

**PRELIMINARY AGENDA  
MANDAN CITY COMMISSION  
NOVEMBER 16, 2010  
ED "BOSH" FROELICH MEETING ROOM  
5:30 P.M.  
[www.cityofmandan.com](http://www.cityofmandan.com)**

- A. ROLL CALL:  
1. Roll call of all City Commissioners and Department Heads.
- B. MINUTES:  
1. Consider approval of the minutes from the November 2, 2010 Board of City Commission meeting
- C. PUBLIC HEARING:  
1. Public Hearing on the Memorial Highway Corridor Study and Consideration to receive the study.
- D. BIDS:
- E. CONSENT AGENDA:  
1. Consider closing Administrative offices day after Thanksgiving.  
2. Consider approval of monthly bills.  
3. Consider games of chance for Mandan FFA Alumni-WIC Fundraising for November 20<sup>th</sup> to November 21<sup>st</sup>, 2010.  
4. Consider a request for a street closure on November 27<sup>th</sup> for Santa's Arrival.  
5. Consider approval of TSM Investments Addition Zone Change. (*First reading of ordinance 1087.*)  
6. Consider for approval the Abstract of Votes cast by the Voters of City of Mandan in the Consolidated General Election held the 2<sup>nd</sup> day of November A.D. 2010.  
7. Acceptance of a PSIC Grant in purchasing (6) Mobile Radio's for the Mandan Police Department.  
8. Consider the following abatements:  
i. Sylvester Foote – Disabled Veteran Exemption  
ii. Marlene Gomke – Wheelchair Exemption  
iii. Brandon Leingang – Reevaluation  
iv. Gary Weiler – New Construction  
v. Joe & Agnes Wingerter – Blind Exemption  
vi. Zachary Brown – Disabled Veteran  
9. Consider proclaiming the week of November 14-20, 2010 as Hunger and Homelessness Awareness Week.



*Preliminary Agenda  
Mandan City Commission  
November 16, 2010  
Page 2 of 2*

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F. OLD BUSINESS:

1. Consider letter to be sent to legislators regarding texting and driving.

G. NEW BUSINESS:

1. Consider recommendation from committee reviewing proposals for regarding former Mandan Jr. High

H. RESOLUTIONS & ORDINANCES:

1. *Consider first reading of Ordinance No. 1087 Zone Change for TSM Investments Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Municipal Code relating to District Boundaries and Zoning Map.*

I. OTHER BUSINESS:

J. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. December 7, 2010
2. December 21, 2010
3. January 4, 2011

K. ADJOURN

*Departmental planning meeting will be held the Monday prior to the Commission meeting, all Commissioners are invited, noon, Dykshoorn Conference Room. Please notify the city administrator by 8:30 a.m. that Monday if you plan on attending. If more than two commissioners plan on attending, proper public notice must be given.*

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The Mandan City Commission met in regular session at 4:00 p.m. on November 2, 2010 in the Ed “Bosh” Froehlich Room at City Hall. Commissioners present were Helbling, Tibke, Rohr, Frank, and Jackson. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development Director Huber, Engineering Project Manager Bechtel, and City Assessor Barta. City Attorney Brown was absent.

EMPLOYEE SERVICE AWARDS:

The following employees were acknowledged with service awards:

*30 Years of Service*

Paul Leingang, Deputy Policy Chief  
Richard Schaaf, Police Lieutenant  
David Auch, Utility Maintenance Superintendent

*25 Years of Service*

Duane Friesz, Water Plant Assistant Superintendent

*20 Years of Service*

Mary Fahlsing, Administrative Assistant  
Francis Hopfauf, Volunteer Firefighter  
William Stepp, Police Sergeant

*15 Years of Service*

Jay Perkins, Water Meter Maintenance Supervisor  
Sheila Berreth, Bookmobile Outreach Service Coordinator  
Kelly Steckler, Library Director

*10 Years of Service*

Jim Neubauer, City Administrator  
Michael Bird, Cemetery Superintendent  
Jay Gruebele, Police Sergeant – CID  
Daryn Gullickson, Wastewater Assistant Superintendent  
Jamie Rath, Water Plant Lab Tech I  
Kenneth Albrecht, Water Plant Operator II

*5 Years of Service*

Kim Fettig, Engineering Technician  
Kim Laske, Building and Grounds Worker  
Terry Walch, Volunteer Firefighter  
Nicole Eckroth, Children’s Assistant/Circulation I  
Vicki Fleck, Clerk of Court  
Brian Dirk, Equipment Operator I  
Jamie Scott, Utility Operator I  
David Gross, Wastewater Plan Operator I

MINUTES: Consider approval of the minutes for October 19, 2010 meeting of the Board of City Commissioners. Commissioner Jackson moved to approve the minutes as presented. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present.

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PUBLIC HEARING:

1. *Public Hearing to consider a five-year Ad Valorem tax exemption for Windriver Properties.* City Assessor Barta presented a request to consider a 5-year tax exemption for a commercial structure pursuant to North Dakota Century Code 40-57.1. The property location is at 4518 Memorial Highway. The only opposition to the tax exemption came as a letter of opposition dated November 1, 2010, from Deborah Holter, a Mandan City resident and business owner. The request has been recommended for approval by the Mandan Growth Fund. Commissioner Rohr inquired if restrictions can be placed on what products a business can sell. Assessor Barta stated that his understanding of the law it is solely up to the Commission if they want to grant with or without stipulations. Commissioner Jackson asked Assessor Barta whether he had spoken to City Attorney Brown prior to this objection. Barta stated he did not speak with Attorney Brown and that he just received the protest notice this afternoon. Commissioner Jackson clarified: Prior to this protest, no one objected and Attorney Brown did not have any problem granting the ad valorem tax exemption? Barta replied that is correct and that he has not spoken with Attorney Brown since the protest has been received.

Mayor Helbling invited the public to speak.

Pat Wachter, Windriver Properties, came forward and stated he is here to answer any questions regarding the ad valorem tax exemption request. The tax exemption is intended to attract tenants and that he will pass the tax exemption in the form of a lower lease rate. This project has been in progress for about 3 years, however due to the slow down in the economy, this project slowed down also. He stated that construction is planned for the spring of 2011.

Mayor Helbling asked for further comments from the public and hearing none, this portion of the public hearing was closed.

Commissioner Jackson inquired if the School Board, County and Park District were given notification. Assessor Barta stated that they were given notification of this exemption on September 23, 2010, and October 26, 2010. There were no objections from any of those entities.

Commissioner Tibke commented that through the survey process, the residents of Mandan have asked for help to facilitate expanding the retail services in the community and this would help fulfill that request.

Commissioner Tibke moved to approve the request for a five-year Ad Valorem tax exemption for Windriver Properties for a newly constructed commercial building due to meeting all criteria under North Dakota Century Code 40-57.1. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes, Commissioner Tibke: Yes; Commissioner Jackson: Yes; Commissioner Frank: Yes; Mayor Helbling: Yes. The motion carried.

BIDS:

CONSENT AGENDA:

1. *Consider authorization for fire department to purchase hydraulic hose and couplings.* The Board approved of the authorization for the fire department to purchase hydraulic hose and couplings.
2. *Consider approval of TSM Investments Addition.* The Board approved of the TSM Investments Addition.
3. *Consider appointment to Civil Service Commission.* The Board approved the re-appointment of Rita Lindgren to the Civil Service Commission.

Commissioner Tibke moved to approve the Consent Agenda as presented. Commissioner Frank seconded the motion. The motion received unanimous approval of the members present.

OLD BUSINESS:

NEW BUSINESS:

RESOLUTIONS & ORDINANCES:

1. *Consider second and final reading of Ordinance No. 1086 Zone Change for Highland 3<sup>rd</sup> Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Municipal Code relating to District Boundaries and Zoning Map.*

Commissioner Jackson moved to approve the second and final reading of Ordinance No. 1066 Zone Change for Highland 3<sup>rd</sup> Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Municipal Code relating to District Boundaries and Zoning Map. Commissioner Frank seconded the motion. Commissioner Jackson moved to Amend the motion to state Ordinance No. 1086 (not 1066). Commissioner Frank seconded the Amended motion. The motion to amend the motion received unanimous approval of the members present. Mayor Helbling repeated the original motion to approve the second and final reading of Ordinance No. 1086 was made by Commissioner Jackson and seconded by Commissioner Tibke. Roll call vote: Commissioner Rohr: Yes, Commissioner Tibke: Yes; Commissioner Jackson: Yes; Commissioner Frank: Yes; Mayor Helbling: Yes. The motion carried.

OTHER BUSINESS:

1. *Discussion regarding texting while driving.* Commissioner Frank stated that the Commission should take note of the efforts made by the Bismarck City Commission who passed an ordinance that has banned texting while driving. Commissioner Frank encouraged the Commission to discuss the possibility of considering the same type of ordinance for Mandan. Mayor Helbling commented that if any kind of an ordinance is put into place, it should be determined if the police department can actually enforce the ordinance. He stated he is of the opinion that it will be virtually impossible to enforce and that it should be a state-wide ordinance rather than community by community. He suggested that the Commission refer this matter to the legislature for consideration at the

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state level. Chief Bullinger commented that he spoke with Senator Cook this morning who stated that he would be surprised if there wasn't a bill before this session addressing that. He recommended that the City of Mandan wait to see what bills will be brought before the legislative session. Mayor Helbling suggested that a letter be sent from this Commission to Senator Cook to ask him to sponsor a bill. If the legislature does not address it, it can be brought back before this Commission for further discussion. Commissioner Frank gave an example that a community in California who enacted the law, seen a 70% decrease in texting while driving stating that sometimes just by enacting a law holds people to a moral standard. She clarified that she would like to support the legislature in a state-wide law and simultaneously promote an ordinance within the City of Mandan for a ban on texting while driving.

Mayor Helbling directed Chief Bullinger to draft a letter to Senator Cook outlining the City Commission's recommendation on pursuing a state-wide ban on texting while driving and to bring that letter back before this Commission for review.

2. *Public Hearing Property Tax Exemption Hearing* - City Assessor Barta approached the Commission and stated that the notification that was published in the newspaper stated that the public hearing on the property tax exemption that was discussed earlier in this meeting was at 5:30 (not 4:00). It is his understanding that pursuant to state statute that the Commission will have to be available at 5:30 p.m. Mayor Helbling asked for procedural guidance from City Administrator Neubauer who stated that the public hearing could be re-opened if Ms. Holter would like to make comments into the record and then close the hearing. He stated that the best option would be to re-advertise for the next City Commission meeting. He stated that the City will check the legal status of publishing two notices and move forward. Mayor Helbling reiterated that the City Administrator will get some legal research on the matter and bring it back to the next meeting. If it needs to be re-advertised, it will be re-advertised. City Administrator Neubauer will review with City Attorney Brown the necessary steps that need to be taken to handle this matter properly. Mayor Helbling stated that it will be put on the Agenda.

3. Terry Wetch came forward and stated the following: That he sold property to Vick Fleck and that Dave knows about this matter. There are some zoning issues and he is wondering what is going on. Mayor Helbling requested Dave Bechtel, Engineering Project Manager, provide insight. Dave Bechtel came forward and provided the following: Mr. Wetch has visited with the City Engineer's office. Back in 1975, there was a City ordinance that allowed property to be taken into the one mile jurisdiction at that time. The City did change an ordinance to change zoning with the properties that were affected within that one mile extra-territorial jurisdiction. That ordinance changed about 30 different properties the zoning of those to take the county's current zoning and to make it reflect as close as they could to the city's zoning at that time. Their (Wetch) property was part of that as well as the Kahl's. Now there is some question as to when that ordinance went through the Planning and Zoning and City Commission levels and was approved but the ordinance was never filed with the Register of Deeds in the county which at this point means it did not happen. The City's maps reflect what would have

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been correct for that ordinance. The County's do not. So there is some discrepancy as to what the county is showing on record for those zonings different from the City's. Now that there have been some sales on these properties, the zoning problems are coming to light. Bechtel stated that he discussed this matter with City Attorney Brown and they have the minutes from all the meetings that showed what happened. He was the mayor at the time so he has some insight as to what happened. The action being taken now is to discuss with the County what properties are affected and their zonings and once the discrepancies are determined, then a plan will have to be designed with Attorney Brown as to what direction to go. Mr. Wetch stated this is affecting the sale of the property. Mayor Helbling requested this matter be expedited and if necessary, a Special Meeting will be called.

4. *Agenda Items deadline:* Commissioner Tibke inquired as to what the deadline is for Agenda items. Administrator Neubauer replied that the deadline is 5:00 p.m. the Wednesday preceding a meeting date. However, if items come in on Thursday or Friday, efforts are made to accommodate the request. However, it is not always possible to honor it due to copying and notifications, etc.

Commissioner Tibke inquired if it would be possible to impose a deadline of Friday so that if there is information to be disseminated that it is done so in a timely manner.

Mayor Helbling commented that there will be times that urgent (Agenda) items warrant discussion, thus last minute items may be added to the Agenda.

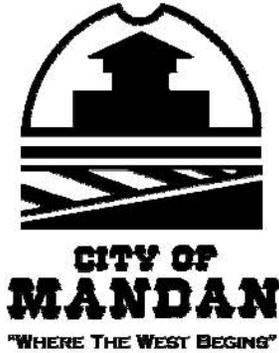
There being no further actions to come before the Board, Commissioner Jackson moved to adjourn the meeting at 4:40 p.m. Commissioner Rohr seconded the motion. The motion received unanimous approval of the Board members present and the meeting adjourned.

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James Neubauer,  
City Administrator

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Timothy A. Helbling,  
President, Board of City  
Commissioners



Public Hearing No. 1

## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 8, 2010  
**SUBMITTING DEPARTMENT:** Engineering  
**DEPARTMENT DIRECTOR:**  
**PRESENTER:** Bob Shannon  
**SUBJECT:** Mandan Memorial Highway Corridor Study final update and public hearing by Kadrmas, Lee & Jackson.

**STATEMENT/PURPOSE:** To inform the Commission on the Memorial Highway Corridor Study and present findings and updates on items/meetings that comprise the makeup of the study.

**BACKGROUND/ALTERNATIVES:** As this is the final public hearing prior to the completion of the study, the Commission will be updated as to any new information, alternatives, findings, that have been integrated into the study since the Commissions last update in April. A synopsis of the study will be part of a short slide presentation given by KL&J.

As the project as a whole is quite significant so are the findings of the study. There are many recommendations made within the study and land use issues that need to be looked at as the project incorporated the corridor, which is much more than the road itself. The next step of the process as the project moves forward would be to work towards a design that would incorporate some of the elements and recommendations of the study into something that the City of Mandan can have for the time when adequate funding is available and construction can take place.

In October a copy of the draft study was distributed to the members of the Commission for review of the information. Much of the information will likely remain the same but any new public input, direction, or alternatives researched would be added to the final document.

The MPO at its December meeting will also vote on the study and choose whether to receive the document or not.

**ATTACHMENTS:**

Board of City Commissioners

Agenda Documentation

Meeting Date: November 16, 2010

Subject: Mandan Memorial Highway Corridor Study final update and public hearing by  
Kadmas, Lee & Jackson.

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FISCAL IMPACT: Some very preliminary costs will be presented as part of the presentation. These costs are derived from proposed design aspects that the project could include.

STAFF IMPACT: N/A.

LEGAL REVIEW: N/A

RECOMMENDATION: As there are recommendations that address zoning and land use issues within the corridor, the Commission should vote to receive the study document as opposed to adopting it as the language to adopt it may mean we are accepting the recommendations as changes we will implement.

SUGGESTED MOTION: I move to receive the Memorial Highway Corridor Study.



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 3, 2010  
**SUBMITTING DEPARTMENT:** Administration  
**DEPARTMENT DIRECTOR:** Jim Neubauer, City Administrator  
**PRESENTER:** Jim Neubauer, City Administrator  
**SUBJECT:** Day after Thanksgiving

**STATEMENT/PURPOSE:** - Allow the Administrative Offices to close the day after Thanksgiving.

**BACKGROUND/ALTERNATIVES:** Long standing tradition has been to have Administrative Offices closed to the public the day after Thanksgiving. Employees take vacation, personal leave or comp time if they wish to do so, otherwise, they must receive permission to work from their respective department head.

**ATTACHMENTS:** - N/A

**FISCAL IMPACT:** - N/A

**STAFF IMPACT:** - N/A

**LEGAL REVIEW:** - N/A

**RECOMMENDATION:** - I recommend the Administrative Offices be closed the day after Thanksgiving.

**SUGGESTED MOTION:** - I move the Administrative Offices be closed the day after Thanksgiving.

Consent No. 3



**LOCAL PERMIT OR CHARITY LOCAL PERMIT**  
OFFICE OF ATTORNEY GENERAL  
SFN 17926 (9-2009)

Type:     Local Permit    \*  Charity Local Permit

Permit Number  
2010-44

Name of Organization Mandan Ffa Alumni-wlc Fundraising		Date(s) Authorized (Read instruction 2)	
Contact Person Kathy Tokach	Business Phone Number (701) 400-7390	11/20/2010 Beginning	to 11/21/2010 Ending
Mailing Address 5520 Country Road 81	City Mandan	State ND	Zip Code 58554-0000
Site Name Mandan High School	Site Address 905 8th Avenue Nw		
City Mandan	State ND	Zip Code 58554-0000	County Morton
Check the Game(s) Authorized: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit.			
<input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker* <input type="checkbox"/> Twenty-one* <input type="checkbox"/> Paddlewheels*			
Restriction:			
Requirement: For a "Charity Local Permit," the organization must file a "Report on a Charity Local Permit" with the city or county auditor <u>and</u> Office of Attorney General within 30 days of the event.			
Date 11/2/2010	Signature of: <input checked="" type="checkbox"/> City Auditor <input type="checkbox"/> County Auditor <i>Jay Gruebele</i>	Printed Name of City or County Auditor Jay Gruebele	Auditor Telephone Number (701) 667-3250

Please see the instructions on the backside of this form on how to complete the Permit.  
For a raffle or calendar raffle, read "Information Required to be Preprinted on a Standard Raffle Ticket" below.

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cut along this line  
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**INFORMATION REQUIRED TO BE PREPRINTED ON A STANDARD RAFFLE TICKET:**

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





## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 8, 2010  
**SUBMITTING DEPARTMENT:** Engineering  
**DEPARTMENT DIRECTOR:**  
**PRESENTER:** Dave Bechtel  
**SUBJECT:** Consider for approval, a request by the MPO to close a portion of Main Street on November 27th, 2010.

**STATEMENT/PURPOSE:** a request for a street closure for the event of Santa's Arrival hosted by the MPO.

**BACKGROUND/ALTERNATIVES:** The MPO is requesting the street closure for an event of Santa's Arrival. The closure would take place on Saturday, November 27th from 1:00 PM to 2:00 PM that day for the one block in front of Dykshoorn Park. A request for a police escort is also being made for the event.

**ATTACHMENTS:** None

**FISCAL IMPACT:** Minimal

**STAFF IMPACT:** Minimal

**LEGAL REVIEW:** All of my commission data has been forwarded to the City Attorney for his review.

**RECOMMENDATION:** This office supports the subject request for closure

**SUGGESTED MOTION:** I move to approve the request for street closure.



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 8, 2010  
**SUBMITTING DEPARTMENT:** Engineering  
**DEPARTMENT DIRECTOR:**  
**PRESENTER:** Dave Bechtel  
**SUBJECT:** Consider a change of zoning from RM (Multi Family) to MA (Light Non-Nuisance Industrial/Heavy Commercial) for Lots 1&2, Block 1 of TSM Investments Addition.

**STATEMENT/PURPOSE:** The purpose of the zone change is to zone Lot 1 to match the current use, which is an electrical contracting business, and Lot 2 to build a storage building. Lot 3 will remain zoned as RM.

**BACKGROUND/ALTERNATIVES:** The zone change was approved by the Planning & Zoning Commission on October 25<sup>th</sup>, 2010. The plat for this property was approved by the City Commission on November 2, 2010.

**ATTACHMENTS:** 1. Map

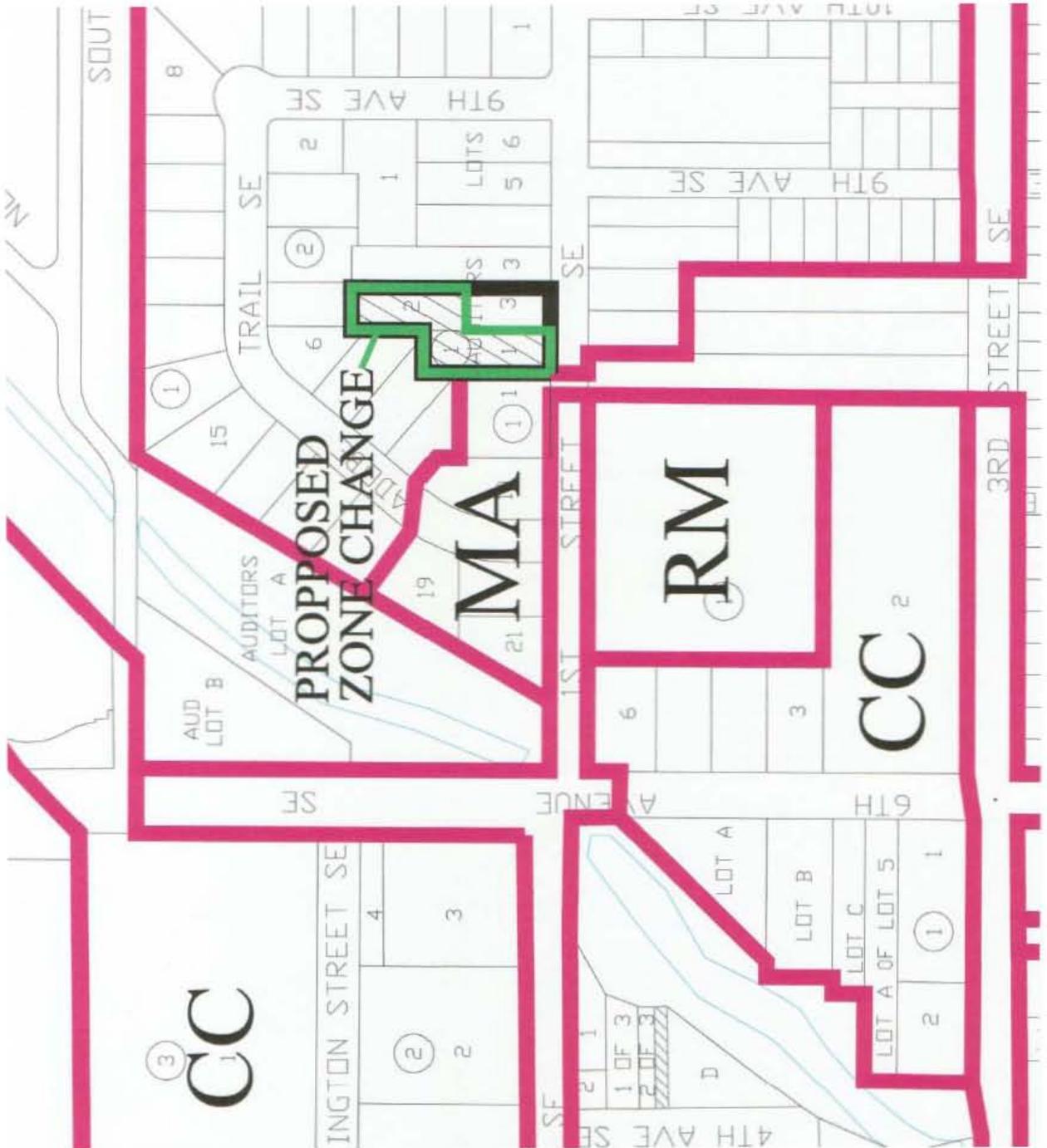
**FISCAL IMPACT:** Minimal.

**STAFF IMPACT:** Minimal.

**LEGAL REVIEW:** All of my commission data has been forwarded to the City Attorney for his review.

**RECOMMENDATION:** To change the zoning to MA (Light-Non-Nuisance Industrial/Heavy Commercial).

**SUGGESTED MOTION:** To approve the zone change for Lots 1& 2 of Block 1, of TSM Investments Addition from RM (Multi-Family Residential) to MA (Light Non-Nuisance Industrial/Heavy Commercial).



**ORDINANCE NO. 1087**

**AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE MANDAN MUNICIPAL CODE RELATING TO DISTRICT BOUNDARIES AND ZONING MAP.**

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

**SECTION 1. AMENDMENT.** Section 21-03-02 of the Mandan Municipal Code is amended to read as follows:

The following described property located within the City of Mandan shall be excluded from the RM (Multi-Family Residential) zoning and shall be included in the MA (Light Non-Nuisance Industrial/Heavy Commercial) namely,

Lots 1 & 2, Block 1 of TSM Investments Addition in Section 26,  
Township 139N, Range 81W. Located on 1<sup>st</sup> Street SE

and as so amended said section is hereby reenacted. The purpose of the zone change is to match the current use of Lot 1 and build a storage building on Lot 2. The city administrator is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

\_\_\_\_\_  
President, Board of City Commissioners

Attest:

\_\_\_\_\_  
City Administrator

Publication Dates: November 5<sup>th</sup> & 12<sup>th</sup>, 2010  
Public Hearing: November 16<sup>th</sup>, 2010  
First Reading: November 16<sup>th</sup>, 2010  
Second Reading: November 30<sup>th</sup>, 2010  
Publication Date: \_\_\_\_\_  
Recording Date: \_\_\_\_\_

COMMISSIONERS:

MARK BITZ, Chairman  
Mandan, ND

BRUCE STRINDEN, Vice Chairman  
Mandan, ND

JAMES BOEHM,  
Mandan, ND

DICK TOKACH  
Mandan, ND

ANDY ZACHMEIER  
Mandan, ND

# MORTON COUNTY

STATE OF NORTH DAKOTA

210 2nd AVENUE NW  
MANDAN, NORTH DAKOTA 58554

PAUL E. TRAUGER, County Auditor



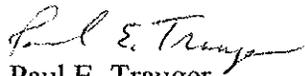
To Governing Board  
City of Mandan

I hereby certify that the within and following Abstract of Votes cast by the Voters of the City of Mandan in the Special Election held with the General Election at various election precincts of said City, Morton County, North Dakota on the 2nd day of November, A.D. 2010 is a true and correct copy of the original Abstract thereof made by the regular organized Board of Canvassers as required by law.

Commission City of Mandan  
City Measure No 1  
An initiated ordinance for the  
City of Mandan Special Election  
relating to the regulation of noise.

Yes	3,594
No	2,732
Over Votes	7
Under Votes	161

Witness my hand and seal this 8th day of November A. D. 2010.

  
Paul E. Trauger  
Morton County Auditor

SUMMARY REPORT

MORTON COUNTY, ND  
GENERAL ELECTION  
NOVEMBER 2, 2010

OFFICIAL

RUN DATE:11/09/10 08:30 AM

VOTES PERCENT

CITY MEASURE NO. 1 CITY OF MANDAN

Vote for no more than 1		
YES- Means you approve t . . . . .	3,594	56.81
NO- Means you reject he . . . . .	2,732	43.19
Over Votes . . . . .	7	
Under Votes . . . . .	161	

**GENERAL ELECTION BALLOT  
NOVEMBER 2, 2010**

A	STATE OF NORTH DAKOTA	B	MORTON COUNTY	C	Mandan 01		
<p align="center"><b>INSTRUCTIONS TO VOTER</b></p> <p>To vote for the candidate of your choice, you must darken the oval (●) opposite the name of the candidate.</p> <p>To vote for a person whose name is not printed on the ballot, write that person's name in the blank space provided for that purpose and darken the oval (●) opposite the space provided.</p>		<p align="center"><b>NO-PARTY BALLOT</b></p> <p>To vote for the candidate of your choice, you must darken the oval (●) opposite the name of the candidate.</p> <p>To vote for a person whose name is not printed on the ballot, write that person's name in the blank space provided for that purpose and darken the oval (●) opposite the space provided.</p>		<p align="center"><b>County Sheriff</b> Vote for no more than ONE name</p> <p><input type="radio"/> Dave Shipman</p> <p><input type="radio"/> _____</p> <p align="center"><b>Supervisor, Soil Conservation District</b> Vote for no more than ONE name</p> <p><input type="radio"/> Rocky Bateman</p> <p><input type="radio"/> _____</p> <p align="center"><b>Official County Newspaper</b> Vote for no more than ONE name</p> <p><input type="radio"/> The Morton County &amp; Mandan News</p>			
<b>PARTY BALLOT</b>							
<p align="center"><b>United States Senator</b> Vote for no more than ONE name</p> <p><input type="radio"/> John Hoeven Republican Party</p> <p><input type="radio"/> Tracy Potter Democratic-NPL Party</p> <p><input type="radio"/> Keith J Hanson Libertarian Party</p> <p><input type="radio"/> _____</p>		<p align="center"><b>Justice of the Supreme Court</b> Vote for no more than ONE name</p> <p><input type="radio"/> Carol Kapsner</p> <p><input type="radio"/> _____</p>		SAMPLE BALLOT			
<p align="center"><b>Representative in Congress</b> Vote for no more than ONE name</p> <p><input type="radio"/> Earl Pomeroy Democratic-NPL Party</p> <p><input type="radio"/> Rick Berg Republican Party</p> <p><input type="radio"/> _____</p>		<p align="center"><b>Judge of the District Court South Central Judicial District Judgeship Number 2</b> Vote for no more than ONE name</p> <p><input type="radio"/> Sonna M Anderson</p> <p><input type="radio"/> _____</p>					
<p align="center"><b>Secretary of State</b> Vote for no more than ONE name</p> <p><input type="radio"/> Alvin A (Al) Jaeger Republican Party</p> <p><input type="radio"/> Corey Mock Democratic-NPL Party</p> <p><input type="radio"/> _____</p>		<p align="center"><b>Judge of the District Court South Central Judicial District Judgeship Number 5</b> Vote for no more than ONE name</p> <p><input type="radio"/> Cynthia Feland</p> <p><input type="radio"/> Parrell Grossman</p> <p><input type="radio"/> _____</p>					
<p align="center"><b>Attorney General</b> Vote for no more than ONE name</p> <p><input type="radio"/> Jeanette Boechler Democratic-NPL Party</p> <p><input type="radio"/> Wayne Stenehjem Republican Party</p> <p><input type="radio"/> _____</p>		<p align="center"><b>County Commissioner</b> Vote for no more than TWO names</p> <p><input type="radio"/> Scott A Johnson</p> <p><input type="radio"/> James Boehm</p> <p><input type="radio"/> Andrew (Andy) Zachmeier</p> <p><input type="radio"/> _____</p> <p><input type="radio"/> _____</p>					
<p align="center"><b>Agriculture Commissioner</b> Vote for no more than ONE name</p> <p><input type="radio"/> Merle Boucher Democratic-NPL Party</p> <p><input type="radio"/> Doug Goehring Republican Party</p> <p><input type="radio"/> _____</p>		<p align="center"><b>County Auditor</b> Vote for no more than ONE name</p> <p><input type="radio"/> Dawn Brecht-Rhone</p> <p><input type="radio"/> _____</p>					
<p align="center"><b>Public Service Commissioner</b> Vote for no more than ONE name</p> <p><input type="radio"/> Brad Crabtree Democratic-NPL Party</p> <p><input type="radio"/> Joshua Voytek Libertarian Party</p> <p><input type="radio"/> Kevin Cramer Republican Party</p> <p><input type="radio"/> _____</p>		<p align="center"><b>County State's Attorney</b> Vote for no more than ONE name</p> <p><input type="radio"/> Allen M Kopyy</p> <p><input type="radio"/> _____</p>					
<p align="center"><b>Tax Commissioner</b> Vote for no more than ONE name</p> <p><input type="radio"/> Cory Fong Republican Party</p> <p><input type="radio"/> Richard Flattum-Riemers Libertarian Party</p> <p><input type="radio"/> Cynthia Kaldor Democratic-NPL Party</p> <p><input type="radio"/> _____</p>		<p align="center"><b>County Recorder</b> Vote for no more than ONE name</p> <p><input type="radio"/> Carrole Schaner</p> <p><input type="radio"/> _____</p>					
		<p align="center"><b>County Treasurer</b> Vote for no more than ONE name</p> <p><input type="radio"/> Vicki Lippert</p> <p><input type="radio"/> _____</p>					
						<b>VOTE BOTH SIDES</b>	
						<p>All ballots, other than those used to vote absentee, must first be initialed by appropriate election officials in order to be counted.</p>	<p align="center"><b>Official Ballot Morton County 3401-01 November 2, 2010</b></p> <p align="center">_____ Initials</p>

**GENERAL ELECTION BALLOT  
NOVEMBER 2, 2010**

D STATE OF NORTH DAKOTA	E MORTON COUNTY	F Mandan 01
<b>MEASURES BALLOT</b>		
<p>This ballot contains two statewide measures. Constitutional Measure No. 1 was approved by the 2009 Legislative Assembly. Statutory Measure No. 2 was placed on the ballot by initiative petition. These measures are submitted to the voters of North Dakota for their approval or rejection. A voter may vote upon a measure by either darkening the oval (●) opposite the word "YES" or "NO" following each question.</p>	<p align="center"><b>Constitutional Measure No. 1 (House Concurrent Resolution No. 3054, 2009 Session Laws, Ch. 641)</b></p> <p><b>SECTION 1.</b> A new section to article X of the Constitution of North Dakota is created and enacted as follows:</p> <p>1. Thirty percent of total revenue derived from taxes on oil and gas production or extraction must be transferred by the state treasurer to a special fund in the state treasury known as the legacy fund. The legislative assembly may transfer funds from any source into the legacy fund and such transfers become part of the principal of the legacy fund.</p> <p>2. The principal and earnings of the legacy fund may not be expended until after June 30, 2017, and an expenditure of principal after that date requires a vote of at least two-thirds of the members elected to each house of the legislative assembly. Not more than fifteen percent of the principal of the legacy fund may be expended during a biennium.</p> <p>3. Statutory programs, in existence as a result of legislation enacted through 2009, providing for impact grants, direct revenue allocations to political subdivisions, and deposits in the oil and gas research fund must remain in effect but the legislative assembly may adjust statutory allocations for those purposes.</p>	<p align="center"><b>Initiated Statutory Measure No. 2</b></p> <p><b>SECTION 1.</b> A new section to chapter 36-01 of the North Dakota Century Code is created and enacted as follows:</p> <p><b>Fee killing of certain captive game animals prohibited - Penalty - Exception.</b> A person is guilty of a class A misdemeanor if the person obtains fees or other remuneration from another person for the killing or attempted killing of privately-owned big game species or exotic mammals confined in or released from any man-made enclosure designed to prevent escape. This section does not apply to the actions of a government employee or agent to control an animal population, to prevent or control diseases, or when government action is otherwise required or authorized by law.</p> <p><b>SECTION 2. EFFECTIVE DATE.</b> This Act becomes effective on November 1, 2012.</p>
<p align="center"><b>City Measure No. 1 An initiated ordinance for the City of Mandan Special Election relating to the regulation of noise.</b></p> <p>Shall an initiated ordinance relating to the regulation of loud, unnecessary, unnatural or unusual noises which are prolonged, unusual or unnatural and are a detriment to public health, comfort and welfare of the city inhabitants be adopted?</p> <p><input type="radio"/> <b>YES</b> - Means you approve the initiated ordinance as stated above.</p> <p><input type="radio"/> <b>NO</b> - Means you reject the initiated ordinance as stated above.</p>	<p>The state investment board shall invest the principal of the North Dakota legacy fund. The state treasurer shall transfer earnings of the North Dakota legacy fund accruing after June 30, 2017, to the state general fund at the end of each biennium.</p> <p><b>SECTION 2. EFFECTIVE DATE.</b> If approved by the voters, this measure becomes effective for oil and gas produced after June 30, 2011.</p> <p><input type="radio"/> <b>YES</b> - Means you approve the measure as stated above.</p> <p><input type="radio"/> <b>NO</b> - Means you reject the measure as stated above.</p>	<p><input type="radio"/> <b>YES</b> - Means you approve the measure as stated above.</p> <p><input type="radio"/> <b>NO</b> - Means you reject the measure as stated above.</p>
		<p style="font-size: 2em; color: red; opacity: 0.5;">SAMPLE BALLOT</p>
<b>VOTE BOTH SIDES</b>		
D Mandan 01	E 3401-01 WCity	F Typ:01 Seq:0009 Spl:01



# Board of City Commissioners

## Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 8, 2010  
**SUBMITTING DEPARTMENT:** Police  
**DEPARTMENT DIRECTOR:** Chief Dennis A. Bullinger  
**PRESENTER:** Chief Dennis A. Bullinger  
**SUBJECT:** Acceptance of a PSIC Grant in purchasing (6) Mobile Radio's

**STATEMENT/PURPOSE:** The Mandan Police Department is requesting Board approval in receiving PSIC Grant Funding for (6) mobile radios.

**BACKGROUND/ALTERNATIVES:** The police department currently has (14) mobile radio's with ten years of service on them. Six of the fourteen mobile radios are in the six police patrol units. Frequency of use on these six mobile radios far exceeds that of the remaining eleven radios which are installed in vehicles used by Administration, Investigations, and Support Services. We have started to consistently experience problems with two of the six radios in the patrol units.

We just received notice an award of a PSIC Grant from the office of Emergency Management in replacing six mobile radios for \$17,825.52. The grant will reimburse the city 80%, or \$14,260.42. Our final cost is \$3,565.10.

Purchasing would be made out of the Police Equipment Reserve Account which has a balance of \$33,702.00 at this time.

**ATTACHMENTS:**

**FISCAL IMPACT:** \$3,565.10 from the Police Equipment Reserve Account.

**STAFF IMPACT:** n/a

LEGAL REVIEW: n/a

RECOMMENDATION: Approve the acceptance of PSIC grant in the purchase of (6) mobile radio's for the police department.

SUGGESTED MOTION: Move to approve the acceptance of a PSIC grant in the purchasing of six mobile radios.

Board of City Commissioners  
 Agenda Documentation  
 Meeting Date: November 16, 2010  
 Subject: Recovery Act: Justice Assistance Grant Funding  
 Page 3 of 3



**MOTOROLA**

**Quote Number:** QU0000125707  
**Effective:** 06 OCT 2010  
**Effective To:** 05 DEC 2010

**Bill-To:**  
 MANDAN POLICE DEPT  
 205 FIRST AVE NW  
 MANDAN, ND 58554  
 United States

**Ship-To:**  
 MANDAN POLICE DEPT  
 1402 BASIN AVE  
 BISMARCK, ND 58504  
 United States

**Ultimate Destination:**  
 MANDAN POLICE DEPT  
 205 FIRST AVE NW  
 MANDAN, ND 58554  
 United States

**Attention:**  
**Name:** chris  
**Phone:** 667

**Sales Contact:**  
**Name:** Mark Nelson  
**Email:** markn@dakcoms.com  
**Phone:** 7012239581

**Contract Number:** nd state  
**Freight terms:** FOB Destination  
**Payment terms:** Net 30 Due

Item	Quantity	Nomenclature	Description	Your price	Extended Price
l	6	M21KSM9PW1AN	XTL 2500 VHF 136-174 MHZ, 10-50 W	\$2,970.92	\$17,825.52
la	6	G89AA	ADD: NO ANTENNA NEEDED	-	-
lb	6	G159AR	ADD: ENCRYPTION UCM	-	-
lc	6	W969BB	ADD: MULTIPLE KEY ENCRYPTION OPERATION	-	-
ld	6	G67AK	ADD: THUMB SCREW REMOTE MOUNT	-	-
le	6	W22AR	ADD: PALM MICROPHONE	-	-
lf	6	G48AY	ENH: CONVENTIONAL OPERATION	-	-
lg	6	G806BD	ENH: SOFTWARE ASTRO DIGITAL CAI	-	-
lh	6	G625AH	ADD: DES/DES-XL/DES-OFB ENCRYPTION	-	-
li	6	G442AA	ADD: XTL2500 CONTROL HEAD	-	-
lj	6	G444AA	ADD: CONTROL HEAD SOFTWARE	-	-
lk	6	B18CL	ADD: AUXILARY SPKR SPECTRA 7.5 WATT	-	-
ll	6	G114AE	ENH: ENHANCED DIGITAL ID DISPLAY	-	-

**Total Quote in USD**

**\$17,825.52**

- PO Issued to Motorola must:
- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
  - >Have a PO Number/Contract Number & Date
  - >Identify "Motorola" as the Vendor
  - >Have Payment Terms or Contract Number
  - >Be issued in the Legal Entity's Name
  - >Include a Bill-To Address with a Contact Name and Phone Number
  - >Include a Ship-To Address with a Contact Name and Phone Number
  - >Include an Ultimate Address (only if different than the Ship-To)
  - >Be Greater than or Equal to the Value of the Order
  - >Be in a Non-Editable Format
  - >Identify Tax Exemption Status (where applicable)



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 9, 2010  
**SUBMITTING DEPARTMENT:** Assessing Dept  
**DEPARTMENT DIRECTOR:** Richard L Barta  
**PRESENTER:** Richard L Barta  
**SUBJECT:** Disabled Veteran Exemption for  
Sylvester Foote

**STATEMENT/PURPOSE:** To consider a 60% disabled veteran exemption for the year 2010.

**BACKGROUND/ALTERNATIVES:** Mr. Foote meets all criteria according to North Dakota Century Code 57-02-08 (20)(b) to receive a 60% disabled veteran exemption.

This property is also known as Lot 1, Block 1, Plainview Heights 1<sup>st</sup> Addition at 1309 19 St SE on Parcel #5333.

**ATTACHMENTS:** Application.

**FISCAL IMPACT:** Approximately \$2,556.00 for the year 2010. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

**STAFF IMPACT:** N/A

**LEGAL REVIEW:** N/A

**RECOMMENDATION:** Approval to receive a 60% disabled veteran exemption for the year 2010.

**SUGGESTED MOTION:** I recommend a motion to approve the applications from Mr. Foote to receive a 60% disabled veteran exemption for the year 2010 by meeting all criteria according to North Dakota Century Code 57-02-08(20)(b).

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name FOOTE SYLVESTER & EVELYN

Address 1309 19 ST SE

Legal Description of the property involved in this application

Lot: 0001

Block: 001

PLAINVIEW HTS 1ST

Property ID Number

City 5333

County 65-4068000

Total true and full value of the property described above for the year 2010 is:

Land \$11,900  
 Improvements \$137,200  
 Total (1) \$149,100

Total true and full value of the property described above for the year 2010 should be:

Land \$11,900  
 Improvements \$0  
 Total (2) \$11,900

The difference of \$137,200 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) 60% Veteran Exemption

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ \_\_\_\_\_ Date of Purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_
2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_
3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
 \_\_\_\_\_ Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_
4. The applicant's estimate of market value of the property involved in this application is \$ \_\_\_\_\_
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

The Applicant asks that \_\_\_\_\_

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_

Date \_\_\_\_\_

*Stephanie D. Foote*  
 Signature of Applicant

11/04/2010  
 Date



# Board of City Commissioners

## Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 9, 2010  
**SUBMITTING DEPARTMENT:** Assessing Department  
**DEPARTMENT DIRECTOR:** Richard L Barta  
**PRESENTER:** Richard L Barta  
**SUBJECT:** Wheelchair Exemption for  
Marlene Gomke

**STATEMENT/PURPOSE:** To consider a wheelchair exemption for the years 2009 and 2010.

**BACKGROUND/ALTERNATIVES:** Mrs. Gomke has completed the necessary paperwork and meets all criteria, according to North Dakota Century Code 57-02-08(20)(c), to receive a wheelchair exemption for the years 2009 and 2010.

This parcel is also known as 301 1 St SE on Lots 11 and 12, Block 2, Gerard's Addition on Parcel #966.

**ATTACHMENTS:** Application.

**FISCAL IMPACT:** Approximately 1,465.00 with the City losing \$351.00 for the year 2009 and \$1,513 with the City losing \$363.00 for the year 2010.

**STAFF IMPACT:** N/A

**LEGAL REVIEW:** N/A

**RECOMMENDATION:** Approval of the request by Mrs. Gomke to receive a wheelchair exemption for the years 2009 and 2010.

**SUGGESTED MOTION:** I recommend a motion to approve the request by Mrs. Gomke to receive a wheelchair exemption for the years 2009 and 2010 by meeting all requirements according to North Dakota Century Code 57-02-08(20)(c).

**Application For Abatement And Settlement Of Taxes**  
 North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name GOMKE ERVIN & MARLENE

Address 301 1 ST SE

Legal Description of the property involved in this application  
 LOTS 11 & 12

Property ID Number

City 966

County 65-1088000

Block: 002  
 GERARDS 1ST

Total true and full value of the property described above for the year 2009 is:

Land \$11,500  
 Improvements \$78,700  
 Total (1) \$90,200

Total true and full value of the property described above for the year 2009 should be:

Land \$11,500  
 Improvements \$0  
 Total (2) \$11,500

The difference of \$78,700 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) Wheelchair Exemption

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ \_\_\_\_\_ Date of Purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_
2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_
3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
 \_\_\_\_\_ Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_
4. The applicant's estimate of market value of the property involved in this application is \$ \_\_\_\_\_
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

The Applicant asks that \_\_\_\_\_

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_

Date \_\_\_\_\_

*Kevin Gomke*  
 Signature of Applicant

11-7-10  
 Date

**Application For Abatement And Settlement Of Taxes**  
 North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name GOMKE ERVIN & MARLENE

Address 301 1 ST SE

Legal Description of the property involved in this application  
 LOTS 11 & 12

Property ID Number

City 966

County 65-1088000

Block: 002  
 GERARDS 1ST

Total true and full value of the property described above for the year 2010 is:

Land	\$11,500
Improvements	\$81,200
<b>Total (1)</b>	<b>\$92,700</b>

Total true and full value of the property described above for the year 2010 should be:

Land	\$11,500
Improvements	\$0
<b>Total (2)</b>	<b>\$11,500</b>

The difference of \$81,200 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) Wheelchair Exemption

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ \_\_\_\_\_ Date of Purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_
2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_
3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
 Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_
4. The applicant's estimate of market value of the property involved in this application is \$ \_\_\_\_\_
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

The Applicant asks that \_\_\_\_\_

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_

Date \_\_\_\_\_

*Ervin Gomke*  
 Signature of Applicant

Date 11-17-10



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 9, 2010  
**SUBMITTING DEPARTMENT:** Assessing/Bldg Inspections  
**DEPARTMENT DIRECTOR:** Richard L Barta  
**PRESENTER:** Richard L Barta  
**SUBJECT:** Abatement for Brandon Leingang

**STATEMENT/PURPOSE:** To consider a value reduction from \$362,000 to \$310,000 (his purchase price) for the year 2010. Please note, the prior owner would not let us in to verify data and the value of this property was increased at that time.

**BACKGROUND/ALTERNATIVES:** This property has been walked through and re-evaluated for the year 2010.

It is also known as 4501 South Bay Dr SE on Lots 2 and 3, Block 4, Lakewood 2<sup>nd</sup> Addition on Parcel #9868.

**ATTACHMENTS:** Application.

**FISCAL IMPACT:** Approximately \$969.00 with the City losing \$232.00 of revenue.

**STAFF IMPACT:** N/A

**LEGAL REVIEW:** N/A

**RECOMMENDATION:** Approval of the request by Mr. Leingang to reduce the value for the year 2010.

**SUGGESTED MOTION:** I recommend a motion to approve the request from Mr. Leingang to have the value reduced from \$362,000 to \$310,000 for the year 2010 due to a re-assessment being completed on his property.

**Application For Abatement And Settlement Of Taxes**

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name LEINGANG BRANDON & T  
 Address 4501 SOUTH BAY DR SE  
 Legal Description of the property involved in this application  
 LOTS 2 & 3

Property ID Number

City 9868  
 County 65-1809550

Block: 4  
 LAKEWOOD 2ND

Total true and full value of the property described above for the year 2010 is:		Total true and full value of the property described above for the year 2010 should be:	
Land	\$56,100	Land	\$56,100
Improvements	\$305,900	Improvements	\$253,900
Total (1)	\$362,000	Total (2)	\$310,000

The difference of \$52,000 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) Re-Assessment

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ \_\_\_\_\_ Date of Purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_
2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_
3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
 \_\_\_\_\_ Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_
4. The applicant's estimate of market value of the property involved in this application is \$ \_\_\_\_\_
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

The Applicant asks that \_\_\_\_\_

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_ Date \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_

*[Handwritten Signature]*  
 11/16/10



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 9, 2010  
**SUBMITTING DEPARTMENT:** Assessing Dept  
**DEPARTMENT DIRECTOR:** Richard L Barta  
**PRESENTER:** Richard L Barta  
**SUBJECT:** 2-Year Exemption for Gary Weiler

**STATEMENT/PURPOSE:** To consider a partial exemption for new construction of a residential structure for the year 2010 from his date of contract6 (07-01-10).

**BACKGROUND/ALTERNATIVES:** Mr. Weiler qualifies for a 50% exemption of the first \$75,000 of structure value on a new condo.

This parcel is also known as Lot 3, Bldg 1, Unit 103, Block 1, Lakewood 5<sup>th</sup> Addition at 2820 39 Ave SE on Parcel #10134-3.

**ATTACHMENTS:** Application.

**FISCAL IMPACT:** Approximately \$ 699.00 with the City losing \$168.00 revenue.

**STAFF IMPACT:** N/A

**LEGAL REVIEW:** N/A

**RECOMMENDATION:** Approval of the requested exemption for 50% of the first \$75,000 of structure value for the year 2010 on a newly constructed condo due to all qualifications being met.

**SUGGESTED MOTION:** I recommend a motion to approve the request by Mr. Weiler for an exemption of 50% of the first \$75,000 of structure value for the year 2010 on a newly constructed condo due to all qualifications being met.

**Application For Abatement And Settlement Of Taxes**

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name WEILER GARY & KATHIE  
 Address 2820 39 AVE SE UNIT 103

Property ID Number

City 10134 3  
 County 65-6101916

Legal Description of the property involved in this application  
 LOT 3 BLDG 1 UNIT 103

Block: 1  
 LAKEWOOD 5TH

Total true and full value of the property described above for the year 2010 is:		Total true and full value of the property described above for the year 2010 should be:	
Land	\$7,000	Land	\$7,000
Improvements	\$201,300	Improvements	\$163,800
Total (1)	\$208,300	Total (2)	\$170,800

The difference of \$37,500 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) 2-Year Exemption from date of contract (07-01-10)

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ \_\_\_\_\_ Date of Purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_
2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_
3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
 \_\_\_\_\_ Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_
4. The applicant's estimate of market value of the property involved in this application is \$ \_\_\_\_\_
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

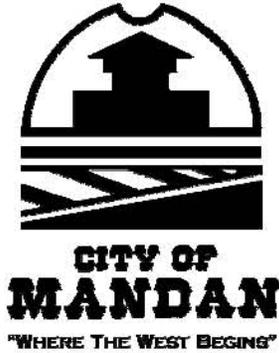
The Applicant asks that \_\_\_\_\_

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_ Date \_\_\_\_\_

*X Gary Weiler* 11-9-10  
 Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_



# Board of City Commissioners

## Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 9, 2010  
**SUBMITTING DEPARTMENT:** Assessing Department  
**DEPARTMENT DIRECTOR:** Richard L Barta  
**PRESENTER:** Richard L Barta  
**SUBJECT:** Blind Exemption for  
Joe & Agnes Wingerter

**STATEMENT/PURPOSE:** To consider a blind exemption for the year 2010 from date of purchase (05-12-10).

**BACKGROUND/ALTERNATIVES:** Mr. Wingerter has completed the necessary paperwork and meets all criteria, according to North Dakota Century Code 57-02-08(22), to receive a blind exemption for the year 2010.

This parcel is also known as the Lot 6, Block 17, Diane's 1<sup>st</sup> Addition at 806 5 Ave NE on Parcel #578.

**ATTACHMENTS:** Application.

**FISCAL IMPACT:** Approximately \$1580.00.

**STAFF IMPACT:** N/A

**LEGAL REVIEW:** N/A

**RECOMMENDATION:** Approval of the request by Mr. Wingerter to receive a blind exemption for the year 2010.

**SUGGESTED MOTION:** I recommend a motion to approve the request by Mr. Wingerter to receive a blind exemption for the year 2010 by meeting all requirements according to North Dakota Century Code 57-02-08(22).

**Application For Abatement And Settlement Of Taxes**  
 North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name WINGERTER JOE & AGNES

Address 806 5 AVE NE

Legal Description of the property involved in this application

LOT: 0017

Block: 006

DIANE'S 1ST

Property ID Number

City 578

County 65-604000

D-O-B: 1930

Phone: 222-4080

Total true and full value of the property described above for the year 2010 is:

Land \$14,700  
 Improvements \$132,400  
 Total (1) \$147,100

Total true and full value of the property described above for the year 2010 should be:

Land \$14,700  
 Improvements 47,600  
 Total (2) 62,300

The difference of 84,800 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) Blind Exemption from date of purchase (5-12-10)

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

1. Purchase price of property: \$ \_\_\_\_\_ Date of Purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_
2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_
3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
 \_\_\_\_\_ Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_
4. The applicant's estimate of market value of the property involved in this application is \$ \_\_\_\_\_
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

The Applicant asks that \_\_\_\_\_

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_ Date \_\_\_\_\_

Agnes Wingerter 11-2-10  
 Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 10, 2010  
**SUBMITTING DEPARTMENT:** Assessing Dept  
**DEPARTMENT DIRECTOR:** Richard L Barta  
**PRESENTER:** Richard L Barta  
**SUBJECT:** Disabled Veteran Exemption for Zachary Brown

**STATEMENT/PURPOSE:** To consider a 50% disabled veteran exemption for the year 2010.

**BACKGROUND/ALTERNATIVES:** \*Mr. Brown meets all criteria according to North Dakota Century Code 57-02-08 (20)(b) to receive a 50% disabled veteran exemption.

This property is also known as Lot 14, Block 14, Plainview Heights 1<sup>st</sup> Addition at 2209 9 Ave SE on Parcel #5449.

**ATTACHMENTS:** Application.

**FISCAL IMPACT:** Approximately \$1,118.00 for the year 2010. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

**STAFF IMPACT:** N/A

**LEGAL REVIEW:** N/A

**RECOMMENDATION:** Approval to receive a 50% disabled veteran exemption for the year \*\*\*\*.

**SUGGESTED MOTION:** I recommend a motion to approve the applications from Mr. Brown to receive a 50% disabled veteran exemption for the year 2010 by meeting all criteria according to North Dakota Century Code 57-02-08(20)(b).

**Application For Abatement And Settlement Of Taxes**

North Dakota Century Code § 57-23-04

File with the County Auditor on or before November 1st of the year following the year in which the tax becomes delinquent.

State of North Dakota

County of Morton

Name BROWN ZACHARY A & ASHLEY

Property ID Number

City 5449

Address 2209 9 AVE SE

County 65-4182000

Legal Description of the property involved in this application

Lot: 0014

Block: 011

PLAINVIEW HTS 1ST

Total true and full value of the property described above for the year 2010 is:

Land \$11,900  
 Improvements \$151,700  
 Total (1) \$163,600

Total true and full value of the property described above for the year 2010 should be:

Land \$11,900  
 Improvements \$91,700  
 Total (2) \$103,600

The difference of \$60,000 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) 50% Veteran Exemption

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go to question #5.

- 1. Purchase price of property: \$ \_\_\_\_\_ Date of Purchase: \_\_\_\_\_  
 Terms: Cash \_\_\_\_\_ Contract \_\_\_\_\_ Trade \_\_\_\_\_ Other (explain) \_\_\_\_\_  
 Was there personal property involved in the purchase price? \_\_\_\_\_ Estimated value: \$ \_\_\_\_\_
- 2. Has the property been offered for sale on the open market? \_\_\_\_\_ If yes, how long? \_\_\_\_\_  
 Asking price: \$ \_\_\_\_\_ Terms of sale: \_\_\_\_\_
- 3. The property was independently appraised: \_\_\_\_\_ Purpose of appraisal: \_\_\_\_\_  
 \_\_\_\_\_ Market value estimate: \$ \_\_\_\_\_  
 Appraisal was made by whom? \_\_\_\_\_
- 4. The applicant's estimate of market value of the property involved in this application is \$ \_\_\_\_\_
- 5. The estimated agricultural productive value of this property is excessive because of the following condition(s): \_\_\_\_\_

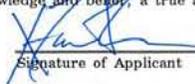
The Applicant asks that \_\_\_\_\_

By filing this application, I consent to an inspection of the above-described property by an authorized assessment official for the purpose of making an appraisal of the property. I understand the official will give me reasonable notification of the inspection. See N.D.C.C. § 57-23-05.1.

I declare under the penalties of N.D.C.C. § 12.1-11-02, which provides for a Class A misdemeanor for making a false statement in a government matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) \_\_\_\_\_

Date \_\_\_\_\_

Signature of Applicant  \_\_\_\_\_

Date \_\_\_\_\_

11/9/10



City Administration



**WHEREAS**, each night, there are homeless North Dakotans in need of shelter and services, and there are a greater number of hidden homeless who have not sought out or received assistance through existing agencies; and

**WHEREAS**, these homeless individuals, families, and veterans lack fixed, regular, and adequate residence; live in a shelter, transitional living facility or a place not designated for living accommodations; or are at risk of being displaced from their residence; and

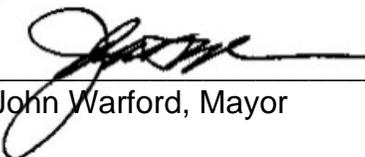
**WHEREAS**, Missouri Valley Coalition for Homeless People, Inc., and service providers throughout the state are working together to provide homeless and near homeless civilians and veterans with affordable housing, medical care, food, transportation, services, benefits, education, and job skills development; and

**WHEREAS**, the citizens and agencies of North Dakota, including schools, churches, and governments, are encouraged to help address homelessness and near homelessness, and become involved in community programs that provide solutions in meeting the physical, social, economic, and educational needs of those in need; and

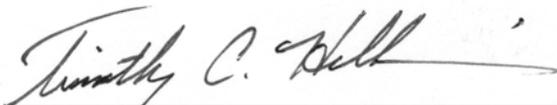
**NOW, THEREFORE**, John Warford, Mayor of the City of Bismarck and Tim Helbling, Mayor of Mandan do hereby *PROCLAIM* November 14-20, 2010, as

# **PROCLAMATION** **HUNGER & HOMELESSNESS AWARENESS WEEK**

CITY OF BISMARCK

  
\_\_\_\_\_  
John Warford, Mayor

CITY OF MANDAN

  
\_\_\_\_\_  
Tim Helbling, Mayor



# MANDAN CITY POLICE

Dennis A. Bullinger  
Chief of Police  
205 1st Ave. N.W.  
Mandan, ND 58554  
(701) 667-3250

November 17, 2010

Senator Dwight Cook  
1408 17<sup>th</sup> Street SE  
Mandan, ND 58554-4895

Representative RaeAnn G.  
Kelsch  
611 Craig Drive  
Mandan, ND 58554-2353

Representative Todd Porter  
4604 Borden Harbor Dr SE  
Mandan, ND 58554-7961

Re: Texting & Driving

Dear Senator Cook, Representatives Kelsch & Porter:

The purpose of this letter is to express concerns with the recent passages of laws prohibiting texting while driving. I agree that texting while driving is dangerous, however, am also concerned with the differences which may occur among municipalities that may enact separate ordinances.

I'm aware of two municipalities that recently passed such ordinance. Grand Forks attached a fee of \$15.00 and Bismarck a fee of \$50.00 for any violations. Such differences may raise arguments not to support the prohibition of texting while driving. I believe passage of a state statute would better serve all communities across the state.

I anticipate introduction of a bill in 2011 legislative session and would like to offer my support for a prohibition of texting while driving.

I thank you for your attention in this matter and would gladly meet with you to further discuss or answer any questions you may have.

Respectfully,

Dennis A. Bullinger  
Chief of Police

Cc: Mayor Tim Helbling  
Commissioners, Tibke, Jackson, Frank, Rohr  
City Attorney Brown  
City Administrator Neubauer



# Board of City Commissioners

## Agenda Documentation

**MEETING DATE:** November 16, 2010  
**PREPARATION DATE:** November 10, 2010  
**SUBMITTING DEPARTMENT:** Administration  
**DEPARTMENT DIRECTOR:** Jim Neubauer, City Administrator  
**PRESENTER:** Jim Neubauer, City Administrator  
**SUBJECT:** Recommendations of Selection Committee regarding RFP responses for Jr. High Property

**STATEMENT/PURPOSE:** To consider recommendations from a committee jointly appointed by the Mandan City Commission and the Mandan School Board to review responses to a Request for Qualifications and subsequent Request for Proposals for redevelopment of the former junior high property.

**BACKGROUND/ALTERNATIVES:** The Mandan City Commission and Mandan Public School Board entered into a joint powers agreement earlier this year for the disposition of the former junior high school property. These elected bodies on April 6, 2010, each approved a Request for Qualifications (RFQ) to identify interest in redevelopment of the property. Responses were due June 4, 2010, and in turn proposals were due August 6, 2010.

A committee was appointed April 6 by the City Commission and School Board to review responses to the RFQ and as a subsequent step to a Request for Proposals. The committee consists of Mayor Tim Helbling, Commissioner Tom Jackson, School Board Member Tim Rector, School Board Member Karen Johner, and community representatives Norm Clark, Wayne Papke, and Jim Jacobson.

The selection committee met June 9 to review responses received. There was one formal response from CommunityWorks North Dakota outlining a concept for market rate apartments and one letter suggesting an assisted living use for the building from Mary Ellen Rebenitsch. Business Development Director Huber conveyed a verbal update from CommunityWorks representative Rob Knoll indicating that results of a housing/market study commissioned by the organization and received too late for the submission point, to a need for assisted living. He indicated they would be investigating this option and likely gearing their proposal to assisted living.

The selection committee met again on June 16 to review a letter received June 9 from Mr. Erling Haugland which requested that the irregularity of the untimely submission be waived.

The selection committee voted on June 9 to recommend accepting the response of CommunityWorks North Dakota and invite a detailed proposal.

The selection committee voted June 16 to recommend waiving irregularities with the Erling Haugland response and to invite a detailed proposal.

The Mandan School Board's vote on June 21 concurs with these recommendations.

The Mandan City Commission on July 6, also concurred with these recommendations.

RFP's were received from CommunityWorks North Dakota and Erling Haugland on August 6. The committee met on August 11 with Mr. Rob Knoll from CommunityWorks North Dakota, and also Mr. Erling Haugland.

Community Works North Dakota requested a 2 month extension to further prepare a proposal.

The committee recommends that CommunityWorks North Dakota be granted an extension to October 8, and if Mr. Haugland would like to submit additional information to the committee on or before October 8 he may do so. The motion passed with Mr. Wayne Papke casting the only dissenting vote.

The committee met on October 13<sup>th</sup> to consider any additional information submitted by the respondents. Mr. Haugland did not add anything new to his original proposal. Mr. Knoll's proposal entailed substantial demolition and redevelopment of the block to highlight the most historic and attractive building on the site as well as new construction of townhomes surrounding the saved building. Mr. Knoll's proposal was to enter into an agreement allowing the site control of r a one year period to allow them the opportunity to move the project forward.

At the conclusion of the meeting the committee determined it would table any recommendation to the School Board or City Commission until it could meet again with all committee members present.

The committee met on November 10<sup>th</sup> and members present were Mayor Helbling Commissioner Jackson, School Board Member Tim Rector and member at large Norm Clark. School Board Member Johner, members at large Papke and Jacobson were not in attendance. A quorum of the committee was present. A short discussion ensued related to possible uses of the facility by the School District. While the facility could be utilized as a bridge facility between now and if another elementary school is needed, this option is the least attractive to the School District. At this time the School District is willing to

minimally maintain the building. The committee unanimously voted to reject both proposals at the present time and revisit the issue at a later date.

ATTACHMENTS: October 7, 2010 CommunityWorks North Dakota proposal, October, 8 and August 6, 2010 Erling Haugland Proposal.

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW:

RECOMMENDATION: I recommend concurrence with the motion from the committee to reject both proposals for the facility and revisit the issue at a later date.

SUGGESTED MOTION: I move to concur with the motion from the committee to reject both proposals for the facility and revisit the issue at a later date

Board of City Commissioners  
Agenda Documentation  
Meeting Date: November 16, 2010  
Subject: Jr. High Redevelopment Selection Committee Recommendations  
Page 4 of 40



October 7, 2010

Jim Neubauer, City Administrator  
City of Mandan  
205 Second Avenue NW  
Mandan, ND 58554

Dear Mr. Neubauer:

Please find attached a response to the Request for Qualifications in regards to the redevelopment of the former Mandan Junior High School property. Our proposal entails substantial demolition and redevelopment of the block to highlight the most historic and attractive building on the site as well as new construction of townhomes surrounding the saved building.

This proposal assumes the development team is able to obtain the financing necessary over time to move forward with the development. In order to apply and hopefully be successful in these applications, the team needs site control. We propose that we enter into an agreement allowing us site control for a period of one year to allow us the opportunity to move this project forward.

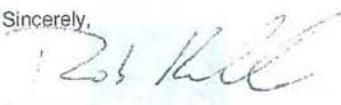
We feel that our team brings the following unique strengths to this proposal:

- A local nonprofit housing provider who has developed significant housing projects in downtown Mandan and North Dakota, and who knows the communities housing needs.
- An experienced housing developer who possesses significant experience with historic buildings.
- An award-winning architectural firm with broad redevelopment experience.

All of the partners have previously been involved in the conversion of schools into housing in the region.

Thank you for considering this proposal. We are confident that our team has the experience, resources, energy and commitment to bring new life and vitality to the former Mandan Junior High site.

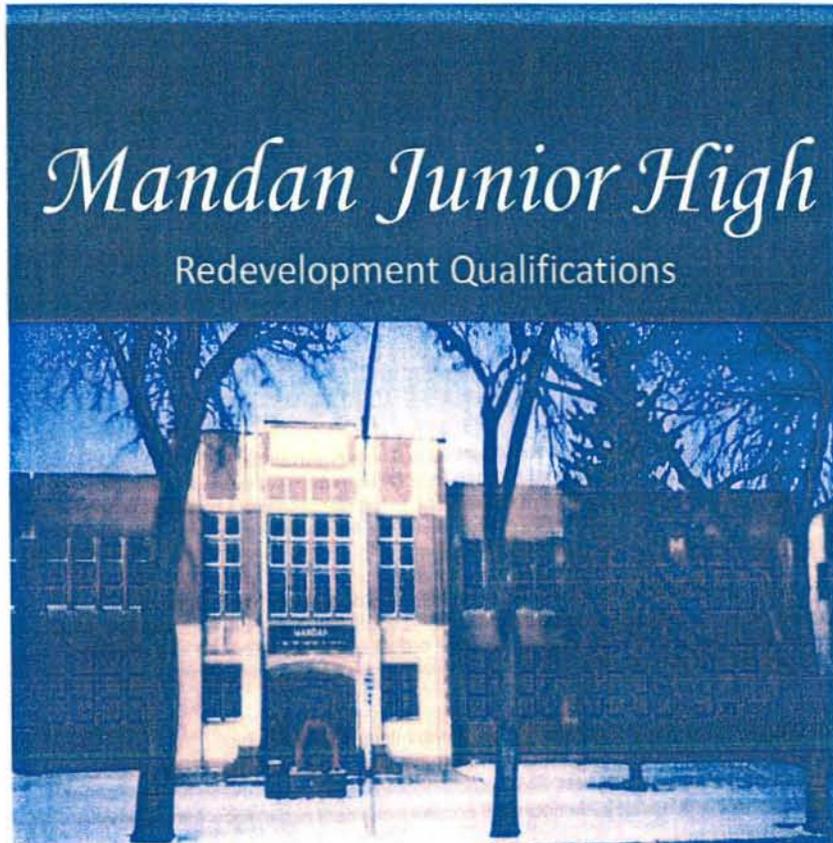
Sincerely,

  
Rob Knoll  
Multifamily Housing Director

Enclosure



200 1<sup>st</sup> Avenue NW  
Mandan, ND 58554  
Phone 701-667-7600  
Fax 701-255-7228  
E-mail [cwnd@communityworksnd.com](mailto:cwnd@communityworksnd.com)



Submitted on October 7, 2010 by CommunityWorks North Dakota

**Team Members**

CommunityWorks North Dakota  
MetroPlains LLC  
JLG Architects





## SECTION I

### DESCRIPTION OF INTERESTED PARTIES





### PROJECT DEVELOPMENT TEAM

The following organizational chart illustrates the relationships of the development team. The developers can assure continuity and high quality with this project delivery approach.





COMMUNITYWORKS NORTH DAKOTA



CWND's mission is to provide affordable housing and development opportunities to revitalize and stabilize communities, and to improve the quality of life and standard of living for North Dakota residents.

Residential Financing - CommunityWorks North Dakota launched its **DREAM** Fund for residential lending in 2001 and since then has provided 749 residential loans totaling almost \$22 million to help families become homeowners or to preserve the value of their homes. With this financing, these borrowers were able to leverage over \$39 million in funding from other sources.

Affordable Housing Development Lending - CommunityWorks also operated the **DREAM II** Fund with funding restricted to loans for affordable housing development. These loans are short-term subordinate financing essential to ensuring that an affordable housing development is economically feasible. Since the inception this loan fund has made 10 loans, creating 293 units and leveraged roughly \$27 million.

Development Services - Since 2006, CommunityWorks has provided development services to over 227 clients - 101 participated in the homebuyer training course and 127 obtained training through the one-on-one counseling or home study programs. In 2008, the year in which the **DREAM II** Fund was launched, CommunityWorks provided technical assistance to 12 affordable housing developers (both non-profit and for-profit) and local municipalities.

Housing Development - CommunityWorks community development impacts extend far beyond financing and development services. CommunityWorks direct production of affordable housing has created 133 affordable housing units since 1995. The most recent development was Library Square II - the second phase of Library Square, a highly successful 46-unit affordable senior development by CommunityWorks completed in 2005. Library Square II was fully leased within four months following construction. Current housing projects in development by CommunityWorks include: a 24-unit townhome development; a 7-unit apartment complex for persons with disabilities in; a 7-unit facility for single and homeless women and 9 single-family homes for sale all located in Bismarck ND.





*Redevelopment  
of  
Mandan Junior High  
Business Resume*

**PAUL RECHLIN**  
**Executive Director**

**Education**

1972  
Valparaiso University  
B.A. Geography  
Valparaiso, Indiana

**Professional Experience**

1979 – Present  
Lewis and Clark Regional Development Council  
Executive Director  
Mandan, North Dakota

1995- Present  
CommunityWorks North Dakota  
Executive Director  
Mandan, North Dakota

**Career Highlights**

- ~ Directed the creation of CommunityWorks North Dakota
- ~ Champion of Affordable Housing NDHFA Leadership Award (2004)
- ~ Affiliation of CommunityWorks North Dakota by NeighborWorks America

**Community/Professional Involvement**

- ~ Board of Directors of National NeighborWorks Association
- ~ Past Member of Affordable Housing Advisory Council, Federal Home Loan Bank – Des Moines
- ~ Board of Directors North Dakota Rural Development Council



*Redevelopment  
of  
Mandan Junior High  
Business Resume*

**ROB KNOLL**

**Multi-Family Program Director**

**Education**

1982

Mandan High School, Mandan North Dakota

1987

North Dakota State University  
B.S. Business Administration  
Fargo, North Dakota

**Professional Experience**

2007 - Present

CommunityWorks North Dakota  
Multifamily Program Director  
Mandan, North Dakota

2006 - 2007

Fannie Mae  
Sr. Community Development Manager  
Bismarck, North Dakota

2000 - 2006

Fannie Mae  
Sr. Deputy Director  
Bismarck, North Dakota

**Career Highlights**

- ~ Instrumental in the creation of CommunityWorks North Dakota and other nonprofit housing organizations
- ~ Creation of new loan funds to help create housing
- ~ Development of several housing developments

**Community/Professional Involvement**

- ~ Past board member for Pride Inc and Rebuilding Together
- ~ Member of Mandan Tomorrow Economic Opportunity and Prosperity Committee
- ~ Member of Mandan Renaissance Zone Committee

CommunityWorks North Dakota

**Mandan ND  
Library Square**

Library Square features 46 apartments, a commons area and covered parking. The building is connected to Library Square II. Library Square received the *Beryl Sparrow Community Impact Award* from Fannie Mae in 2004 and the *Champion of Affordable Housing Award* from the ND Housing Finance Agency in 2005.



**Project:**  
Library Square  
Mandan, North Dakota  
**Completion Date:**  
2007  
**Reference:**  
Rob Knoll  
Multi-Family Program Director  
701.667.7601  
**Size:**  
46 units  
**Cost:**  
\$5 million



**Mandan ND  
Library Square II**

Library Square II was completed in 2009 and features 45 apartments, a commons area, secured entrances and a large parking lot for tenants and guests. The building is connected to Library Square I.

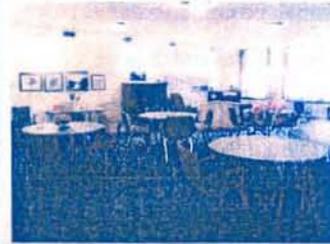


**Project:**  
Library Square II  
Mandan, North Dakota  
**Completion Date:**  
2009  
**Reference:**  
Rob Knoll  
Multi-Family  
Program Director  
701.667.7601  
**Size:**  
45 units  
**Cost:**  
\$5.1 million



**Beulah ND  
School House Apartments**

Beulah School House features 28 apartment units and a commons area. The School House Apartments received the *Top 100 Best Practices Award* from the U.S. Department of Housing and Urban Development and the *Governor's Best Multi-Family Project Award* in 1999.



**Project:**  
School House Apartments  
Beulah, North Dakota  
**Completion Date:**  
1999  
**Reference:**  
Rob Knoll  
Multi-Family Program  
Director  
701.667.7601  
**Size:**  
28 units



## Overview

1600 UNIVERSITY AVENUE, SUITE 212 • SAINT PAUL, MINNESOTA 55104-3825 • 651-646-7848 • WWW.METROPLAINS.COM



MetroPlains, LLC is based in St. Paul, Minnesota. We partner with individuals, organizations, and local governments to meet the diverse housing needs of communities throughout the Midwest.

MetroPlains, LLC is known nationally for its expertise in both new construction and substantially rehabilitating historic buildings, creating residential uses in these structures, and having these structures listed on the National Register of Historic Places. MetroPlains, LLC also has extensive experience in designing architecturally significant and environmentally green redevelopment on urban in-fill sights and suburban locations. Our housing developments include affordable/workforce housing, senior housing, live-work housing and market rate housing.

Principals are LaVerne Hanson, Jr., Randall J. Schold, and Robert G. McCreedy. They have a combined 60 years of real estate development experience. This includes the substantial rehabilitation and adaptive reuse of more than 50 historic buildings, and constructing more than 60 new apartment buildings, townhome complexes, and mixed-use structures. Altogether, our experience encompasses more than 3,500 housing units in 10 states.

MetroPlains Partners, LLC serves as the managing general partner or owner of real estate after the development. This long-term commitment to the community and investor assures participants that the asset will be maintained and operated at the highest level.

1600 University Avenue, Suite 212 • St. Paul, MN 55104-3825 • 651.646.7848 • www.metroplains.com

**Rob McCready**  
Principal, MetroPlains, LLC



Rob's strengths are debt and equity finance, tax credit analysis, public finance applications, and project structuring. In addition to his role as a project manager, Rob's primary responsibility as an owner is the company's financial management, including working with accounting staff and consultants on cash flow analysis, financial statements, and tax returns.

Rob's goal always is to find the simplest solution to complex problems, while also meeting the needs of team members, project partners, and other stakeholders. While his forte is crunching numbers, there is great satisfaction in visiting the completed projects and meeting residents who are excited about their new home. Rob holds a Bachelor's degree in Finance and a Master's degree in Business Administration.

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Randy Schold  
Principal, MetroPlains, LLC



Randy's focus is corporate planning, stakeholder relationships, and project development. Randy's philosophy as an owner is that the best results are produced by an open discussion of ideas. He is responsible for the planning and design of many of the firm's projects. His passion is combining old and new to create interesting and functional spaces for people to live.

Randy's leadership on new construction and historic rehabilitation projects has contributed to MetroPlains being honored for the quality of its architectural commitment by the American Institute of Architects. His dedication has been recognized through serving as a Board member of the national IA Committee on Historic Resources and as advisor to the State of Minnesota on Historic Building Codes. Randy's education includes a Bachelor's degree in Architecture from the University of Oregon.

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## La Verne ("Vern") Hanson, Jr. Principal, MetroPlains, LLC



Vern's expertise includes architectural design, project management, and general development. He is directly involved in all phases of projects from inception through asset management.

As an owner, Vern takes a particular interest in defining the corporate goals, direction, and operations of the company. He has a wide range of experience encompassing new construction, historic renovation, multifamily and senior housing, as well as office, hotel, and institutional uses. When in the field of meeting with stakeholders, he listens and listens carefully, building consensus, and following through.

Vern is genuinely concerned that the quality of life is enriched with all of our projects. He believes that the truest validation of our commitment is when a resident is proud of the place they call home. Vern is a registered architect, holds NCARB certification, and has Master and Bachelor degrees in Architecture.

**METRO**Plains

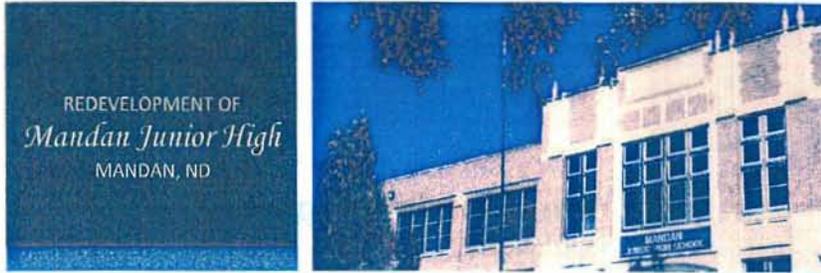
Board of City Commissioners

Agenda Documentation

Meeting Date: November 16, 2010

Subject: Jr. High Redevelopment Selection Committee Recommendations

Page 18 of 40



#### EXAMPLES OF COMPARABLE PROJECTS DEVELOPED BY METROPLAINS

The following project summaries highlight MetroPlains' experience in developing superior quality historic rehabilitation and new townhomes.



## Wells Building Apartments Sapulpa, OK



Type  
Renovation

Occupancy  
Senior

Units  
32

Completed  
2010

### Summary

The Wells (Clayton) Building was constructed in 1918 fronting on the highly famous, national scenic and register roadway, Route 66. The defining elements of the original building remain intact today, including the two principal façades shown here in a 1950's photo. The exterior façade will be restored to imitate its original 1918 design, rebuilding the first floor storefronts and maintain the original masonry.

Once rehabilitation is complete, the Wells Building will have converted an office building to a brand new senior housing apartment building. The building will house 32 units within the upper four stories with the first floor housing the lobby, parlor, community, support and a leasehold space. The building, once completed, will be new, accessible and comfortable with energy-minded living units all within the context of the historic fabric of the original building.

**METRO** *PLANNING & DEVELOPMENT*

## Audubon Crossing Minneapolis, MN



Type  
New Construction

Occupancy  
General

Units  
30

Completed  
2010

### Summary

This development is a collaboration between a for-profit developer (MetroPlains) and a non-profit service provider (Families Moving Forward). This group was brought together by neighborhood need for re-development, a non-profit developer (Northeast CDC), and the city's task force for Central Avenue redevelopment. The workforce housing is supported in part by area businesses and the housing includes a range of rents and targeted income levels of the tenants.

Audubon Crossing will consist of 30 new construction apartments. There are 7 one-bedroom apartments, 15 two-bedroom apartments, and 8 three-bedroom apartments.

**METRO** *Plains*

## The New York Building Superior, WI



Type  
Historic Renovation

Occupancy  
General and Commercial

Units  
24

Completed  
2007

### Summary

The New York Building was built in 1890 as part of a growing commercial district on Tower Avenue. This now historic district was one of the major centers of trade and commerce on the Great Lakes in the late 19th and early 20th century. The renovation supports the building's history with commercial space on the ground floor, and brings 24 residential units to the upper levels.

**METRO** *Plains*

## Normandy Townhomes Cambridge, MN



Type  
New Construction

Occupancy  
General

Units  
30

Completed  
2010

### Summary

Normandy Townhomes is the second multifamily phase to be developed in Heritage Greens in Cambridge. There are 18 three-bedroom/two-story units, 12 two-bedroom/two-story units and 4 two-bedroom/one-story handicapped accessible units. The townhomes will offer design features including a playground, walking/biking path, individual entrances, attached garages, access to local public parks, and services downtown within walking distance.

Construction began in November of 2009.

**METRO** *PLANNING & DEVELOPMENT*



**COMMUNITY CONTRACTORS INC.**



Community Contractors, Inc., is a commercial construction and management C-corporation company. In business for 28 years from its office at 4297 16th Ave North in Grand Forks, Community Contractors serves the Grand Forks community, as well as the entire states of North Dakota, South Dakota and Minnesota. Average annual volume of work is now \$30 million to \$40 million.

**Comparable Developments:**

- University Village Townhomes; Grand Forks, ND
- Bookstore - Campus Place; Grand Forks, ND
- Campus Place Apartments; Grand Forks, ND
- Bridgestone Housing; Grand Forks, ND
- Hugo's Bakery Addition; Grand Forks, ND
- Cass Lake Townhomes; Cass Lake, MN
- Library Square; Mandan, ND
- West Ridge Apartments I and II; Grand Forks, ND
- University Village/Service Village; Grand Forks, ND
- 24-Plex Apartments; Grand Forks, ND
- Food Court; Grand Forks, ND
- Grafton Senior Housing; Grand Forks, ND
- Alerus Events Center; Grand Forks, ND
- Wellsfargo Bank; Grand Forks, ND
- Third Street Market; Grand Forks, ND
- Ralph Engelstad Arena; Grand Forks, ND
- West Wind Apartments; Fargo, ND
- Hilton Garden Inn; Grand Forks, ND
- Park Place II; Devils Lake, ND
- Ithica Heights Apartments; Bismarck, ND
- AmericInn; Grand Forks, ND
- Columbia Meadows II; Grand Forks, ND
- Winterpark Apartments; Grafton, ND
- GF County Office; Grand Forks, ND
- South Junior Senior Housing; Grand Forks, ND
- Wingate Inn; Fargo, ND
- Third Street Stores; Grand Forks, ND
- Columbia Meadows Office Park; Grand Forks, ND
- Apollo Office Complex; Grand Forks, ND
- Wintergarden Condominiums; Grand Forks, ND
- Riverside Manor Apartments; Grand Forks, ND
- Med Park Mall; Grand Forks, ND



## FIRM EXPERIENCE



Mandan, North Dakota  
LIBRARY SQUARE

"Library Square is one of the best things to happen in Mandan in twenty years. A new vision for our community that will bring life to our downtown."

**Ken LaMont, Mayor**  
City of Mandan

### General:

At JLG Architects, people are our passion. We are motivated by how people live, work, play, and learn in a built environment. Our design solutions maximize the quality of space while minimizing the cost to the environment. Communication is key at JLG; we pride ourselves on our ability to guide clients and communities through the planning process. Long-standing relationships with clients and repeat business make up most of our work – a testament to our performance.

Our success is due to great employees, whose enthusiasm for architecture has earned JLG a place as one of America's Top 20 Architecture Firms to Work For.

\*Selected by Zwig White & ArchitectureWork Magazine in 2006

### Firm Structure:

JLG Architects is a business corporation and was founded in 1989. Since this time JLG has executed over \$1 billion in construction contracts. The firm has five partners - Lonnie J. Laffen, AIA, James A. Galloway, AIA, Daniel J. Miller, AIA, Michelle Mongeon-Allen, AIA, and Joel A. Davy, AIA.

### Design Excellence:

JLG has adopted a consistent approach to its work: to create designs that are totally appropriate for their function and site, and have a character that reflects the individual objectives of the client. Design solutions maximize quality of space and minimize costs to the environment.

- Richfield Community Development - "JLG is one of the most collaborative firms we have ever employed...JLG created a vision for the area that engaged everyone who witnessed it." - *John Stark, Assistant Director, Richfield Community Development Department*
- Library Square - "The best thing to happen in Mandan in twenty years. A new vision for our community that will bring life to our downtown." - *Ken LaMont, Mayor, City of Mandan*
- West Winds Apartments - "JLG is very good at design, understanding out project budget, and being a team player." - *Gary Stenson, President, MetroPlains LLC*
- Fargo Park District - "We have found that working with JLG Architects has been an excellent experience for the Fargo Park District. While they bring great knowledge of architecture and construction, they also provided excellent knowledge of how a golf course and sports venue work." - *Roger Gress, Director*
- Happy Harry's Bottle Shop - "The new Happy Harry's flagship store by JLG Architects would cause real excitement whether it was in Chicago, Los Angeles or Minneapolis." - *Jim Peterson, Johnson Brothers Wholesalers*
- The Alerus Center - "One of the five best new concert venues in the United States." - *Pollstar Magazine*
- Federal Express - A regional air freight terminal received extensive study of its routine operating procedures to create a new design layout of its air and ground freight sorting lines. FedEx Northlands District Manager Leon Boeckel stated, "The facility has become the model for all regional sorting facilities in the United States."
- U.S. Ports of Entry - "The United States government has selected JLG Architects as a team member to design replacement facilities for all United States Ports of Entry. These facilities are considered the number one priority by our federal government. JLG was selected after a rigorous national search and was chosen because they are the very best in the marketplace." - *Shirley Rohmer, General Services Administration*
- North Dakota State University LREC - "This is a perfect example of what we can accomplish when government, business, producers and the general public work as a unified team for a better ND...The design of the Center has far exceeded our expectations." - *Kandy Melhoff, Director*
- Medical School - "Of our 13 nationwide installations including Harvard, MIT & UCLA - the UND Cyclotron project, designed by JLG Architects, is the only one delivered on time and on budget. It is our number one installation." - *Al Brandenstein, Ph.D., Chief Scientist Office of National Drug Control*
- North Dakota Museum of Art - "The adaptive reuse of this former gymnasium has created a contemporary art gallery which is the best space in Grand Forks." - *Mike Haidenberg, Publisher, Grand Forks Herald*
- Barnes & Noble - "The new University Barnes & Noble Bookstore is one of our top five producing stores in the nation." - *Kim Otte, Regional Vice President, Barnes & Noble Bookstore*
- Win-E-Mac School - The new K-12 school at Erskine, Minnesota's cost prompted Bob Buresh of the Minnesota Department of Children, Families & Learning to comment, "This school will establish a new model for efficient school construction for the State of Minnesota." Creative systems design has resulted in a 90% energy cost savings over the district's previous facilities.



## DESIGN AWARDS



St. Paul, Minnesota  
 WALDORF FLATS

The Historic Waldorf Flats project was featured on the Twin Cities "Loft Living Tour" by Midwest Home & Garden in November of 2004.



JLG Architects has become one of the most respected design firms on the northern plains. The North Dakota Chapter of the American Institute of Architects has recognized our work with more design awards than any other firm since we were founded, and since 1995 - more design awards than all other firms combined. The national AIA awarded JLG Architects the 1994 IDP Firm of the Year.

**Thief River Falls Joint Operations Center**  
 • 2006 American Institute of Architects, Honor Award

**Roberts Street Chapel**  
 • 2006 American Institute of Architects, Merit Award

**The Historic Waldorf Flats**  
 • 2006 St. Paul Heritage Preservation Award  
 • 2006 American Institute of Architects, Merit Award

**Richfield Cedar Ave Corridor Plan**  
 • 2005 Mid-America EDC Redevelopment Plan Award

**Library Square**  
 • 2005 ND Housing Finance Agency, Production Award

**North Dakota State University - LREC**  
 • 2004 American Institute of Architects, Design Award

**North Star Electric**  
 • 2004 American Institute of Architects, Design Award

**O'Connell Cabin**  
 • 2004 American Institute of Architects, Unbuilt Design Award

**King's Walk Clubhouse**  
 • 2002 American Institute of Architects, Design Award

**Metro Transit Center**  
 • 2002 American Institute of Architects, Design Award

**Reed River Trading Company**  
 • 2002 American Institute of Architects, Design Award

**Grand Forks Mercantile Exchange**  
 • 2001 American Institute of Architects, Design Award

**ACME Electric, Tool Crib of the North**  
 • 2001 American Institute of Architects, Design Award  
 • 2001 Chamber of Commerce, City Beautification Award

**Grand Forks Chamber of Commerce**  
 • 2001 Chamber of Commerce, City Beautification Award

**Valley Middle School**  
 • 2001 Chamber of Commerce, City Beautification Award

**Grand Forks Corporate Center**  
 • 2001 American Institute of Architects, Design Award  
 • 2000 Mayor's Barrier Free Design Award

**The Alerus Center**  
 • 2000 Mayor's Barrier Free Design Award

**Win-E-Mac School**  
 • 2000 National School Boards Association Exhibition

**Streiff Sporting Goods**  
 • 1999 American Institute of Architects, Design Award

**Jahn Residence**  
 • 1999 American Institute of Architects, Design Award

**Nodak Rural Electric Cooperative**  
 • 1999 GF Chamber of Commerce, City Beautification Award

**Offut Lodge & Conference Center**  
 • 1995 American Institute of Architects, Design Award

**Happy Harry's Bottle Shop**  
 • 1994 American Institute of Architects, Design Award  
 • 1995 Chamber of Commerce, City Beautification Award  
 • 1999 Chamber of Commerce, Special Achievement Award

**Medical School Research Facility**  
 • 1995 ND Concrete Association, Excellence in Concrete Award

**Convention & Visitors Center**  
 • 1995 American Institute of Architects, Design Award

**Bio-Information Learning Resources Center**  
 • 1995 Chamber of Commerce, City Beautification Award  
 • 1995 ND Concrete Association, Excellence in Concrete Award

**C'Mon Inn Motel**  
 • 1994 Chamber of Commerce, City Beautification Award

**Passenger Terminal Remodeling**  
 • 1993 American Institute of Architects, Design Award  
 • 1993 North Dakota Barrier Free Design Award

**Wood Products Offices & Showroom**  
 • 1992 Chamber of Commerce, City Beautification Award

**Subway Sandwich Store**  
 • 1992 ND Concrete Association, Excellence in Concrete Award

**Center for Aerospace Sciences**  
 • 1991 ND Concrete Association, Excellence in Concrete Award

**Federal Express Air Cargo Terminal**  
 • 1991 ND Concrete Association, Excellence in Concrete Award

**Ray Richards Clubhouse**  
 • 1991 Chamber of Commerce, City Beautification Award

**Myra Museum**  
 • 1990 Chamber of Commerce, City Beautification Award

**North Dakota Museum of Art**  
 • 1990 American Institute of Architects, Design Award

**Home of Economy**  
 • 1988 Chamber of Commerce, City Beautification Award  
 • 1988 North Dakota Barrier Free Design Award  
 • 1988 ND Concrete Association, Excellence in Concrete Award

**Midwest Federal Savings Bank**  
 • 1988 Chamber of Commerce, City Beautification Award

**Central High School**  
 • 1988 Chamber of Commerce, City Beautification Award

**Washington Office Building**  
 • 1983 Chamber of Commerce, City Beautification Award

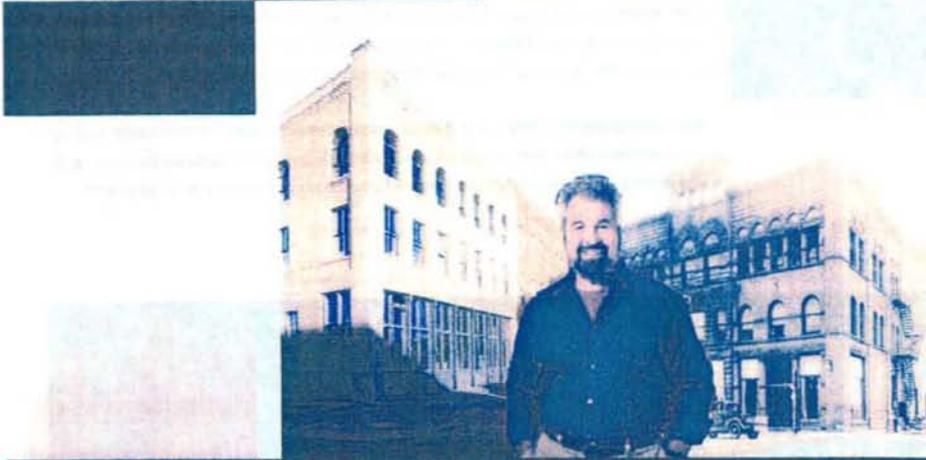
**Sharon Lutheran Church**  
 • 1983 Chamber of Commerce, City Beautification Award

**Housing Office**  
 • 1987 North Dakota Barrier Free Design Award

**Swanson Hall**  
 • 1986 Chamber of Commerce, City Beautification Award

**Ingstad Residence**  
 • 1984 American Institute of Architects, Design Award

## HISTORIC RESTORATION



Renovation, restoration, re-adaptation and reuse of existing building structures into usable spaces and viable business opportunities make up a large share of the design and construction workload at JLG Architects.

JLG's work on the Mercantile Exchange and Opera House buildings were featured by Bob Vila on HGTV's "Restore America" program.

Revitalizing older buildings not only provides an opportunity to invigorate neighborhoods with new uses and businesses, it also allows pieces of the past to be brought back to life and saved for all to see. Renovation allows these integral pieces of our urban fabric to remain, strengthening the character and appeal of a corner, street, or neighborhood. This character links us to the past development of a place, enhancing its charm and creating a comfortable place for all to feel proud of.

JLG Architects is proud to own four buildings listed on the National Register of Historic Places. Our Grand Forks offices are located in the historic Mercantile Exchange Building. Design, development, renovation, and restoration planning on this project occurred in-house. Our next restoration project involved the historic Metropolitan Opera House. We were honored to have our work on both these projects highlighted in a recent episode of Bob Vila's "Restore America," on the Home & Garden Television network.

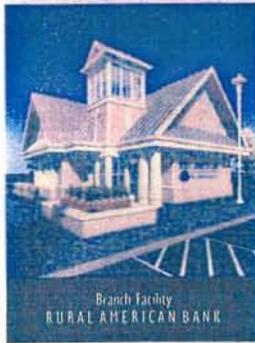
JLG Architects recently purchased, developed, designed, and constructed the historic restoration of the Taralseth Building in Warren, Minnesota. The Taralseth building was placed on the National Register of Historic places in the summer of 2002.

**JLG**  
architects

## COMPUTER MODELING

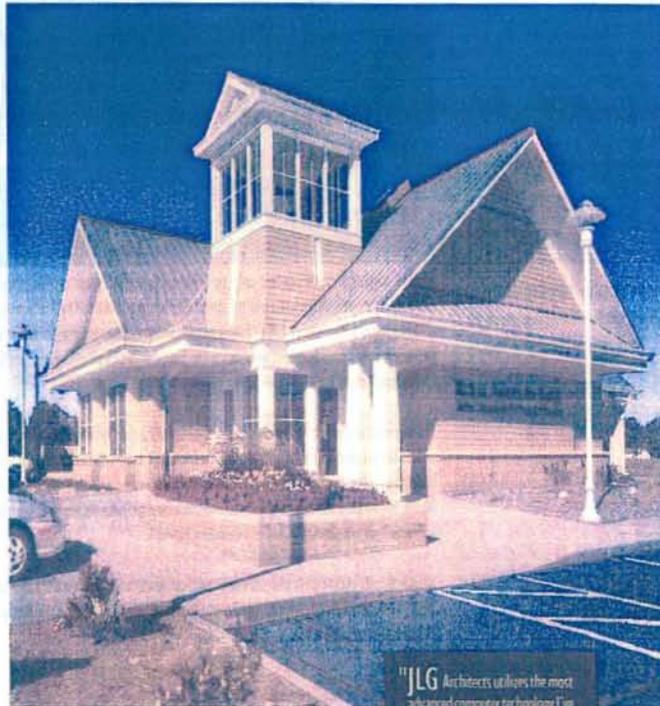
JLG Architects began exploring the capabilities of three dimensional computer generated modeling in 1990 and have led the region in computer technology ever since. Our approach has led to a complete integration of computer applications in all aspects of design and construction from the initial design phases of a project through construction documents, estimating and final project close-out.

Three dimensional computer generated modeling allows us to consider multiple design solutions in an efficient time frame and helps us to convey these ideas to our clients in a format that is easily understood. Imagine the design opportunities that become available when you take a virtual tour of your project before it is built. A picture becomes worth much more than a thousand words.



Branch Facility  
RURAL AMERICAN BANK

Three Dimensional Computer  
Generated Study Model

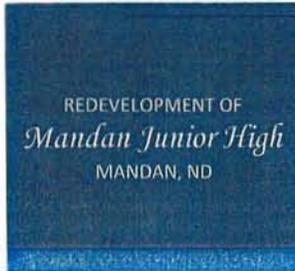


Actual Photo - Rural American Bank, Constructed in 2002

"JLG Architects utilizes the most advanced computer technology I've ever seen from an architect."

Leo Ladohowski  
President, Eastlins

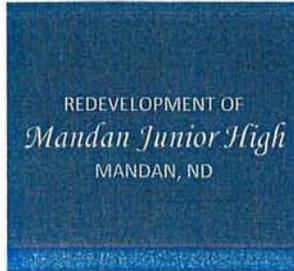




## SECTION II

### GENERAL PROJECT DESCRIPTION





### PROJECT DESCRIPTION

The redevelopment of Mandan Junior High School in Mandan, North Dakota includes the selective demolition of several additions and the preservation of the 1924 wing. Plans call for housing 16 apartments in the 1924 wing, and building 12 new townhomes on the surrounding site.

CommunityWorks North Dakota and MetroPlains, LLC are co-development partners. CommunityWorks and MetroPlains have partnered previously to substantially rehabilitate an abandoned school in Beulah, North Dakota into housing, and collaborated to develop Library Square Phase I and Phase II in Mandan, North Dakota. MetroPlains has extensive experience with historic preservation, with its Principals having completed nearly 50 such developments. MetroPlains is also known for its groundbreaking designs with new construction, the most recent of which is Normandy Townhomes, a new townhome development in Cambridge, Minnesota. JLG Architects and Community Contractors have worked with MetroPlains and CommunityWorks many times over the years, including most recently on Lakewood Townhomes in Mandan, North Dakota.

The redevelopment of Mandan Junior High School is anticipated to cost approximately \$5.3 million, based on similar projects that MetroPlains has recently completed or has in its pipeline. Rents would be affordable, with ranges anticipated to be \$500 to \$525 for one-bedroom units, \$600 to \$625 for two-bedroom units, and \$700 to \$725 for three-bedroom units. Sources of funds include a traditional first mortgage and investor equity. MetroPlains and CommunityWorks would nominate Mandan Junior High School for inclusion on the National Register of Historic Places.

Schools are excellent candidates for adaptive reuse to housing. Classrooms are generally large enough that they can be converted into an apartment, and windows tend to be oversized and plentiful, allowing for natural light and enhancing the perception of space. Ceilings are usually high, evoking the feel of loft space. Hallways are normally wide enough to be handicapped accessible. A preliminary analysis shows that the floor plates of the 1924 wing can accommodate 8 one-bedroom units and 8 two-bedroom units, plus related stairways, elevator, storage, and common areas.





### PROJECT DESCRIPTION, CONTINUED

Schools also typically have playgrounds that can be converted into parking, activity areas, or green space. Plans call for completing selective demolition of the non-historic, non-contributing structures of the school and utilizing the space to provide parking, activity areas, and green space, as well as 12 new construction three-bedroom townhomes and a community building.

JLG Architects has completed a preliminary site plan, attached to this package.

Because of unique site costs, demolition, and affordable rents, there will be a financing gap. The preliminary development budget indicates that the financing gap will be approximately \$830,000. This assumes that the land and buildings are acquired for \$1. MetroPlains and CommunityWorks would work cooperatively with the City and the School District to fill this financing gap with federal, state, and/or local sources of funds.



### DEVELOPMENT TIMETABLE

November 2010	• CommunityWorks and MetroPlains selected as co-developers
January 2011	• Complete preliminary site plans and architectural drawings
February 2011	• Apply for funding
June 2011	• Funding awarded
August 2011	• Preliminary site plans and architectural drawings approved
September 2011	• Site acquired
September 2011	• Tax abatement completed
September 2011	• Construction financing closed
August 2011	• Construction started
September 2011	• Construction completed
September 2012	• Project opens for occupancy



## SECTION III

### DRAFT SITE PLAN



**MANDAN JUNIOR HIGH REDEVELOPMENT**  
OCTOBER 2010 - 2010 RESEARCH

**GWND**  
CommunityWorship  
North Dakota

**METRO**  
DEVELOPMENT PROJECTS MANAGEMENT

**JLG**  
ARCHITECTS



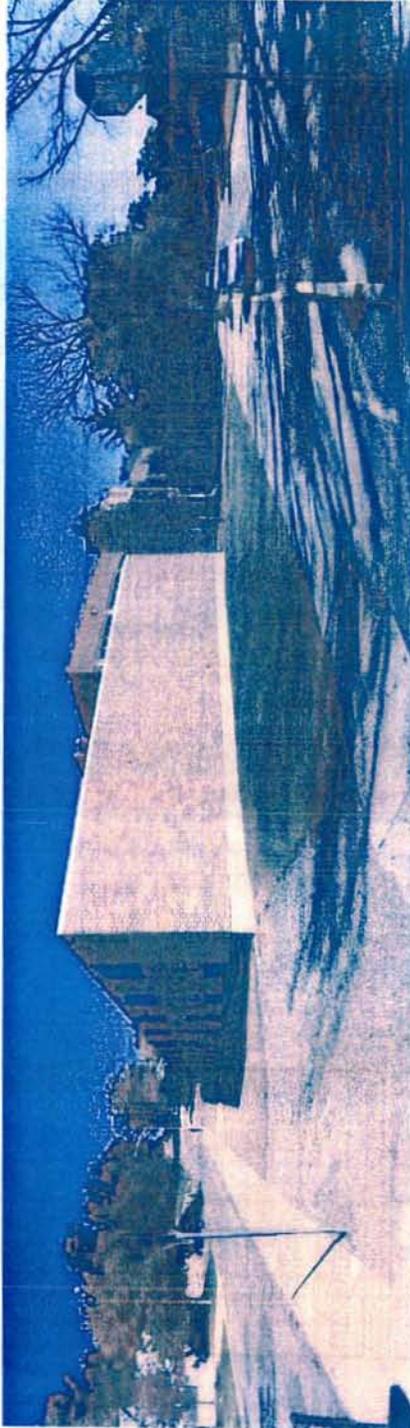
SOUTHEAST CORNER



NORTHEAST CORNER

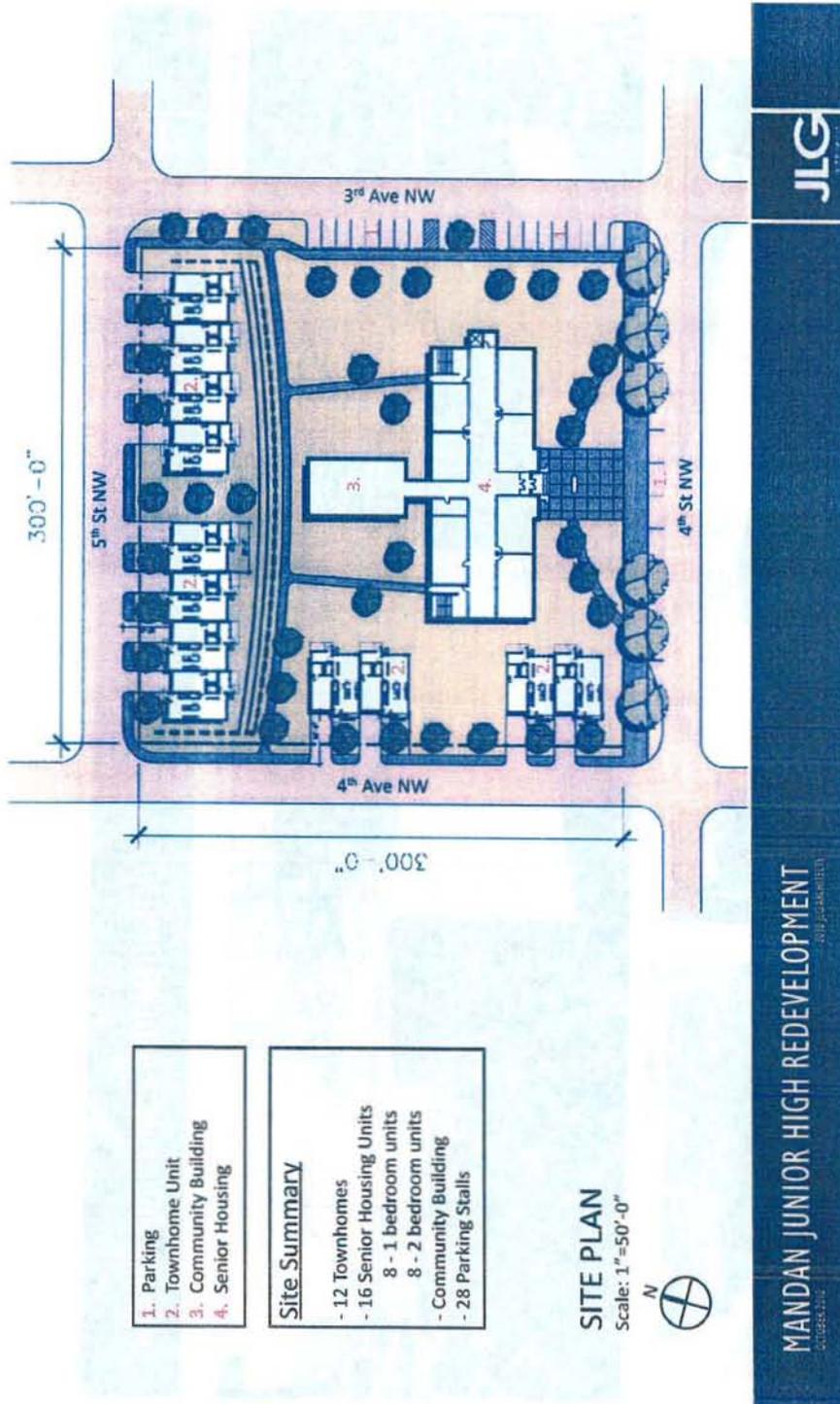


NORTHWEST CORNER



SOUTHWEST CORNER

MANDAN JUNIOR HIGH REDEVELOPMENT  
A DIVISION OF JLG ARCHITECTS  
JLG ARCHITECTS



- 1. Parking
- 2. Townhome Unit
- 3. Community Building
- 4. Senior Housing

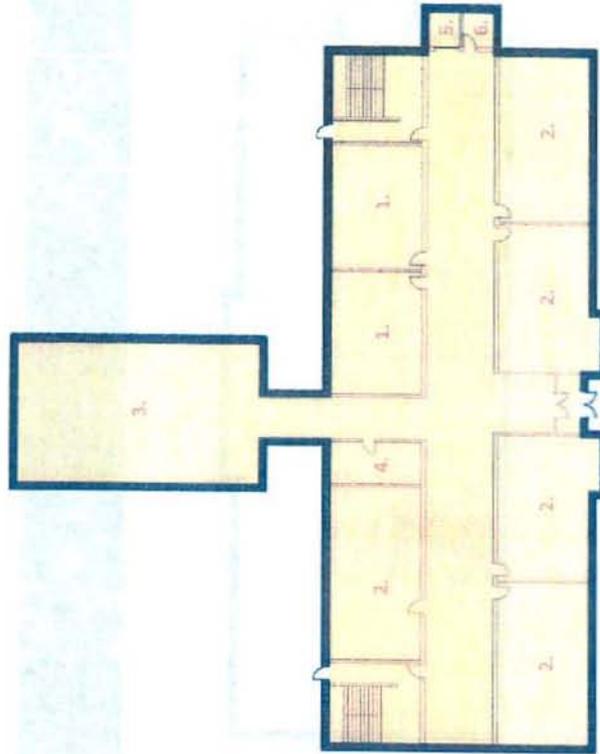
- Site Summary**
- 12 Townhomes
  - 16 Senior Housing Units
  - 8 - 1 bedroom units
  - 8 - 2 bedroom units
  - Community Building
  - 28 Parking Stalls

**SITE PLAN**  
 Scale: 1"=50'-0"



**MANDAN JUNIOR HIGH REDEVELOPMENT**  
2010.11.16





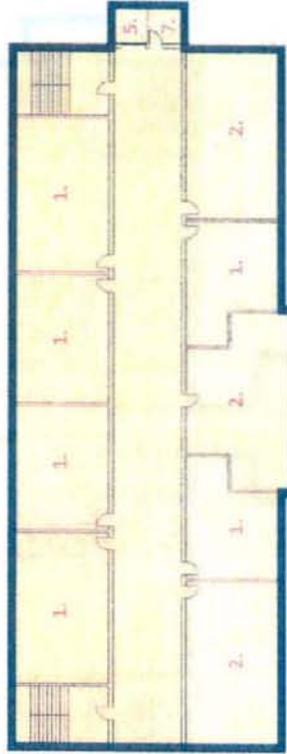
- 1. 1 Bedroom
- 2. 2 Bedroom
- 3. Community Building
- 4. Storage
- 5. Elevator
- 6. Elevator Equip.
- 7. Janitor

SENIOR HOUSING  
LEVEL 1 PLAN

Scale: 1"=20'-0"



- 1. 1 Bedroom
- 2. 2 Bedroom
- 3. Community Building
- 4. Storage
- 5. Elevator
- 6. Elevator Equip.
- 7. Janitor



**SENIOR HOUSING  
LEVEL 2 PLAN**

Scale: 1"=20'-0"

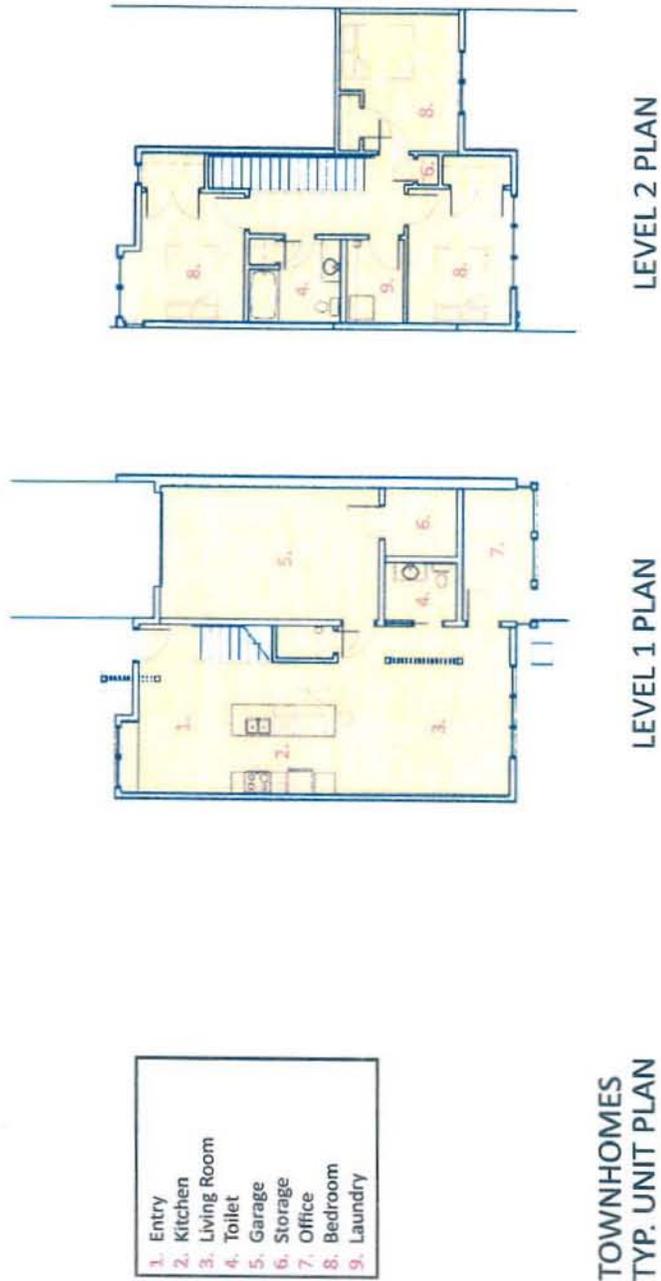


**MANDAN JUNIOR HIGH REDEVELOPMENT**

2010 JLG ARCHITECTS

OCTOBER 2010





Board of City Commissioners  
Agenda Documentation  
Meeting Date: November 16, 2010  
Subject: Jr. High Redevelopment Selection Committee Recommendations  
Page 39 of 40

**From:** Curly Haugland [mailto:curly@recsupply.com]  
**Sent:** Friday, October 08, 2010 12:09 PM  
**To:** Jim Neubauer  
**Subject:** FW:

Jim,  
My proposal for Mandan Junior High Redevelopment has not changed. It is my understanding that Community Works requested and was granted a two month extension of the time to submit a proposal. While I did not request additional time, this is to confirm that my earlier proposal is valid for an additional 30 days.

Please feel free to contact me at 701-226-4072 or by email should you require further information at this time.

Curly

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**From:** Curly Haugland  
**Sent:** Fri 8/6/2010 2:34 PM

August 6, 2010

MANDAN JUNIOR HIGH REDEVELOPMENT PROPOSAL

Dear Mr. Neubauer,

In reponse to your invitation to submit a proposal for the purchase of the property known as the Old Mandan Junior High School, I offer the following for your consideration:

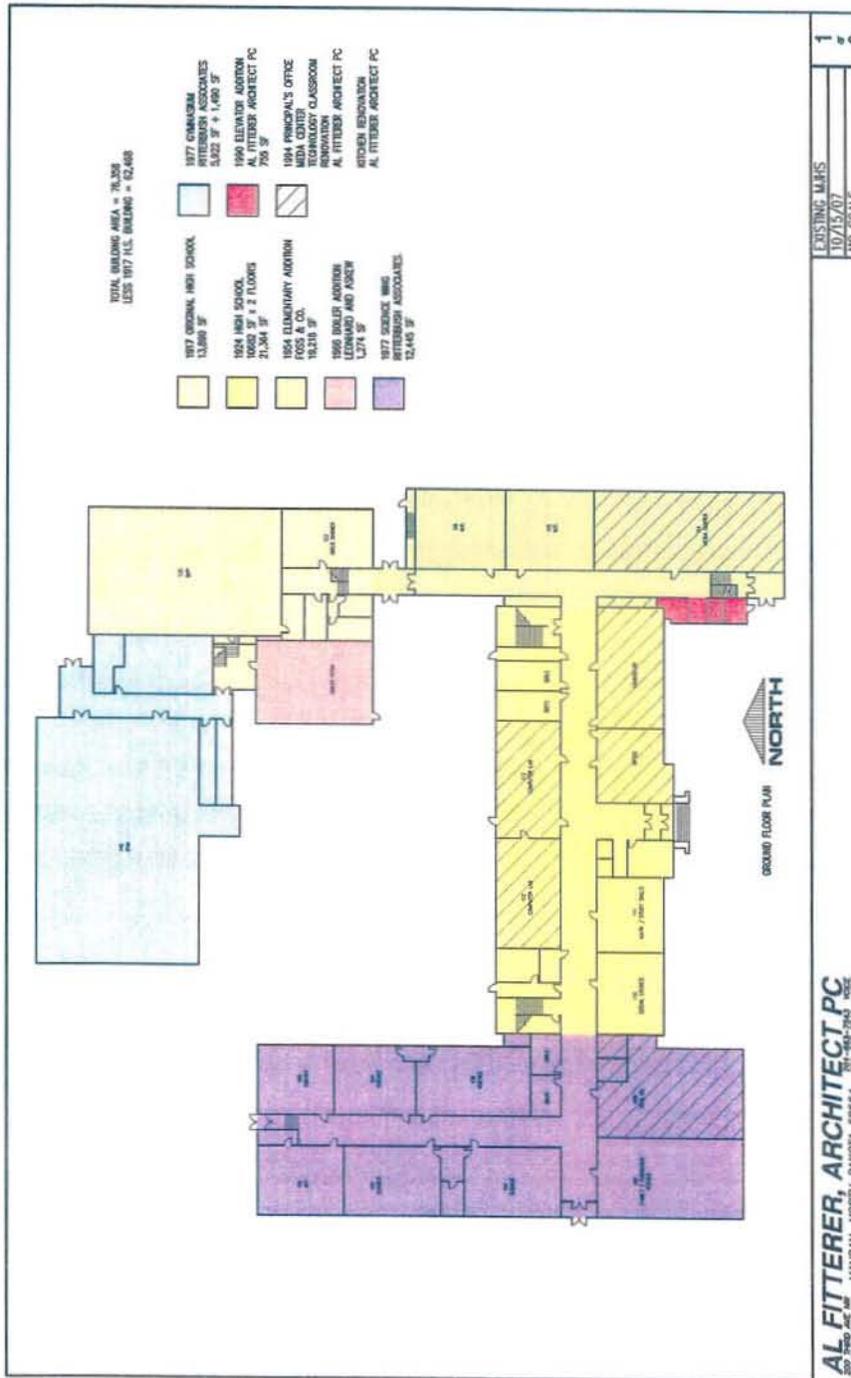
- purchase price to be \$50,000.
- city to provide clear title free of any and all encumbrances.
- purchase price to establish value for taxation purposes and increases only as improvements are made to the property and commensurate with the actual cost of the improvements.
- no other conditions will be attached to the conveyance of this property.
- no public assistance will be requested to assist in the development of the property.

Thank you for the opportunity to submit a proposal for this property. I look forward to the opportunity to convert this property to a new purpose.

Sincerely,

Erling Haugland  
Box 1473  
Bismarck, ND 58502

701-226-4072



**ORDINANCE NO. 1087**

**AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE MANDAN MUNICIPAL CODE RELATING TO DISTRICT BOUNDARIES AND ZONING MAP.**

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

**SECTION 1. AMENDMENT.** Section 21-03-02 of the Mandan Municipal Code is amended to read as follows:

The following described property located within the City of Mandan shall be excluded from the RM (Multi-Family Residential) zoning and shall be included in the MA (Light Non-Nuisance Industrial/Heavy Commercial) namely,

Lots 1 & 2, Block 1 of TSM Investments Addition in Section 26, Township 139N, Range 81W. Located on 1<sup>st</sup> Street SE

and as so amended said section is hereby reenacted. The purpose of the zone change is to match the current use of Lot 1 and build a storage building on Lot 2. The city administrator is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

\_\_\_\_\_  
President, Board of City Commissioners

Attest:

\_\_\_\_\_  
City Administrator

Publication Dates:	<u>November 5<sup>th</sup> &amp; 12<sup>th</sup>, 2010</u>
Public Hearing:	<u>November 16<sup>th</sup>, 2010</u>
First Reading:	<u>November 16<sup>th</sup>, 2010</u>
Second Reading:	<u>November 30<sup>th</sup>, 2010</u>
Publication Date:	_____
Recording Date:	_____

Board of City Commissioners  
Agenda Documentation  
Meeting Date: November 16<sup>th</sup>, 2010  
Subject: TSM Investments Addition Zone Change

