 2nd Addition. Planner Stromme presented the ordinance. Commissioner Braun moved and Commissioner Sjoberg seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

2. *First Consideration of Ordinance 1465, a zone change from Ag - Agriculture to CB - Commercial for Lot 1, Block1, MDU Addition.* Planner Stromme presented the item. Commissioner Heinsohn moved and Commissioner Braun seconded to approve. Roll Call vote: Aye 5, Nay 0. The motion passed.

L. OTHER BUSINESS

M. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

- *April 22, 2025 at 5:30 p.m., Special Meeting, Long Range Financial Planning*
- *May 6, 2025 at 5:30 p.m., Regular Meeting*
- *May 20, 2025 at 5:30 p.m., Regular Meeting*
- *June 3, 2025 at 5:30 p.m., Regular Meeting*

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N. ADJOURN There being no further business, the meeting adjourned at 6:34 p.m.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners

The Mandan City Commission met in special session at 5:30 PM on April 22, 2025 in the Veterans Conference Room at City Hall, Mandan, North Dakota. Mayor Froelich called the meeting to order.

A. ROLL CALL

1. *Roll call of all City Commissioners.* Those present were Dennis Rohr, Mike Braun, James Froelich, Craig Sjoberg, Ryan Heinsohn. Department heads present were City Administrator Neubauer, Finance Director Welch, Assistant Finance Director Schulz, Assessor Markley, Police Chief Ziegler, Building Official Singer, Fire Chief Bitz, Public Works Director O'Keefe, Business Development & Communications Director Cermak, Planner Stromme, Communications Specialist Schmidt, CIS Manager Mischel, Library Director Sandstrom, Wastewater Treatment Plant Superintendent Malsam.

B. THE PLEDGE OF ALLEGIANCE

C. ANNOUNCEMENTS

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

E. NEW BUSINESS

1. *Long Term Financial Planning.* Personnel, capital outlay, and public facilities requests for the next five years were provided. The commission was asked to identify their priorities, and then staff will come back with possible funding mechanisms for those priorities. 75% of the sales tax funds are already being utilized to help offset General Fund expenses. City Administrator Neubauer reminded commissioners that the 3% cap to the General Fund does look like it will come to fruition. There was consensus that Fire Station 3 in northwest Mandan and staffing for the fire department by 2029 was a priority, so was City Hall reconstruction. The Finance Department received direction to run with the requests for 2026 and see what needs to be done for funding.

F. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS

Tuesday, May 6 at 5:30 p.m., Regular Meeting

Tuesday, May 20 at 5:30 p.m., Regular Meeting

Tuesday, June 3 at 5:30 p.m., Regular Meeting.

G. ADJOURN There being no further business to come before the board, the meeting adjourned at 7:23 p.m.

James Neubauer
City Administrator

James Froelich
Board of City Commissioners



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 28, 2025
SUBMITTING DEPARTMENT: Engineering Department
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
Riley McAdoo-Roesler, Assistant City Engineer
SUBJECT: Consider the Resolution Determining Insufficiency of
Protest for Street Improvement District (SID) No. 236

STATEMENT/PURPOSE:

To review protests and consider the resolution determining the insufficiency of protests for SID 236.

BACKGROUND/ALTERNATIVES:

On February 18, 2025, the City of Mandan approved the resolutions necessary to create and advertise the district.

Two public meetings were held, one at the Morton Mandan Public Library on February 3, and a second one at City Hall on April 1 at 5:30 p.m. during the regular Commission meeting. These meetings were held to share information regarding the district and gather any questions or comments citizens had. The protest period for the district ended on April 22, 2025 at 4:30 p.m.

Protest rate information for the district is shown in the following tables. Protest rates are typically determined by percent of the total district area, but we have included a few other metrics for consideration as well. Maps of the protesting properties are also included in the packet.

Non-Public Parcels within the District	149
Protesting Parcels within the District	30
Protest Rate by Parcels within the District	20.13%

Non-Public Acreage in District within the District	26.54
Total Protest Acreage within the District	5.53
Protest Rate by Acreage within the District	20.85%

Mandan Resident Protests Outside the District

Property Owners Outside the District	153
Non-Property Owners Outside the District	187
Total Residents of Mandan	340

Non-resident/Unreadable letters

Non-resident protests	117
Unreadable protests	5
Total	122

The majority of protest letters listed the change in parking as their concern. The engineering department received a total of 491 letters.

ATTACHMENTS:

1. Resolution Determining Sufficiency of Protests
2. Protest PIE Chart
3. District Protest Map

FISCAL IMPACT:

The total cost of the project is estimated to be \$6,835,460. The Engineering Department has secured an NDDOT Urban Grant Program (UGP) award of \$2,356,000. Along with the UGP award, the City also secured funding through the North Dakota Department of Water Resources (DWR) in the amount of \$719,816.00. The City has allocated \$2,456,081.66 from its prairie dog funds (which originate from oil and gas tax revenue) and \$768,886.80 from the City Utility Fund.

STAFF IMPACT:

Significant time and effort will be spent working alongside KLJ.

LEGAL REVIEW:

All documents have been made available to the City Attorney for Review

RECOMMENDATION:

Approve the Resolution Determining the Insufficiency of Protest for District No. 236

City Commission

Agenda Documentation

May 6, 2025

Subject: Consider the Resolution Determining the Insufficiency of Protests for Street Improvement

District No. 236

Page 3 of 3

SUGGESTED MOTION:

I move to approve the resolution determining that protest of Street Improvement District 236 is insufficient.

**RESOLUTION DETERMINING SUFFICIENCY OF PROTESTS FOR STREET
IMPROVEMENT DISTRICT NO. 238**

Whereas, the governing body of the City of Mandan, North Dakota (the "City") adopted a Resolution of Necessity Declaring the Necessity of a Special Assessment District for Street Improvement District No. 236, on February 18th, 2025 (the "Resolution"); and

Whereas, the Resolution was published in the City's official newspaper on March 21st, 2025 and March 28th, 2025; and

Whereas, more than thirty days have passed since March 21th, 2025 publication;
and

BE IT HEREWITH RESOLVED AND DETERMINED by the governing body of the City as follows:

1. That written protests filed with the City Administrator, within 30 days after March 21st, 2025 publications, did not represent a majority of the area of the property included within Street Improvement District No. 236.
2. That proceedings under the Resolution are NOT barred.

Dated and adopted this 6th day of May, 2025

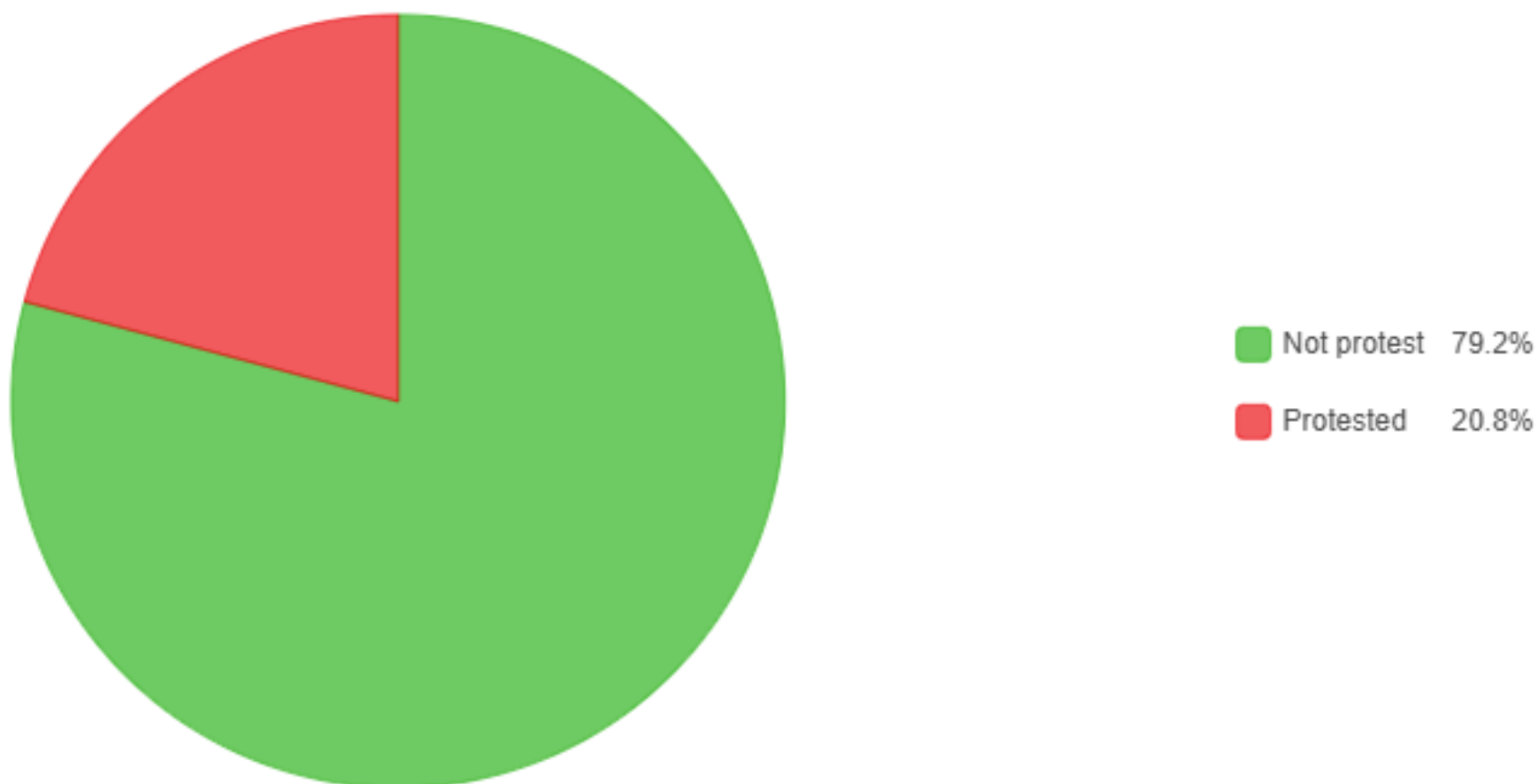
City of Mandan, North Dakota

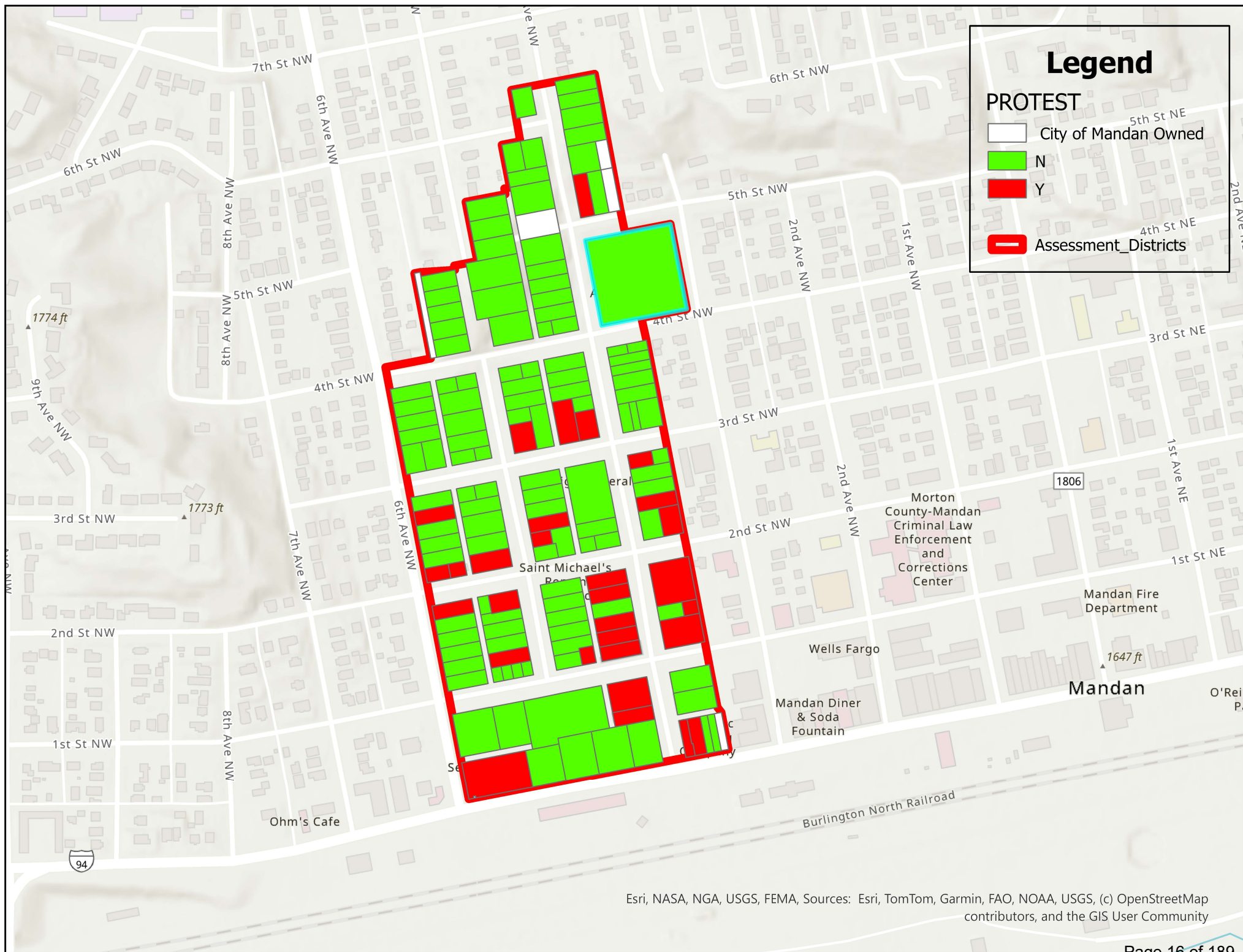
James Froelich, President
Board of City Commissioners

Attest:

James Neubauer, City Administrator

Sum of GIS Acres by Protested







City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: March 12, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a minor plat for Ramblewood 16th Addition.

STATEMENT/PURPOSE:

Consider a request for a minor plat for Ramblewood 16th Addition.

BACKGROUND/ALTERNATIVES:

Capital Properties, LLC, is requesting approval of a minor plat for Ramblewood 16th Addition.

Property History

The addresses for these properties are 2714 & 2718 Memorial Highway.

Minor Plat

The plat is .34 acres in size. It would combine two lots (Lots 1 and 2) from Ramblewood 2nd Addition into one. Staff is generally supportive of the request due to the memorial highway corridor generally having larger properties and higher traffic speeds.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned MC - Heavy Commercial/Light Industrial Restricted. Properties to the Northwest and East are also zoned MC - Heavy Commercial/Light Industrial Restricted. To the North is railroad right-of-way. Properties to the south are zoned CC - Commercial/Light Industrial Transition. The Future Land Use Plan designates this property as Industrial.

Additional Information and Public Outreach

- The application and fee of \$300 was received on February 27, 2025.
- This item as a minor plat does not require notices.

Staff Comments

Staff is supportive of the lot combination as the final lot, once combined, will be of a size more complimentary to the Memorial Highway corridor.

Findings of Fact Minor Plat

1. All technical requirements for approval of a minor plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed plat is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
4. The proposed plat is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed plat is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. The proposed plat would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. Application
2. Ramblewood 16th Addition Final Plat
3. Location Map - Ramblewood 16th

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of Ramblewood 16th Addition.

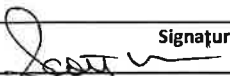
SUGGESTED MOTION:

I move to approve Ramblewood 16th Addition.

CITY OF MANDAN		
Development Review Application		
<input checked="" type="checkbox"/>	Minor Plat (\$300)	Zone Change (\$600)
<input type="checkbox"/>	Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$500)	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Final Plat up to 20 lots (\$450)	Variance (\$500)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$600)	Variance (\$400)
<input type="checkbox"/>	Final Plat more than 40 lots (\$750)	Special Use Permit (\$450)
<input type="checkbox"/>	Annexation (\$450)	Stormwater submittal (\$300)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/>	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)		
Combine two lots into one		

Engineer/Surveyor			Property Owner or Applicant		
Name Toman Engineering Co / Andra Marquardt			Name Capital Properties, LLC / Scott Wilkens		
Address 501 1st St NW			Address 3909 Edgewater Pl SE		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email andram@tomanengineering.com			email swilkens@nokakins.net		
Phone 701-663-6483		Fax	Phone 701-400-2869		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name
<input checked="" type="checkbox"/>	City	<input type="checkbox"/>	ETA	<input checked="" type="checkbox"/>	New	<input checked="" type="checkbox"/>
Property Address				Legal Description		
2714 & 2718 Memorial Hwy SE				Lots 1 & 2, Block 1		
Current Use				Proposed Use		
Commercial				Ramblewood 2nd Addition		
No change				Section 36	Township 139	Range 81
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking	
0.34 Ac±						

Print Name Scott Wilkens	Signature 	Date 2/26/25
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Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: \$ 300	Date 2-27-2025
Notice in paper	Mailed to neighbors	P&Z meeting	
Approved	Approved with conditions:		
Denied			

RAMBLEWOOD 16TH ADDITION

TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

LOTS 1 & 2, BLOCK 1, RAMBLEWOOD 2ND ADDITION OF THE NW1/4 OF THE NW1/4 OF SECTION 36, T139N-R81W OF THE CITY OF MANDAN,
MORTON COUNTY, NORTH DAKOTA

DESCRIPTION OF PROPERTY

ALL OF LOTS 1 & 2, BLOCK 1, RAMBLEWOOD 2ND ADDITION OF THE NW1/4 OF THE NW1/4 OF SECTION 36, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA. SAID TRACT OF LAND CONTAINING 14,933 SQFT (0.34 ACRES), MORE OR LESS.

SURVEYOR'S CERTIFICATE

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

ANDRA MARQUARDT, RLS 4623

OWNER'S CERTIFICATE OF DEDICATION

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

SCOTT WILKENS, PRESIDENT
CAPITAL PROPERTIES, LLC

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

_____, NOTARY PUBLIC
COUNTY, _____
MY COMMISSION EXPIRES: _____

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS, AND PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MANDAN, HAS ACCEPTED THE DEDICATION OF ALL PARKS AND PUBLIC GROUNDS SHOWN HEREON. FURTHERMORE, SAID BOARD OF CITY COMMISSIONERS HAS APPROVED THE STREETS, ALLEYS, AND OTHER PUBLIC WAYS AND GROUNDS SHOWN HEREON AS AN AMENDMENT TO THE MASTER STREET PLAN OF THE CITY OF MANDAN, THE FOREGOING ACTION BY THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, HAS TAKEN BY RESOLUTION THIS ____ DAY OF ____, 2025.

JIM NEUBAUER -
CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF
THE BOARD OF CITY COMMISSIONERS

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA HEREBY APPROVES "RAMBLEWOOD 16TH ADDITION," OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

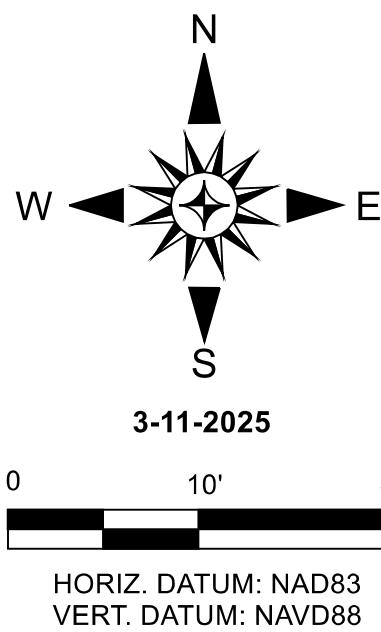
JAREK WIGNESS, PE

OWNER:
CAPITAL PROPERTIES, LLC
3909 EDGEWATER PL SE
MANDAN, ND 58554

BASIS OF BEARING:
SOUTHEASTERLY BOUNDARY LINE
NORTH 53° 04' 01" WEST

NOTES:

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



LEGEND

- FOUND REBAR MONUMENT
- SET REBAR MONUMENT

LOT 1
14933 SqFt
0.34 Acres ±

RAMBLEWOOD
2ND ADD.



**TOMAN ENGINEERING
COMPANY**

501 1st Street NW, Mandan, ND 58554
Ph: 701-663-6483 * www.tomanengineering.com



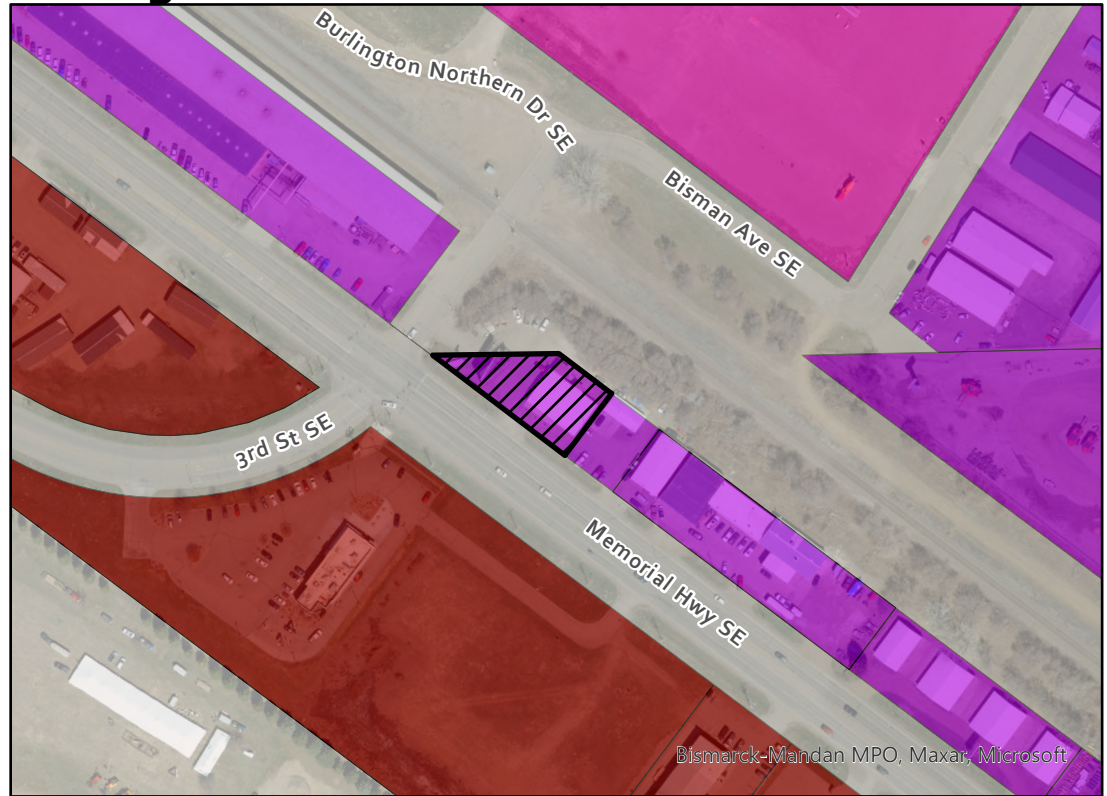
Zoning and Future Land Use Reference Map

Ramblewood 16th Addition

Zoning Map Key

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

Zoning



Future Land Use Plan Key

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

Future Land Use Plan





City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 2, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider a Cost Participation and Maintenance Agreement for the I94 Chip Seal Project.

STATEMENT/PURPOSE:

To consider a cost participation and maintenance agreement with the North Dakota Department of Transportation

BACKGROUND/ALTERNATIVES:

The NDDOT had excess federal funds that needed to be obligated in 2024. The Bismarck District office identified a preventative maintenance project on the interstate through town. This project would include chip-sealing the travel lanes, ramps, and crossovers on I-94.

Most of the work will be done on road segments that are classified as part of the "Interstate" system by the North Dakota Department of Transportation, which the City has no cost participation in. A small portion of the work will be done on North Dakota Highway 810, which is generally located between the Memorial and Expressway bridges. This segment of road is classified as part of the "Secondary Regional" system. For this class of road, the City has a 10% cost participation.

This project is set to be bid in May and would be completed this summer.

ATTACHMENTS:

1. I94 Agreement

FISCAL IMPACT:

The total estimated cost to the City for this project is \$14,992, which is 10% of the estimate included in the commission packet. The Finance department indicated that the City would be able to pay for its share out of the 1% Sales Tax fund.

STAFF IMPACT:

Minimal.

LEGAL REVIEW:

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

RECOMMENDATION:

To enter into the agreement as presented.

SUGGESTED MOTION:

I move to enter into the agreement, as presented.

MEMO TO: Chad Orn
Deputy Director for Planning

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

DATE: 03/27/2025

SUBJECT: Cost Participation, Construction and Maintenance Agreement for Project
NHU-1-810(035)000 PCN 24543

This contract is a Cost Participation, Construction and Maintenance (CPM) agreement with City of Mandan on ND 810 from Memorial Highway to the Expressway Bridge project.

Contract # 38250243

- The type of work is Seal Coat
- Funding splits is 80.93% NHU, 9.07% State and 10% City for Construction and Construction Engineering Services.
- No one time changes on the standard agreement template.

38/sm

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

**North Dakota Department of Transportation
COST PARTICIPATION AND MAINTENANCE AGREEMENT**

Federal Award Information – to be provided by NDDOT

Assistance Listing No: 20.205

Assistance Listing Title: Highway Planning & Construction

Award Name: Federal Aid Highway Program

Awarding Fed. Agency: Federal Highway Admin

NDDOT Program Mgr: Marohl, Sengaroun

Telephone: (701) 328-4449

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

Project No.NHU-1-810(035)000**PCN:** 24543**Location:** ND810 FROM MEMORIAL HWY TO EXPRESSWAY BRIDGE**Type of Improvement:** SEAL COAT**Point of Beginning:** RP 0.000**Point of Ending:** RP 0.863

In consideration of the mutual benefits to be derived therefrom, it is agreed between the state of North Dakota, acting by and through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and the Local Public Agency (LPA) of City of Mandan, North Dakota, hereinafter referred to as the LPA, the project will be constructed in accordance with the current edition of NDDOT's *Standard Specifications for Road and Bridge Construction* and with the plans incorporated into this agreement by reference.

The LPA

- a. Will pay 0 percent of the total actual cost of right of way acquired for the project which are determined eligible for funding participation; and
- b. Will pay 0 percent of the total actual cost of utility relocations required for the project which are determined eligible for funding participation; and
- c. Will pay 10 percent of the total actual construction cost of all items which are determined eligible for funding participation; and
- d. Will pay 0 percent of the total actual preliminary engineering cost of all items which are determined eligible for funding participation; and
- e. Will pay 10 percent of the total actual construction engineering cost of all items which are determined eligible for funding participation; and
- f. Will pay 100 percent of the actual construction, preliminary engineering, construction engineering, utility relocation, right of way, and any other costs incurred of all items as requested by the LPA and determined to be non-participating or ineligible for federal aid.



PART I

LPA Obligation:

1. The LPA will pay to NDDOT as the work progresses or when completed its share of the total cost of the project as defined above.
2. It is specifically agreed that if at any time the LPA fails to pay the amount billed to NDDOT within 60 days after billings, this document shall constitute an assignment of funds derived from the State Highway Tax Distribution Fund now or hereafter coming into the hands of the State Treasurer to the credit of the LPA, and the State Treasurer is hereby directed to deliver and pay over to NDDOT all funds credited to the LPA until the total thereof equals the sum billed pursuant to this agreement. The preliminary cost estimate of the project is \$149,917.69 (including 10% CE), with the LPA's estimated share being \$14,991.77. Please see attached funding splits spreadsheet.
3. All existing LPA right of way within the project limits will be provided by the LPA with clear title and available for use in the project.

PART II

Post Construction

After the project is completed the LPA agrees to:

1. The LPA will control the length and location of curb openings for future entrances and will not permit the length of curb openings for entrances to exceed the length shown on the plans or as shown on a sketch of typical entrances for similar entrances; and will prohibit the construction or use of any entrances along the project within the LPA other than those shown on the plans, without prior approval of NDDOT.
2. The LPA will not change any speed limit signs as shown on the plans without prior approval of NDDOT.
3. The LPA will prohibit double and diagonal parking and will control all parallel parking where allowed within the limits of the project in a manner satisfactory to NDDOT and to the Federal Highway Administration (FHWA), or both.
4. All signs, signals, markings, and other protective structures erected on or in connection with the project, including those installed at the sole cost and expense of the LPA or by others, shall be approved by NDDOT. All traffic control devices will be in conformance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways.
5. All right of way for the project will be maintained free of all encroachments except utilities and others in accordance with the current edition of NDDOT's "A Policy for Accommodation of Utilities on State Highway Right-of-Way". All obstructions to, interference with, or hazards to traffic flow will be removed by the LPA at the request of NDDOT. The LPA will be responsible for any consideration, avoidance, and minimization of impacts upon real property related to this project, such as changes in the grades of the streets, inconveniences to property or business, and any loss of light, air, view, access, egress, drainage, support, or nuisance.



PART III

Maintenance

The NDDOT will continue to maintain all portions of the project. Exact limits of the project are shown on the attached map.

PART IV

General:

1. Appendices A and E of the Title VI Assurances, attached, are hereby incorporated into and made a part of this agreement.
2. The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.
3. Entities that receive federal funds through NDDOT may be required to obtain an audit in accordance with 2 C.F.R. Part 200, Subpart F. A copy of such audit shall be submitted to NDDOT. Entities that spend less than \$1,000,000 of federal funds from all sources may be subject to reviews by NDDOT at its discretion. Additionally, all entities receiving federal funds through NDDOT shall certify whether a Single Audit has been completed as part of the annual Federal award process. These requirements are applicable to counties, cities, state agencies, Indian tribes, colleges, hospitals, and non profit businesses.
4. The LPA is advised that its signature on this contract or agreement certifies that any person associated therewith is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency within the past three years; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction on any matter involving fraud or official misconduct within the past three years.
5. NDDOT is not responsible for any Property Taxes or Special Assessments on property which has been acquired as part of the roadway reconstruction project. The LPA is responsible to make arrangements for deferral or payment of such Taxes and/or Special Assessments.



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

APPROVED:

LPA of _____

LPA ATTORNEY (TYPE OR PRINT)

NAME (TYPE OR PRINT)

SIGNATURE

SIGNATURE

DATE

*

TITLE

DATE

ATTEST:

AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

Executed for the North Dakota Department of Transportation by the Director at Bismarck, North Dakota,
the last date below signed.

APPROVED as to substance by:

NORTH DAKOTA DEPARTMENT OF
TRANSPORTATION

Derek Pfeifer

DIVISION DIRECTOR(TYPE OR PRINT)

DIRECTOR (TYPE OR PRINT)

Derek Pfeifer

SIGNATURE

SH

M

SIGNATURE

03/28/25

DATE

DATE

*Mayor or President of Commission

CLA 17058 (Div. 38)
L.D. Approved 10-17, 11-24; C.M. 03/21/2025



CERTIFICATION OF LOCAL MATCH

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

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

Source:

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

ATTEST:

APPROVED:

AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

LPA of

NAME (TYPE OR PRINT)

SIGNATURE

*

TITLE

DATE

*Mayor or President of Commission

CLA 17058 (Div. 38)
L.D. Approved 02-18; Rev. 1-23; C.M. 03/21/2025



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

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

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



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

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

Pertinent Non-Discrimination Authorities:

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



Risk Management Appendix

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

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

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

Governments – State and Government Entity, as defined above

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

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

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

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

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

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

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

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

RM Consulted 2007
Revised 6-24



NHU-1-810(035)000 PCN 24543 - ND 810 from Memorial HWY to the Expressway Bridge				
Description	Project Estimate	Federal	State	City
Construction cost	\$136,288.81	\$110,298.53	\$12,361.40	\$13,628.88
Preliminary Engineering (District Design)	\$0.00	\$0.00	\$0.00	\$0.00
Construction Engineering	\$13,628.88	\$11,029.85	\$1,236.14	\$1,362.89
Total	\$149,917.69	\$121,328.39	\$13,597.53	\$14,991.77

Note: The costs shown are estimates. The City will be billed for actual costs incurred.

DESIGN DATA				
Traffic		Average Daily		
Current	2022	Pass: 44,135	Trucks: 2480	Total: 46,615
Preventive Maintenance				

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

IM-1-094(246)147
IM-1-194(247)000
NHU-1-810(035)000
JCT ND 25 TO 3 MI E OF JCT US 83
HWY 194; JCT I-94 TO ND 810
MEMORIAL HWY/I-94B-EXPRESSWAY BRIDGE
Seal Coat

STATE	PROJECT NO.	PCN	SECTION NO.	SHEET NO.
ND	IM-1-094(246)147	24541	1	1
	IM-1-194(247)000	24542		
	NHU-1-810(035)000	24543		

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

PROJECT NUMBER \ DESCRIPTION	NET MILES	GROSS MILES
IM-1-094(246)147	13.372	15.072
IM-1-194(247)000	0.991	1.072
NHU-1-810(035)000	0.735	0.863



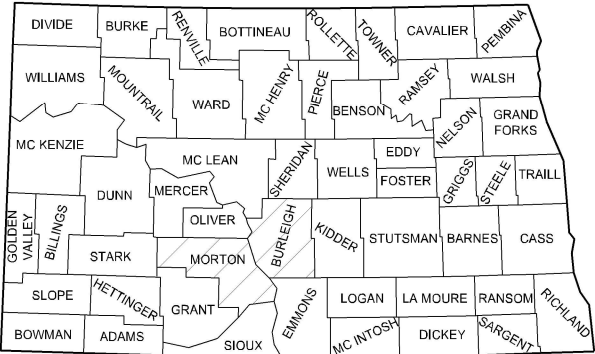
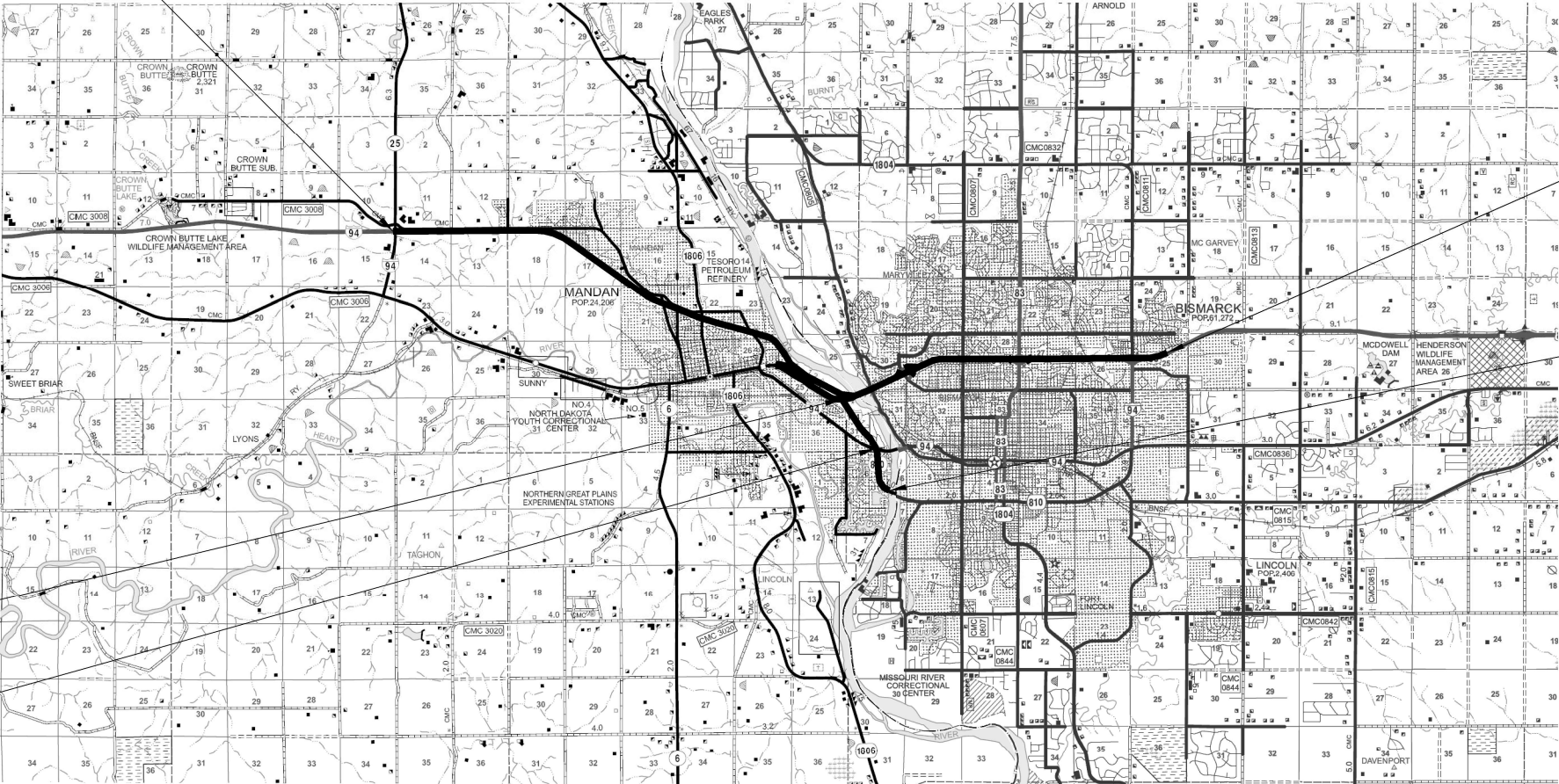
Begin PCN 24541
RP 147.023

End PCN 24541
RP 162.095

End PCN 24543
RP 0.863

Begin PCN 24542
RP 0.000

End PCN 24542
RP 1.072
Begin PCN 24543
RP 0.000



STATE COUNTY MAP

DESIGNER Loren Lee
DESIGNER Cole Balzer
DESIGNER

ND DEPARTMENT OF TRANSPORTATION
Bismarck District

Larry Gangl
03/04/25

NDDOT Bismarck District





City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 11, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Gaming Site Authorization approvals

STATEMENT/PURPOSE:

To consider approval of the gaming site authorization received so far.

BACKGROUND/ALTERNATIVES:

These are the gaming site authorization received since mid-April for the July 1, 2025 to June 30, 2026 timeframe.

ATTACHMENTS:

None

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

Approve as presented.

SUGGESTED MOTION:

I move to approve the gaming site authorizations listed.



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

G - _____ (_____) _____

Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

New Salem Civic Club

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

Name of Location

Bennigan's

Street

1506 27th St. NW

City

Mandan

ZIP Code

58554

County

Morton

Beginning Date(s) Authorized

7/1/2025

Ending Date(s) Authorized

6/30/2026

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

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

entire establishment excluding restrooms

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input type="checkbox"/> Twenty-One |
| <input type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input type="checkbox"/> Calcuttas |
| <input type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input checked="" type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input type="checkbox"/> Paddlewheel Table |
| <input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

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

Tim Helbling**INSTRUCTIONS:**

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

RETURN ALL DOCUMENTS TO:

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



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

License Number (Office Use Only)

Site Owner (Lessor) Mandan Legends Group, LLC		Site Name Bennigan's		Site Phone Number 701-391-2175
Site Address 1506 27th St. NW	City Mandan	State ND	Zip Code 58554	County Morton
Organization New Salem Civic Club	Rental Period 7/1/2025 to 6/30/2026			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 400
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 5		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 875
Total Monthly Rent				\$ 1275

6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐

TERMS OF RENTAL AGREEMENT:

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

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

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

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

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

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

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

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

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

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

Signature of Lessor <i>Monte Steiny</i>	Title Owner	Date 03/10/25
Signature of Lessee <i>Steve Tolman</i>	Title President	Date 3/21/25



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

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

Full, Legal Name of Gaming Organization

Mandan Baseball Club, Inc.

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

Name of Location

Broken Oar

Street 4724 Pintail Loop	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/25	Ending Date(s) Authorized 6/30/26	Number of Twenty-One tables, if zero, enter "0" 1	

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

Games will be located in bar area, excluding the resrooms.

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input checked="" type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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



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

License Number (Office Use Only)

Site Owner (Lessor) B & B, Inc.		Site Name Broken Oar		Site Phone Number (701) 667-2159
Site Address 4724 Pintail Loop	City Mandan	State ND	Zip Code 58554	County Morton
Organization Mandan Baseball Club, Inc.		Rental Period 7/1/25 to 6/30/26		Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$
Number of Tables with wagers over \$5 1 X Rent per Table \$ 300				\$ 300
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input checked="" type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 325
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 10		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 1250
Total Monthly Rent				\$ 1,875
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

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

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

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

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

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

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

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

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

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

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

Signature of Lessor 	Title Owner / President	Date 12/31/24
Signature of Lessee 	Title President	Date 11-9-2024



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

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

Full, Legal Name of Gaming Organization

Mandan Baseball Club, Inc.

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

Name of Location

The Drink

Street 4007 Southbay Drive SE	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/25	Ending Date(s) Authorized 6/30/26	Number of Twenty-One tables, if zero, enter "0" 2	

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

Games will be located in bar area, excluding the resrooms.

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input checked="" type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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



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

License Number (Office Use Only)

Site Owner (Lessor) Lakewood Bar & Grill, Inc.		Site Name The Drink		Site Phone Number (701) 224-8063
Site Address 4007 Southbay Drive SE	City Mandan	State ND	Zip Code 58554	County Morton
Organization Mandan Baseball Club, Inc.	Rental Period 7/1/25 to 6/30/28			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$
Number of Tables with wagers over \$5 2 X Rent per Table \$ 300				\$ 600
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input checked="" type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 325
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 10		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 1250
Total Monthly Rent				\$ 2,175
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

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

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

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

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

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

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

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

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

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

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

Signature of Lessor 	Title + General Manager	Date 10-29-24
Signature of Lessee 	Title President	Date 11-4-2024



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

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

Full, Legal Name of Gaming Organization

Mandan Baseball Club, Inc.

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

Name of Location

Seven Seas

Street 2611 Old Red Trail	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/25	Ending Date(s) Authorized 6/30/26	Number of Twenty-One tables, if zero, enter "0" 1	

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

Games will be located in bar area, excluding the resrooms.

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input checked="" type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input checked="" type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

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

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
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RETURN ALL DOCUMENTS TO:

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



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

License Number (Office Use Only)

Site Owner (Lessor) BW-SS, Inc.		Site Name Seven Seas		Site Phone Number (701) 663-7401
Site Address 2611 Old Red Trail	City Mandan	State ND	Zip Code 58554	County Morton
Organization Mandan Baseball Club, Inc.	Rental Period 7/1/25 to 6/30/26			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 <u> </u> X Rent per Table \$ <u> </u>		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>0</u>				\$ <u>0</u>
3. Is Paddlewheels conducted at this site? Number of Tables <u> </u> X Rent per Table \$ <u> </u>		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
4. Is Pull Tabs involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input checked="" type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ <u>0</u>
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices <u>10</u>		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ <u>500</u>
Total Monthly Rent				\$ <u>500</u>
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				
TERMS OF RENTAL AGREEMENT: This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business. The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization. The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed. If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site. The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds. The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee. The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name. A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest. At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.				
Signature of Lessor <i>x [Signature]</i>		Title <i>x General Manager</i>		Date <i>x 2/26/25</i>
Signature of Lessee <i>[Signature]</i>		Title <i>President</i>		Date <i>4-3-2025</i>



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

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

Full, Legal Name of Gaming Organization

Mandan Baseball Club, Inc.

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

Name of Location

Silver Dollar Bar

Street 200 E. Main Street	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/25	Ending Date(s) Authorized 6/30/26	Number of Twenty-One tables, if zero, enter "0" 1	

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

Games will be located in bar area, excluding the resrooms.

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input checked="" type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

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

INSTRUCTIONS:

1. City/County - Retain a **copy** of the Site Authorization for your files.
2. City/County - Return the **original** Site Authorization form to the Organization.
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RETURN ALL DOCUMENTS TO:

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



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

License Number (Office Use Only)

Site Owner (Lessor) East Main Investments, LLC		Site Name Silver Dollar		Site Phone Number (701) 663-5248
Site Address 200 E. Main Street	City Mandan	State ND	Zip Code 58554	County Morton
Organization Mandan Baseball Club, Inc.	Rental Period 7/1/25 to 6/30/26			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 1 X Rent per Table \$ 300				\$ 300
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input checked="" type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 325
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 10		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 1250
Total Monthly Rent				\$ 1,875
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				

TERMS OF RENTAL AGREEMENT:

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

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

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

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

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

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

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

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

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

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

Signature of Lessor 	Title x Owner	Date 2/24/2025
Signature of Lessee 	Title President	Date 3-4-2025



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02/2018)

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

Full, Legal Name of Gaming Organization **Mandan Touchdown Club**

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

Name of Location Starion Sports Complex			
Street 111 Old Red Trail	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 8/1/25	Ending Date(s) Authorized 12/1/25		Number of twenty-one tables if zero, enter "0": 0
Specific location where games of chance will be conducted and played at the site (required) Lobby of the Starion Sports Complex			
If conducting Raffle or Poker activity provide date(s) or month(s) of event(s) if known August, September, October, November			

RESTRICTIONS (City/County Use Only)

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

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

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheels with Tickets
<input type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input type="checkbox"/> ELECTRONIC Pull Tab Device		

APPROVALS

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (Rev. 08-2019)

License Number (Office Use Only)

Site Owner (Lessor) Mandan Parks And Recreation		Site Name Starion Sports Complex		Site Phone Number (701) 751-6166
Site Address 111 Old Red Trail Ne	City Mandan	State ND	Zip Code 58554	County Morton
Organization (Lessee) Mandan Touchdown Club		Rental Period 8/1/2025 to 12/1/2025		Monthly Rent Amount
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</div> <div><input type="checkbox"/> No <input type="checkbox"/> Yes</div> <div>\$</div>
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 <input checked="" type="checkbox"/> Rent per Table \$ Number of Tables with wagers over \$5 <input checked="" type="checkbox"/> Rent per Table \$				<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</div> <div>\$</div> <div>\$</div>
3. Is Paddlewheels conducted at this site? Number of Tables <input checked="" type="checkbox"/> Rent per Table \$				<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</div> <div>\$</div>
4. Is Pull Tabs involving either a jar bar, standard, or electronic dispensing device conducted at this site? Please check: <input type="checkbox"/> Jar Bar <input type="checkbox"/> Standard Dispensing Device				<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</div> <div>\$</div>
<input type="checkbox"/> Electronic Dispensing Device Number of Electronic Devices				\$
Total Monthly Rent				\$ 0.00
5. If the only gaming activity to be conducted at this site is a raffle drawing, please check here. <input checked="" type="checkbox"/>				
TERMS OF RENTAL AGREEMENT: This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business. The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization. The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed. If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site. The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds. The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee. The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name. At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.				
Signature of Lessor		Title Director		Date 4/14/2025
Signature of Lessee		Title Treasurer - Mandan Touchdown Club		Date 4/14/2025

North Dakota Century Code § 53-06.1-11 (Gross Proceeds - Allowable expenses – Rent limits)

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

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

3. Rent must be a fixed dollar amount per month.
 - a. A participatory or graduated rate arrangement based on gross proceeds or adjusted gross proceeds is prohibited.
 - b. If bingo is the primary game or if a site is leased by an organization that has the alcoholic beverage license for that site, the monthly rent must be reasonable. Factors include time usage, floor space, local prevailing rates, and available sites and services. An organization may pay seasonal expenses, such as snow removal, air-conditioning and heating, to a vendor.
 - c. If bingo is not the primary game, the maximum monthly rent must be according to subsection 5 of North Dakota Century code section 53-06.1-11.

Special considerations are:

 - (1) If two or more organizations conduct twenty-one or paddlewheels, or both, involving a table and pull tabs for less than a month at a temporary site which is a public or private premise, or if two or more organizations are issued site authorizations to conduct games at a site on different days of the week, the maximum monthly rent, in the aggregate, may not exceed the limit set by subsection 5 of the North Dakota Century Code section 53-06.1-11; and
 - (2) If a raffle, calcutta, sports pool, or poker is conducted with twenty-one, paddlewheels, or pull tabs, no additional rent is allowed.
 - d. Except for applying subsection 3 or 4 of section 99-01.3-03-04, and additional rent paid to a lessor for simulcast racing, an organization or employee may not pay any additional rent or expense, from any source, or for any other purpose, including office or storage space, snow removal, maintenance or cleaning fees, equipment, furnishings, entertainment, or utilities. Except for a leased site at which bingo is the primary game conducted, an organization may not pay for any capital or leasehold improvements or remodeling.
- *4. If there is a change in the monthly rent or any other material change to a rental agreement, the agreement must be amended and a copy received by the attorney general **before** its effective date.

North Dakota Administrative Code § 99-01.3-03-04 (Restrictions and requirements)

20. If an organization conducts twenty-one, it may pay monthly rent for more than one table provided that each additional table is used at least thirteen times a quarter. This level of activity is based on a site's historical experience, or seasonal activity, for each of the previous four quarters, regardless of which organization conducted twenty-one at the site. For a new site or a site that has been completely remodeled in appearance and function, the level of activity must be reviewed and reestablished after the first full quarter. If an additional table is used at least thirteen times in at least one but not all of the previous four quarters, the allowable monthly rent for that table must be prorated over all the active months of the licensing year. For example, if a second table was used at least thirteen times in only two of the previous four quarters, the additional monthly rent for the second table would be a maximum of two hundred dollars per month (or three hundred dollars per month if a wager greater than five dollars is accepted on the table) multiplied by six months (totaling one thousand two hundred dollars) and prorated to one hundred dollars per month for the licensing year.



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (Rev. 08-2019)

License Number (Office Use Only)

Site Owner (Lessor) Pit Masters Llc		Site Name Dickey's Bbq		Site Phone Number (701) 212-6144	
Site Address 4524 Memorial Highway		City Mandan		State ND	Zip Code 58554
County Morton		Rental Period 7/1/2024 to 6/30/2025		Monthly Rent Amount	
Organization (Lessee) Mandan Touchdown Club					
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes		\$	
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ <input checked="" type="checkbox"/> Rent per Table \$ _____ Number of Tables with wagers over \$5 _____ <input checked="" type="checkbox"/> Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
3. Is Paddlewheels conducted at this site? Number of Tables _____ <input checked="" type="checkbox"/> Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
4. Is Pull Tabs involving either a jar bar, standard, or electronic dispensing device conducted at this site? Please check: <input type="checkbox"/> Jar Bar <input type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$	
<input checked="" type="checkbox"/> Electronic Dispensing Device Number of Electronic Devices <u>3</u>				\$ 525.00	
Total Monthly Rent				\$ 525.00	

5. If the only gaming activity to be conducted at this site is a raffle drawing, please check here. ☐

TERMS OF RENTAL AGREEMENT:

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

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

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

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

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

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

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

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

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

Signature of Lessor

Title

Date

Owner

4/14/2025

Signature of Lessee

Title

Date

Treasurer - Mandan Touchdown Club

4/14/2025

North Dakota Century Code § 53-06.1-11 (Gross Proceeds - Allowable expenses – Rent limits)

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

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

3. Rent must be a fixed dollar amount per month.
 - a. A participatory or graduated rate arrangement based on gross proceeds or adjusted gross proceeds is prohibited.
 - b. If bingo is the primary game or if a site is leased by an organization that has the alcoholic beverage license for that site, the monthly rent must be reasonable. Factors include time usage, floor space, local prevailing rates, and available sites and services. An organization may pay seasonal expenses, such as snow removal, air-conditioning and heating, to a vendor.
 - c. If bingo is not the primary game, the maximum monthly rent must be according to subsection 5 of North Dakota Century code section 53-06.1-11.

Special considerations are:

 - (1) If two or more organizations conduct twenty-one or paddlewheels, or both, involving a table and pull tabs for less than a month at a temporary site which is a public or private premise, or if two or more organizations are issued site authorizations to conduct games at a site on different days of the week, the maximum monthly rent, in the aggregate, may not exceed the limit set by subsection 5 of the North Dakota Century Code section 53-06.1-11; and
 - (2) If a raffle, calcutta, sports pool, or poker is conducted with twenty-one, paddlewheels, or pull tabs, no additional rent is allowed.
 - d. Except for applying subsection 3 or 4 of section 99-01.3-03-04, and additional rent paid to a lessor for simulcast racing, an organization or employee may not pay any additional rent or expense, from any source, or for any other purpose, including office or storage space, snow removal, maintenance or cleaning fees, equipment, furnishings, entertainment, or utilities. Except for a leased site at which bingo is the primary game conducted, an organization may not pay for any capital or leasehold improvements or remodeling.
- *4. If there is a change in the monthly rent or any other material change to a rental agreement, the agreement must be amended and a copy received by the attorney general **before** its effective date.

North Dakota Administrative Code § 99-01.3-03-04 (Restrictions and requirements)

20. If an organization conducts twenty-one, it may pay monthly rent for more than one table provided that each additional table is used at least thirteen times a quarter. This level of activity is based on a site's historical experience, or seasonal activity, for each of the previous four quarters, regardless of which organization conducted twenty-one at the site. For a new site or a site that has been completely remodeled in appearance and function, the level of activity must be reviewed and reestablished after the first full quarter. If an additional table is used at least thirteen times in at least one but not all of the previous four quarters, the allowable monthly rent for that table must be prorated over all the active months of the licensing year. For example, if a second table was used at least thirteen times in only two of the previous four quarters, the additional monthly rent for the second table would be a maximum of two hundred dollars per month (or three hundred dollars per month if a wager greater than five dollars is accepted on the table) multiplied by six months (totaling one thousand two hundred dollars) and prorated to one hundred dollars per month for the licensing year.



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02/2018)

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

Full, Legal Name of Gaming Organization **Mandan Touchdown Club**

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

Name of Location Dickey's BBQ			
Street 4524 Memorial Highway	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/25	Ending Date(s) Authorized 6/30/26	Number of twenty-one tables if zero, enter "0": 0	
Specific location where games of chance will be conducted and played at the site (required) Dickey's BBQ Front of store			
If conducting Raffle or Poker activity provide date(s) or month(s) of event(s) if known			

RESTRICTIONS (City/County Use Only)

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

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

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheels with Tickets
<input type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

APPROVALS

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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



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

License Number (Office Use Only)

Site Owner (Lessor) Stryker Enterprises, LLC		Site Name Main Street Drive Thru Liquor		Site Phone Number 701-663-8888	
Site Address 1005 East Main Street		City Mandan		State ND	Zip Code 58554
County Morton					
Organization Furry Friends Rockin Rescue		Rental Period July 1, 2025 to June 30, 2026			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?					<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.					<input type="checkbox"/> No <input type="checkbox"/> Yes \$
2. Is Twenty-One conducted at this site?					<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes \$
Number of Tables with wagers up to \$5 X Rent per Table \$					
Number of Tables with wagers over \$5 X Rent per Table \$					\$
3. Is Paddlewheels conducted at this site?					<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes \$
Number of Tables X Rent per Table \$					
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?					<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes \$
Please Check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device					325
5. Are Electronic Pull-Tabs conducted at this site?					<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes \$
If "Yes" please indicate the number of devices 4					700
Total Monthly Rent					\$ 1025.
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>					

TERMS OF RENTAL AGREEMENT:

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

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

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

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

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

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

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

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

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

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

Signature of Lessor Shawn Stryker	Title Manager	Date 4/10/25
Signature of Lessee Mike Schaefer	Title Board President	Date 4-10-25

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

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

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

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

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

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



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

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

Full, Legal Name of Gaming Organization

Furry Friends Rockin Rescue

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

Name of Location

Stryker Enterprises, LLC dba Main Street Drive Thru Liquor

Street 1005 E Main Street	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized July 1, 2025	Ending Date(s) Authorized June 30, 2026	Number of Twenty-One tables, if zero, enter "0" 0	

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

See attachment-Bar Area

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

Unknown

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

Attorney General	Date
Signature of City/County Official	Date

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

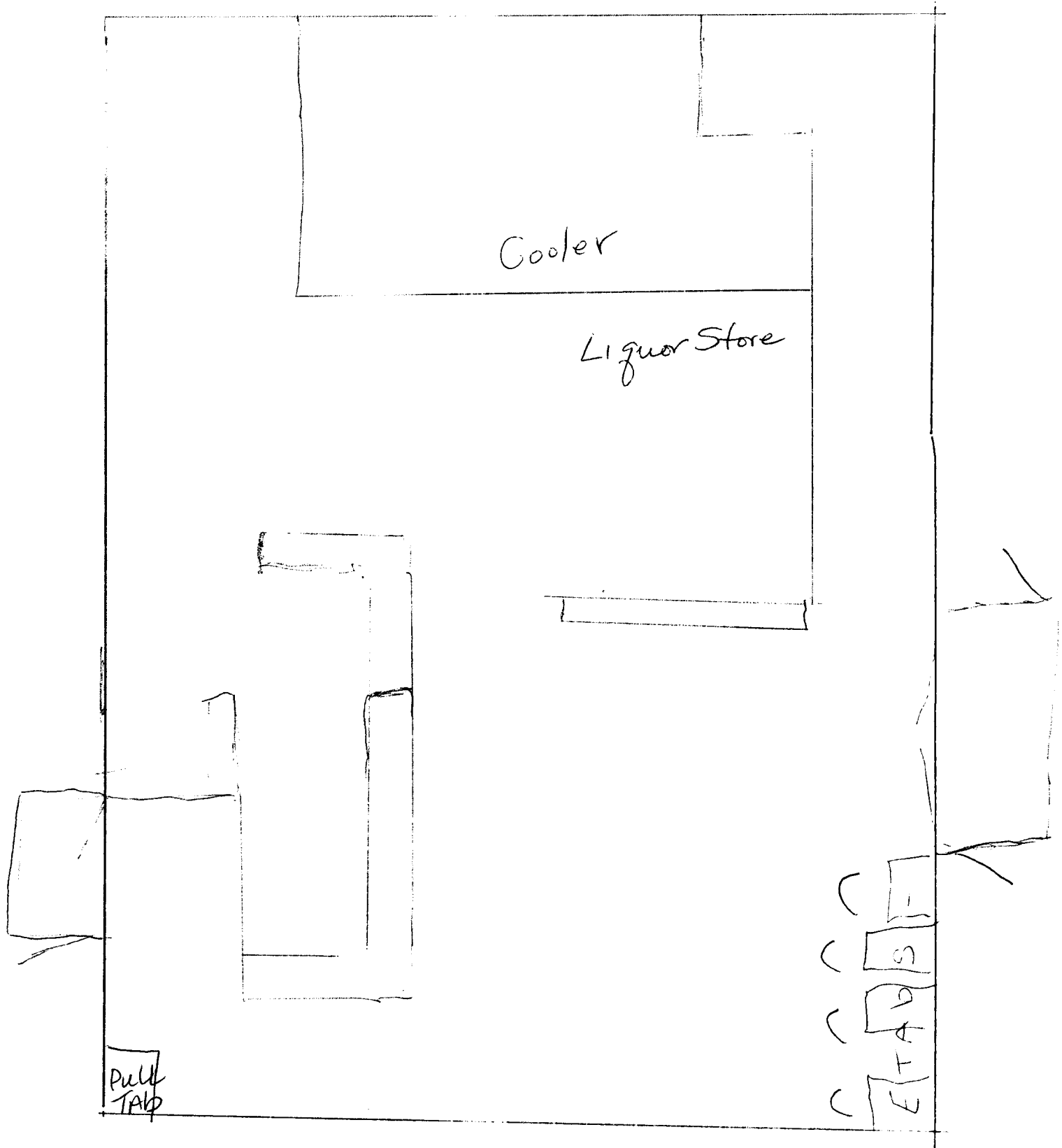
INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

Main Street - MANDAN





City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 16, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Consider a gaming site authorization for Furry Friends Rockin Rescue at Send It! 24/7 on July 1, 2025

STATEMENT/PURPOSE:

Consider a gaming site authorization for Furry Friends Rockin Rescue at Send It! 24/7 on July 1, 2025

BACKGROUND/ALTERNATIVES:

A gaming site authorization for Furry Friends Rockin Rescue at Send It! 24/7 on July 1, 2025 (1 day only) was received on 4/15/2025.

AG's office directed Furry Friends to fill out the gaming site authorization for the one-day event. The other charity currently in the establishment will have to shut down all their gaming for that day because only one charity can be there at a time.

ATTACHMENTS:

1. 05 FURY FRIENDS ROCKIN RESCUE - SEND IT 24-7CORNHOLE (UNSIGNED)

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

City Commission

Agenda Documentation

May 6, 2025

Subject: Furry Friends Rockin Rescue at Send It! 24/7 Cornhole on June 1, 2025

Page 2 of 2

Approve

SUGGESTED MOTION:

I move to approve the gaming site authorization for Furry Friends Rockin Rescue at Send It! 24/7 on July 1, 2025.



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

License Number (Office Use Only)

Site Owner (Lessor) SEND IT! 24/7 CORNHOLE INC		Site Name Send It! 24/7 Cornhole		Site Phone Number 701-751-2359	
Site Address 1700 E Main Street		City Mandan		State ND	Zip Code 58554
County Morton		Rental Period June 1, 2025 to June 1, 2025		Monthly Rent Amount	
Organization Furry Friends Rockin Rescue					
1. Is Bingo going to be conducted at the site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$	
2. Is Twenty-One conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____					
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$	
3. Is Paddlewheels conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
Number of Tables _____ X Rent per Table \$ _____					
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
Please Check: <input type="checkbox"/> Jar Bar <input type="checkbox"/> Standard Dispensing Device					
5. Are Electronic Pull-Tabs conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$	
If "Yes" please indicate the number of devices _____					
Total Monthly Rent				\$	
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>					

TERMS OF RENTAL AGREEMENT:

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

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

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

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

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

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

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

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

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

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

Signature of Lessor 	Title OWNER	Date 4/10/2025
Signature of Lessee 	Title Board Pres	Date 4/10/25



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

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

Full, Legal Name of Gaming Organization

Furry Friends Rockin Rescue

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

Name of Location

Send It! 24/7 Cornhole, FWC

Street 1700 E Main St	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized June 1, 2025	Ending Date(s) Authorized June 1, 2025	Number of Twenty-One tables, if zero, enter "0" 0	

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

See attached drawing

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

June 1, 2025

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

<input checked="" type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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

Send it! 24/7 Corn Hole

BAR

Bar

Restroom

Restroom

Storage



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

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

Full, Legal Name of Gaming Organization

American Legion Post 91

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

Name of Location

Send It 24/7

Street 1700 East Main	City Mandan	ZIP Code 58554	County Morton
Beginning Date(s) Authorized 7/1/2025	Ending Date(s) Authorized 6/30/2026	Number of Twenty-One tables, if zero, enter "0" 0	

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

entire establishment excluding the restrooms

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

<input checked="" type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheel with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input checked="" type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

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

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Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



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

License Number (Office Use Only)

Site Owner (Lessor) Send It! 24/7 Cornhole Inc.		Site Name Send It 24/7		Site Phone Number (701) 781-2359
Site Address 1700 E. Main St.	City Mandan	State ND	Zip Code 58554	County Morton
Organization New Salem American Legion Post #91		Rental Period July 1, 2025 to June 30, 2026		Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$
Number of Tables with wagers over \$5 1 X Rent per Table \$ 300				\$ 300
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: <input checked="" type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 325
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 10		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 1250
Total Monthly Rent				\$ 1875
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. <input type="checkbox"/>				
TERMS OF RENTAL AGREEMENT: This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business. The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a credit ticket voucher from an electronic tab device, winning pull tab involving a dispensing device, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device, and sell raffle tickets or sports pool chances on a board on behalf of an organization. The LESSOR agrees that the lessors on call or temporary or permanent employee(s) will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed. If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site. The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds. The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee. The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name. A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest. At the LESSOR's option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.				
Signature of Lessor 		Title Owner		Date 4/13/2025
Signature of Lessee 		Title Gaming Manager		Date 4/13/2025



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

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

Full, Legal Name of Gaming Organization

Prairie Public Broadcasting, Inc.

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

Name of Location

Strawberry Bar & Grill

Street

210 West Main St

City

Mandan

ZIP Code

58554

County

Morton

Beginning Date(s) Authorized

07/01/2025

Ending Date(s) Authorized

06/30/2026

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

0

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

Entire facility, excluding restrooms

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

RESTRICTIONS FOR CITY/COUNTY USE ONLY

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

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Bingo | <input type="checkbox"/> Club Special | <input type="checkbox"/> Sports Pools |
| <input type="checkbox"/> ELECTRONIC Quick Shot Bingo | <input type="checkbox"/> Tip Board | <input type="checkbox"/> Twenty-One |
| <input type="checkbox"/> Raffles | <input type="checkbox"/> Seal Board | <input type="checkbox"/> Poker |
| <input type="checkbox"/> ELECTRONIC 50/50 Raffle | <input type="checkbox"/> Punchboard | <input type="checkbox"/> Calcuttas |
| <input type="checkbox"/> Pull Tab Jar | <input type="checkbox"/> Prize Board | <input type="checkbox"/> Paddlewheel with Tickets |
| <input checked="" type="checkbox"/> Pull Tab Dispensing Device | <input type="checkbox"/> Prize Board Dispensing Device | <input type="checkbox"/> Paddlewheel Table |
| <input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device | | |

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

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

INSTRUCTIONS:

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

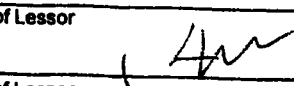
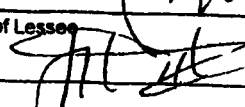
RETURN ALL DOCUMENTS TO:

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



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (Rev. 08-2019)

License Number (Office Use Only)

Site Owner (Lessor) The Strawberry Lic		Site Name Strawberry Bar & Grill		Site Phone Number (701) 751-7348
Site Address 210 W Main Ave	City Mandan	State ND	Zip Code 58554	County Morton
Organization (Lessee) Prairie Public Broadcasting, Inc		Rental Period 12/18/2023 to 6/30/2027		Monthly Rent Amount
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes \$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____ Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes \$ \$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes \$
4. Is Pull Tabs involving either a jar bar, standard, or electronic dispensing device conducted at this site? Please check: <input type="checkbox"/> Jar Bar <input checked="" type="checkbox"/> Standard Dispensing Device				<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes \$ 150.00
<input checked="" type="checkbox"/> Electronic Dispensing Device Number of Electronic Devices <u>10</u>				\$ 600.00
Total Monthly Rent				\$ 750.00
5. If the only gaming activity to be conducted at this site is a raffle drawing, please check here. <input type="checkbox"/>				
TERMS OF RENTAL AGREEMENT: This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance. The LESSOR agrees that no game will be directly operated as part of the lessor's business. The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization. The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed. If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site. The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds. The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee. The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name. At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.				
Signature of Lessor 		Title OWNER		Date 12-21-23
Signature of Lessee 		Title President & CEO		Date 12/15/23

Prairie Public Broadcasting, Inc.

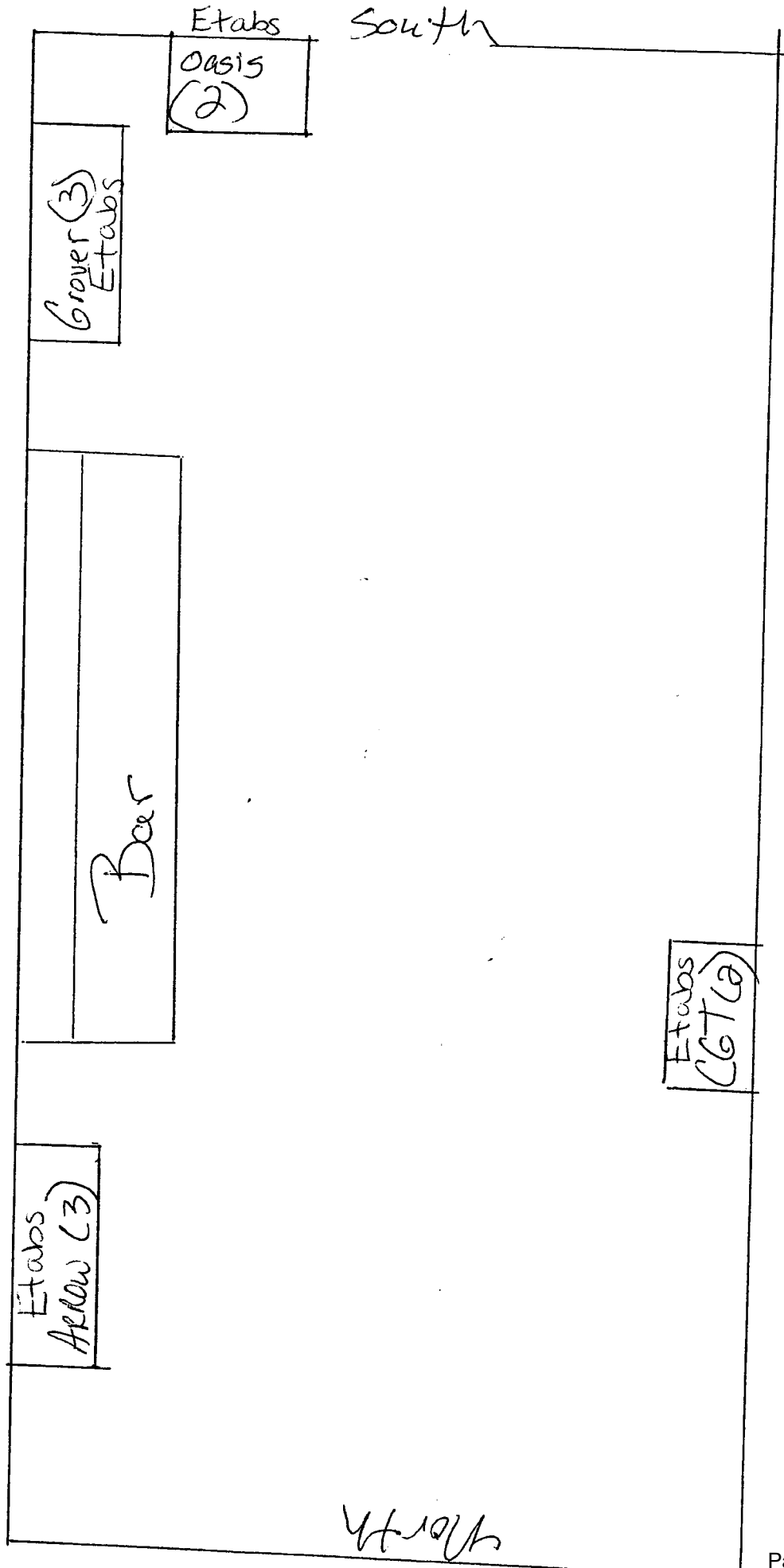
Site: Strawberry Bar & Grill

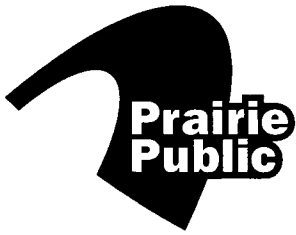
Game types to be conducted at this site
Internal Control Manual Available Upon Request

- | | | |
|-----|-------------------------------|-------------|
| 1. | Bingo | _____ |
| 2. | Electronic Quick Shot Bingo | _____ |
| 3. | Raffles | _____ |
| 4. | Electronic 50/50 Raffle | _____ |
| 5. | Pull Tab Jar | _____ |
| 6. | Pull Tab Dispensing Device | _____✓_____ |
| 7. | Electronic Pull Tab Device | _____✓_____ |
| 8. | Club Special | _____ |
| 9. | Tip Board | _____ |
| 10. | Seal Board | _____ |
| 11. | Punch Board | _____ |
| 12. | Prize Board | _____ |
| 13. | Prize Board Dispensing Device | _____ |
| 14. | Sports Pool | _____ |
| 15. | Twenty-One | _____ |
| 16. | Poker | _____ |
| 17. | Calcutta | _____ |
| 18. | Paddlewheel with Tickets | _____ |
| 19. | Paddlewheel Table | _____ |

East

Strawberry Bar Mandan ND





Prairie Public Broadcasting, Inc.

*Television
Radio
Education Services
Enterprises*

April 15, 2025

City Administrator
City of Mandan
205 2nd Ave NW
Mandan, ND 58554

Enclosed you will find the Site Authorization paperwork for Prairie Public Broadcasting, Inc to renew our Charitable Gaming Site Authorization at the Strawberry for 2025-2026.

Please place our renewal request on the City Commission agenda. Enclosed is a self- addressed stamped envelope to return the signed paperwork.

Let me know if you have any questions.

Thank You,

Gail Widmer
Prairie Public Broadcasting
Director of Gaming
701-239-7516
gwidmer@prairiepublic.org



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 11, 2025
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler, Police Chief
SUBJECT: Consider approval of the special event permit for the Mandan Rodeo Days Concert

STATEMENT/PURPOSE:

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

BACKGROUND/ALTERNATIVES:

The Mandan Rodeo Days returns for its 146th year with its 3rd annual concert to kick off the rodeo celebration. This year's concert features Ned Ledoux with performances from ND's own Beni Paulson, Breaking Eight & John Kringstad.

All city departments have reviewed and signed off on this event. See attached application.

ATTACHMENTS:

1. Mandan Rodeo Concert - signed

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

N/A

RECOMMENDATION:

I recommend approving the special event permit for the Mandan Rodeo Days Concert.

City Commission

Agenda Documentation

May 6, 2025

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

Page 2 of 2

SUGGESTED MOTION:

I move to approve the special event permit for the Mandan Rodeo Days Concert.

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

Special Events Permit Application

City of Mandan, ND

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

Date of Application: 04/04/2025

30 days prior to the event with a **non-refundable administration application fee of \$25 attached**. Late applications are permitted and subject to an **additional \$50 processing fee** for those submitted within 20 days of an event. **Any application not submitted prior to 20 days before the event will not be accepted for consideration.**

The payment of fees does not guarantee event approval if submitted late. Permits are \$30 per day/Sunday Permit will be \$45, to a maximum of \$150.00 per event not to exceed 14 days (Includes Sundays).

All applicants will be charged fees as appropriate and are expected to fully reimburse the city for all services related to event production which may include, but are not limited to, Police Services, Fire/EMS, Park and Facility Maintenance, Field Services, Sanitation, Street Engineering and Site Supervisors. (See Below Fee and Charges)

A storage fee of **\$500** will be assessed for all equipment not removed from any public venue or premises within 24 hours of the end of the event. Any vendor may request an extension for equipment removal and may be granted by the City Administrator. Full payment is due upon receipt of final invoice. Any property that is abandoned over 15 days will become property of the City of Mandan and may be sold to recoup any expenses accrued by the city.

Comprehensive site plans must accompany this application.

Street Dance: ☐ Beer Garden: ☐ Both: ☐ Parade or Other Public Event: ☒

Section 1 – Applicant Information

Name of Event Manager: Will Sattler
Driver's License Number: NDL-27-7434 State ND
Date of Birth: 10/15/2024 Phone Number: 720-999-1189 Email: will@funatixevents.com
Address: 401 E Main Ave Suite 120 City: Bismarck State: ND Zip: 58501
Have you ever been convicted of a crime? ☐ YES ☒ NO
If yes please list charge(s) and year of conviction(s):
N/A

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

Name of Event Manager: Rachel Burr
Driver's License Number: _____ State _____
Date of Birth: _____ Phone Number: 701-425-3196 Email: rachel@funatixevents.com
Address: _____ City: _____ State: _____ Zip: _____
Have you ever been convicted of a crime? ☐ YES ☒ NO
If yes please list charge and year of conviction:

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

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

Business Address: 3801 Memorial Hwy Ste A Box 153 City: Mandan State: ND Zip: 58554
Corporation/Organization: Mandan Rodeo Days State of Incorporation: ND
Tax ID #: 87-3923280 501(c)3 #: _____ City Sales Tax ID #: _____

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

If yes, please provide the following:

Last event/s Location: Mandan Rodeo Days Concert Date: 6/29/2024
Contact Name: Will Sattler Phone: 720-999-1189
E-mail Contact: will@funatixevents.com

Section 2 – Event Information

Event Name: Mandan Rodeo Days Concert Anticipated Daily Attendance: 2,000
Event Date(s): June 28th Set-up Date: June 27th Hours: 6
Hours of event each day: 5pm-10pm

(begin and end times)

Take Down Date(s): June 28th Hours: 6

E-Mail address for public information: mandanrodeo@gmail.com

WEB address for public information: https://mandanrodeo.com/concert/

Location of Event/physical address: Dale Pahlke Arena

Sponsors of the Event: Tri Energy Cenex, Dakota Community Bank and Trust

Brief Description of Event:

Mandan Rodeo days returns for its 146th year with its third annual concert to kick off the rodeo celebration.
This years concert features Ned Ledoux with performances from North Dakota's own Beni Paulson & Breaking Eight and
John Kringstad.

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

If yes, please provide the following:

Last event/s Location: _____

Date: _____ Contact Name and Phone: _____

Section 3 – Event Features

Will there be an admission charge? ☒ Yes ☐ No

If yes, Printed ticket count: 2,500 Tickets for presale count: 2,500

Will there be entertainment? ☒ Yes ☐ No

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

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

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

If yes, please attach a complete list of vendors.

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

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

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

(Attach all promotional material.)

Radio: ☒ Yes ☐ No What Stations? 103.3

TV: ☒ Yes ☐ No What Stations? KFYR

Fliers/Posters: ☒ Yes ☐ No How many? 200

Press Releases: ☒ Yes ☐ No How many? 10

Newspaper Ads: ☐ Yes ☒ No What publication? _____

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

Name of Promoter and Promotion Company: _____

Address: _____ City: _____ State: _____ Zip: _____

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

Tents or Canopies: ☐ Yes ☒ No

Number of Tents: _____

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

Fireworks or Pyrotechnics: ☐ Yes ☒ No

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

Fireworks or Pyrotechnics Production Company's name: _____

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

Require permits from the City of Mandan

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

Temporary Fencing: ☐ Yes ☒ No

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

Company Contact Name: _____

Contact phone: _____

Restroom Accommodations: _____

Number of required portable toilets: _____

Approved By: _____ Date Approved: _____ Initials: _____

Placement of sanitary toilet facilities must be on site plan.

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

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

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

Electrical Services/Generators ☒ Yes ☐ No

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

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

Approved By: _____ Date Approved: _____ Initials: _____

Carnival/Amusement Rides: ☐ Yes ☒ No

A separate permit from the Fire Department may be required.

Company Contact name: _____
Contact phone: _____

Bonded and Insured Amount: _____

Approved By: _____ Date Approved: _____ Initials: _____

Signs / Banners ☒ Yes ☐ No

Company Contact name: Funatix Events- Will Satler
Contact phone: 720-999-1189

Approved By: _____ Date Approved: _____ Initials: _____

Inflatables ☐ Yes ☒ No

Company Contact name: _____
Contact phone: _____

Bonded and Insured Amount: _____

Approved By: _____ Date Approved: _____ Initials: _____

Raffles

Will this event have a raffle? ☐ Yes ☒ No

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

Approved By: _____ Date Approved: _____ Initials: _____

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

Section 4 – Transportation

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

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

- City Streets ☐ Yes ☒ No (Number of locations: _____ attach list of locations.)
- City Sidewalks ☐ Yes ☒ No (Number of locations _____ attached list of locations)
- City Bus Stops ☐ Yes ☒ No (Number of locations _____ attached list of locations)
- Public Parking Lots ☐ Yes ☒ No (Number of locations _____ attached list of locations)
- Public Bicycle Parking ☐ Yes ☒ No (Number of locations _____ attached list of locations)
- Multiuse Paths ☐ Yes ☒ No (Number of locations _____ attached list of locations)
- City Alleys ☐ Yes ☒ No (Number of locations _____ attached list of locations)
- City Right-of-Ways ☐ Yes ☒ No (Number of locations _____ attached list of locations)

Approved By: _____ **Date Approved:** _____ **Initials:** _____
(Section 4 must be approved by Mandan City Engineer, and be approved by the City Commission before the event)

Section 5 – Use of City Utilities

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

Electric Location including amperage _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

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

Water Location(s) _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

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

If so, how will it be disposed? _____

Approved By: _____ **Date Approved:** _____ **Initials:** _____

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

Section 6 – Alcohol

Will there be alcohol at the event? ☒ Yes ☐ No

Will alcohol be given away? ☐ Yes ☒ No

Will the alcohol be sold? ☒ Yes ☐ No

Will the alcohol be donated? ☐ Yes ☒ No

Who is the alcohol being donated by or purchased through: Funatix Events _____

Is alcohol included in the admission price of the event? ☐ Yes ☒ No

Approved By: _____ Date Approved: _____ Initials: _____

If you answered Yes to any of the above, a City and State Liquor License will be required. Attach copy(s) of all liquor licenses with this application. (If a City Liquor License is needed please contact the City of Mandan's Finance Department to apply at Phone: (701) 667-3213)

Has the applicant/organization ever had a liquor license or event permit denied, revoked or suspended? ☐ Yes ☒ No

If yes, please explain:

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

ID's checked, and wristbanded

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

If yes, who provided the training: Funatix Events _____

Date and time of most recent training: 6/26/2025 _____

Request Mandan Police Server Training: ☐ Yes ☒ No

If yes provide a contact person and contact information::

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

Section 7 – Event Security

Are you requesting off-duty Mandan Police officers? ☒ Yes ☐ No

Number of personnel requested: 2

After reviewing the event application, the Chief of Police may require the use of the City of Mandan Off-Duty Police Officers for the event.

To schedule Off-Duty Police Officers, please call 701-667-3250.

Officers must be requested 2 weeks prior to any event and there will be a minimum of 4 work hours per officers per event at \$45 per-hour per officer.

Are you requesting private security? ☒ Yes ☐ No

Number of security personnel onsite: 6-8

Include security points and duties on event plans

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

Security Company and Contact Info: Dwayne Egli; 701-255-7112 ext 1607

Attach a copy of Company's License

Section 8 – Emergency Medical Services

Are you requesting off-duty Mandan EMT's? ☒ Yes ☐ No

Number of personnel requested: 2

After reviewing the event application the Fire Chief may require the use of the City of Mandan Off-Duty EMT's or paramedics for the event.

EMTs or paramedics must be requested 2 weeks prior to any even and there will be the minimum of 4 work hours per employee per event \$35

Section 9 – Event Maintenance and Cleanup Plan Required

What is your trash removal and cleanup plan?

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

(Attach a detailed Cleanup Plan)

Outside refuse company Company's Name: _____

Contact Name: _____ Phone: _____

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

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

Section 10 – ADA Accessibility Requirements

Parking plan requirements

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

Section 11– Insurance and Bond Requirements

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

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

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

The certificate must show:

1. The City of Mandan, its agents, officers, employees and volunteers are named as “Additional Insured.” All Certificate of Insurance policies must reflect this with the exception of workers compensation.

2. The City of Mandan shall be notified at least 30 days prior to cancellation or alteration of any insurance coverage. A 10-day notice of cancellation for non-payment of premium is required..

3. Workers Compensation Policies shall contain a Waiver of Subrogation clause in favor of the City of Mandan.

4. General Liability Including: Bodily Injury Contractual Independent Contractors
Comprehensive Form Product/Completed Operations Hazard
Premises Operation Personal injury Broad Form Property Damage

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

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

City Services

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

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

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

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

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

Miscellaneous fees

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

Fireworks Permit..... \$ ____ per location

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

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

Fee Cost Worksheet

Police Services:

No. of Officers 2 x No. of Hours 6 = 12.00 x \$45 = \$ 540.00

Fire/EMT Services

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

Finance application processing Fee \$ _____

Trash Container Fee..... \$ _____

Custodial Fee..... \$ _____

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

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

\$25 Application Fee..... \$ 25.00

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

Event Application Fee (See Attached Fee Schedule)..... \$ 30.00

TOTAL: \$ 595.00

Fees assessed by the Park District are not included.

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

Permit Application #: _____ Date Complete: _____

(For office use only)

Signature Page from City Officials and Department Heads

<u>Mitch L. Bitz</u> <small>Mitch L. Bitz (Apr 7, 2025 10:24 CDT)</small>	/ 04/07/2025	<input checked="" type="checkbox"/>	Approved	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Conditional—See Narrative
Fire Department	Date						
<u>Patrick Haug</u> <small>Patrick Haug (Apr 4, 2025 14:44 CDT)</small>	/ 04/04/2025	<input checked="" type="checkbox"/>	Approved	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Conditional—See Narrative
Police Department	Date						
<u>Jack Higgins</u> <small>Jack Higgins (Apr 4, 2025 14:54 CDT)</small>	/ 04/11/2025	<input checked="" type="checkbox"/>	Approved	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Conditional—See Narrative
Engineering Department	Date						
<u>Shane O'Keefe</u> <small>Shane O'Keefe (Apr 4, 2025 14:54 CDT)</small>	/ 04/04/2025	<input checked="" type="checkbox"/>	Approved	<input type="checkbox"/>	Denied	<input type="checkbox"/>	Conditional—See Narrative
Public Works	Date						

Fire Department Narrative:

Police Department Narrative:

Engineering Narrative:

Public Works Narrative:

Special Event Guide

Sec. 12-9-1. - Definitions.

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

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

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

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

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

ARTICLE 4. – AMUSEMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 12-9-2. - Penalty.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Each parade permit shall state the following information:

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

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

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

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

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

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

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

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

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














Mandan Rodeo Concert

Final Audit Report

2025-04-11


Created:	2025-04-04
By:	Tasha Scott (tasha.scott@mandanpd.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAVMKDctG2g88EnaKx4h8vdpsEeSRk2kuq

"Mandan Rodeo Concert" History


-  Document created by Tasha Scott (tasha.scott@mandanpd.com)
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-  Document emailed to Patrick Haug (phaug@mandanpd.com) for signature
2025-04-04 - 7:25:31 PM GMT
-  Email viewed by Patrick Haug (phaug@mandanpd.com)
2025-04-04 - 7:41:25 PM GMT
-  Document e-signed by Patrick Haug (phaug@mandanpd.com)
Signature Date: 2025-04-04 - 7:44:17 PM GMT - Time Source: server
-  Document emailed to Shane OKeefe (shane.okeefe@cityofmandan.com) for signature
2025-04-04 - 7:44:19 PM GMT
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2025-04-04 - 7:49:37 PM GMT
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2025-04-07 - 3:23:36 PM GMT
-  Signer mbitz@cityofmandan.com entered name at signing as Mitch L. Bitz
2025-04-07 - 3:24:40 PM GMT
-  Document e-signed by Mitch L. Bitz (mbitz@cityofmandan.com)
Signature Date: 2025-04-07 - 3:24:42 PM GMT - Time Source: server

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2025-04-11 - 4:46:53 PM GMT

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

Signature Date: 2025-04-11 - 4:47:20 PM GMT - Time Source: server

 Agreement completed.

2025-04-11 - 4:47:20 PM GMT



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 22, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a minor plat for West Hills 5th Addition First Replat.

STATEMENT/PURPOSE:

Consider a request for a minor plat for West Hills 5th Addition First Replat

BACKGROUND/ALTERNATIVES:

West Hills Developers, LLC, is requesting approval of a minor plat for West Hills 5th Addition First Replat.

Property History

The addresses for these properties are 4204, 4300, & 4304 47th Street NW. They are described as Lots 31-33, Block 3, West Hills Estates 5th Addition. The development was approved in 2021 and constructed in 2023.

Minor Plat

The plat is .319 acres in size. It would combine three lots into two.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned PUD (Planned Unit Development). Surrounding adjacent properties are zoned PUD (Planned Unit Development).

Additional Information and Public Outreach

- The application and fee of \$300 was received on April 2, 2025.
- This item as a minor plat does not require notices.

Staff Comments

- Municipal water and sewer utilities were installed to three lots. Given the request to reduce to two, specific approval is necessary from the City's Public Works Department and Engineering Department to address the extra service lines which may require formal abandonment to the City's standards.
- Special Assessments for the original three lots will be re-allocated proportionally to the resulting two lots.

Findings of Fact Minor Plat

1. All technical requirements for approval of a minor plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed plat is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
4. The proposed plat is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed plat is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. The proposed plat would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. Application
2. LOTS 31-33 BLOCK 3 REPLAT-Final Plat
3. Location Map - West Hills 5th Replat Lots 31-33, Block 3

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of West Hills 5th Addition First Replat contingent on City Engineering and Public Works approval of a utility abandonment plan and the reallocation of special assessments.

SUGGESTED MOTION:

I move to approve West Hills 5th Addition First Replat contingent on City Engineering and Public Works approval of a utility abandonment plan and the reallocation of special assessments.

CITY OF MANDAN	
Development Review Application	
<input checked="" type="checkbox"/> Minor Plat (\$300)	Zone Change (\$600)
<input type="checkbox"/> Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
<input type="checkbox"/> Preliminary Plat more than 20 acres (\$500)	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/> Final Plat up to 20 lots (\$450)	Vacation (\$500)
<input type="checkbox"/> Final Plat 21 to 40 lots (\$600)	Variance (\$400)
<input type="checkbox"/> Final Plat more than 40 lots (\$750)	Special Use Permit (\$450)
<input type="checkbox"/> Annexation (\$450)	Stormwater submittal (\$300)
<input type="checkbox"/> Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/> Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)	
Lot Combination/Minor Plat--West Hills 5th	

Engineer/Surveyor			Property Owner or Applicant		
Name Swenson Hagen & Co			Name West Hills Developers, LLC		
Address 3002 Airway Ave			Address 3100 N 14th #1		
City Bismarck	State ND	Zip 58504	City Bismarck	State ND	Zip 58503
email lniemiller@swensonhagen.com			email arthur@verityhomes.com		
Phone 701 223 2600		Fax	Phone 701 663 4117		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location			Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/> City	ETA		<input type="checkbox"/> New	<input type="checkbox"/> Addition	PUD		WH 5th First Replat	
Property Address					Legal Description			
4204, 4300, 4304 47TH ST NW					LOTS 31, 32 & 33 BLOCK 3			
Current Use					West Hills Estates Fifth Addition			
n/a								
Proposed Use								
single family home					Section 7	Township 139	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking			
13,928 SF								

Print Name	Signature	Date
		3/28/25

Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: \$ 300	Date 4-2-2025
Notice in paper	Mailed to neighbors	P&Z meeting	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

WEST HILLS ESTATES FIFTH ADDITION REPLAT OF LOTS 31, 32, & 33 BLOCK 3

PART OF THE SE 1/4 OF SECTION 7, T 139 N., R 81 W.

MANDAN, MORTON COUNTY, NORTH DAKOTA

DESCRIPTION

REPLAT OF ALL OF LOTS 31, 32, & 33 BLOCK 3 WEST HILLS ESTATES FIFTH ADDITION, PART OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 139 NORTH, RANGE 81 WEST, MANDAN, MORTON COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHMOST CORNER OF LOT 30 BLOCK 3 WEST HILLS ESTATES FIFTH ADDITION; THENCE NORTH 53 DEGREES 47 MINUTES 57 SECONDS EAST, ON THE SOUTH LINE OF LOTS 14 AND 15 BLOCK 3 WEST HILLS ESTATES FIFTH ADDITION, A DISTANCE OF 145.14 FEET TO THE WEST LINE OF LOT 35 BLOCK 3 WEST HILLS ESTATES FIFTH ADDITION; THENCE SOUTH 23 DEGREES 03 MINUTES 12 SECONDS EAST, ON SAID WEST LINE AND THE WEST LINE OF LOT 34 BLOCK 3 WEST HILLS ESTATES FIFTH ADDITION, A DISTANCE OF 116.84 FEET TO THE NORTH LINE OF 47TH ST NW RIGHT-OF-WAY; THENCE SOUTHWESTERLY AND TO THE LEFT, ON SAID NORTH LINE, ON A 533.00 FOOT RADIUS CURVE, THE RADIUS OF WHICH BEARS SOUTH 23 DEGREES 03 MINUTES 12 SECONDS EAST, AN ARC LENGTH OF 120.05 FEET TO THE EAST LINE OF LOT 30 BLOCK 3 WEST HILLS ESTATES FIFTH ADDITION; THENCE NORTH 35 DEGREES 57 MINUTES 30 SECONDS WEST, ON SAID EAST LINE, A DISTANCE OF 99.81 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 13,928 SF, MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THE APPROVED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON 2025, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL MONUMENTS SHOWN HEREON ARE CORRECT, THAT ALL REQUIRED MONUMENTS HAVE BEEN SET, AND THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT.

SWENSON, HAGEN & CO. P.C.
909 BASIN AVENUE
BISMARCK, NORTH DAKOTA
58504

TERRY BALTZER
PROFESSIONAL LAND SURVEYOR
N.D. REGISTRATION NO. 3929

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF MANDAN, ON THE DAY OF 2025, IN ACCORDANCE WITH LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF MANDAN AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF MANDAN.

BILL ROBINSON - CHAIRMAN

NANCY MOSER - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN HEREON, HAS ACCEPTED THE DEDICATION OF ALL STREET, ALLEYS, AND PUBLIC WAYS SHOWN HEREON AS AN AMENDMENT TO THE MASTER STREET PLAN OF THE CITY OF MANDAN, THE FOREGOING ACTION BY THE BOARD OF CITY COMMISSIONERS OF MANDAN, NORTH DAKOTA, WAS TAKEN BY RESOLUTION THIS DAY OF 2025.

JIM NEUBAUER--CITY ADMINISTRATOR

JAMES FROELICH--MAYOR

APPROVAL OF CITY ENGINEER

I, JAREK WIGNESS, CITY ENGINEER OF THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVE "WEST HILLS ESTATES FIFTH ADDITION REPLAT OF LOTS 31, 32, & 33 BLOCK 3", MANDAN, MORTON COUNTY, NORTH DAKOTA AS SHOWN ON THE APPROVED PLAT.

JAREK WIGNESS
CITY ENGINEER

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WEST HILLS DEVELOPERS, LLC, BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "WEST HILLS ESTATES FIFTH ADDITION REPLAT OF LOTS 31, 32, & 33 BLOCK 3", MANDAN, MORTON COUNTY, NORTH DAKOTA.

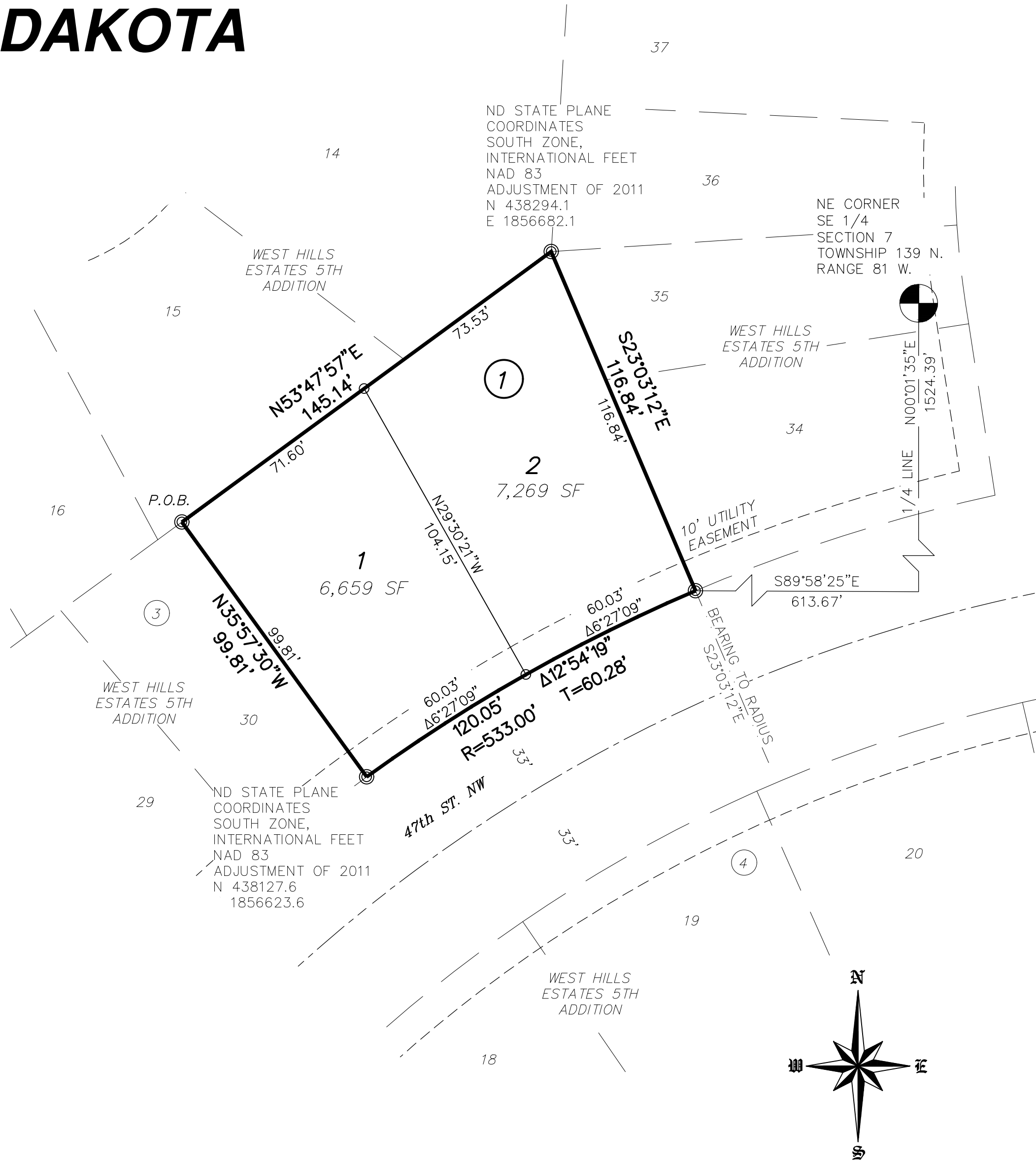
WE, THE UNDERSIGNED, BEING THE SOLE OWNERS OF THE LAND PLATTED HEREON, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT.

STATE OF NORTH DAKOTA)
COUNTY OF BURLEIGH)

ARTHUR GOLDAMMER
WEST HILLS DEVELOPERS, LLC
3100 N 14TH ST.
BISMARCK, ND 58503

ON THIS DAY OF 2025, BEFORE ME PERSONALLY APPEARED ARTHUR GOLDAMMER OF WEST HILLS DEVELOPERS, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
BURLEIGH COUNTY, NORTH DAKOTA
MY COMMISSION EXPIRES



NOTES

BASIS OF BEARING:
NORTH DAKOTA STATE PLANE, SOUTH ZONE

COORDINATE DATUM:
NORTH DAKOTA STATE PLANE COORDINATE
SYSTEM
NAD 83 SOUTH ZONE
ADJUSTMENT OF 2011
UNITS ARE INTERNATIONAL FEET

BEARINGS AND DISTANCES MAY VARY FROM
PREVIOUS PLATS DUE TO DIFFERENT METHODS
OF MEASUREMENTS.

SCALE: 1"=30'

MARCH 25, 2025

© MONUMENT IN PLACE
○ MONUMENT TO BE SET



SWENSON, HAGEN & COMPANY P.C.

909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223 - 2600
Fax (701) 223 - 2606

Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management



Zoning and Future Land Use Reference Map

West Hills Estates 5th Addition Replat of Lots 31, 32 & 33, Block 3

Zoning

Zoning Map Key

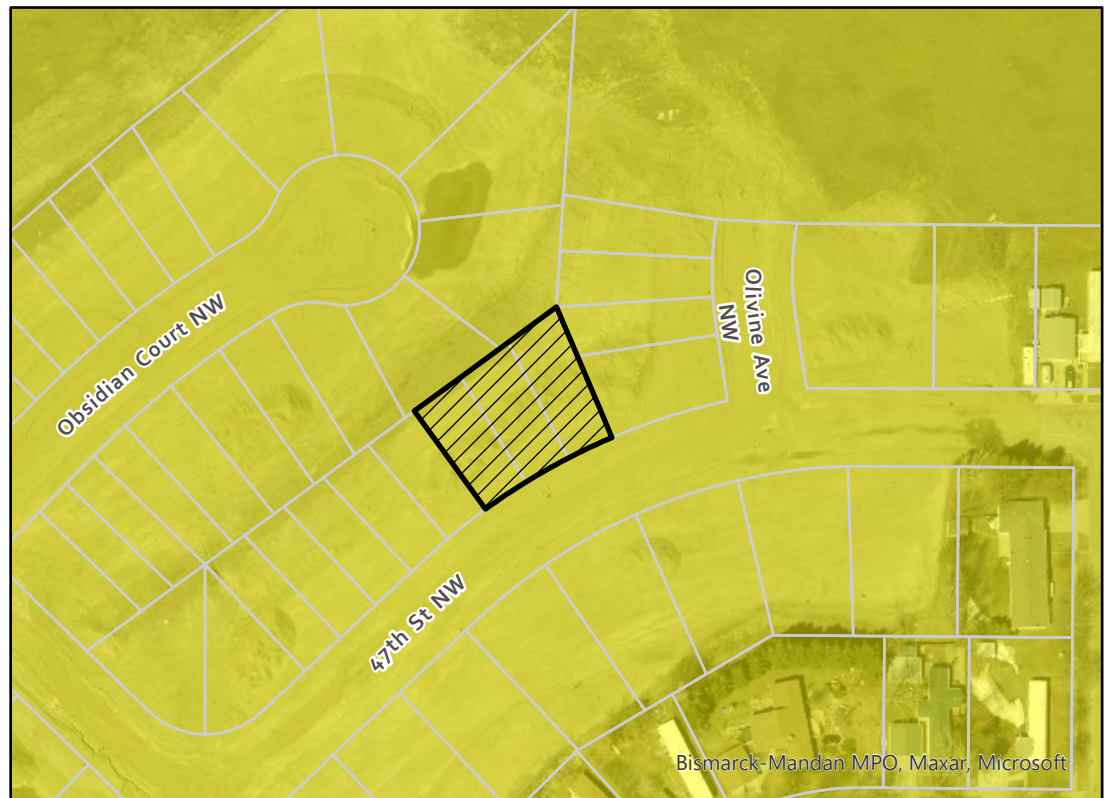
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light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



Future Land Use Plan Key

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

Future Land Use Plan





City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 28, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Riley McAdoo-Roesler, Assistant City Engineer
SUBJECT: Permission for the engineering and maintenance departments to dispose of obsolete vehicles

STATEMENT/PURPOSE:

Permission to dispose of a 2004 Chevy Tahoe and a 2000 Ford F150.

BACKGROUND/ALTERNATIVES:

During the September 17, 2024 meeting, the Commission approved the engineering department to order a new vehicle. The new vehicle has arrived and equipment has been transferred. The Chevy Tahoe being replaced had been experiencing mechanical and electrical issues.

A Ford F150 vehicle from the maintenance department has also been replaced with a vehicle from the water treatment plant. The Tahoe and the Ford were offered to other departments and no other departments wanted the vehicles.

ATTACHMENTS:

None

FISCAL IMPACT:

The engineering department estimates approximately \$3,000 of revenue.

STAFF IMPACT:

Staff will take the vehicles to auction.

LEGAL REVIEW:

All documents have been made available for the city attorney to review.

RECOMMENDATION:

To allow for the disposal of obsolete vehicles.

SUGGESTED MOTION:

I move to allow the disposal of the 2004 Chevy Tahoe and 2000 Ford F150.



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 28, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a minor plat for West Bay Estates 4th Addition

STATEMENT/PURPOSE:

Consider a request for a minor plat for West Bay Estates 4th Addition

BACKGROUND/ALTERNATIVES:

Gas U Up, LLC, is requesting approval of a minor plat for West Bay Estates 4th Addition.

Property History

The property was previously platted into West Bay Estates in 2000, West Bay Estates 2nd in 2009, and was subsequently broken off again. An adjacent property to the east of it was developed and opened in 2017. There is an access easement across the property to serve the back lot.

Minor Plat

The plat is 2 acres in size. Lot one is 1.25 acres and lot 2 is .75 acres. There is a non-access line along McKenzie Drive SE for the entire south boundary. Multiple easements including a bike path easement, utility easement, and access easement are shown on the plat.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned CB - Commercial. Surrounding adjacent properties are zoned CB - Commercial and PUD (Planned Unit Development).

Additional Information and Public Outreach

- The application and fee of \$300 was received on March 20, 2025.

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

Staff Comments

Staff supports the lot split as shown.

**Findings of Fact
Minor Plat**

1. All technical requirements for approval of a minor plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed plat is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
4. The proposed plat is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed plat is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. The proposed plat would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. Application
2. West Bay 4th-PLAT-PRELIM_2025-04-10
3. West Bay 4th-PLAT-FINAL_2025-04-10
4. Location Map - West Bay Estates 4th

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of West Bay Estates 4th Addition.

SUGGESTED MOTION:

I move to approve West Bay Estates 4th Addition.

CITY OF MANDAN		
Development Review Application		
X	Minor Plat (\$300)	Zone Change (\$600)
	Preliminary Plat up to 20 acres (\$450)	Planned Unit Development (\$700)
	Preliminary Plat more than 20 acres (\$500)	Land Use and Transportation Plan Amendment (\$1,000)
	Final Plat up to 20 lots (\$450)	Vacation (\$500)
	Final Plat 21 to 40 lots (\$600)	Variance (\$400)
	Final Plat more than 40 lots (\$750)	Special Use Permit (\$450)
	Annexation (\$450)	Stormwater submittal (\$300)
	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	Document Recording (\$30)
Summary of Request (Add separate sheet(s) as necessary)		
This request is to plat a parcel of land within Lot 5, Block 1 of the Replat of Lots 3, 4, and 5, Block 1, West Bay Estates 2nd Addition so it can be sold.		

Engineer/Surveyor			Property Owner or Applicant		
Name Andrew Schrank, PE			Name Gas Up, LLC		
Address 319 24th Street E			Address 450 12th St W		
City Dickinson	State ND	Zip 58601	City Dickinson	State ND	Zip 58601
email schrank@highlandseng.com			email tracyt@toozconstruction.com		
Phone 701-483-2444		Fax 701-483-2610	Phone 701-260-4431		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
X	City	ETA	New	Addition	CB	CB	West Bay Estates 4th Addition
Property Address					Legal Description		
n/a					Lot 5, Block 1 less Auditor's Lot A of Repat of Lots 3-5, Block 1, West Bay Estates 2nd Add'n		
Current Use							
undeveloped							
Proposed Use							
commercial					Section 6	Township T138N	Range R80W
Parcel Size	Building Footprint	Stories	Building SF	Required Parking	Provided Parking		
2.00ac	n/a	n/a	n/a	n/a	n/a		

Print Name TRACY TOOZ	Signature 	Date 3-12-25
--------------------------	--	-----------------

Office Use Only			
Date Received:	Initials: <i>ym</i>	Fees Paid: \$300	Date 3-20-2025
Notice in paper	Mailed to neighbors	P&Z meeting	
Approved	Approved with conditions:		
Denied			

WEST BAY ESTATES 4TH ADDITION

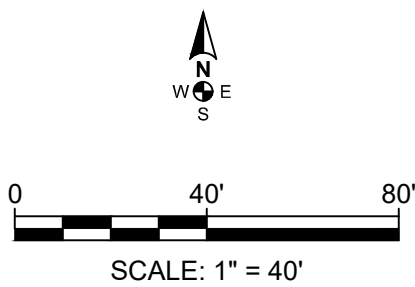
LOT 5, BLOCK 1 LESS AUDITOR'S LOT "A" OF THE REPLAT OF LOTS 3, 4 AND 5, BLOCK 1, WEST BAY ESTATES 2ND ADDITION
CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION

A PARCEL OF LAND BEING LOT FIVE (5), BLOCK ONE (1) LESS AUDITOR'S LOT "A" OF THE REPLAT OF LOTS THREE (3), FOUR (4) AND FIVE (5), BLOCK ONE (1) OF WEST BAY ESTATES 2ND ADDITION, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT FIVE (5) BEING A FOUND MAG NAIL; THENCE N 00°02'39" W ALONG THE WEST LINE OF SAID LOT FIVE (5), A DISTANCE OF 519.98 FEET TO A FOUND REBAR AND CAP LS-9457 AT THE SOUTHWEST CORNER OF AUDITOR'S LOT "A" AS RECORDED AT THE MORTON COUNTY RECORDER'S OFFICE PER DOCUMENT NUMBER 451529; THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG THE BOUNDARY OF SAID AUDITOR'S LOT "A": N 89°20'46" E, 123.38 FEET TO A FOUND REBAR AND CAP LS-9457; S 00°03'38" E, 266.28 FEET TO A FOUND REBAR AND CAP LS-9457; N 89°55'43" E, 96.48 FEET TO A FOUND REBAR AND CAP LS-9457; S 00°04'30" E, 239.06 FEET TO A FOUND REBAR AND CAP LS-9457 ON THE NORTH RIGHT-OF-WAY OF MCKENZIE DRIVE SOUTHEAST; THENCE S 85°47'53" W ALONG SAID NORTH LINE, A DISTANCE OF 220.63 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.00 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES AND SURVEYS.





**HIGHLANDS
ENGINEERING**

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

PROJECT NUMBER:	251606	SCALE:	1" = 40'
DRAWN BY:	AJA	DATE:	04/10/25

WEST BAY ESTATES 4TH ADDITION

LOT 5, BLOCK 1 LESS AUDITOR'S LOT "A" OF THE REPLAT OF LOTS 3, 4 AND 5, BLOCK 1, WEST BAY ESTATES 2ND ADDITION
CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

LEGAL DESCRIPTION

A PARCEL OF LAND BEING LOT FIVE (5), BLOCK ONE (1) LESS AUDITOR'S LOT "A" OF THE REPLAT OF LOTS THREE (3), FOUR (4) AND FIVE (5), BLOCK ONE (1) OF WEST BAY ESTATES 2ND ADDITION, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT FIVE (5) BEING A FOUND MAG NAIL; THENCE N 00°02'39" W ALONG THE WEST LINE OF SAID LOT FIVE (5), A DISTANCE OF 519.98 FEET TO A FOUND REBAR AND CAP LS-9457 AT THE SOUTHWEST CORNER OF AUDITOR'S LOT "A" AS RECORDED AT THE MORTON COUNTY RECORDER'S OFFICE PER DOCUMENT NUMBER 451529; THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG THE BOUNDARY OF SAID AUDITOR'S LOT "A": N 89°20'46" E, 123.38 FEET TO A FOUND REBAR AND CAP LS-9457; S 00°03'38" E, 266.28 FEET TO A FOUND REBAR AND CAP LS-9457; N 89°55'43" E, 96.48 FEET TO A FOUND REBAR AND CAP LS-9457; S 00°04'30" E, 239.06 FEET TO A FOUND REBAR AND CAP LS-9457 ON THE NORTH RIGHT-OF-WAY OF MCKENZIE DRIVE SOUTHEAST; THENCE S 85°47'53" W ALONG SAID NORTH LINE, A DISTANCE OF 220.63 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.00 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 WEST BAY ESTATES 4TH 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 AND 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, TRACY TOOZ, AUTHORIZED REPRESENTATIVE OF GAS U UP LLC, OWNER AND PROPRIETOR OF PROPERTY BEING LOT FIVE (5), BLOCK ONE (1) LESS AUDITOR'S LOT "A" OF THE REPLAT OF LOTS THREE (3), FOUR (4) AND FIVE (5), BLOCK ONE (1), WEST BAY ESTATES 2ND ADDITION, 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.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: _____
TRACY TOOZ, AUTHORIZED REPRESENTATIVE OF GAS U UP LLC

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TRACY TOOZ, TO ME KNOWN TO BE THE SAME PERSON 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

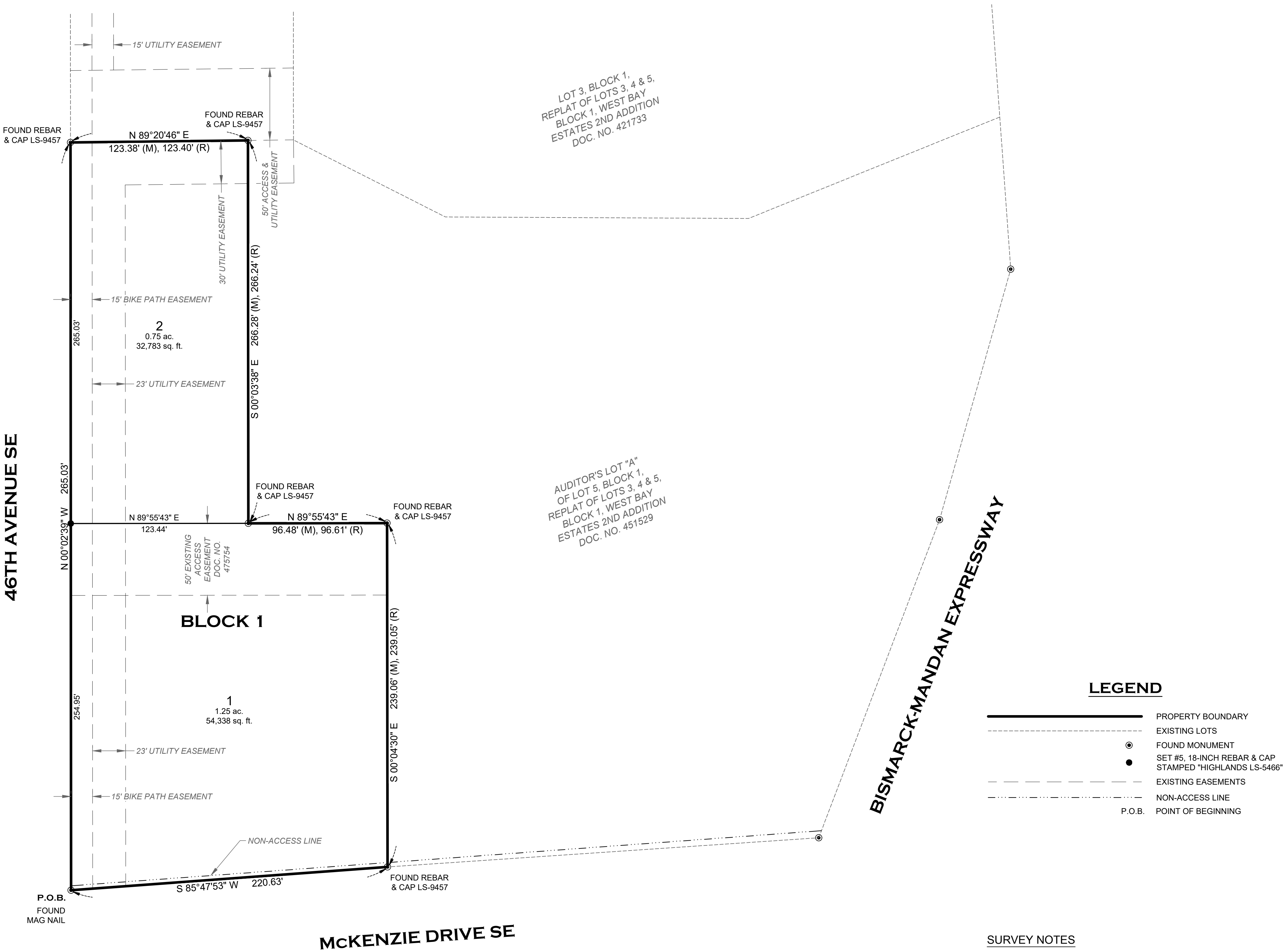
THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREIN AND HAS ACCEPTED THE DEDICATION OF ALL STREETS, ALLEYS AND PUBLIC WAYS SHOWN HEREON LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF MANDAN, HAS ACCEPTED THE DEDICATION OF ALL PARKS 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 CITY ENGINEER

I, JAREK WIGNESS, CITY ENGINEER FOR THE CITY OF MANDAN, NORTH DAKOTA, HEREBY APPROVE "WEST BAY ESTATES 4TH ADDITION", CITY OF MANDAN, NORTH DAKOTA AS SHOWN ON THE PLAT.

BY: _____
JAREK WIGNESS, CITY ENGINEER





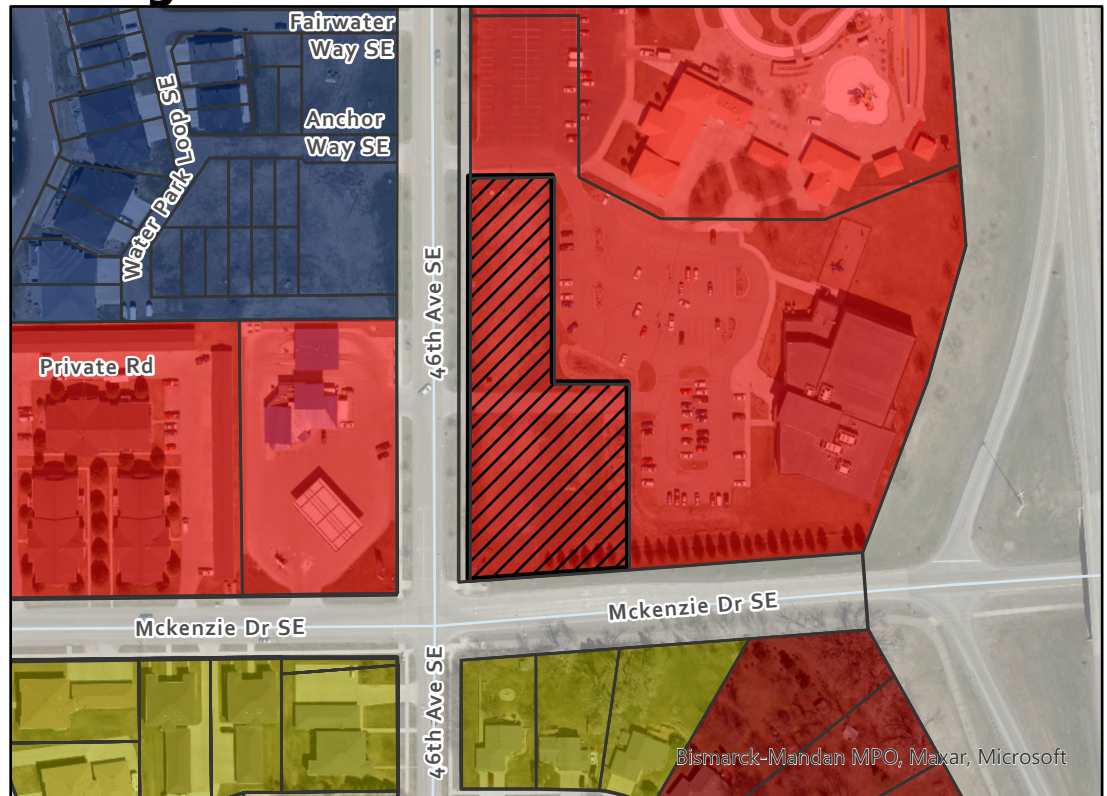
Zoning and Future Land Use Reference Map

West Bay Estates 4th Addition

Zoning

Zoning Map Key

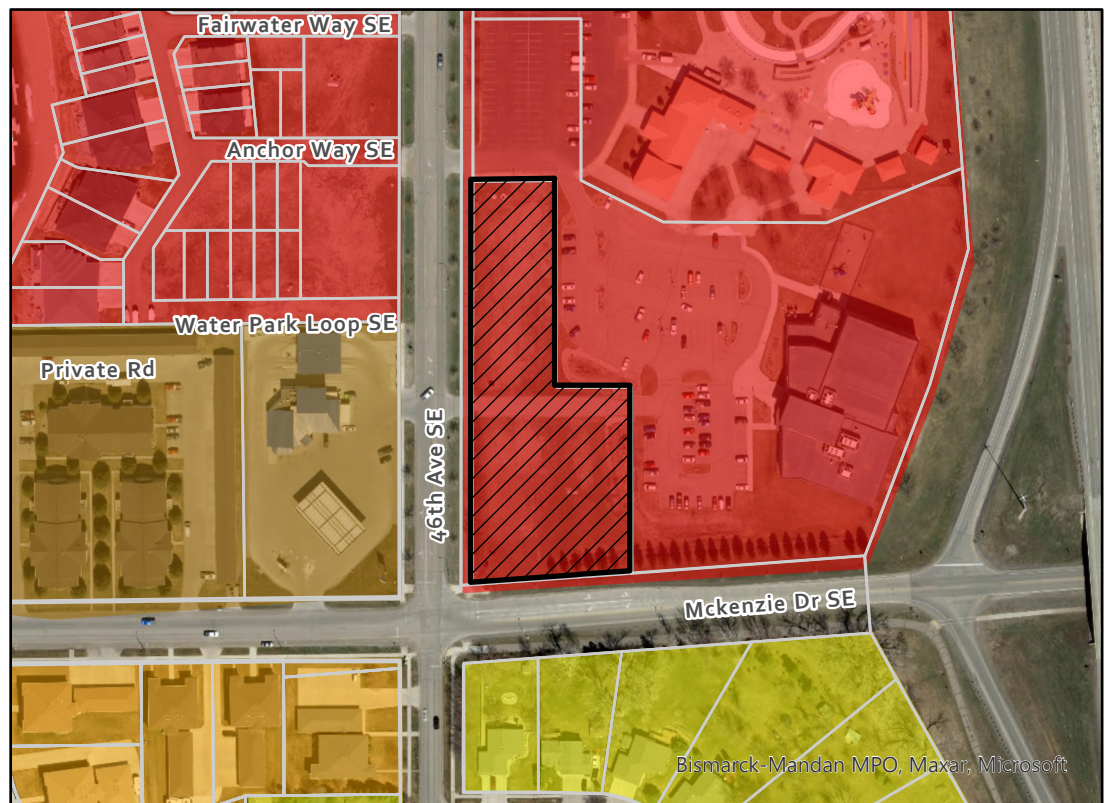
- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light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



Future Land Use Plan Key

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

Future Land Use Plan





City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 29, 2025
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch, Finance Director
SUBJECT: Assessments for Weed Cutting of 2024B, Health & Safety of 2024B, and Sidewalks of 2024B

STATEMENT/PURPOSE:

Consider the assessments for Weed Cutting of 2024B, Health & Safety of 2024B, and Sidewalks of 2024B.

BACKGROUND/ALTERNATIVES:

Weed Cutting of 2024B – For the eradication, cutting or control of noxious weeds or tall grasses exceeding six inches in height. The assessment for these costs are allowed under the Mandan Code of Ordinances Section 16-5-5. The Notices for these assessments were published in the Mandan News on April 18, 2025 and April 25, 2025.

Health & Safety of 2024B – For the repair of curb stops, water & sewer service lines, lot clearing, and the removal of diseased trees. The assessment for these costs are allowed under the Mandan Code of Ordinances Section 2-5-1, Section 16-3-10, and Section 16-4-7. The Notices for these assessments were published in the Mandan News on April 18, 2025 and April 25, 2025.

Sidewalks of 2024B – For the construction, repair or rebuilding of sidewalks, curbs or gutters. The assessment for these costs are allowed under the Mandan Code of Ordinances Section 115-7-3. The Notices for these assessments were published in the Mandan News on April 18, 2025.

ATTACHMENTS:

1. 2024 Weeds WC24B FINAL 05.06.25
2. 2024 Health & Safety HS24B FINAL 05.06.25
3. 2024 Sidewalks SW24B FINAL 05.06.25

FISCAL IMPACT:

Weed Cutting of 2024B = \$20,295.00 (1-year assessment)
Health & Safety of 2024B = \$67,319.52 (5-year assessment)
Sidewalks of 2024B = \$31,868.65 (5-year assessment)

STAFF IMPACT:

No additional staff impact.

LEGAL REVIEW:

The assessments were prepared in accordance with the Mandan Code of Ordinances.

RECOMMENDATION:

To approve the assessments for Weed Cutting of 2024B, Health & Safety of 2024B, and Sidewalks of 2024B.

SUGGESTED MOTION:

I move to approve the assessments for Weed Cutting of 2024B, Health & Safety of 2024B, and Sidewalks of 2024B.

WEED CUTTING OF 2024B

NOTICE IS HEREBY GIVEN that the following is a true and correct list of the particular lots and tracts of land on which the City of Mandan caused the cutting, spraying and removal of grass and weeds or caused the performance of such acts which contributed to the general health, safety and welfare of the community.

PARCEL #	ADDRESS	AMOUNT ASSESSED
65-6108210	1000 19TH ST SE	\$495.00
65-6137295	1002 LAKOTA AVE NE	\$330.00
65-6136980	1003 LAKOTA AVE NE	\$330.00
65-6137310	1005 CHIPPEWA AVE NE	\$330.00
65-6137280	1006 LAKOTA AVE NE	\$330.00
65-6136965	1007 LAKOTA AVE NE	\$330.00
65-6136950	1011 LAKOTA AVE NE	\$330.00
65-6136935	1015 LAKOTA AVE NE	\$330.00
65-6136920	1019 LAKOTA AVE NE	\$330.00
65-6137220	1022 LAKOTA AVE NE	\$330.00
65-6136905	1023 LAKOTA AVE NE	\$330.00
65-6137415	1026 CHIPPEWA AVE NE	\$330.00
65-6136875	1031 LAKOTA AVE NE	\$330.00
65-6136680	1101 CHIPPEWA LOOP NE	\$330.00
65-6136860	1102 CHIPPEWA LOOP NE	\$330.00
65-6136695	1105 CHIPPEWA LOOP NE	\$330.00
65-6136620	1116 LAKOTA PL NE	\$330.00
65-6136740	1117 CHIPPEWA LOOP NE	\$330.00
65-6136605	1120 LAKOTA PL NE	\$330.00
65-6136755	1121 CHIPPEWA LOOP NE	\$330.00
65-1698200	1211 7TH AVE SE	\$330.00
65-3891000	1212 10TH AVE SE	\$330.00
65-6108380	1309 7TH AVE SE	\$330.00
65-6108480	1409 7TH AVE SE	\$330.00
65-4635000	1605 LINDA DR NW	\$330.00
65-6127515	2017 34TH AVE SE	\$330.00
65-3746000	203 3RD AVE SW	\$330.00
65-6110725	2413 34TH AVE SE	\$330.00
65-6102820	2510 40TH AVE SE	\$330.00
65-4000970	302 5TH ST NE	\$330.00
65-2619000	303 4TH AVE NE	\$330.00
65-6116850	305 COBBLESTONE LOOP SW	\$330.00
65-1490000	311 13TH AVE NE	\$412.50
65-6111050	3110 14TH AVE SE	\$412.50
65-1811695	3600 LAKEWOOD DR SE	\$330.00
65-2965000	501 7TH AVE NW	\$742.50
65-0662000	506 6TH AVE NE	\$412.50
65-0006000	511 8TH AVE NW	\$660.00

65-4545000	611 13TH ST NW	\$330.00
65-6137190	702 LAKOTA AVE NE	\$330.00
65-6137085	703 LAKOTA AVE NE	\$330.00
65-6137175	706 LAKOTA AVE NE	\$330.00
65-6137070	707 LAKOTA AVE NE	\$330.00
65-6137160	710 LAKOTA AVE NE	\$330.00
65-6137055	711 LAKOTA AVE NE	\$330.00
65-6137145	804 LAKOTA AVE NE	\$330.00
65-3796000	805 13TH AVE NW	\$330.00
65-6137040	805 LAKOTA AVE NE	\$330.00
65-6116440	806 COBBLESTONE LOOP SW	\$330.00
65-6137130	808 LAKOTA AVE NE	\$330.00
65-6137025	809 LAKOTA AVE NE	\$330.00
65-6116420	810 COBBLESTONE LOOP SW	\$330.00
65-6116400	818 COBBLESTONE LOOP SW	\$330.00
65-6137115	906 LAKOTA AVE NE	\$330.00
65-6137010	907 LAKOTA AVE NE	\$330.00
65-6137100	910 LAKOTA AVE NE	\$330.00
65-6136995	911 LAKOTA AVE NE	\$330.00
65-6101820	McKenzie Dr. & Austin Ln SE South side	\$330.00

TOTAL	\$20,295.00
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TAKE FURTHER NOTICE that the Board of City Commissioners of the City of Mandan will meet in regular session at City Hall on May 6, 2025 at 5:30 p.m. at which meeting action will be taken upon such assessment list. Any person may appear to present testimony regarding the above assessments.

Publish:

April 18, 2025
April 25, 2025

Dayne Anderson

HEALTH & SAFETY OF 2024B

NOTICE IS HEREBY GIVEN that the following is a true and correct list of the particular lots and tracts of land on which the City of Mandan caused the performance of such acts which contributed to the general health, safety and welfare of the community.

<u>PARCEL #</u>	<u>ADDRESS</u>	<u>AMOUNT ASSESSED</u>
65-0041000	701 9TH AVE NW	\$5,170.00
65-2283000	106 1/2 1ST AVE NE	\$4,070.00
65-2499000	207 1ST AVE NE	\$16,121.09
65-3444000	709 COLLINS AVE	\$5,133.32
65-3680000	202 7TH AVE SW	\$9,542.50
65-3772570	3708 LEWIS RD NW	\$3,292.30
65-4704000	1607 6TH AVE NW	\$4,620.00
65-4839000	1003 4TH ST SW	\$1,760.00
65-4923000	610 10TH AVE SW	\$6,160.00
65-2140000	1715 5TH AVE NW	\$11,450.31
TOTAL		\$67,319.52

TAKE FURTHER NOTICE that the Board of City Commissioners of the City of Mandan will meet in regular session at City Hall on May 6, 2025 at 5:30 p.m. at which meeting action will be taken upon such assessment list. Any person may appear to present testimony regarding the above assessments.

Publish:

April 18, 2025
April 25, 2025

Dayne Anderson

SIDEWALKS OF 2024B

NOTICE IS HEREBY GIVEN that the following is a true and correct list of the particular lots and tracts of land on which the City of Mandan caused sidewalks to be constructed, replaced or repaired and the cost thereof.

<u>PARCEL #</u>	<u>ADDRESS</u>	<u>AMOUNT ASSESSED</u>
65-0139000	704 13TH AVE NW	\$9,027.15
65-0474330	3607 43RD ST NW	\$1,309.55
65-0625000	719 8TH AVE NE	\$4,362.05
65-0840000	1000 3RD ST NW	\$6,166.05
65-1901000	700 17TH AVE NW	\$2,467.30
65-3430000	309 7TH ST NW	\$8,536.55
TOTAL		\$31,868.65

TAKE FURTHER NOTICE that the Board of City Commissioners of the City of Mandan will meet in regular session at City Hall on May 6, 2025 at 5:30 p.m. at which meeting action will be taken upon such assessment list. Any person may appear to present testimony regarding the above assessments.

Publish:

April 18, 2025

Dayne Anderson

April 25, 2025



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 29, 2025
SUBMITTING DEPARTMENT:
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT: Approval Of Plat change at City Landfill

STATEMENT/PURPOSE:

Approval Of Plat change at City Landfill.

BACKGROUND/ALTERNATIVES:

A revision to the existing plat of the landfill property has been made following a recent land transaction with an adjacent landowner located to the east of the landfill. The adjacent landowner has sold a portion of their property, prompting a review of the current property boundaries in the area. During this process, it was determined that the existing boundary lines between the landfill property and the neighboring parcel were irregular and did not follow logical or practical alignments.

This plat change re-configures the property lines to establish a more practical and clean boundary for both properties. The revised layout improves clarity and reduces potential future disputes or confusion regarding property limits. It also ensures that both parcels have well-defined and accessible boundaries along the roadway, benefiting operations and access for both parties.

This change does not alter the functional use of the landfill property but improves the administrative and logistical alignment of land ownership in this area.

ATTACHMENTS:

1. 25003 Schock Subdivision revused 3-28-25

FISCAL IMPACT:

n/a

STAFF IMPACT:

n/a

LEGAL REVIEW:

n/a

RECOMMENDATION:

I recommend the approval of the Plat change at the City landfill.

SUGGESTED MOTION:

I move to Approve the changes of the Plat at the landfill.

SCHOCK SUBDIVISION

DESCRIPTION

AUDITOR LOT "A" IN THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER ALL IN SECTION 35, TOWNSHIP 139 NORTH, RANGE 82 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE SOUTH 89° 24' 56" WEST ON THE NORTH LINE OF SAID SECTION 35 A DISTANCE OF 2659.14 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 35; THENCE SOUTH 00° 09' 44" EAST ON THE WEST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 2301.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT "A"; THENCE NORTH 89° 38' 34" EAST ON THE SOUTH LINE OF SAID LOT "A" A DISTANCE OF 505.52 FEET; THENCE NORTH 55° 45' 49" EAST ON AN EAST LINE OF SAID LOT "A" A DISTANCE OF 999.17 FEET TO THE NORTHEAST CORNER OF AUDITOR LOT "B"; THENCE SOUTH 00° 01' 01" EAST ON THE EAST LINE OF SAID LOT "B" A DISTANCE OF 870.17 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35; THENCE SOUTH 00° 00' 29" EAST ON THE EAST LINE OF SAID LOT "B" A DISTANCE OF 589.38 FEET; THENCE NORTH 88° 57' 01" EAST A DISTANCE OF 1330.15 FEET TO THE EAST LINE OF SAID SECTION 35; THENCE NORTH 00° 05' 54" EAST ON SAID EAST LINE A DISTANCE OF 589.14 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 35; THENCE NORTH 00° 13' 49" WEST ON THE EAST LINE OF SAID SECTION 35 A DISTANCE OF 2609.51 FEET TO THE POINT OF BEGINNING, CONTAINING 162.94 ACRES, MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED, BEING SOLE OWNERS OF THE LAND PLATTED HEREIN, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AND DO DEDICATE ALL THE RIGHT OF WAY IDENTIFIED HEREIN TO THE PUBLIC FOREVER. WE ALSO DEDICATE EASEMENTS UNDER THE PROVISIONS OF SECTION 7-070 OF THE MORTON COUNTY LAND USE CODE AND INDICATED ON THE PLAT WITH THE DESIGNATION OF "UTILITY EASEMENT".

LEO KLEIN FAMILY, LLP
MARCO KLIEN - REGISTERED AGENT
LOTS 2 & 3, BLOCK 1

STATE OF _____)
) SS
COUNTY OF _____)

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

NOTARY PUBLIC _____

CITY OF MANDAN COMMISSION
LOT 1, BLOCK 1

**JAMES FROELICH - PRESIDENT OF THE BOARD OF
MANDAN CITY COMMISSIONERS**

JIM NEUBAUER - CITY ADMINISTRATOR
ATTEST

PLANNING COMMISSION APPROVAL

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

JESSE KIST - CHAIRMAN

DAWN R. RHONE - SECRETARY

APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF MORTON COUNTY, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND SHOWN HEREON AND HAS ACCEPTED THE DEDICATION OF ALL STREETS, AND PUBLIC WAYS SHOWN HEREON. THE FOREGOING ACTION BY THE BOARD OF COUNTY COMMISSIONERS OF MORTON COUNTY, NORTH DAKOTA, HAS TAKEN BY RESOLUTION APPROVED THIS _____ DAY OF _____, 20____.

DAWN R. RHONE - COUNTY AUDITOR

NATHAN BOEHM - CHAIRMAN

COUNTY APPROVAL

WE, THE UNDERSIGNED, AFTER REVIEW APPROVE AS TO FORM THE SUBDIVISION OF LAND AS SHOWN HEREON

JOHN SAIKI - COUNTY ENGINEER

NATALIE PIERCE - PLANNING & ZONING DIRECTOR

SCHOCK SUBDIVISION
PART OF THE NORTHEAST AND
SOUTHEAST QUARTER ALL IN
SECTION 35, T-139-N, R-82-W
MORTON COUNTY, ND

SHEET: 1 OF 1	JOB NUMBER: 25003
SCALE: 1"= 160'	DWG REVISION DATES
DRAWN BY: MRI	2/26/25 -
DWG DATE: 1/28/25	3/26/25 -
DWG NAME: 25003 Survey.dwg	

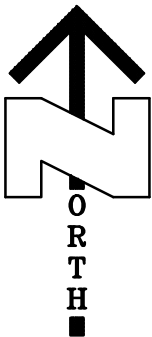
Independent
Land
Surveying &
Engineering

215 Old Red Trail N
Mandan, ND 58554
Phone: 701-663-5181
Cell: 701-595-2079
mark@ilsurveynd.com

SURVEYOR'S CERTIFICATE

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

MARK R. ISAACS, RLS 9628



SCALE: 1" = 160'

A horizontal scale bar with a black and white checkerboard pattern. It is divided into two equal segments of 80 feet each. The total length is 160 feet. The bar is labeled with '0' at the left end, '80' at the midpoint, and '160' at the right end.

DATE: MARCH 28TH, 2025

VERTICAL DATUM - NAVD 1988.

BASED ON NORTH DAKOTA SOUTH
ZONE-NAD83(2011), INTERNATIONAL FEET.

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

LEGEND

○ FOUND SURVEY MONUMENT

SET CAPPED REBAR "LS-9628

ROW	RIGHT OF WAY
-----	--------------

ACREAGE TABLE

LOT 1, BLOCK 1	82.60 ACRES
LOT 1, BLOCK 2	35.00 ACRES
LOT 2, BLOCK 2	35.00 ACRES
DEDICATED ROW	10.34 ACRES
<hr/>	
TOTAL	162.94 ACRES

OWNERS

CITY OF MANDAN
205 2ND AVE NW
MANDAN, ND 58554

LEO KLEIN FAMILY, LLP
PO BOX 1934
BISMARCK, ND 58502

NOTES

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



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 30, 2025
SUBMITTING DEPARTMENT: Engineering, Planning
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Riley McAdoo-Roesler, Assistant City Engineer
Andrew Stromme, City Planner
SUBJECT: Approval of Temporary Workspace Easement - WBI Energy Transmission Project

STATEMENT/PURPOSE:

Approval of Temporary Workspace Easement - WBI Energy Transmission Project

BACKGROUND/ALTERNATIVES:

The City of Mandan has been approached by WBI Energy Transmission, Inc. (WBI) regarding the temporary use of City-owned property located in Lots 13 and 14, Block 1, Sunset Second Addition for workspace during the construction and restoration activities related to WBI's Minot Expansion Project.

The attached agreement outlines the terms and conditions for a Temporary Construction Workspace Easement that will expire no later than December 31, 2027, or upon successful restoration of the site—whichever occurs first. Staff anticipates that the project construction will complete in 2025.

City staff have reviewed the proposed easement and find it covers the City's interests.

ATTACHMENTS:

1. TWSEasement-CityOfMandan4.23.2025
2. Lots 13 & 14, Block 1, TWS aerial views

FISCAL IMPACT:

No fiscal impact.

STAFF IMPACT:

No staff impact.

LEGAL REVIEW:

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

RECOMMENDATION:

Motion to approve the Temporary Construction Workspace Easement Agreement with WBI Energy Transmission, Inc.

SUGGESTED MOTION:

I move to approve the Temporary Construction Workspace Easement Agreement with WBI Energy Transmission, Inc.

**WBI ENERGY TRANSMISSION, INC.
TEMPORARY CONSTRUCTION WORKSPACE EASEMENT**

THIS INDENTURE, made this ____ day of _____, A.D., 2025, between WBI ENERGY TRANSMISSION, INC., a Delaware corporation, 1250 West Century Avenue, Bismarck, North Dakota 58503, hereinafter called “COMPANY”, its successors and assigns, and the following named persons, herein, whether singular or plural, called “GRANTOR,” namely:

CITY OF MANDAN, a municipal corporation
205 2nd Avenue NW
Mandan, North Dakota 58554

WITNESSETH, that for valuable consideration received, GRANTOR does hereby grant and convey unto COMPANY, its successors and assigns, a TEMPORARY CONSTRUCTION WORKSPACE EASEMENT (the “Easement”) to utilize certain lands during the construction of the Minot Expansion Project and the restoration of lands thereafter on the following described real estate in the County of Morton, State of North Dakota namely:

Lots 13 and 14, Block 1, Sunset Second Addition to the City of Mandan, being a part of the NE1/4 of Section 21, Township 139 North, Range 81 West, County of Morton, State of North Dakota, as more particularly shown on “Exhibit A” attached and made part hereof.

GRANTOR hereby grants to COMPANY, its successors and assigns, the right at all reasonable times to enter upon said premises with all necessary equipment, personnel, material, employees, agents, contractors and other lawful persons and for the purpose of constructing a pipeline and/or pipeline-related facilities on COMPANY’S adjacent property.

COMPANY agrees to segregate up to twelve (12) inches of topsoil during construction. COMPANY agrees to restore the surface reasonably close to its original contour and to seed all non-cultivated areas disturbed by COMPANY.

COMPANY agrees to pay GRANTOR for any damages that are caused by the construction of the pipeline.

This TEMPORARY CONSTRUCTION WORKSPACE EASEMENT shall expire upon the successful restoration of the lands following construction of the Minot Expansion or on December 31, 2027, whichever occurs first.

GRANTOR consents and authorizes the discharge of hydrotest water by COMPANY, its employees, contractors and agents, upon the above-described real property. The water of the hydrotest will be from a local municipal source.

COMPANY is hereby expressly granted the right to assign this Easement, or any part thereof, or interest therein.

This Easement may be executed in one or more counterparts each of which will be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, GRANTOR and COMPANY have executed this Easement as of the day and year first above written.

[SIGNATURE PAGE FOLLOWS]

CITY OF MANDAN, GRANTOR

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

ATTEST:

James Neubauer, City Administrator

STATE OF NORTH DAKOTA)
 ss
COUNTY OF MORTON)

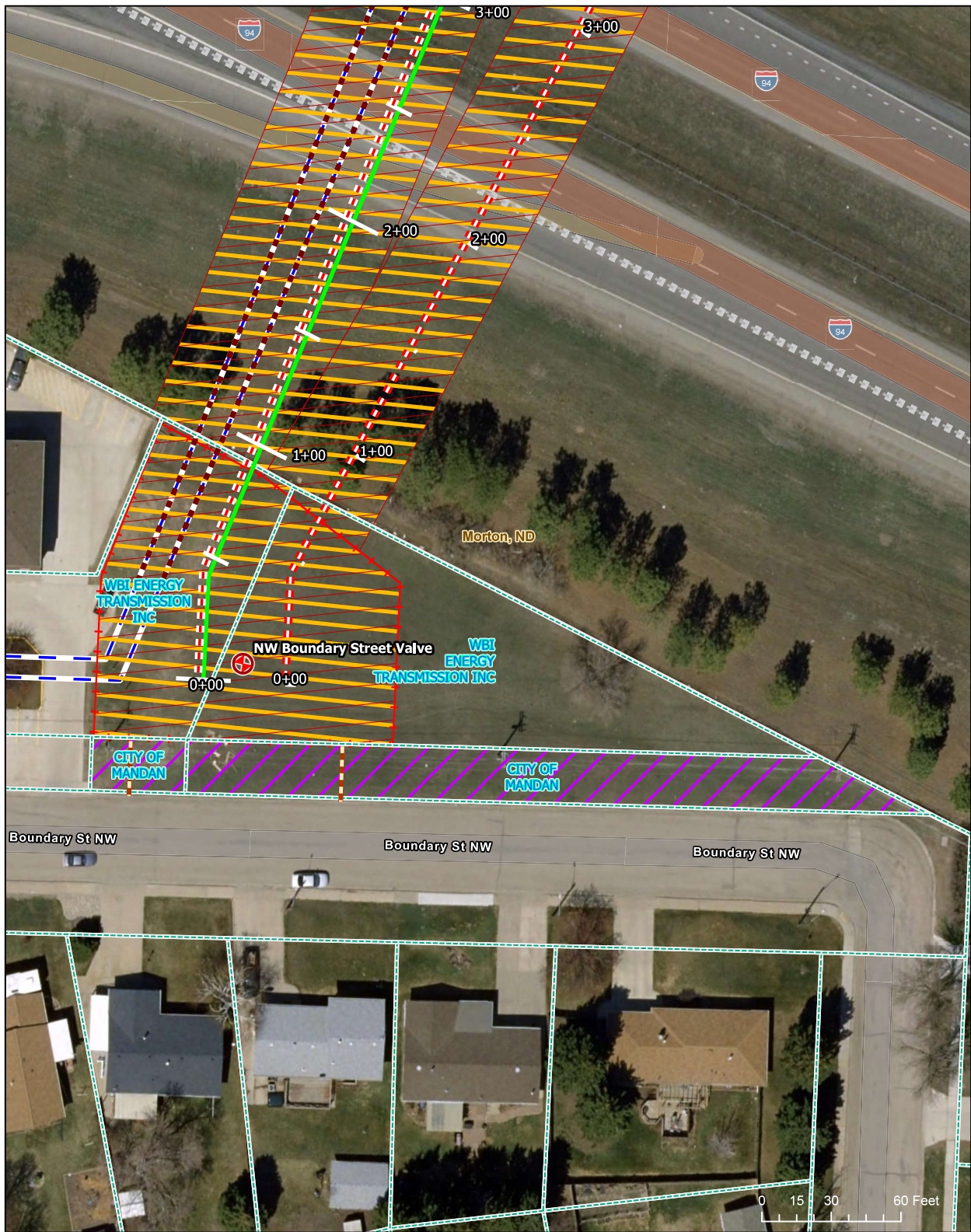
On this _____ day of April, 2025, before me personally appeared James Froelich, President of Board of City Commissioners, and James Neubauer, City Administrator of the City of Mandan, known to me to be the same persons who are described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same.

Notary Public

WBI ENERGY TRANSMISSION, INC., COMPANY

By: _____
Name: _____
Title: _____

Project: Minot Expansion
Tract # _____ W.O. #1240216.1070.



Scale: 1:500

Minot Expansion Project

Parcel Owner Overview Exhibit

Owner:
City of Mandan



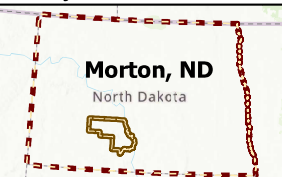
Legend

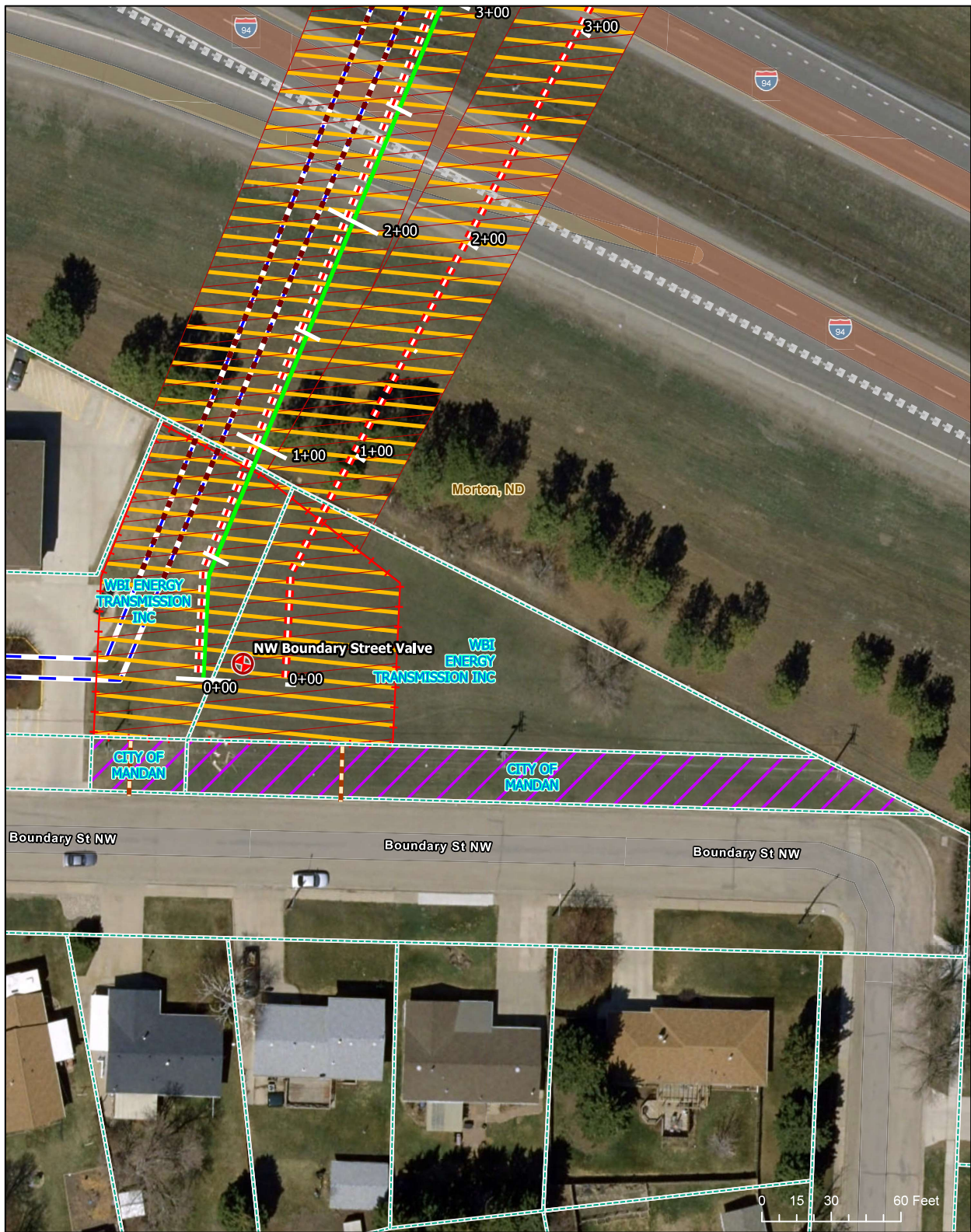
- NW Boundary Street Valve
- 12" Proposed Pipeline Centerline
- 16" Proposed Pipeline Centerline

- ABD Pipe
- Access Roads
- Parcels
- Valve Sites

- Permanent ROW
- ATWS
- Existing Pipeline Centerline
- County Boundaries

Project Area Overview





Scale: 1:500

Minot Expansion Project

Parcel Owner Overview Exhibit

Owner:
City of Mandan



Legend

- | | | |
|----------------------------------|--------------|------------------------------|
| NW Boundary Street Valve | ABD Pipe | Permanent ROW |
| 12" Proposed Pipeline Centerline | Access Roads | ATWS - 0.18 Acres |
| 16" Proposed Pipeline Centerline | Parcels | Existing Pipeline Centerline |
| | Valve Sites | County Boundaries |

Project Area Overview





City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 30, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a minor plat for Northern Pacific 5th Addition.

STATEMENT/PURPOSE:

Consider a request for a minor plat for Northern Pacific 5th Addition

BACKGROUND/ALTERNATIVES:

Ellery and Travis Smith request approval of a minor plat named Northern Pacific 5th Addition.

Property History

The addresses for these properties are 200 4th Avenue SW

Minor Plat

The plat is .40 acres in size. The purpose of the plat is to adjust lot lines.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned RM - Multi-Family Residential. Properties to the west, south, and east are also zoned RM - Multi-Family Residential. To the North is zoned CB - Commercial. The Future Land Use Plan designates this property as Medium Density Residential.

Additional Information and Public Outreach

- The application and fee of \$300 was received on April 30, 2025.
- This item as a minor plat does not require notices.

Staff Comments

Findings of Fact Minor Plat

1. All technical requirements for approval of a minor plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed plat is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
4. The proposed plat is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed plat is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. The proposed plat would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. Keller Application
2. Smith Application
3. Northern Pacific Fifth Add
4. Northern Pacific Fifth Add with features

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of Northern Pacific 5th Addition.

SUGGESTED MOTION:

I move to approve Northern Pacific 5th Addition.

CITY OF MANDAN		
Development Review Application		
<input checked="" type="checkbox"/>	Minor Plat (\$300)	Zone Change (\$600)
<input type="checkbox"/>	Preliminary Plat up to 20 acres (\$400)	Planned Unit Development (\$700)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$450)	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Final Plat up to 20 lots (\$400)	Vacation (\$500)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$550)	Variance (\$400)
<input type="checkbox"/>	Final Plat more than 40 lots (\$700)	Special Use Permit (\$450)
<input type="checkbox"/>	Annexation (\$450)	Stormwater submittal (\$300)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/>	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	
Summary of Request (Add separate sheet(s) as necessary) <div style="text-align: center; padding: 10px;">Reconfigure lot lines for Lots 1 to 5, block 10 in Northern Pacific Second Addition</div>		

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name Ellery Keller PR of the Estate of Greg M. Keller		
Address 4215 Old Red Trail NW			Address		
City Mandan	State ND	Zip 58554	City	State	Zip
email mark@ilsurveynd.com			email elleryjk@gmail.com		
Phone 701-595-2079		Fax	Phone 480-794-0849		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/> City	<input type="checkbox"/> ETA	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Addition	RM	RM	Northern Pacific Fifth Addition	
Property Address				Legal Description			
200 4th Avenue SW, Mandan, ND				Lots 1 to 5, Block 10 in Northern Pacific			
Current Use				Second Addition			
Residential				Second Addition			
Proposed Use				Second Addition			
Residential				Section 27	Township 139	Range 81	
Parcel Size 0.40 Acres	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	

Print Name Ellery Keller	Signature <i>Ellery Keller PR</i> <small>dotloop verified 04/29/25 4:00 PM MST H4Bw35WwLQGF-QZDH</small>	Date 04/29/2025
------------------------------------	--	---------------------------

Office Use Only			
Date Received:	Initials: ym	Fees Paid: \$ 300	Date 4-30-2025
Notice in paper		Mailed to neighbors	P&Z meeting
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

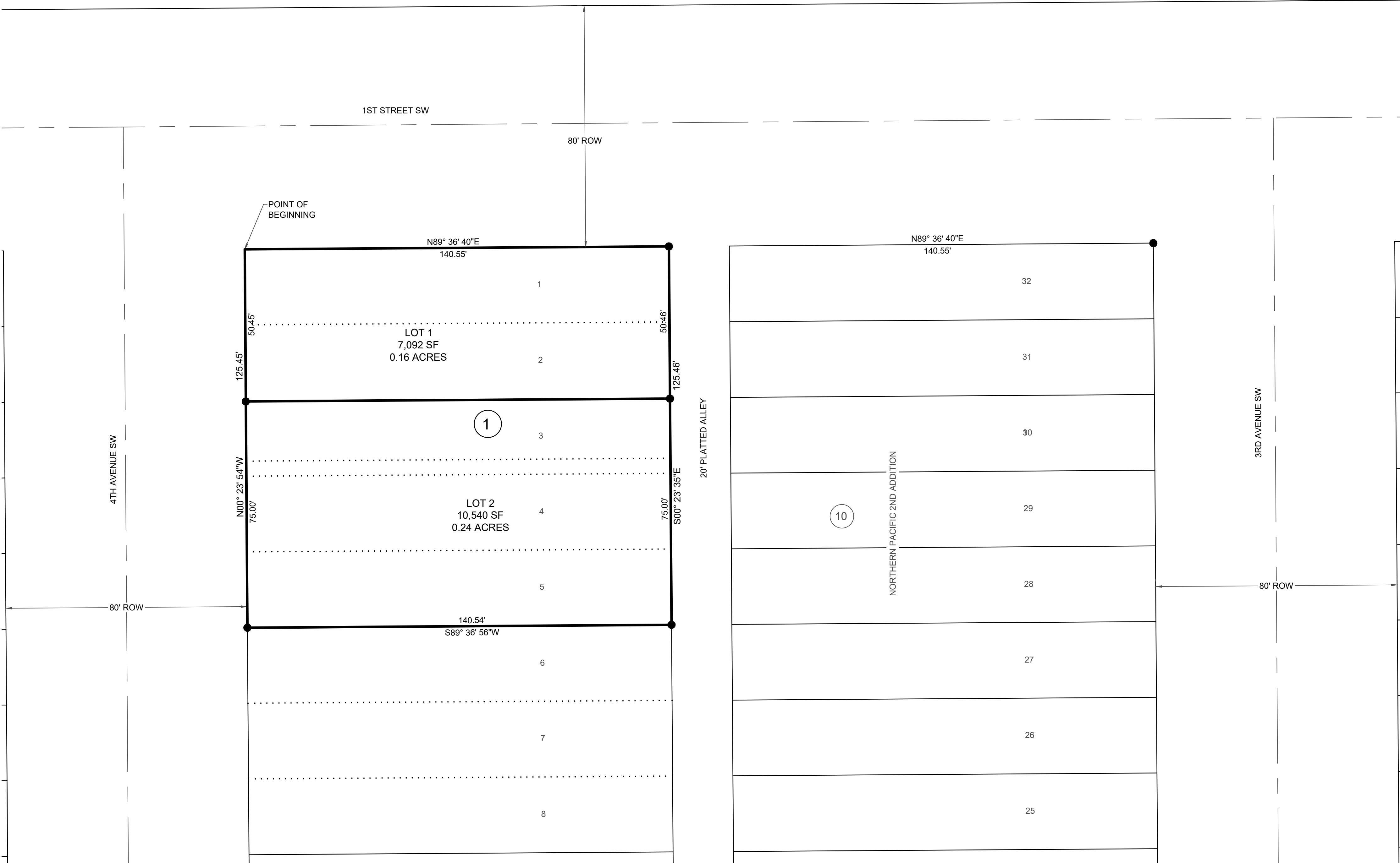
CITY OF MANDAN		
Development Review Application		
<input checked="" type="checkbox"/>	Minor Plat (\$300)	Zone Change (\$600)
<input type="checkbox"/>	Preliminary Plat up to 20 acres (\$400)	Planned Unit Development (\$700)
<input type="checkbox"/>	Preliminary Plat more than 20 acres (\$450)	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/>	Final Plat up to 20 lots (\$400)	Vacation (\$500)
<input type="checkbox"/>	Final Plat 21 to 40 lots (\$550)	Variance (\$400)
<input type="checkbox"/>	Final Plat more than 40 lots (\$700)	Special Use Permit (\$450)
<input type="checkbox"/>	Annexation (\$450)	Stormwater submittal (\$300)
<input type="checkbox"/>	Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/>	Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	
Summary of Request (Add separate sheet(s) as necessary) <p style="text-align: center;">Reconfigure lot lines for Lots 1 to 5, block 10 in Northern Pacific Second Addition</p>		

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name Travis Kom Smith & James F. Smith Kom, III		
Address 4215 Old Red Trail NW			Address 202 4th Avenue SW		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email mark@ilsurveynd.com			email		
Phone 701-595-2079		Fax	Phone		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/> City	<input type="checkbox"/> ETA	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Addition	RM	RM	Northern Pacific Fifth Addition	
Property Address				Legal Description			
200 4th Avenue SW, Mandan, ND				Lots 1 to 5, Block 10 in Northern Pacific			
Current Use							
Residential				Second Addition			
Proposed Use							
Residential				Section 27	Township 139	Range 81	
Parcel Size 0.40 Acres	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
Travis Kom-Smith				4/30/2025			
James Smith-Kom				Date 4/30/2025			

Office Use Only			
Date Received:	Initials: ym	Fees Paid: \$ 300	Date 4.30.2025
Notice in paper		Mailed to neighbors	
<input type="checkbox"/> Approved	Approved with conditions:		
<input type="checkbox"/> Denied			

NORTHERN PACIFIC FIFTH ADDITION
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
A REPLAT OF LOTS 1 TO 5, BLOCK 10
IN NORTHERN PACIFIC SECOND ADDITION
ALL IN SECTION 27, T139N, R81W



PROPERTY DESCRIPTION

ALL OF LOTS 1 TO 5, BLOCK 10 IN NORTHERN PACIFIC SECOND ADDITION ALL BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 10 OF SAID NORTHERN PACIFIC SECOND ADDITION; THENCE NORTH 89° 36' 40" EAST ON THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 140.55 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00° 23' 35" EAST A DISTANCE OF 125.46 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 89° 36' 56" WEST ON THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 140.54 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE NORTH 00° 23' 54" WEST A DISTANCE OF 125.45 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINING 0.40 ACRES (17,632 SQUARE FEET), MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

SURVEYOR'S CERTIFICATE

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

OWNER'S CERTIFICATE OF DEDICATION

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

ELLERY KELLER
PERSONAL REPRESENTATIVE OF
THE ESTATE OF GREG M. KELLER
LOT 1, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____

TRAVIS M. KOM SMITH
LOT 2, BLOCK 1

JAMES F. SMITH KOM III
LOT 2, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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

JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD
OF CITY COMMISSIONERS

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

JAREK WIGNESS, PE

AREA TABLE		
LOT 1	7,092 SF	0.16 ACRES
LOT 2	10,540 SF	0.24 ACRES
TOTAL	17,632 SF	0.40 ACRES

LEGEND

- FOUND SURVEY MONUMENT
- SET CAPPED REBAR "LS-9628"
- VACATED LOT LINE

OWNERS:

ESTATE OF GREG M. KELLER
C/O ELLERY KELLER
200 4TH AVENUE SW
MANDAN, ND 58554

TRAVIS KOM-SMITH &
JAMES F. SMITH-KOM III
202 4TH AVENUE SW
MANDAN, ND 58554

NOTES:

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

NORTHERN PACIFIC 5TH ADD.
REPLAT OF LOTS 1-52, BLK 10
NORTH PACIFIC 2ND ADD.
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1
SCALE: 1" = 20'
DRAWN BY: MRI
DWG DATE: 4/28/25
DWG NAME: 25068 Survey.dwg

JOB NUMBER: 25068
DWG REVISION DATES
- -
- -
- -

Independent
Land
Surveying &
Engineering

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

NORTHERN PACIFIC FIFTH ADDITION
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
A REPLAT OF LOTS 1 TO 5, BLOCK 10
IN NORTHERN PACIFIC SECOND ADDITION
ALL IN SECTION 27, T139N, R81W

PROPERTY DESCRIPTION

ALL OF LOTS 1 TO 5, BLOCK 1 IN NORTHERN PACIFIC SECOND ADDITION ALL BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 10 OF SAID NORTHERN PACIFIC SECOND ADDITION; THENCE NORTH 89° 36' 50" EAST ON THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 140.55 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00° 23' 35" EAST A DISTANCE OF 126.46 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 89° 36' 56" WEST ON THE SOUTH LINE OF SAID LOT 5 A DISTANCE OF 140.54 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE NORTH 00° 23' 54" WEST A DISTANCE OF 126.45 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINING 0.40 ACRES (17,632 SQUARE FEET), MORE OR LESS AND SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

SURVEYOR'S CERTIFICATE

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

MARK R. ISAACS, RLS 9628

OWNER'S CERTIFICATE OF DEDICATION

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

ELLERY KELLER
PERSONAL REPRESENTATIVE OF
THE ESTATE OF GREG M. KELLER
LOT 1, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____

TRAVIS M. KOM SMITH
LOT 2, BLOCK 1

JAMES F. SMITH KOM II
LOT 2, BLOCK 1

STATE OF _____)
COUNTY OF _____) SS

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

NOTARY PUBLIC _____

APPROVAL OF THE BOARD OF CITY COMMISSIONERS

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

JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD
OF CITY COMMISSIONERS

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

JAREK WIGNESS, PE

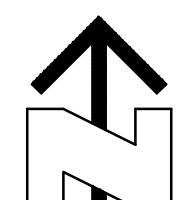
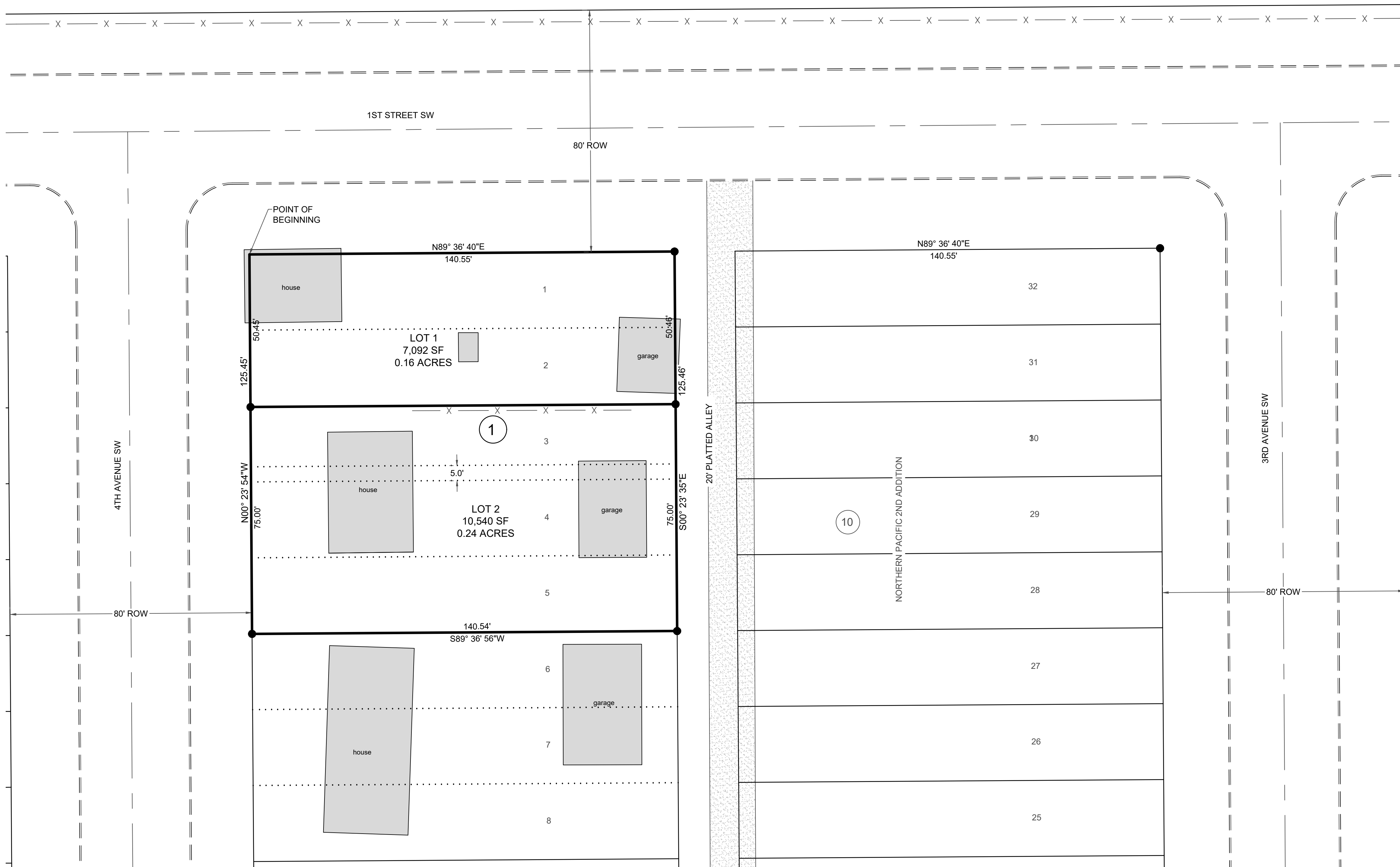
OWNERS:

ESTATE OF GREG M. KELLER
C/O ELLERY KELLER
200 4TH AVENUE SW
MANDAN, ND 58554

TRAVIS KOM-SMITH &
JAMES F. SMITH-KOM III
202 4TH AVENUE SW
MANDAN, ND 58554

NOTES:

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



SCALE: 1" = 20'

DATE: APRIL 28TH, 2025

VERTICAL DATUM - NAVD 1988.

BASED ON NORTH DAKOTA SOUTH
ZONE-NAD83 (2011), INTERNATIONAL FEET

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

AREA TABLE		
LOT 1	7,092 SF	0.16 ACRES
LOT 2	10,540 SF	0.24 ACRES
TOTAL	17,632 SF	0.40 ACRES

LEGEND

- FOUND SURVEY MONUMENT
● SET CAPPED REBAR "LS-9628"
..... VACATED LOT LINE



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 30, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Consider a request for a minor plat for Northern Pacific 4th Addition.

STATEMENT/PURPOSE:

Consider a request for a minor plat for Northern Pacific 4th Addition

BACKGROUND/ALTERNATIVES:

Justin and Chelsie Morrow request approval of a minor plat named Northern Pacific 4th Addition.

Property History

The address for this property is 604 Collins Avenue. The City approved the sale of a portion of lot received in back taxes in 2023 contingent upon this plat.

Minor Plat

The plat covers 0.285 acres and combines Lot 6 with a portion of Lot 7 into a 9,585-square-foot lot. It also formally dedicates a 20-foot public alley where an informal alley has long existed. This plat enables the transfer of the unused portion of Lot 7, establishes the alley's official public status, and resolves a setback nonconformity by creating additional space north of the existing home.

Adjacent Properties Zoning, Land Use, and Future Land Use

This property is zoned R3.2 - Two-Family Residential. Properties to the south and east are zoned R3.2 - Two-Family Residential. To the North is zoned RM - Multi-Family Residential. The Future Land Use Plan designates this property as Low Density Residential.

Additional Information and Public Outreach

- The application and fee of \$300 was received on July 10, 2023.

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

Staff Comments

This action is tied to the 2023 sale of the excess portion of Lot 7 not needed for the public alleyway, as approved by the City Commission in June 2023, contingent upon approval of this plat.

Findings of Fact Minor Plat

1. All technical requirements for approval of a minor plat have been met;
2. The proposed subdivision generally demonstrates an ability for the property to align with the Future Land Use Plan and other plans and studies;
3. The proposed plat is not located in the Special Flood Hazard Area or an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, or areas that are topographically unsuited for development;
4. The proposed plat is consistent with the general intent and purpose of the zoning ordinance;
5. The proposed plat is generally consistent with the master plan, other adopted plans, policies and accepted planning practice; and
6. The proposed plat would not adversely affect the public health, safety, and general welfare.

ATTACHMENTS:

1. application Northern Pacific Fourth
2. Northern Pacific Fourth Addition
3. Northern Pacific Fourth Add - features revised
4. Location Map

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of Northern Pacific 4th Addition.

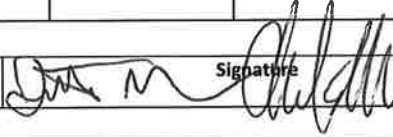
SUGGESTED MOTION:

I move to approve Northern Pacific 4th Addition.

CITY OF MANDAN	
Development Review Application	
<input checked="" type="checkbox"/> Minor Plat (\$300)	Zone Change (\$600)
<input type="checkbox"/> Preliminary Plat up to 20 acres (\$400)	Planned Unit Development (\$700)
<input type="checkbox"/> Preliminary Plat more than 20 acres (\$450)	Land Use and Transportation Plan Amendment (\$1,000)
<input type="checkbox"/> Final Plat up to 20 lots (\$400)	Vacation (\$500)
<input type="checkbox"/> Final Plat 21 to 40 lots (\$550)	Variance (\$400)
<input type="checkbox"/> Final Plat more than 40 lots (\$700)	Special Use Permit (\$450)
<input type="checkbox"/> Annexation (\$450)	Stormwater submittal (\$300)
<input type="checkbox"/> Masterplanned Subdivision (not accepted without preliminary plat) (\$250)	Stormwater 2 nd & subsequent resubmittal (\$50)
<input type="checkbox"/> Appeals to Administrative Denials (Variance to Non-zoning/Non-subdivision regulations) (\$250)	
Summary of Request (Add separate sheet(s) as necessary)	
Combine Lots 6 & 7 Block 74 in Northern Pacific Addition	

Engineer/Surveyor			Property Owner or Applicant		
Name Mark R. Isaacs, RLS - ILSE, Inc.			Name Justin W. & Chelsie L. Morrow		
Address 4215 Old Red Trail NW			Address 604 Collins Avenue		
City Mandan	State ND	Zip 58554	City Mandan	State ND	Zip 58554
email mark@ilsurveynd.com			email chelsieheitz@icloud.com		
Phone 701-595-2079		Fax	Phone 701-793-8889		Fax
If the applicant is not the current owner, the current owner must submit a notarized statement authorizing the applicant to proceed with the request.					

Location		Type		Existing Zone	Proposed Zone	Project Name	
<input checked="" type="checkbox"/> City	<input type="checkbox"/> ETA	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Addition	R 3.2	R 3.2	Northern Pacific 4th Addition	
Property Address				Legal Description			
604 Collins Avenue, Mandan, ND				Lots 6 & 7, Block 74			
Current Use							
Residential				Northern Pacific Addition			
Proposed Use							
Residential				Section 27	Township 139	Range 81	
Parcel Size	Building Footprint	Stories	Building SF	Required Parking		Provided Parking	
12,430 SF							

Print Name Justin W. & Chelsie L. Morrow	Signature 	Date 7-10-23
---	---	-----------------

Office Use Only			
Date Received:	Initials: <i>nm</i>	Fees Paid: \$ 300	Date 7/10/2023
Notice in paper		Mailed to neighbors	
P&Z meeting			
Approved	Approved with conditions:		
Denied			

NORTHERN PACIFIC FOURTH ADDITION
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
A REPLAT OF LOTS 6 & 7, BLOCK 74 IN NORTHERN PACIFIC ADDITION
ALL IN SECTION 27, T139N, R81W



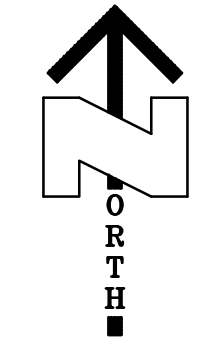
PROPERTY DESCRIPTION

ALL OF LOTS 6 AND 7, BLOCK 74 IN NORTHERN PACIFIC ADDITION BEING A PART OF SECTION 27, TOWNSHIP 139 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, MORTON COUNTY, NORTH DAKOTA CONTAINING 12,430 SQUARE FEET), MORE OR LESS.

SURVEYOR'S CERTIFICATE

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

MARK R. ISAACS, RLS 9628



SCALE: 1" = 20'
0 10 20

DATE: MARCH 28TH, 2025

VERTICAL DATUMN - NAVD 1988.

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

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

OWNERS:
JUSTIN W. & CHELSIE L. MORROW
604 COLLINS AVENUE
MANDAN, ND 58554

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

AREA TABLE

LOT 1	9,585 SF
DEDICATED ROW	2,845 SF
TOTAL	12,430 SF

LEGEND

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

JUSTIN W. MORROW

CHELSIE L. MORROW

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

NOTARY PUBLIC.

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JAMES FROELICH - PRESIDENT OF THE BOARD
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JAREK WIGNESS, PE

NORTHERN PACIFIC 4TH ADD.
REPLAT OF LOTS
6 & 7; BLOCK 74
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1
SCALE: 1"= 20'
DRAWN BY: MRI
DWG DATE: 7/8/23
DWG NAME:23071 Survey.dwg

JOB NUMBER: 23071
DWG REVISION DATES
3/20/25
--

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

Independent
Land
Surveying &
Engineering

NORTHERN PACIFIC FOURTH ADDITION
TO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA
A REPLAT OF LOTS 6 & 7, BLOCK 74 IN NORTHERN PACIFIC ADDITION
ALL IN SECTION 27, T139N, R81W



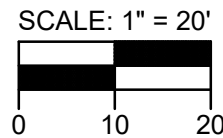
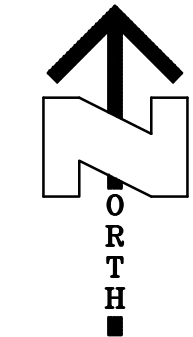
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MARK R. ISAACS, RLS 9628



DATE: MARCH 20TH, 2025

VERTICAL DATUMN - NAVD 1988.

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

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

OWNERS:
JUSTIN W. & CHELSIE L. MORROW
604 COLLINS AVENUE
MANDAN, ND 58554

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DEDICATED ROW	2,845 SF
TOTAL	12,430 SF

LEGEND

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

JUSTIN W. MORROW

CHELSIE L. MORROW

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

NOTARY PUBLIC.

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JIM NEUBAUER - CITY ADMINISTRATOR

JAMES FROELICH - PRESIDENT OF THE BOARD OF CITY COMMISSIONERS

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

JAREK WIGNESS, PE

NORTHERN PACIFIC 4TH ADD.
REPLAT OF LOTS
6 & 7; BLOCK 74
MANDAN, NORTH DAKOTA

SHEET: 1 OF 1	JOB NUMBER: 23071
SCALE: 1"= 20'	DWG REVISION DATES
DRAWN BY: MRI	3/20/25
DWG DATE: 7/8/23	-
DWG NAME: 23071 Survey.dwg	-

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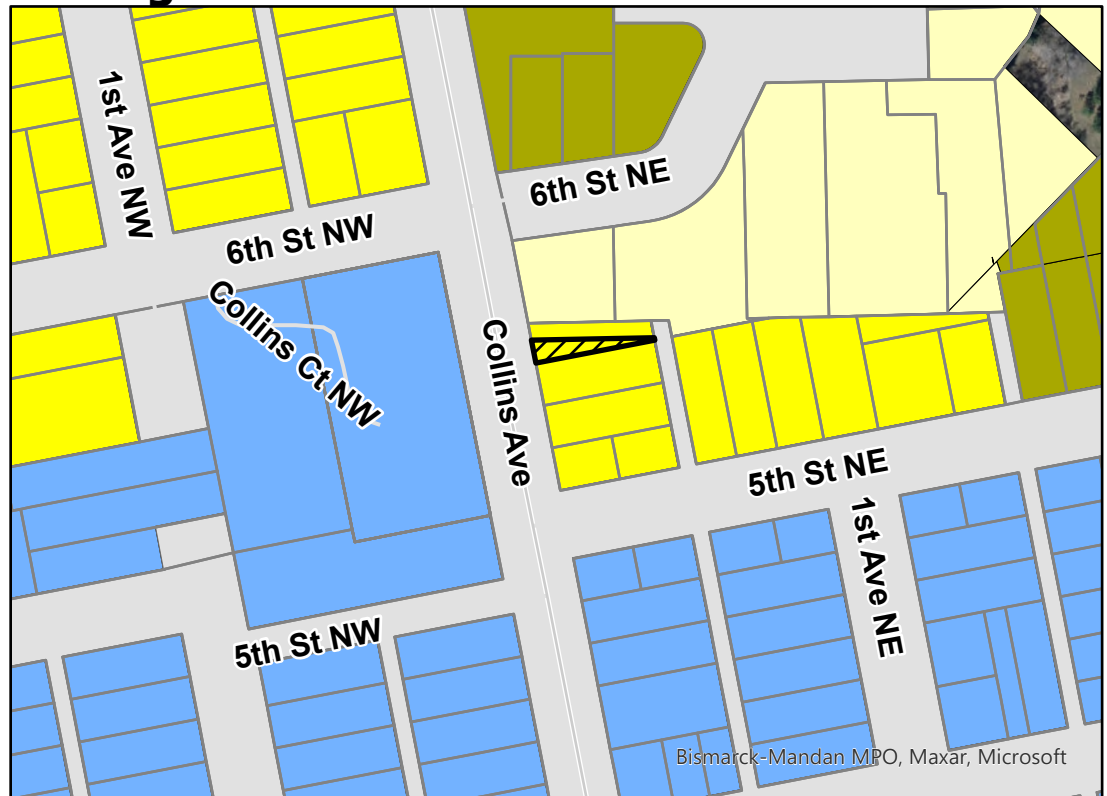
Zoning and Future Land Use Reference Map

City Lot to be listed for sale

Zoning Map Key

- Agriculture - City of Mandan
- Agriculture - Morton County
- CA - Neighborhood Commercial
- CB - Business Commercial
- CC - Commercial/Light Industrial Transition
- DC - Downtown Core
- DF - Downtown Fringe
- Industrial - Morton County
- LSMHS - Trailer Park Subdivision
- MA - Heavy Commercial/Light Industrial
- MB - Heavy Commercial/Heavy Industrial
- MC - Heavy Commercial/Light Industrial Restricted
- MD - Heavy Commercial/Heavy Industrial Restricted
- MHS - Trailer Park
- PUD - Planned Unit Development
- R3.2 - Residential Single & Two Family
- R7 - Residential Single Family
- RH - Residential Mobile Home Park
- RM - Residential Multi-family Dwellings
- RMH - Residential Mobile Home Subdivision
- Residential - County Residential Zoning
- ROW - Right-of-Way
- Planning Activities
- Parcels
- State and Federal Roads
- 08-City Primary Streets
- 09-City Secondary Streets
- 11-City Trailer Court Streets
- 12-City Private Dr
- StateandFederalRoadsse_M

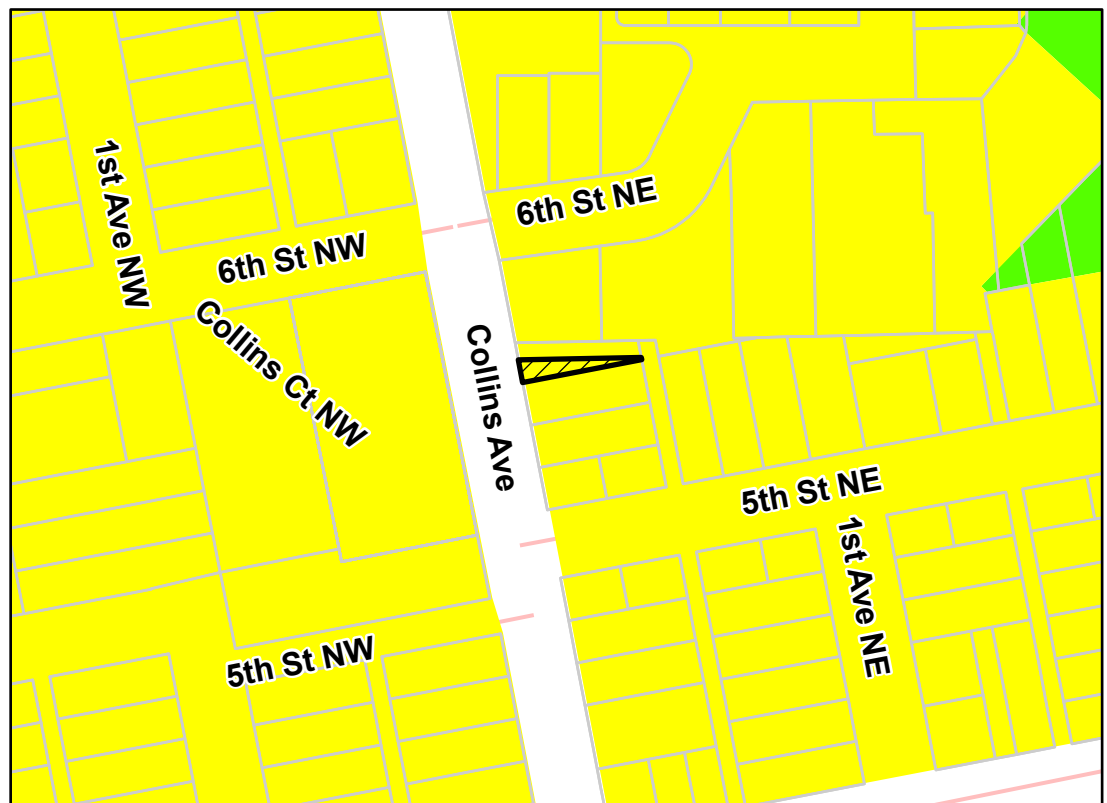
Zoning



Future Land Use Plan

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
- Future Roadway Alignment
- Planning Activities
- May Planning Activities
- City Limits
- ETA Line
- State and Federal Roads



City of Mandan
Planning Department
5/16/23

0 0.04 0.08 0.16 Miles

N



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 7, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider an amendment to the Memorial Highway Cost Participation and Maintenance agreement

STATEMENT/PURPOSE:

To consider an amendment to the existing Memorial Highway Cost Participation and Maintenance agreement.

BACKGROUND/ALTERNATIVES:

The Memorial Highway Reconstruction Project has been a topic of conversation for over 20 years. The project generally includes the lowering and urbanization of Memorial Highway from East Main Street to the Memorial Bridge, along with water, sanitary, and storm improvements. The North Dakota Department of Transportation, along with the City, have been working with HDR to construct the first phase of the project, which would include all the mainline improvements east of 32nd Ave SE. The remaining improvements would be included in a subsequent bid package. The construction is estimated to be completed during the 2025-2027 construction seasons.

The original Cost Participation and Maintenance (CPM) Agreement outlines the City's financial responsibilities for the improvements. Generally, this is 100% of the Water and Sanitary Improvements and a portion of the Street and Storm improvements.

This amendment outlines maintenance responsibilities after project completion. The City would be responsible for routine maintenance operations, which include plowing, sweeping, catch basin cleaning, etc. There would also be a local responsibility for maintenance of the shared-use path on the south west side of the corridor. Public Works and Mandan Parks agreed to split maintenance of the trail seasonally, with the City clearing snow during the winter and the Parks Department mowing during the summer. This amendment defines the timing of the transfer of maintenance responsibilities, removes the corridor from the State highway system, and designates a new functional classification for Memorial Highway. These are expected changes, and

retains the "local" version of Memorial Highway's position to receive federal funds during the corridor's lifetime.

ATTACHMENTS:

1. Memorial Highway CPM Amendment

FISCAL IMPACT:

Minimal.

STAFF IMPACT:

This agreement shifts maintenance responsibility to the City and would have a major impact on Public Works staff after the project. The City would need to accompany the additional maintenance responsibilities with additional resources in order to maintain current levels of service around the rest of the City.

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, as presented.

MEMO TO: Ronald J. Henke
Director

FROM: Johnson, Michael E.

DATE: 04/04/2025

SUBJECT: CPM Amendment - SU-CPU-FTF-1-094(223)919, PCN 23277

The purpose of this amendment to the Cost Participation & Maintenance agreement is to address future ownership of the Memorial Highway corridor. After completion of the corridor reconstruction NDDOT will transfer ownership of the corridor to the City. All other portions of the original agreement remain in effect.

Please contact Michael Johnson at 701-328-2118 or Wayne Zacher at 701-328-4828 if there are any questions.

38/mej

DocuSign Workflow:
Stacey Hanson, LGD Review
Derek Pfeifer, LGD Signature
Shannon Sauer, Finance
Jarek Wigness, City Engineer
Mayor or President of Commission
City Witness
Michael Johnson, LGD Review
Clint Morgenstern, Legal
Chad Orn, DDP

NDDOT Contract No. 20241169A

North Dakota Department of Transportation
AMENDMENT TO CONTRACT NO. 20241169
Project No. SU-CPU-FTF-1-094(223)919

THIS AMENDMENT to the above-referenced contract is entered into by and between the State of North Dakota, acting through its Director of Transportation, hereinafter known as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and city of Mandan, hereinafter known as the Contractor, whose address is 205 Second Avenue NW, Mandan, North Dakota 58554.

WHEREAS, the parties entered into a contract on November 13, 2024; and

WHEREAS, both parties agree that the function and utility of Memorial Highway (currently I-94 Business) is a local road serving the needs of Mandan rather than the regional needs of a business loop; and

NOW THEREFORE, the Contractor and NDDOT agree that post construction the Memorial Highway corridor from Main Street to 46th Avenue SE will be removed from the State highway system. This removal will redesignate I-94 Business to a local roadway. The Contractor will accept the roadway transition from the State highway to local road and assume full ownership when the redesignation process is complete. The Contractor will have the ability to add this roadway to their Urban Roads system as part of the transition process. The attached map shows the extents of the designation change.



All other terms and conditions of the above-referenced contract are incorporated herein by reference and remain in full force and effect.

EXECUTED the date last below signed.

WITNESS:

CONTRACTOR:

NAME (TYPE OR PRINT)

SIGNATURE

COMPANY NAME

OFFICER'S NAME (TYPE OR PRINT)

To be signed by **Owner; Partner; Corp. Pres., Vice Pres., or other authorized Corp. Officer.** (If signed by other authorized Corp. Officer, please attach copy of Power of Attorney or other documentation showing authority to sign.)

SIGNATURE

TITLE

DATE

WITNESS:

NORTH DAKOTA DEPARTMENT
OF TRANSPORTATION

NAME (TYPE OR PRINT)

SIGNATURE

DIRECTOR (TYPE OR PRINT)

SIGNATURE

DATE

SS

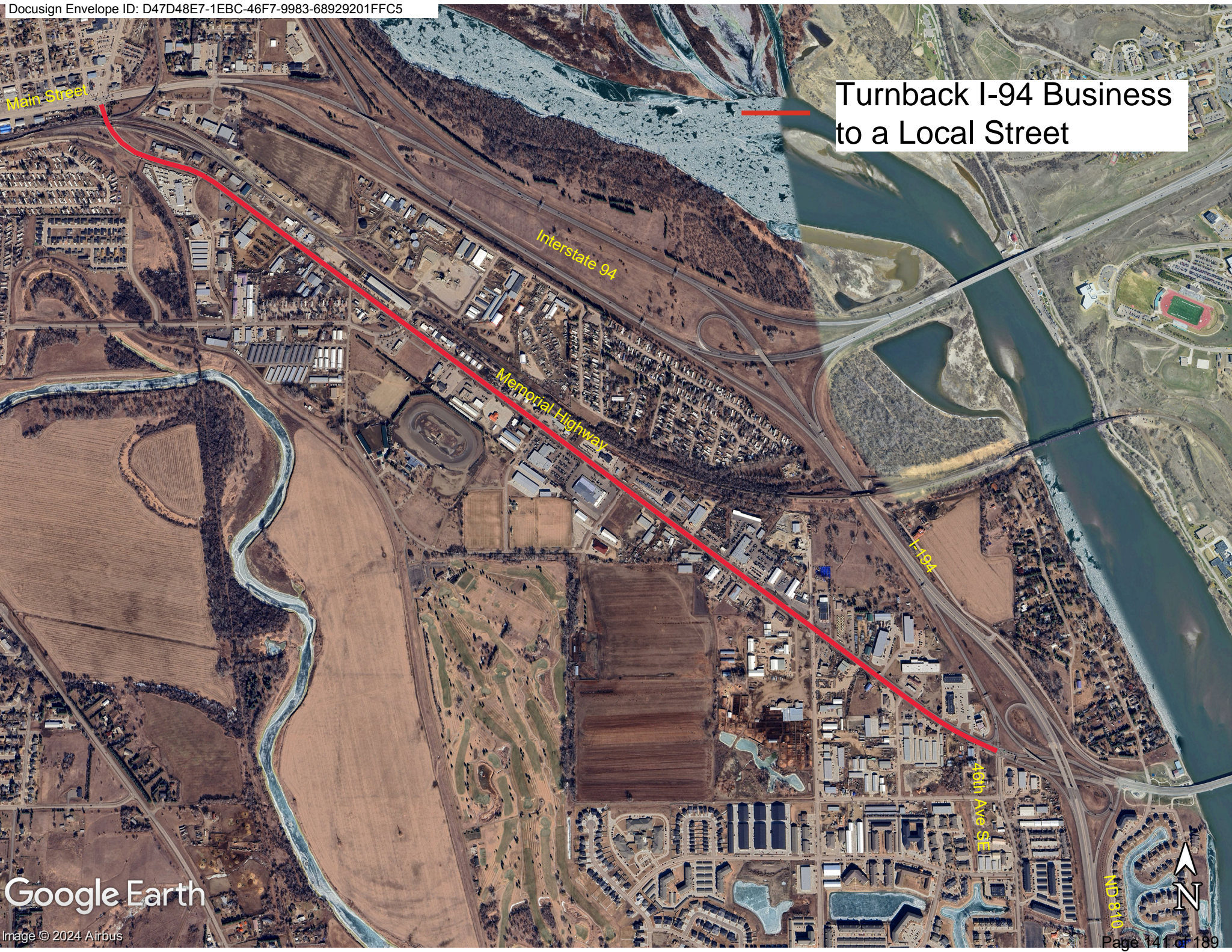
APPROVED as to substance by:

Derek Pfeifer
DIVISION DIRECTOR (TYPE OR PRINT)
SIGNATURE
04/04/25
DATE

SH

CLA 52494 (Div. 06)
L.D. Approved 5-19-00; 5-03





Turnback I-94 Business
to a Local Street



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 11, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider an 8th Avenue NW and 24th Street road closure request to complete natural gas main upsizing

STATEMENT/PURPOSE:

To review and possibly approve two road closures, which support a WBI gas main project.

BACKGROUND/ALTERNATIVES:

WBI Energy has an active project that includes upsizing an existing 12" gas transmission line to 16". A portion of the project is located directly west of the new highschool, along 8th Ave NW. In order to complete the project, WBI requires staggered closures of two roadways. The proposed 8th Ave NW closure would begin on May 27th and last approximately 3 weeks. The proposed 24th Street NW closure would begin on June 16th and last approximately 1 week.

The proposed work would occur after Mandan High School's last day, which is May 23rd. The Engineering department reached out to the school district for comments and concerns. Summer school begins on May 27th and the one access being closed is part of their bus loop, which complicates their operations. The school district signed-off on the proposed closures, as long as they were limited to the proposed dates.

ATTACHMENTS:

1. Traffic Control Plans & Details

FISCAL IMPACT:

None.

STAFF IMPACT:

Minimal.

LEGAL REVIEW:

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

RECOMMENDATION:

To approve the road closures, as presented.

SUGGESTED MOTION:

I move to approve a 3 week road closure for 8th Avenue NW and a 1 week road closure for 24th Street NW, to occur between May 24th and June 24th, 2025.

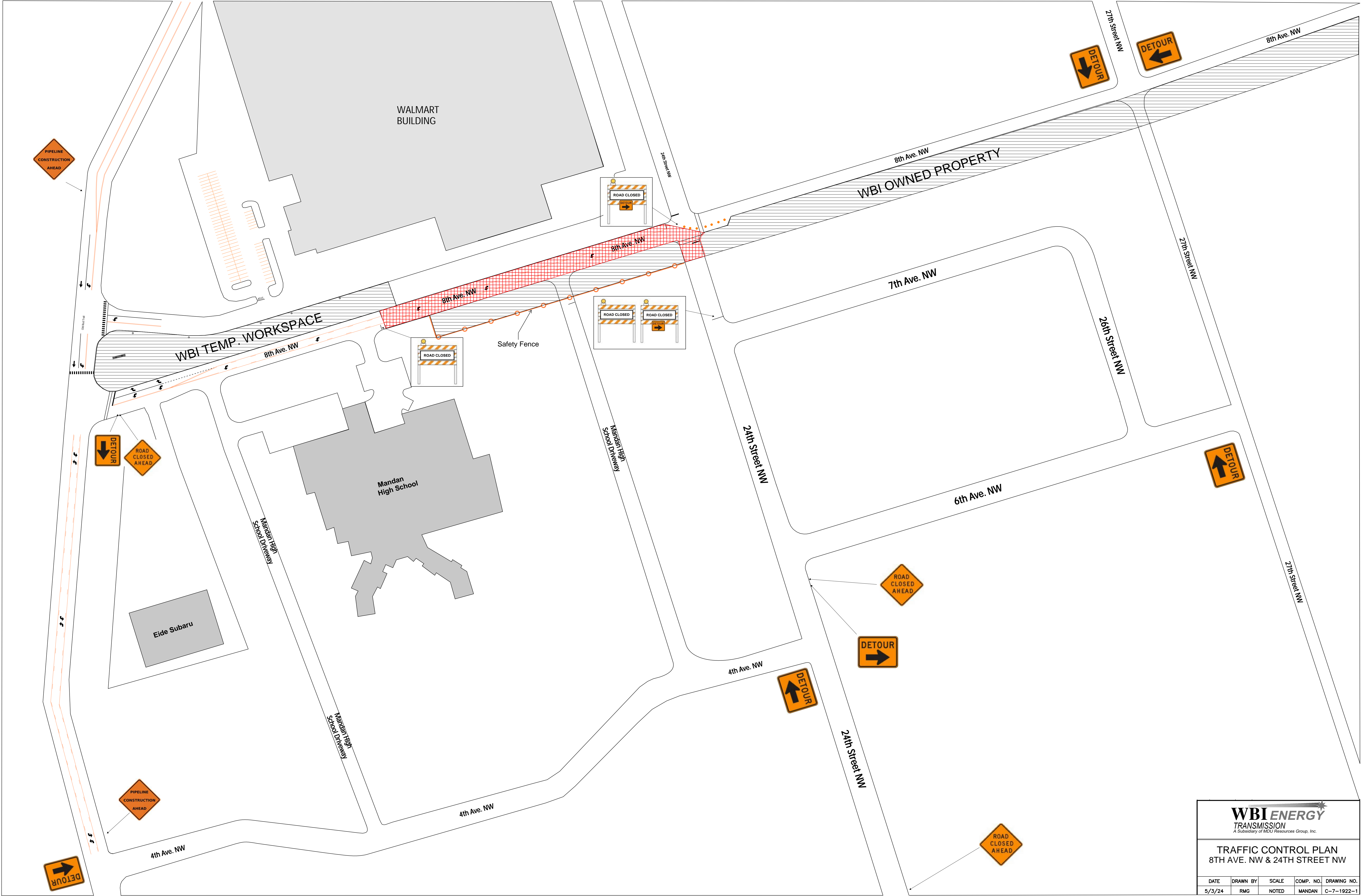
Proposed Road Closure in Mandan, ND

8th Ave. NW

WBI Energy is proposing to close a portion of 8th Ave. NW near the new Mandan High School during the construction of our pipeline replacement project in the area. We anticipate this closure to begin on May 27th, 2025, and be returned to normal operation by end of the day on June 13th, 2025. These dates are approximate and are subject to change slightly as construction progresses; WBI Energy will coordinate any changes to this schedule with the City of Mandan. During the shutdown WBI Energy's Contractor (C3 Energy Partners) will utilize the road as additional space to construct the pipeline through the area.

24th Street NW

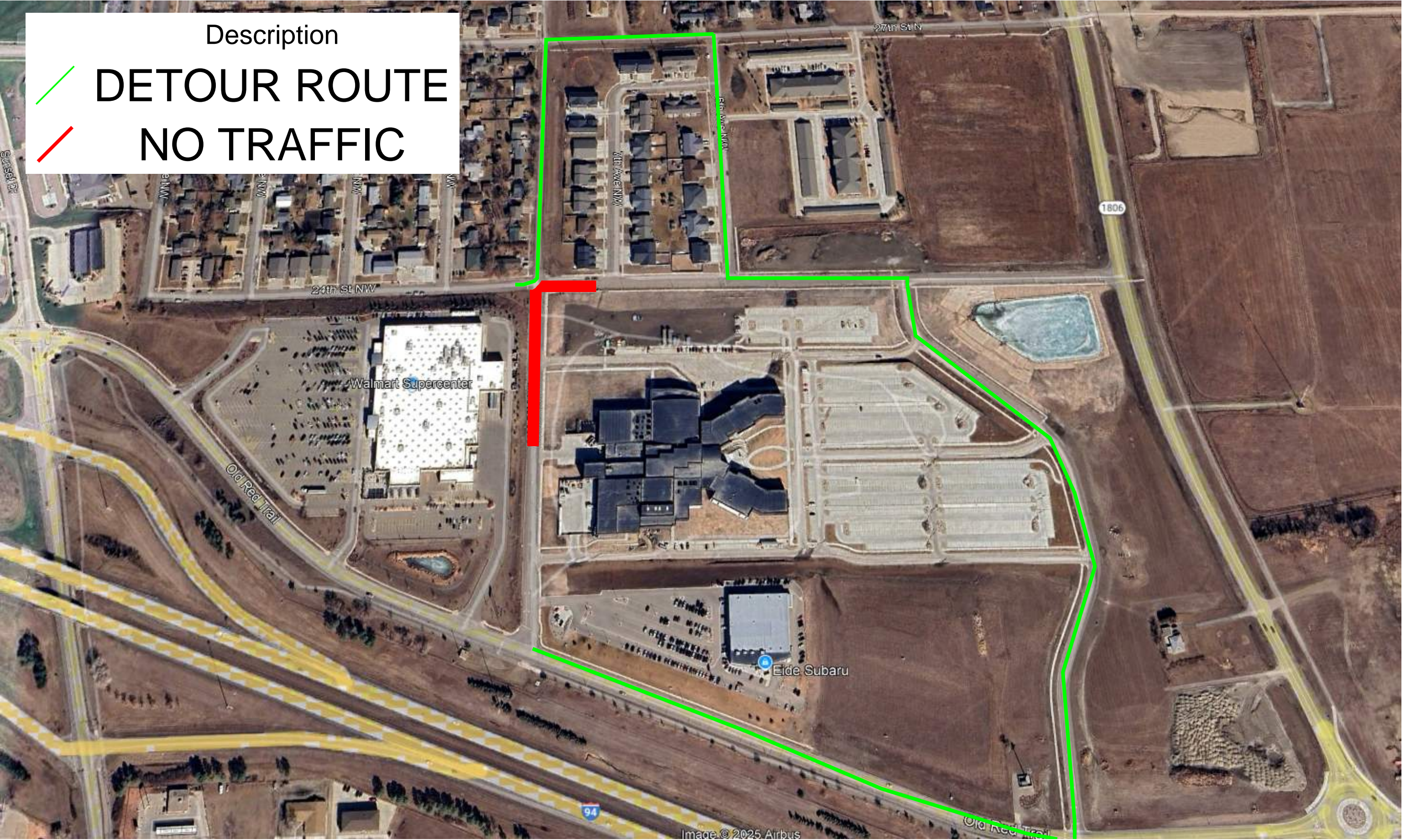
WBI Energy is also proposing to close a portion of 24th street NW near the high school. We anticipate this closure to begin on June 16th, 2025, and be returned to normal operation by end of the day on June 20th, 2025. These dates are approximate and are subject to change slightly as construction progresses; WBI Energy will coordinate any changes to this schedule with the City of Mandan. During the shutdown WBI Energy's Contractor (C3 Energy Partners) will utilize the road as additional space to construct the pipeline through the area.



WBI ENERGY
TRANSMISSION
A Subsidiary of MDU Resources Group, Inc.

TRAFFIC CONTROL PLAN
8TH AVE. NW & 24TH STREET NW

DATE	DRAWN BY	SCALE	COMP. NO.	DRAWING NO.
5/3/24	RMG	NOTED	MANDAN	C-7-1922-1



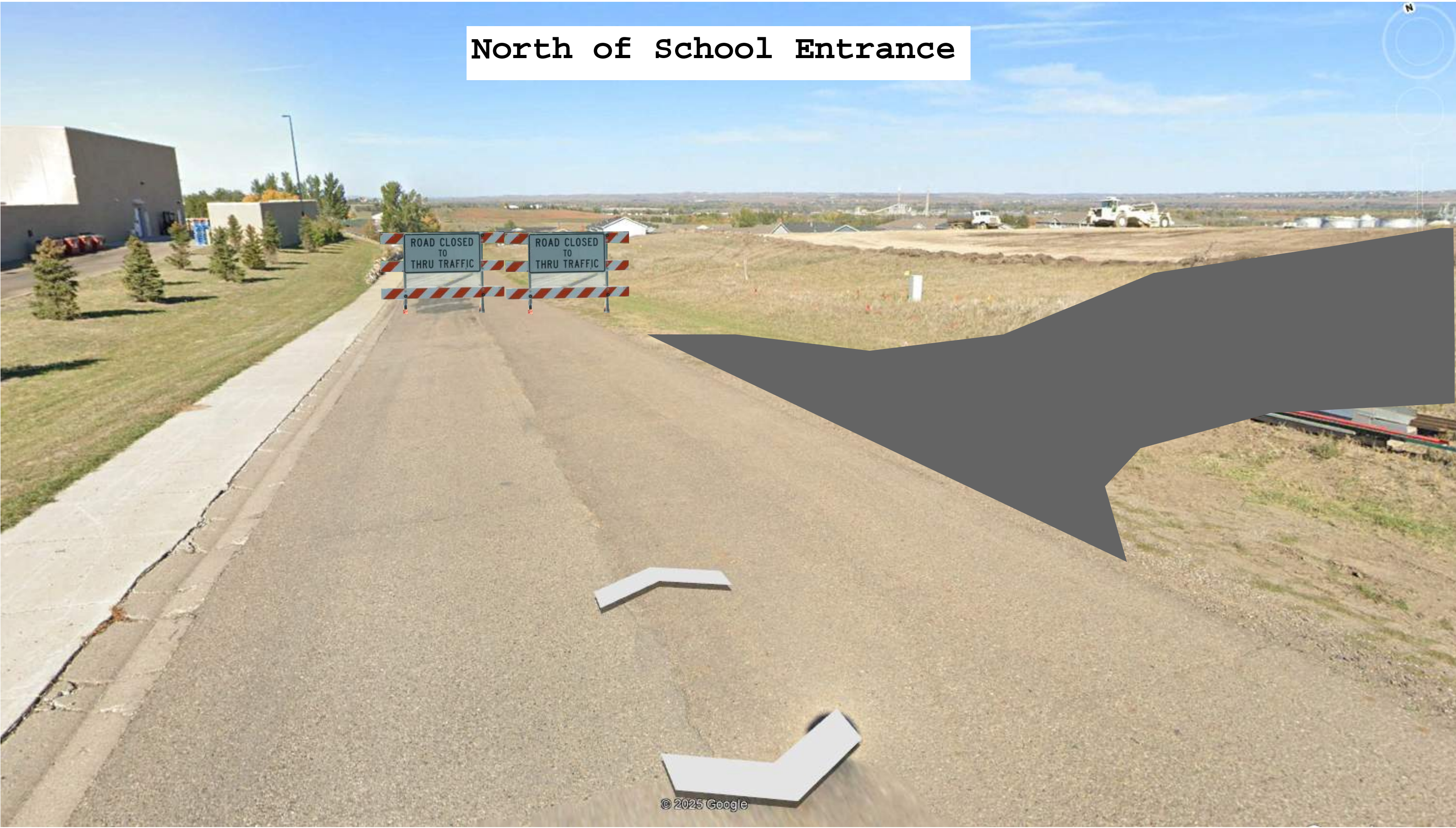
Old Red Trail & 4th Ave NW
Looking East



Old Red Trail & 8th Ave NW
Looking North



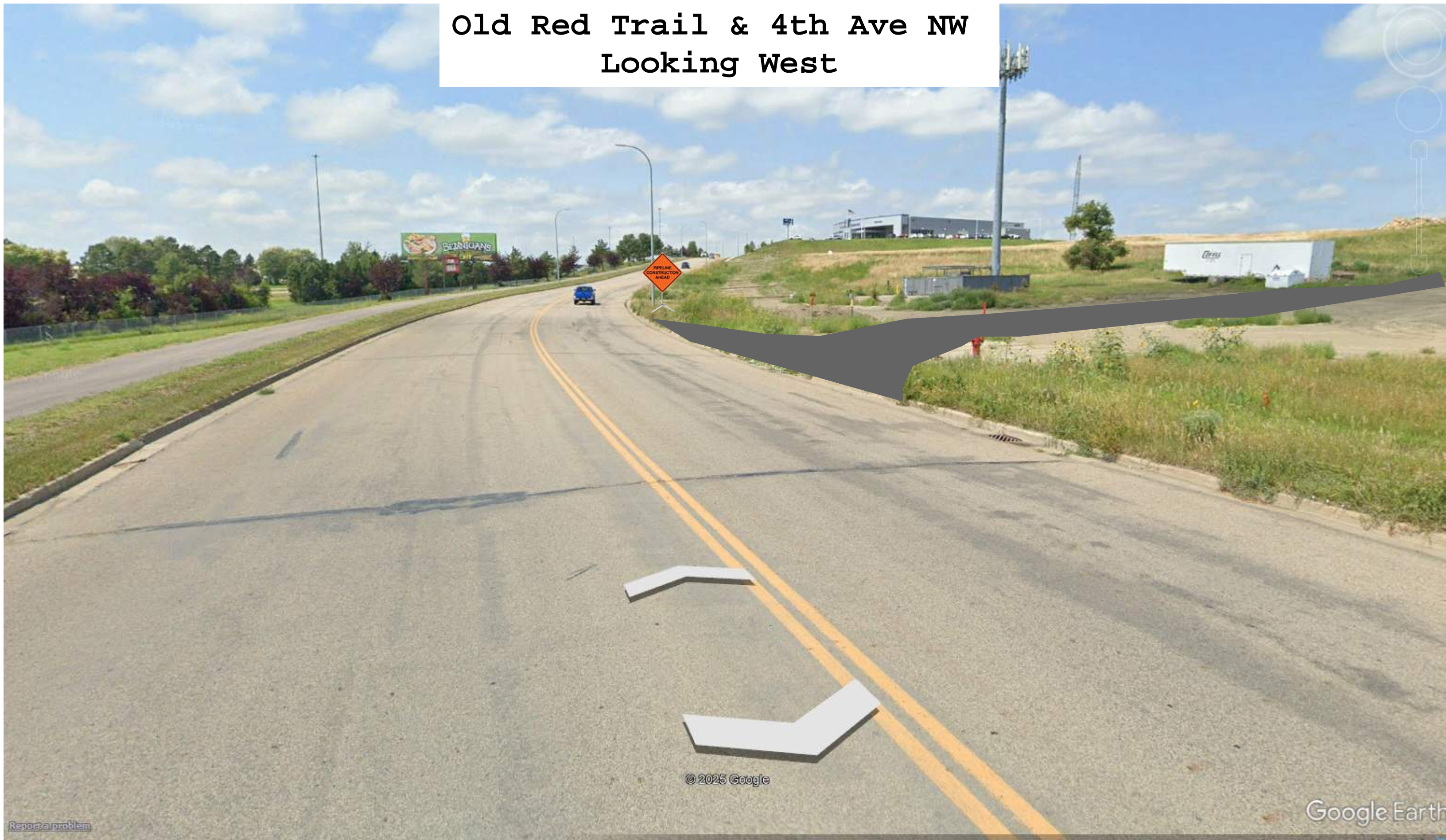
North of School Entrance



Old Red Trail & 4th Ave NW
Looking East



Old Red Trail & 4th Ave NW
Looking West



1804 & 24th St Looking West

2601 State Hwy 1806

Exit Street View



4th Ave NW & 24th Street NW

No Google Earth Street View Available
Detour sign on south east corner will be
placed pointing west as shown below



6th Ave NW & 24th Street NW

No Google Earth Street View Available
Detour sign on north east corner will be
placed pointing west as shown below along
with a Road Closed Ahead Sign



6th Ave NW & 27th St
Looking North



27th St & 8th Ave
Looking West



8th Ave & 27th St
Looking West



© 2025 Google

Google Earth

8th Ave & 24th St
Looking East



8th Ave & 24th St
Looking South



24th St & 7th Ave
Looking West





City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 30, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: 2024 Mandan Measure 1 Sales Tax Collection Update and Public Transportation Grant Program

STATEMENT/PURPOSE:

Consider update on 2024 Measure 1 sales tax collections and taking action on related Public Transportation Grant Program.

BACKGROUND/ALTERNATIVES:

In 2024, Mandan voters approved a half-cent sales tax, with 2/10ths of a cent allocated to public transportation services (both public and private) and 3/10ths of a cent dedicated to Mandan's Police Department, Fire Department, and accessibility improvements at City Hall. Collections began in January, and plans to utilize these dedicated funds to address capital needs for Police and Fire are underway. A similar sales tax was approved in Bismarck in 2024 as well.

There has been community interest in accessing the transportation portion of the sales tax revenue, and therefore the City has begun developing a Public Transportation Sales Tax Grant Policy and Application Process to guide the allocation of these funds.

The program's objectives are to carry out the voters intent that there be funding for consistent, equitable, and accessible transportation services—particularly for elderly, disabled, and disadvantaged individuals. The program is administered by the City Administration Department with support from Finance and an interdepartmental grant review team.

Eligible applicants include registered nonprofits, for-profit entities, and government organizations that primarily serve the target populations. Both existing and new service providers may apply.

Applications are preferred during the annual budget process but are accepted on a

rolling basis. Submissions must be complete and received at least 30 days prior to a City Commission meeting for consideration.

Funding requests may be up to \$500,000 annually and will be disbursed in monthly or quarterly installments. Applications will be evaluated based on alignment with program goals, demonstrated need, cost-effectiveness, financial sustainability, and the ability to track meaningful performance metrics. Final decisions will be made by the Mandan City Commission during public meetings.

Grantees are required to submit annual progress reports detailing fund use, performance metrics (e.g., ridership and service coverage), and encountered challenges. All grants are awarded for one year and must be renewed annually with updated documentation and demonstrated success.

ATTACHMENTS:

1. V4 Transit Sales Tax Application Policy

FISCAL IMPACT:

As a new program, the full fiscal impact is unknown, however the policy is written to ensure that the grant funds requested to not exceed sales tax collections dedicated to this effort.

STAFF IMPACT:

A significant amount of staff time has gone into program development and is expected to go into program and grant administration.

LEGAL REVIEW:

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

RECOMMENDATION:

Staff recommends approval of the grant policy and application.

SUGGESTED MOTION:

I move to approve the grant policy and application.



City of Mandan

Public Transportation Grant Program Policy

Policy Guidelines

1. Program Objectives

- Provide consistent and reliable transportation services including but not limited to those that cater to elderly, disabled, and disadvantaged individuals.
- Promote equity and accessibility in public transportation.

2. Lead Department and Grant Review Process

- **Lead Department:** City of Mandan Administration Department, with support from Finance.
- **Administrator:** Jim Neubauer.
- **Grant Review Team:** Comprised of City staff from Administration, Planning, Finance, Business Development + Communications, and other designees of the City Commission Portfolio Holder.

3. Eligibility Criteria

- Applicants must be a registered nonprofit, for-profit, or government entity.
- Must provide services primarily to elderly, disabled, or disadvantaged populations.
- Both existing and new service providers are eligible to apply.

4. Application Process

- The City prefers to receive applications during its annual budget process. However, applications are accepted on a rolling basis.
- Completed applications must be submitted at least **30 days prior** to a City Commission meeting for consideration.
- Incomplete applications will be returned for revision and may delay processing.

5. Evaluation Criteria

Applications will be reviewed based on:

- Alignment with program objectives and goals.
- Clear and compelling evidence of need for the proposed service.

- Demonstrated efficiency and cost-effectiveness in the planned use of funds.
- Well-defined and measurable metrics for evaluating program success.
- Financial stability and sustainability of the applicant organization.
- Efforts to leverage additional funding sources to maximize impact.
- Initiatives to enhance the service's appeal, accessibility, or utility.
- Availability of funds, recommendations, and goals the City has adopted in relevant planning documents.
- Professional opinions of the grantee selection team.

6. City Review and Approval Process

- Applications are reviewed by City staff to ensure completeness and eligibility.
- Recommendations are made based on the evaluation criteria outlined above.
- Final approval of funding requests will be determined by the Board of City Commissioners during a public meeting.
- Applicants will be notified of the Commission's decision within **10 business days** of the meeting.

7. Funding Amount and Disbursement

- Applicants may request up to **\$500,000.00 annually**.
- Funds may be disbursed as:
 - Monthly installments
 - Quarterly installments
- The City of Mandan will not allocate more funds annually than the amount collected through the sales tax.

8. Application Requirements

Applicants must submit the following:

- Completed Grant Application Form.
- Detailed budget breakdown for the requested funds.
- Organization's approved annual budget for the funding year.
- Supporting documentation, including metrics for success and evidence of need.
- Narrative that provides a background of the grantee organization and how funds will be used.
- Additional materials, if requested, to aid in evaluation.
- Annual financial statements will be required, and the City reserves the right to review business plans for startup providers.

9. Reporting Requirements

Grantees must submit annual progress reports, including:

- Detailed account of funds expended.
- Metrics for success achieved (e.g., ridership, service area).
- Description of challenges encountered and adjustments made.
- Reports must be submitted by **December 31 of each year**.

10. Audit and Compliance

- The City reserves the right to audit grantees to ensure appropriate use of funds.
- Non-compliance with program guidelines may result in:
 - ☐ Termination of funding.
 - ☐ Required repayment of disbursed funds.

11. Renewal and Reapplication

- Grants are valid for **one year**.
- Grantees must reapply annually and provide evidence of:
 - ☐ Continued need.
 - ☐ Success in achieving program objectives.

12. Contact Information

For questions about the application or policy guidelines, contact:

- **Name:** Jim Neubauer
- **Title:** City Administrator
- **Email:** jneubauer@cityofmandan.com
- **Phone:** 701-667-3210



City of Mandan

Public Transportation Grant Application Form

1. Organization Information

- **Organization Name:** _____
- **Mailing Address:** _____
- **Contact Name:** _____
- **Title:** _____
- **Phone Number:** _____
- **Email Address:** _____
- **Organization Type:**
 - ☐ Existing Service Provider
 - ☐ New Service Provider
- **Nonprofit Status:**
 - ☐ Nonprofit
 - ☐ For-profit
- **Previous Grantee:**
 - ☐ Previously received funds
 - ☐ Not previously received funds

2. Service Description

- **Organization's Mission:** _____
- **Alignment with Transportation Needs:** _____
- **Target Population:** _____
- **Service Area & Hours:** _____

3. Use of Funds

- **Requested Funding Amount:** \$ _____
- **Intended Use:**
 - ☐ Vehicle purchase/lease
 - ☐ Operating expenses
 - ☐ Driver wages/training
 - ☐ Accessibility enhancements

- ☐ Other: _____
- **Detailed Fund Use:** (Attach detailed budget breakdown)
- **Annual Budget:** (Attach approved budget for the funding year)

4. Metrics for Success

- **How success will be measured:**
 - ☐ Number of rides
 - ☐ Reduction in wait times
 - ☐ Expanded service area
 - ☐ Increased ridership
 - ☐ Satisfaction surveys
 - ☐ Other: _____
- **Anticipated Outcomes:** _____

5. Disbursement Plan

- **Preferred Disbursement Method:**
 - ☐ Monthly
 - ☐ Quarterly

6. Certification

- **Signature:** _____
- **Title:** _____
- **Date:** _____

7. Attachments Checklist

- ☐ Budget Breakdown
- ☐ Approved Annual Budget
- ☐ Grant Narrative
- ☐ Additional Supporting Documentation (if applicable)



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 30, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Memorial Highway State Water Commission cost share agreement

STATEMENT/PURPOSE:

To accept additional funding in the form of a 60% cost share from the North Dakota State Water Commission for additional water-eligible items on the Memorial Highway Project.

BACKGROUND/ALTERNATIVES:

At the December 13th State Water Commission Meeting, the City of Mandan applied for construction cost-share funding using an engineer's estimate leading up to the December 20th bid opening of the Memorial Highway Project. Water-eligible bid items exceeded their anticipated cost. At the April 10th meeting, the State Water Commission approved an amendment to the construction cost-share to account for the full 60% of water-eligible items. This increased the total cost share from \$2,961,845 to \$3,845,519.

ATTACHMENTS:

1. Memo
2. Amendment II

FISCAL IMPACT:

This would reduce the City's locally funded portion of the project by \$883,674.

STAFF IMPACT:

Minimal.

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 cost-share amendment, as presented.

Commission Date : 4/10/25
Commission Action : Approved (slbrost)

MEMORANDUM

Approved at 60 percent of eligible costs for an additional \$883,674 not to exceed \$3,845,519.

TO: Lt. Governor Michelle Strinden
Members of the State Water Commission
FROM: Reice Haase, Secretary
SUBJECT: State Water Supply – City of Mandan
Memorial Highway Improvements
DATE: March 27, 2025



Background & Description

The City of Mandan is requesting a construction cost-share increase for their Memorial Highway Improvements (Project). The Project is replacement of approximately one mile of aging asbestos cement watermain along the east half of Memorial Highway between 32nd Avenue SE and 46th Avenue SE. The Project is part of combined sanitary sewer, storm sewer, lift station, paving, and lighting infrastructure improvements in Mandan. Construction cost-share was approved by the Commission prior to the Project bid in order to meet the North Dakota Department of Transportation's bid approval deadline. The current request is due to bids received in excess of the engineer's estimate. The Project is located in Morton County.

Supplemental Information

Water Development Plan/Priority	2023 / Low
New / Future / Current Service Users	0 / 0 / 9,418
Present Value Cost / User (Preferred Alternative)	\$1,044
Rate / 5,000-Gallons	\$37.00
Comparable Rate / 5,000-Gallons	\$48.00
Water Source – Missouri River, Mandan	

Schedule

Task	Dates
Study	Jun. 2023
Design	Oct. 2024
Bid	Dec. 2024
Construction	May 2025
Completion	Oct. 2027

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$193,647	\$2,258,347	\$2,451,994		
Eligible Cost	\$407,021	\$6,002,178	\$6,409,199		
Total	\$600,668	\$8,260,525	\$8,861,193		
Cost-Share 60%	\$244,213	\$3,601,306	\$3,845,519	\$348,600 (4/13/23) \$2,613,245 (12/13/24)	\$883,674

This project meets requirements of the Water Commission's cost-share policy. Therefore, I recommend approval of this request from the City of Mandan for additional state cost-share participation in the Memorial Highway Improvements project in the amount of \$883,674, or 60% of eligible costs, with total cost-share not to exceed \$3,845,519. This approval is contingent on available funding.

RH:jsp:/2050MAN

**AMENDMENT II to the
Agreement for Cost-Share Reimbursement
City of Mandan Memorial Highway Water Main**

1. Background. In June 2023, the State of North Dakota (State), by and through the State Water Commission (Commission), and the City of Mandan (Sponsor) entered into the Agreement for Cost-Share Reimbursement City of Mandan Memorial Highway Water Main (Agreement). Agreement was amended in January 2025 (Amendment I).

2. Intent. The mutual intent of the parties here is to amend the June 2023 Agreement and January 2025 Amendment to provide an increase in the cost-share from \$2,961,845 to not to exceed \$3,845,519.

3. Agreement. Commission and Sponsor agree to amend the Agreement as follows:

- a. Replace all of the language in paragraph 2 (**“COMMISSION’S RESPONSIBILITY AND INTENT”**) with the following language:

Commission will provide Sponsor with cost-share, not to exceed \$3,845,519, as approved by Commission on April 13, 2023 (\$348,600), December 13, 2024 (\$2,613,245), and April 10, 2025 (\$883,674) to reimburse 60 percent of actual eligible costs incurred in Sponsor's Project, contingent on availability of funds and conditions of this agreement. Commission's intent in providing this funding to Sponsor is to assist Sponsor financially with Project costs. Sponsor retains sole and absolute discretion in the manner and means of carrying out Project, except to the extent specified in this agreement.

**NORTH DAKOTA STATE WATER
COMMISSION**

By:



REICE HAASE
Secretary

Date: 04/22/2025

CITY OF MANDAN

By:

JAMES FROELICH
Mayor

Date: _____

Countersignature and Date (If required)

Print Name and Title



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 30, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider Monte Drive State Water Commission cost share agreement

STATEMENT/PURPOSE:

To accept additional funding in the form of a 60% cost share from the North Dakota State Water Commission for construction items on the 2025 Reconstruction Project.

BACKGROUND/ALTERNATIVES:

At the December 13th State Water Commission Meeting, the City of Mandan successfully applied for pre-construction cost-share funding. At the April 10th meeting, after the bid opening for the project, the State Water Commission approved an amendment to the cost-share agreement to account for 60% of water-eligible construction items. This increased the total cost share from \$232,658 to \$4,772,366.

ATTACHMENTS:

1. Memo
2. Amendment I

FISCAL IMPACT:

This decreases the City's local funding obligation for the project by \$4,539,708.

STAFF IMPACT:

Minimal.

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 cost-share amendment, as presented.

MEMORANDUM

TO: Lt. Governor Michelle Strinden
Members of the State Water Commission
FROM: Reice Haase, Secretary
SUBJECT: State Water Supply – City of Mandan
2025 Reconstruction
DATE: March 27, 2025



Background & Description

The City of Mandan is requesting construction cost-share for their 2025 Reconstruction (Project). The Project is replacement of 10,960 feet of aging cast iron water main on the northwest side of Mandan along Sunset Drive, Monte Drive, Linda Drive, Boundary Street NW, 6th Avenue NW, 13th Street NW, 14th Street NW, 15th Street NW, and 18th Street NW. The Project is part of combined water, sanitary sewer, and street improvements planned for Mandan. The Project is located in Morton County.

Supplemental Information

Water Development Plan / Priority	2023 / Low
New / Future / Current Service Users	0 / 0 / 160
Present Value Cost / User (Preferred Alternative)	\$60,606
Rate / 5,000-Gallons	\$51.00
Comparable Rate / 5,000-Gallons	\$48.00
Water Source – Missouri River	

Schedule

Task	Dates
Study	Aug. 2024
Design	Feb. 2025
Bid	Mar. 18, 2025
Construction	Jun. 2025
Completion	Nov. 2025

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Costs	\$50,000	\$2,316,369	\$2,366,369		
Eligible Costs	\$387,763	\$7,566,180	\$7,953,943		
Total	\$437,763	\$9,882,549	\$10,329,312		
Cost-Share 60%	\$232,658	\$4,539,708	\$4,772,366	\$232,658 (12/13/24)	\$4,539,708

This project meets requirements of the Water Commission's cost-share policy. Therefore, I recommend approval of the request from the City of Mandan for state cost-share participation in the 2025 Reconstruction project in the amount of \$4,539,708, or 60 percent of eligible costs, with total cost-share not to exceed \$4,772,366. This approval is contingent on available funding.

RH:jsp:ln/2050MAN

**AMENDMENT I to the
Agreement for Cost-Share Reimbursement
City of Mandan
2025 Reconstruction**

1. Background. In February 2025, the State of North Dakota (State), by and through the State Water Commission (Commission), and the City of Mandan (Sponsor) entered into the Agreement for Cost-Share Reimbursement City of Mandan 2025 Reconstruction (Agreement).

2. Intent. The mutual intent of the parties here is to amend the February 2025 Agreement to provide an increase in the cost-share from \$232,658 to not to exceed \$4,772,366.

3. Agreement. Commission and Sponsor agree to amend the Agreement as follows:

- a. Replace all of the language in paragraph 3 (“**COMMISSION’S RESPONSIBILITY AND INTENT**”) with the following language:

Commission will provide Sponsor with cost-share, not to exceed \$4,772,366, as approved by Commission on December 13, 2024 (\$232,658) and April 10, 2025 (\$4,539,708), to reimburse 60 percent of actual eligible costs incurred in Project. Commission cost-share is contingent on availability of funds and conditions of this agreement. Commission's intent in providing this funding to Sponsor is to assist Sponsor financially with Project costs. Sponsor retains sole and absolute discretion in the manner and means of carrying out Project, except to the extent specified in this agreement.

**NORTH DAKOTA STATE WATER
COMMISSION**

By:



REICE HAASE
Secretary

Date: 04/22/2025

CITY OF MANDAN

By:

JAMES FROELICH
Mayor

Date: _____

Countersignature and Date (If required)

Print Name and Title



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 30, 2025
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Jarek Wigness
PRESENTER: Jarek Wigness, City Engineer
SUBJECT: Consider State Water Commission Water Treat Plant
Phase III cost share agreement

STATEMENT/PURPOSE:

To accept additional funding in the form of a 60% cost share from the North Dakota State Water Commission for construction items on the Water Treatment Plant Phase III Optimization Project.

BACKGROUND/ALTERNATIVES:

At the August 10th, 2023 and August 8th, 2024 State Water Commission Meetings, the City of Mandan successfully applied for pre-construction cost-share funding. At the April 10th meeting, after the bid opening for the project, the State Water Commission approved an amendment to the cost-share agreement to account for 60% of water-eligible construction items. This increased the State Water Commission's total cost share from \$470,400 to \$6,760,434.

ATTACHMENTS:

1. Memo
2. Amendment II

FISCAL IMPACT:

This decreases the City's local funding obligation for the project by \$6,290,034

STAFF IMPACT:

Minimal.

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 cost-share amendment, as presented.

MEMORANDUM

TO: Lt. Governor Michelle Strinden
Members of the State Water Commission
FROM: Reice Haase, Secretary
SUBJECT: NDSWC Cost-Share Request – City of Mandan
Water Treatment Plant Phase III Optimization
DATE: March 27, 2025



Background & Description

The City of Mandan is requesting construction cost-share for their Water Treatment Plant Phase III Optimization (Project). The Project is improvements at the Mandan Water Treatment Plant to include replacement and expansion of CO2 and lime feeds and storage, filtration and chlorination systems upgrades, chemical feed equipment, exterior sump improvements, SCADA installation and electrical improvements, chlorine room expansion, building elements, and process pipes, valves, and fittings. The Project is located in Morton County.

Supplemental Information

Water Development Plan / Priority	2023 / Low
New / Future / Current Service Users	0 / TBD / 9,418
Present Value Cost / User (Preferred Alternative)	\$2,037
Rate / 5,000-Gallons	\$37
Comparable Rate / 5,000-Gallons	\$47
Water Source – Missouri River	

Schedule

Task	Dates
Study	-
Design	Feb. 2025
Bid	Mar. 27, 2025
Construction	May 2025
Completion	Sept. 2027

Cost-Share Funding Summary

	Preconstruction	Construction	Total	Approved	Recommend
Noneligible Cost	\$0	\$0	\$0		
Eligible Cost	\$784,000	\$11,649,500	\$12,433,500		
Total	\$784,000	\$11,649,500	\$12,433,500		
Cost-Share 60%	\$470,400	\$6,989,700	\$7,460,100	\$347,400 (8/10/23) \$123,000 (8/8/24)	\$6,989,700

This project meets requirements of the Water Commission's cost-share policy. Therefore, I recommend approval of this request from the City of Mandan for state cost participation in the Water Treatment Plant Phase III Optimization project in the amount of \$6,989,700, or 60 percent of eligible costs, with total cost-share not to exceed \$7,460,100. This approval is contingent on available funding.

RH:jsp:ln/2050MAN

**AMENDMENT II to the
Agreement for Cost-Share Reimbursement
City of Mandan
Water Treatment Plant Phase III Optimization**

1. Background. In August 2023, the State of North Dakota (State), by and through the State Water Commission (Commission), and the City of Mandan (Sponsor) entered into the Agreement for Cost-Share Reimbursement Water Treatment Plant Phase III Optimization (Agreement). The Agreement was amended in August 2024 (Amendment I).

2. Intent. The mutual intent of the parties here is to amend the August 2023 Agreement and August 2024 Amendment to provide an increase in the cost-share from \$470,400 to not to exceed \$6,760,434.

3. Agreement. Commission and Sponsor agree to amend the Agreement as follows:

- a.** Replace all of the language in paragraph 2 (“**COMMISSION’S RESPONSIBILITY AND INTENT**”) with the following language:

Commission will provide Sponsor with cost-share, not to exceed \$6,760,434, as approved by Commission on August 10, 2023 (\$347,400), August 8, 2024 (\$123,000) and April 10, 2025 (\$6,290,034), to reimburse 60 percent of actual eligible costs incurred in Project. Commission cost-share is contingent on availability of funds and conditions of this agreement. Commission's intent in providing this funding to Sponsor is to assist Sponsor financially with Project costs. Sponsor retains sole and absolute discretion in the manner and means of carrying out Project, except to the extent specified in this agreement.

- b.** Insert paragraph 16 (“**NONDISCRIMINATION**”) with the following language:

Sponsor agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), N.D.C.C. title 34, and all applicable federal and state laws, rules, and policies relating to nondiscrimination, accessibility, and civil rights.

- c.** Insert paragraph 17 (“**AUTHORITY TO SIGN**”) with the following language:

Each of the undersigned persons represents and warrants that he or she is fully authorized to enter into the terms and conditions of this Agreement, and execute this Agreement on behalf of the Party or Parties he or she represents and further represents that he or she has explained this Agreement to the Party or Parties he or she represents and has obtained the agreement of each such Party to abide by the term and conditions of this Agreement.

**NORTH DAKOTA STATE WATER
COMMISSION**

By:



REICE HAASE
Secretary

Date: 04/22/2025

CITY OF MANDAN

By:

JAMES FROELICH
Mayor

Date:

Countersignature and Date (If required)

Print Name and Title



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 28, 2025
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Legislative Update

STATEMENT/PURPOSE:

To update the City Commission related to legislative items.

BACKGROUND/ALTERNATIVES:

Information will be provided prior to the Commission Meeting.

ATTACHMENTS:

None

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 22, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Second Consideration of Ordinance 1464, a zone change from CA - Commercial to R7 - Residential for Lot 9, Block 1, Developers West Acres 2nd Addition

STATEMENT/PURPOSE:

Zone Change from CA - Commercial to R7 - Residential for Lot 9, Block 1, Developers West Acres 2nd Addition

BACKGROUND/ALTERNATIVES:

The first reading and public hearing of this item was approved at the April 15, 2025 City Commission agenda.

ATTACHMENTS:

1. Ordinance No. 1464

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 second consideration of Ordinance 1464.

SUGGESTED MOTION:

City Commission

Agenda Documentation

May 6, 2025

Subject: Second consideration of Ordinance 1464, a zone change from CA - Commercial to R7 - Residential for Lot 9, Block 1, Developers West Acres 2nd Addition

Page 2 of 2

I move to approve the second consideration of Ordinance 1464.

ORDINANCE NO. 1464

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 R7 - Residential and RM - Residential. The proposed use aligns with the future land use plan recommendation of residential 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:

LOT 9, BLOCK 1, DEVELOPERS WEST ACRES 2ND ADDITION OF SECTION 17, TOWNSHIP 139N, RANGE 81W, CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA:

SAID TRACT OF LAND CONTAINING .74 ACRES, MORE OR LESS.

- SHALL BE REMOVED FROM THE CA - COMMERCIAL DISTRICT AND SHALL BE INCLUDED IN THE R7 – RESIDENTIAL 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:

March 24, 2025
April 15, 2025
May 6, 2025



City Commission

Agenda Documentation

MEETING DATE: May 6, 2025
PREPARATION DATE: April 22, 2025
SUBMITTING DEPARTMENT: Planning
DEPARTMENT DIRECTOR: Andrew Stromme
PRESENTER: Andrew Stromme, City Planner
SUBJECT: Second Consideration of Ordinance 1465, a zone change from Ag - Agriculture to CB - Commercial for Lot 1, Block 1, MDU Addition

STATEMENT/PURPOSE:

Zone Change from Ag - Agriculture to CB - Commercial for Lot 1, Block 1, MDU Addition

BACKGROUND/ALTERNATIVES:

The first reading and public hearing of this item was approved at the April 15, 2025 City Commission agenda.

ATTACHMENTS:

1. Ordinance No. 1465

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 second consideration of Ordinance 1465.

SUGGESTED MOTION:

City Commission

Agenda Documentation

May 6, 2025

Subject: Second consideration of Ordinance 1465, a zone change from Ag - Agriculture to CB - Commercial for Lot 1, Block 1, MDU Addition

Page 2 of 2

I move to approve the second consideration of Ordinance 1465.

ORDINANCE NO. 1465

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 open space; and

WHEREAS, the open space designation reflects existing site constraints that limit the intensity of potential development on the property; and

WHEREAS, the proposed CB zoning is complimentary with adjacent land uses and zoning districts;

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:

LOT 1, BLOCK 1, MDU ADDITION OF SECTION 10, TOWNSHIP 139N, RANGE 81W, MORTON COUNTY, NORTH DAKOTA:

SAID TRACT OF LAND CONTAINING 11.28 ACRES, MORE OR LESS.

- SHALL BE REMOVED FROM THE AG – AGRICULTURE DISTRICT AND SHALL BE INCLUDED IN THE CB - COMMERCIAL 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:

March 24, 2025
April 15, 2025
May 6, 2025