



**REVISED AGENDA**  
**MANDAN CITY COMMISSION**  
**APRIL 19, 2011**  
**ED "BOSH" FROELICH MEETING ROOM**  
**5:30 P.M.**  
**[www.cityofmandan.com](http://www.cityofmandan.com)**

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**City Board of Equalization meeting at 6:00 p.m. on April 19, 2011**

A. ROLL CALL:

1. Roll call of all City Commissioners and Department Heads.

B. MINUTES:

1. Consider approval of minutes from the following meetings of the Board of City Commissioners:
  - i. April 5, 2011 – Regular Meeting
  - ii. April 14, 2011 – Special Meeting

C. PUBLIC HEARING:

D. BIDS:

E. CONSENT AGENDA:

1. Consider approval of monthly bills
2. Consider approval of annual Liquor License, Special B Liquor Permit and Special Sunday Permit for Dacotah Speedway
3. Consider approval of a site authorization for ABATE of North Dakota at the HideAway from July 1, 2011 through June 30, 2012
4. Consider approval of the following site authorizations:
  - i. American Foundation for Wildlife at The Lakewood Bar & Grill from July 1, 2011 through June 30, 2012
  - ii. American Foundation for Wildlife at the Last Call Bar from July 1, 2011 through June 30, 2012
5. Consider request from Business Development and Communications Office to amend 2011 budget
6. Consider for approval the plans and specifications for and the execution of a 3-way agreement for the installation of water & sewer in Lakewood 6<sup>th</sup> Addition (Water & Sewer Imp Project #2011-05)

F. OLD BUSINESS:

G. NEW BUSINESS:

1. Safety Committee Update
2. Consider entering into a Cost Participation and Maintenance Agreement with the NDDOT for the maintenance of Highway 1806 from 14<sup>th</sup> Street NW to city limits.

3. Consider the creation of Street Improvement District No. 166 Project # 2011-04. (Lakewood 6<sup>th</sup> Addition).
4. Discussion related to possible contract with Retail Attractions Inc. and or Crossroads Communications, LLC.

H. RESOLUTIONS & ORDINANCES:

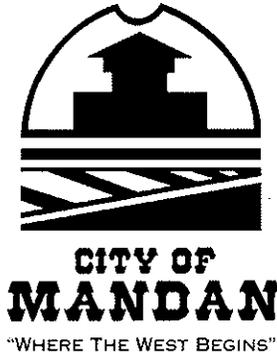
1. Consider correction on second and final reading of Ordinance 1091 to implement changes to Ordinance 1013 relating to the Establishment of Downtown Core and Fringe Districts and establishment of zoning regulations for the DC Downtown Core District and DF Downtown Fringe District; and providing for Severability and an Effective Date
2. Consider second and final reading of Ordinance No. 1092 an ordinance to amend and reenact sections 7-01-01 and 7-01-07 of the Mandan Code of Ordinances, relating to adoption of a Uniform Fire Code and amendments to the International Fire Code and to provide an effective date.

I. OTHER BUSINESS:

J. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. May 3, 2011
2. May 9, 2011 Working Session of Board (location tba)
2. May 17, 2011
3. June 7, 2011

K. ADJOURN



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** April 19, 2011  
**PREPARATION DATE:** April 18, 2011  
**SUBMITTING DEPARTMENT:** Business Development and Communications  
**DEPARTMENT DIRECTOR:** Ellen Huber, Business Development and Communications Director  
**PRESENTER:** Ellen Huber, Business Development and Communications Director  
**SUBJECT:** Discussion related to a possible contract for national retail recruitment

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**STATEMENT/PURPOSE:** To consider a possible contract for national retail marketing and recruitment services.

**BACKGROUND/ALTERNATIVES:** Retail growth is hugely important to Mandan as borne out by a 2008 household survey in which residents chose more retail shopping as the most important factor to improving Mandan, a 2010 survey of businesses in which respondents identified lack of retail as Mandan's most significant weakness, and market analysis that quantifies just how underserved Mandan and Morton County are by retail and restaurants.

Through a partnership with the Bismarck Mandan Development Association and employment of a Business Development and Communications Director, the City of Mandan has made progress in growing the community's commercial base. In general, the greatest successes have been in the primary sector, in downtown redevelopment, in local expansions, and assistance to independent businesses and aspiring entrepreneurs. Gaining access to and responses from national retailers and development firms has been more challenging. We frequently are unable to connect with the appropriate decision maker within a corporation or to secure a response to mailings, telephone calls and e-mails.

I am recommending that City of Mandan complement the work of its local team with the services of retail recruitment experts. A service contract of this nature will help in gaining an objective assessment of Mandan's best retail sites and any additional improvements needed to foster retail growth. Most importantly, we would be represented by a firm that has a trusting relationship with many national retailers and commercial developers to open doors and put Mandan in front of decisions makers. We could expect to receive

answers. The answer might be ‘We can’t go there and here’s why ...’ but Mandan leaders would at least get responses and be able to make more informed decisions from there.

The urgency of considering this proposal now, rather than in conjunction with the annual budgeting cycle, is to capitalize on the strengthening national economy and interest by retailers in opening new locations in 2011. There is an opportunity for representation by the consulting firm at the deal making sessions offered in conjunction with the 2011 International Council of Shopping Centers’ global retail real estate convention to be held in Las Vegas on May 22-25. The consulting firm would need a commitment no later than April 25 to research and confirm the types of retail most feasible for Mandan and how to best articulate Mandan’s advantages to retail site locators.

Reference checks are being conducted.

ATTACHMENTS:

- Economic responsibility flow chart
- Proposed contracts with Retail Attractions and Crossroad Communications

FISCAL IMPACT: The impact would be \$53,500 to come from the economic development portion of the Growth Fund, which has a balance of approximately \$230,000. If the first year of the contract is deemed effective and successful, contracts in subsequent years may be warranted.

STAFF IMPACT: The Business Development and Communications Director would facilitate the consultant site visit, incorporate demographic and trade area data into Mandan marketing vehicles, and serve as the local contact for any retail real estate development interests that result from national recruitment activities.

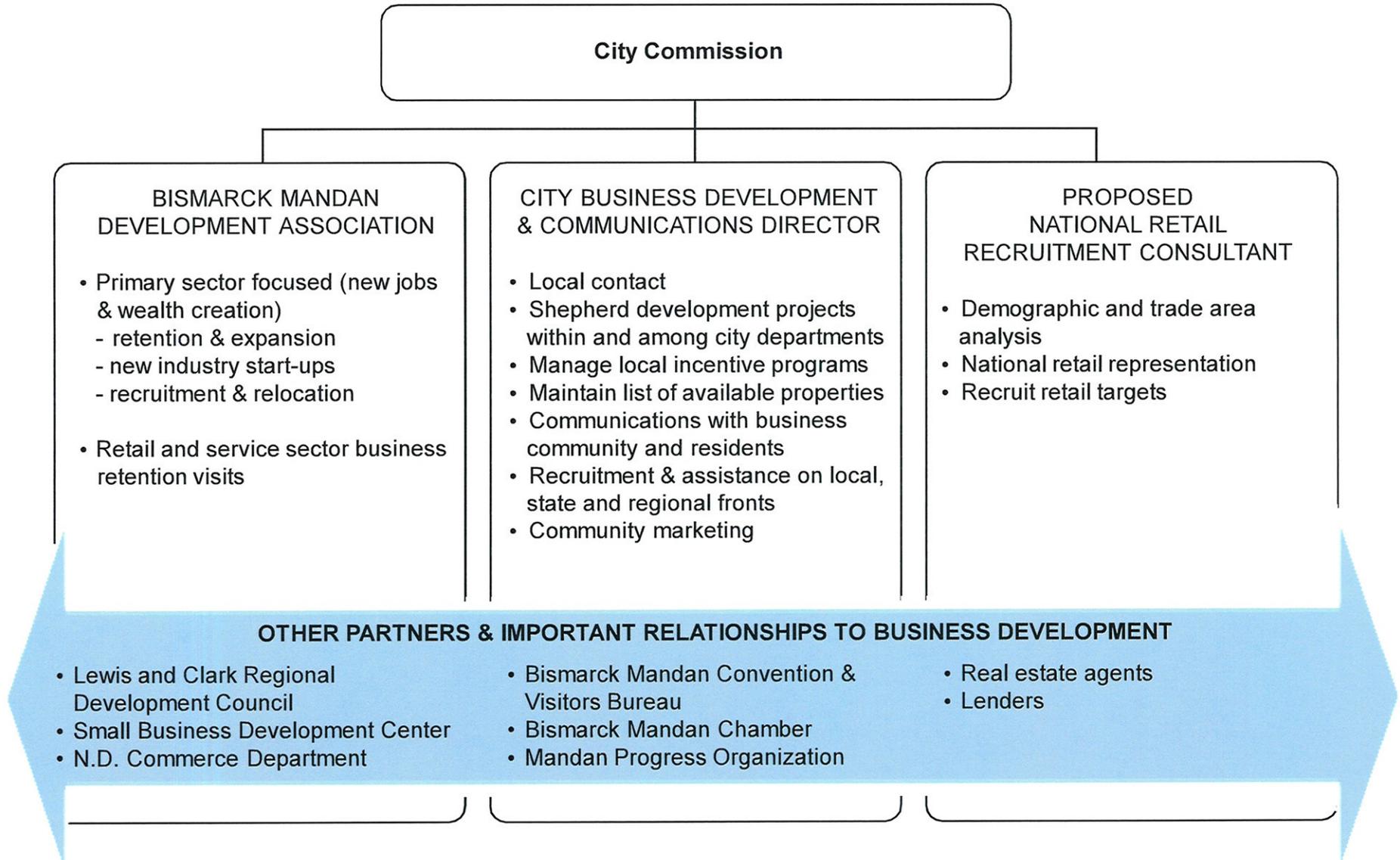
LEGAL REVIEW: Draft contracts have been provided to Attorney Brown for review.

RECOMMENDATION: I recommend contracting with the proposed firms for national retail recruitment services.

SUGGESTED MOTION: I moved to approve the proposed contracts with Retail Attractions, LLC, for \$48,500 and with Crossroads Communications, LLC, for \$5,000.

# ECONOMIC DEVELOPMENT FOR MANDAN

## General Responsibilities





## Project Proposal

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Prepared for: Ellen Huber

Mandan, North Dakota

Prepared by: Rickey Hayes

Proposal Number: MNDFY11ND1

Retail Attractions LLC

Oklahoma Office (918) 376-6707  
12150 E. 96<sup>th</sup> Street North, Suite 202  
Owasso, Oklahoma 74055

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

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## ***About Retail Attractions, LLC***

Retail Attractions is an economic development consulting firm specializing in market research and validation, creative and effective incentive packages and retail recruiting. Our firm believes health economic development is a process. Retail Attractions partners with our clients in a coordinated and strategic course of action resulting in extraordinary results.

Retail Attractions believes smart, successful retail development is a vital part of a community's economic development program. We leverage our national network of relationships and our proven expertise to bring retailers, developers, landowners and communities together to grow new retail business... one relationship at a time. We partner with our client cities to achieve their community goals primarily through retail development. Far beyond concentric rings, drive times or just another bound report, we develop actionable information and make sure the right people have access to it. In short, we make a difference for your community.

The truth is that anyone or any competent firm can pull demographics for a location based on a radius or a drive time. What makes us different is our custom approach to developing a community's trade area. We evaluate the existing retail options nearby, physical barriers to traffic, natural existing shopping patterns, and the potential draw of new shopping opportunities to develop a custom trade area for each community we serve. Your trade area is prepared by seasoned retail recruitment professionals based on criteria we know is important to the audience who will be receiving the finished marketing materials. We integrate demographic data with data we develop from other sources to create a complete picture of a community... one that will resonate with developers, brokers and retailers. We work with a community to prepare materials and get them in the hands of interested parties rather than merely deliver data that then the community has to send out on its own. We also recognize that "one size DOESN'T fit all" when it comes to trade areas. Some sites may be perfect for a grocery store, with a more localized trade area, while others may support a more regional draw. If your community has unique opportunities that require more than one trade area, we deliver what you need rather than forcing your community into our "standard offering."

Retail Attractions sends our custom marketing material, developed for each city based on the unique characteristics and demographic indicators for that city, to our network of developers, brokers and retailers. In addition, we contact retailers through our accurate, proprietary database to make sure they are aware of opportunities in your city that match their specs.

We have an extensive knowledge of various types of incentives, and their practical application, and the experience to work with city staff to develop a framework for evaluating opportunities and providing incentives that fit the deal in play. Beyond merely a list of incentive possibilities, Retail Attractions serves as an ongoing advisor to city staff, helping to craft incentives that make sense for the city, meet developer's needs and truly encourage new business development.

Retail Attractions understands how municipal government works and the interplay of city political, financial, and regulatory environments. We also understand how development works and what site selectors, developers and retail tenants need to see, hear, and feel from a potential location in order to move forward. Retail Attractions features a team of research and marketing professionals who assist in retail recruiters in developing the necessary data and marketing materials to prove the case for investment in your community.

Since beginning Retail Attractions, LLC, we have helped our client cities launch nearly two million square feet of additional retail and reap the associated benefits of additional city revenues, plus new goods and services for citizens, and increasing the quality of life in the community.

## ***Executive Summary/Objective***

### **Objective**

The City of Mandan, North Dakota has solicited proposals for retail consulting services in an effort to attract additional retailers, restaurants, manufacturing and industrial clients and other development interests, thereby increasing all types of commercial investment in the city.

To help the city successfully accomplish this mission, our main objective is to recruit national and regional retailers and restaurants thus enhancing the over-all quality of life in the community. The recruitment efforts will be targeted to “niche” retailers that are missing in the current local inventory. Because every community is different, we customize our services rather than provide “cookie-cutter” solutions.

In addition to retail recruitment, we will actively assist the city in its efforts to attract office, industrial and manufacturing deals to the area. Improving the local retail offerings coupled with well planned and targeted marketing efforts to our network of contacts will enhance the City’s work.

## ***Statement of Qualifications***

### **Rickey Hayes**

Rickey is the founder and CEO of Retail Attractions. During his tenure as the Economic Development Director for the City of Owasso, Oklahoma, the city's general fund revenue more than doubled and new commercial construction totaled more than 4.2 million square feet at more than a quarter of a billion dollars in total value. The City of Owasso's economy continues to grow. Because of his extensive relationships with multiple developers, retailers, restaurants, and other retail professionals, Rickey founded Retail Attractions to help other communities understand their markets and successfully recruit retail. With more than two dozen client cities in the Midwest, Retail Attractions is fast becoming the go-to company for both public and private sector entities. Rickey has successfully facilitated retail deals in several states through assisting cities in marketing and recruiting national retailers, providing site and market data direct to the retailers and restaurants, and helping developers streamline the retail process that sometimes changes from market to market. Retail Attractions, LLC also helps secure financing through various lending institutions and incentives for retail development through public / private partnerships.

Retail Attractions, LLC is a multi-faceted consulting firm specializing in retail recruitment for cities, developers and property owners. While we help cities assess their needs, find their story, package and market the information, Rickey and the Retail Attractions team get the info into the hands of the dealmakers and put the right retail in place in the right locations. Retail Attractions, LLC offers a broad range of expert consulting and deliverable service for communities, developers and retailers, including direct marketing to the retail community, community web site development, consultation on incentives, deal brokering, developer relations, community planning, and more. In short, Retail Attractions helps cities develop and implement an effective, comprehensive retail recruitment strategy tailored to the individual community's needs.

## ***Process/Deliverables***

Just as every city is unique, every consultation project is also unique. However, we propose to employ these tactics to achieve the stated objective of increasing commercial investment in Mandan, North Dakota.

### **Representation to and Recruiting of Target Retailers (12-month contract period)**

- Represent Mandan, North Dakota at May 2011 ICSC RECON show in Las Vegas
- And Southwest regional ICSC in Texas (Nov 2011)
- Additional representation at Chicago 2011 ICSC show is also possible for cost of travel to show for one staff member (to be determined closer to show date of fall 2011)
- Consult with City staff and/or any designated official(s) to identify target retail businesses that will meet the needs of the city (from leakage data);
- Actively recruit retail targets identified and approved by the city and supported by data. Recruitment efforts will be through personal contact, mail, email, ICSC events, and development/industry contacts or events for twelve-months;
- Contact extensive network of developers to gauge interest in Mandan, North Dakota and coordinate/attend meetings with city and developers;
- Provide monthly updates to City Manager and/or designated contact; and,
- Retail Attractions, LLC will bid any specialized marketing materials, web updates or retail specific web sites under separate bid.
- Retail Attractions will be on site in Mandan, North Dakota one time during the course of the contract. Retail Attractions will do conference calls as necessary to discuss scope of work and strategy.

*Commercial and retail development often feels painfully slow when observing the process from the outside. From initial interest in a site to doors open for business is often a 24 to 36 month process. For this reason and to maximize the City's investment, I propose a two-year agreement (renewable annually), and renewable for a third year at the discretion of the City / Retail Attractions at the rates/fees agreed to by both parties.*

## **Fees**

The total fees for the aforementioned scope of work are:

| Description   | Quantity | Unit Price | Cost            |
|---|----------|------------|-----------------|
| Initial fee, due upon contract execution. This portion of the contract fee covers staff visit to Mandan, which will take place in the early stages of contract so that we may evaluate the market in person, meet with staff, drive the retail corridors and discuss project needs in person. | 1        | \$10,000   | \$10,000        |
| Consultation fee, per month, payable monthly on the 1st of each month during the term of the agreement to Retail Attractions, LLC   | 11       | \$3500     | \$38,500        |
| Travel and Lodging when on Mandan, North Dakota business (other than indicated)   | TBD      | TBD        | TBD             |
| <b>Total</b>  |          |            | <b>\$48,500</b> |

This proposal for consulting can be extended for additional terms by the agreement of both parties.

This proposal for consulting can be terminated by either party with written notice given 60 days prior to the termination.

Retail Attractions LLC will provide a monthly or quarterly written report to City Manager (Or your designate) of the scope of work. [whichever you prefer]

***Disclaimer***

While we do expect to successfully complete the objective of increasing commercial investment in Mandan, North Dakota, it is impossible to guarantee a level of investment or even any investment since market conditions, retailer’s business plans, city policies, and other market drivers are subject to change at any time and are beyond the control of Retail Attractions, LLC. The City understands and agrees that any advice provided under this proposal is true and correct to the best knowledge and ability of Retail Attractions, LLC and will be provided in good faith. The city accepts full responsibility for its decisions to act or not act according to said advice and agrees to indemnify and hold harmless Retail Attractions, LLC; its principals, employees, sub-contractors, and associates pertaining to outcomes or situations that arise from the advice, materials, or other items provided under this proposal agreement.

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|-----------------------------------|-------|------|
| Accepted for Mandan, North Dakota | Title | Date |
|-----------------------------------|-------|------|

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|                                      |       |      |
|--------------------------------------|-------|------|
| Accepted for Retail Attractions, LLC | Owner | Date |
|--------------------------------------|-------|------|

Crossroads Communications, LLC  
3732 S. Canton Avenue  
Tulsa OK 74135



Integrated Marketing & Public Relations

City of Mandan  
Ellen Huber  
205 2nd Avenue NW  
Mandan ND 58554

Estimate # 2010-15  
Estimate Date March 2, 2011  
Estimate Total \$5,000.00 USD

| Item                  | Description  | Unit Cost | Quantity | Line Total          |
|-----------------------|--|-----------|----------|---------------------|
| Demographics          | Create two custom trade areas, including pulling demographic data sets, creating charts/graphs for highlight or compelling data and pulling Opportunity Gaps for both trade areas.<br><ul style="list-style-type: none"><li>• One area will be more local in nature (groceries, everyday or every week type purchases).</li><li>• Second area will be for more destination type retail or restaurants and will be larger.</li></ul>                        | 2,500.00  | 1        | 2,500.00            |
| Marketing             | Marketing/Advertising > Create one-sheet format that works with existing Mandan materials (customer to supply necessary logo and or artwork for reference) and encapsulates the highlight data for each trade area and gives developers or retailers a way to quickly see the Mandan story for THEM. Prepare two one sheets, one for each area, on this new format. Supply a print-ready PDF file and an e-mail or web-ready PDF file for each trade area. | 2,500.00  | 1        | 2,500.00            |
| <b>Estimate Total</b> |  |           |          | <b>5,000.00 USD</b> |

#### Terms

Invoices are due and payable upon receipt. Work specified on this project/scope of work is considered "work for hire." Crossroads Communications, LLC, retains all creative and use rights to work created until any and all invoices for said work are deemed paid in full by Crossroads Communications. Once payment in full is made, Crossroads Communications, LLC releases all creative, use and copyrights to any work prepared under this scope to the client named in this estimate.

Crossroads Communications, LLC reserves the right to include work created under this proposal in an online or print portfolio or in other sales-focused efforts.

Estimates DO NOT include any applicable taxes or shipping/delivery charges. If applicable, taxes and shipping/delivery charges will be added to your invoice when it is prepared.

#### Notes

Anticipated timeline is 4 to 6 weeks.

We've created dozens of one sheets for cities for the purpose of retail marketing and have refined the process over time. We know what works to get the attention of a developer or retailer and we make sure your material clearly communicates the data we develop.