

The Mandan City Commission met in regular session at 5:30 p.m. on August 3, 2010 in the Ed “Bosh” Froehlich Room at City Hall. Commissioners present were Helbling, 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. Absent: Commissioner Tibke and City Attorney Brown.

MINUTES: *Consider approval of the minutes for July 20, 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.

PUBLIC HEARING:

BIDS:

CONSENT AGENDA:

1. *Consider games of chance for Co-ed Softball Association for August 15<sup>th</sup> to December 31<sup>st</sup>, 2010.* The Board approved of the games of chance for Co-ed Softball Association for August 15<sup>th</sup> to December 31<sup>st</sup>, 2010.
2. *Consider games of chance for ND SHRM (Society for Human Resources) State Council for September 23, 2010.* The Board approved of the games of chance for ND SHRM (Society for Human Resources) State Council for September 23, 2010.
3. *Consider approval of the pledge of securities reports as required by NDCC 21-04.* The Board approved of the pledge of securities reports as required by NDCC 21-04. (A copy of the report is on file open for public inspection during regular working hours in the office of the City Administration.)
4. *Consider approval of Kautzmann-Merkle 1<sup>st</sup> Addition.* The Board approved of the Kautzmann-Merkle 1<sup>st</sup> Addition.
5. *Consider approval of Bahm’s 3<sup>rd</sup> Addition.* The Board approved of the Bahm’s 3<sup>rd</sup> Addition.

Commissioner Jackson 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:

1. *Consider proposal for marketing theme by Mandan Tomorrow - Leadership, Pride & Image Committee.* Laurie Leingang, Chairperson and Kristi Entzi and Nathan Dvorak, members of the Mandan Tomorrow Leadership, Pride & Image Committee presented information in support of a proposal for a community marking theme from Mandan Tomorrow. Leingang presented the following information:

- Background: Over a year ago, the City of Mandan, Mandan Park Board and the Mandan School District along with the Bismarck-Mandan Chamber partnered to coordinate a visioning process to gain a clear picture of what the citizens wanted our community to be. These entities along with numerous local entities funded the hiring of Market Street. Market Street is a professional firm out of Atlanta, Georgia. They are a well-known national community economic business. They provide expert services to lead steering committees through a visioning process to assist communities in achieving their goals.
- Market Street provided an analysis of Mandan that provided an economic and demographic snapshot and they gathered a community assessment of citizens' perspectives through a number of ways, mostly through interviews. From the outcome of assessment and interviews, a strategic plan was developed geared toward identifying the challenges and capitalizing on opportunities for a visionary growth.
- The Strategic Vision Plan was then named the Mandan Tomorrow Plan. There were four committees formed to carry out this vision, one of which is here today: The Leadership, Pride & Image Committee.
- The members currently serving on the Leadership, Pride & Image Committee are Laurie Leingang (Chairperson), Kristi Entzi, Nathan Dvorak, Damian Huettl, Pam Mack, Kelly Steckler, Julie Yantzer and the City's liaison, Ellen Huber.

Leingang outlined that the purpose of today's meeting is to explain to the City Commission the "Made in Mandan" Marketing theme. She stated that one of the outcomes of the visioning process is to develop a sense of community pride and to boost the external image of Mandan. She stated that the Leadership, Pride and Image Committee propose "Made in Mandan" as a community theme that will be tied to attributes of Mandan, both tangible and abstract. The image campaign is intended to improve Mandan's community pride and external image in support of the broader community objectives including, but not limited to, the following: (1) Business recruitment (2) Residential retention and recruitment (3) Visitor and tourist attraction. Leingang reviewed strategies from the "Mandan Tomorrow" plan – to assess the potential to initiate and coordinate marketing messages leveraging Mandan's pioneer spirit, heritage and future. A recommendation that came forward is to gauge public opinion regarding replacing or adjusting Mandan's theme "Where the West Begins" behind a new campaign. Based on that recommendation, a follow-up on-line poll was conducted in June 2009. A poll was conducted through the use of the Mandan Messenger newspaper and a distribution through the city water bill inserts in order to capture a majority of the citizens' opinions. The poll noted the City logo represents past history of the community including the railroad, a blockhouse and earth lodges and polled the following: Should this logo and the Mandan slogan "Where the West begins" be changed? A summary of the responses shows that out of the 136 responses received, 75% said "No" and 25% said "Yes". Leingang continued on stating that based on the poll results, it appears the community is not in favor of changing the Mandan logo and slogan. After review by the Mandan Tomorrow Committee and this Committee, it was decided that exploring options to enhance the existing slogan, "Where the West Begins" with a complimentary marketing theme such as "Made in Mandan" would be beneficial.

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Leingang reviewed the proposed theme with the committee highlighting the following: The proposed theme “Made in Mandan” is designed to set off positive perceptions associated with the “Made in USA” theme with the focus on products made in Mandan and it will also tie in Mandan’s positive attributes. The “Made in Mandan” theme is not meant to replace logos or taglines for any of the Mandan public entities, but rather to be aligned, as appropriate, with the graphics used currently in marketing efforts to promote Mandan business and community.

Kristi Entzi, a member of the Leadership, Pride & Image Committee presented the following information: The “Made in Mandan” theme was designed to promote messages for targeted audiences such as business recruitment executives and potential workforce that will outline success, prosperity, progress, entrepreneurs, opportunity, innovation, technology and energy. The suggested Four Key Messages of the theme:

- Opportunity
- Community
- Achievement
- Adventure

To get started, Entzi provided an overview of the “First Year Focus” proposal as outlined: The theme itself will allow for flexibility in a variety of ways. The committee recommends focusing on communications of the four key messages that incorporate the four primary objectives. The “four-sided” version of the “Made in Mandan” logo will assist in conveying the messages:

- Opportunity = Business recruitment
- Community = Community
- Achievement = Residential recruitment & retention
- Adventure = Tourism and visitor attractions

Nathan Dvorak, a member of the Leadership, Pride & Image Committee presented the following information:

**Marketing Strategy:** Overall, the application will be in the form of public information, public relations and advertising projects to include activities such as community progress reports, brochures, email enhancements, electronic message center displays, billboards and cooperative marketing with local government entities and private businesses. Dvorak stated that the challenge the committee is facing is that of implementing a marketing campaign with limited funds available. Based on that, the plan outlines a low-cost or no-cost implementation and how that can be incorporated into the existing marketing plan. Further, he explained that additional funding sources may be obtained from public sector budgets, grants and privately funded sponsorship programs. Dvorak reviewed some of the tactics for advertising as follows:

*Tactic 1: No Cost & Low Cost Activities:* Examples of this would be email signature cards, electronic message center, public service announcements, a Facebook fan page, public displays and association with existing City of Mandan communication vehicles. In addition to the no-cost, Dvorak reviewed suggestions for low-cost activities that are

available: the Mandan website [www.madeinmandan.com](http://www.madeinmandan.com); several resident, business and tourism attraction brochures.

*Tactic 2: Advertising Support:*

- Outdoor advertising including billboard advertising
- Budget priority
- Printing of publications

*Tactic 3: Promotional Items:* These items could be through collaborative efforts with local existing established business and some examples are: Gifts for newborn babies, custom branding irons, wearable pride items, custom stamps, auto decals or window clings, bumper stickers.

*Tactic 4: Matching funds for private sector use of logo:* this would encourage the use by businesses or local non-profit organizations by offering a percentage discount for a matching fund for costs for advertising, etc.

In closing, Dvorak commented that in his opinion, one of the most important aspects for a financial advisor is to have a return on investment. He quoted that one of the basic comments in the financial industry is that *in order to have a return on your investment you first need to have an investment*. Dvorak briefly reviewed the anticipated Budget for this project, pointing out that it would be dependent upon matching grants. The minimum amount needed would be in the area of \$45,044.

Leingang reviewed with the Commission the anticipated potential funding sources for this project as follows:

- Public Sector: The Mandan City Commission, the Mandan Park Board and the Mandan School Board will each be approached to consider funding for the “Made in Mandan” marketing plan as follows:
  - City of Mandan: 25% (\$11,250)
  - Park District 15% (\$ 6,750) @ August 9<sup>th</sup> meeting
  - School District 10% (\$ 4,500) @ August 16<sup>th</sup> meeting
  - Grants or scholarships 50% (\$22,500)
- Grants Programs: ND Dept of Commerce Marketing Programs provides matching grants, up to \$25,000
- ND Dept of Tourism: Marketing grant program matching grants up to \$5,000
- Sponsorship Programs: Invite private business or community organizations to participate via sponsorship campaigns

Leingang provided the following Timeline for the project:

- Low-No cost activities – as soon as possible
- Advertising support activities to commence in 2011

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- Rollout – a tentative date of October 1, 2010 to include news conference, news releases, print advertising and other public relations activities

Leingang stated that the Leadership, Pride & Image Committee is requesting the Board of City Commissioners to approve the 25% funding request in order for the formal grant applications process to move forward as that process is dependent upon approval of funds before the grant process can be implemented.

Leingang stated that, in conclusion, the Leadership, Pride & Image Committee is requesting three (3) actions from the City Commission today:

- (1) To adopt the “Made in Mandan” community marketing theme
- (2) To approve and encourage its use by the City of Mandan
- (3) To provide the financial support for the marketing theme of the 25% budgeted amount as outlined

Leingang stated that the other three committees associated with this project are:

- (1) Quality Places and Destinations
- (2) Economic Opportunity and Prosperity
- (3) Education and Workforce

Mayor Helbling asked the Board members if they had any questions for the Mandan Tomorrow - Leadership, Pride & Image Committee.

Commissioner Rohr commented as follows: He questioned the thousands of dollars needed to improve the image and enlarge the current public relations program. He stated that the City currently pays the BMDA \$100,000 and the City’s own economic development program budget is over \$100,000. The City contributes to the Bismarck-Mandan Chamber of Commerce. The City subsidizes the MPO to host events and promote Mandan. The City installed a community kiosk on the east end of Mandan. There is a new Mandan City website with a link to promote Mandan businesses. There are brochures available to promote Mandan; there are BMDA and traveler’s guides available. He commented that with all of the above, there is now yet another request to maintain identity. He stated he read the Mandan Tomorrow Plan and found it to be an exciting guide. He is not in favor of funding a new “Made in Mandan” theme. He asked “Where are we failing our current image ability? Do we really need to add more to our plate or do we need to replace our current strategies?” He requested that his comments not be scrutinized but rather treated as a fair objection and to note that he is representing several of the Mandan citizens who voiced these same concerns.

Commissioner Jackson commented that he has several questions about the “Made in Mandan” theme proposal. His comments and concerns are as follows:

- (1) Regarding the “Made in Mandan” theme: Will the “Made in Mandan” slogan be stamped on products coming out of Mandan? Leingang replied that it could be used for that; however, the Committee views it as not being linked to a particular product “Made in Mandan” but rather the attributes of Mandan – the opportunity, the adventure, the

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achievement that is here in order to promote Mandan as a City that has opportunity for business and a place to raise a family.

Kristi Entzi commented that the Committee has discussed having an attorney overlook the trademark process and further that the Mandan City Business Development Director would oversee its use, if it is appropriate or not appropriate. Commissioner Jackson clarified that if since it is not trademarked it can be used by anyone. He inquired that if it is trademarked, where would the money for attorney fees come from? Business Development Director Huber replied that City Attorney Brown has not been available over the last few days to discuss this matter so that inquiry is waiting for him for when he returns. As a comparison, Huber said the name could be used under the honor system such as the “Legendary” term is used by the State Department. The Committee has discussed the guidelines for the appropriate use of the “Made in Mandan” slogan/logo. Huber stated some alternatives for the financial aspect of the project would be to cost share and/or collaborate with local businesses. Commissioner Jackson alluded to possible challenges of using the “Made in Mandan” slogan by local businesses that may create controversy over the slogan if it is not patented or trademarked and specific guidelines set for its use.

(2) Commissioner Jackson asked whether the Committee voted on the logo/slogan? Leingang replied that there was not a vote count, per se, but at one of the meetings when everyone was present, all agreed on this logo/slogan and it was an unanimous decision to pursue the “Made in Mandan” logo/slogan.

(3) Commissioner Jackson inquired if there was discussion on truth in advertising laws, federal or state? Leingang replied “No”.

(4) Commissioner Jackson questioned if the Committee had checked into if the logo violated any other entity copyright or trademark? Entzi replied that it was discussed by the Committee and it was determined that it would not be a concern at this time. She said that the “4-pronged approach” of the “Made in Mandan” logo (Opportunity, Community, Achievement, and Adventure) was originally developed by the Committee.

(5) Commissioner Jackson inquired if the “Made in Mandan” slogan will be replacing the current slogan or will it be supplementing it? Leingang replied that the intention is to supplement the current slogan and there are no intentions to replace the “Where the West Begins” slogan.

(6) Commissioner Jackson asked if there was confusion between the two slogans and the notion that many of our department heads have mugs and other things that have the “Where the West Begins” slogan on them. Were there concerns at the Committee level that would cause confusion or perhaps raise concern about additional expenses to replace those types of things? Entzi replied that the Committee is not asking for that to be replaced. The Committee is trying to do something that is a little more innovative and focusing on the present and the future – the opportunity, the adventure, the things

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Mandan has to offer today and going forward. “Where the West Begins” talks about the history and heritage and the Committee does not want to lose that.

(7) Commissioner Jackson asked if, at the Committee level, there was discussion about the four messages and the four photographs that are used with the messages – it appears that those are the four that will move forward. Leingang replied “yes” but those four are flexible to be used with any of the terms along with it.

(8) Commissioner Jackson questioned if this marketing campaign favors businesses downtown versus businesses on the Strip? Were there concerns with that at the Committee level? Entzi replied “Not at all, as the pictures are interchangeable.”

Commissioner Frank stated that it is important to address the fiscal impact as noted in the Agenda documentation that was distributed, in particular the 25% cost to the City. Business Development Director Huber responded that the activities for this project can be accommodated through the current development budget and some might be dependent upon securing a grant through the ND Department of Commerce, Partners in Marketing or the ND Tourism Department who have processes with a grant deadline of very early September where there are some existing funds. For the 2011 budget, it was part of the request that was submitted in June. However, there have been no budget meetings held yet. Huber said that the Committee has had some preliminary discussions with the Park District and School District staff as to how they would support this project, of which the Park District reviewed some options that may be available through collaborative efforts.

Commissioner Frank asked if the Committee would pursue the possibilities of applying for grants right away or would they wait until they receive confirmation that (other) funds are available? Leingang replied that it is her understanding the Committee cannot apply for the grants unless the matching funds are first available. If not all the funds are approved, the Committee would work with what funds are available.

Commissioner Rohr asked what would happen if the actual amount went over this requested minimal amount? Would they seek additional funds from the sources? Leingang replied that the Committee would prioritize the activities with the monies that are available and scale back as necessary.

Mayor Helbling commented on what Nathan Dvorak said: “In order to have a return on your investment you first need to have an investment.” Mayor Helbling stated that he believes that to be a true statement when taking into consideration the events held in Mandan such as the rodeo, Buggies-N-Blues, etc., because of the positive comments that are received on a regular basis from those who attend (from out of town). Mayor Helbling also commented on the positive comments he has received on the recently updated City of Mandan Event brochures that have been published. In summary, Mandan has in the past been conservative in these areas. However, recent publications stating facts and figures have brought additional positive comments about the events held in Mandan. He stated that sometimes you have to look at change for the betterment of the community. He stated that he believes this campaign project is a great opportunity in

efforts to move Mandan forward and this is one step in improving Mandan’s image. Mayor Helbling stated that before any decisions can be made City Attorney Brown should be informed of what has transpired and what the requests entail for the marketing theme by Mandan Tomorrow - Leadership, Pride & Image Committee. One of the first things that should be checked into would be the trademark for the “Made in Mandan” slogan and that the city staff will be asked to go back and review their budgets in order to come up with money for the project. He stated that a process will need to be developed to control the use of the theme, and that would probably be by way of trademarking it. Mayor Helbling stated that he supports the idea wholeheartedly to adopt the “Made in Mandan” theme and encourages everyone to use it.

Commissioner Jackson commented that while he relies on and is appreciative of what the committees do for the City of Mandan, he said that he is skeptical about the “Made in Mandan” theme. However, it is apparent that the community is behind the project. Thus he will defer to the committee which is made up of citizens, subject to the legal ramifications that were brought forward in previous discussions. He stated that he is in agreement with Mayor Helbling and that this is a project that should go forward, subject to the legal investigation of all the parameters of the “Made in Mandan” logo.

Commissioner Jackson moved to table the recommendations of the marketing theme by Mandan Tomorrow - Leadership, Pride & Image Committee until a legal analysis of the issues that were raised can be further explored by City Attorney Brown. Commissioner Frank seconded the motion. The motion received unanimous approval of the members present.

**RESOLUTIONS & ORDINANCES:**

1. *Consider second and final reading of Ordinance 1084, an ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof. (Lot 4, Block 1, Bahms 1<sup>st</sup> Addition.)* Commissioner Jackson moved to approve the second and final reading of Ordinance 1084, an ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof. (Lot 4, Block 1, Bahms 1<sup>st</sup> Addition.). Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes, Commissioner Tibke: Absent, Commissioner Jackson: Yes; Commissioner Frank: Yes; Mayor Helbling: Yes. The motion carried.

**ORDINANCE NO. 1084**

AN ORDINANCE ANNEXING CERTAIN ADJOINING LANDS TO THE CITY OF MANDAN, NORTH DAKOTA, AND EXTENDING THE CORPORATE BOUNDARIES THEREOF.

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

WHEREAS, the City of Mandan, North Dakota has determined it to be its interests to annex the hereinafter described property, which is contiguous to the City of

Mandan, North Dakota, but not embraced within the limits thereof, and has met all requirements as directed by Section 40-51.2-03 of the North Dakota Century Code.

**SECTION 1. Property Annexed.** The following described land is situated in the County of Morton, State of North Dakota, and contiguous to the corporate limits of the City of Mandan, North Dakota, is hereby added to, taken into, annexed and made part of the City of Mandan, namely:

Lot 4, Block 1, Bahms 1<sup>st</sup> Addition in Section 2, Township 138N, Range 81W, of the Fifth Principal Meridian, Morton County, North Dakota, more particularly described as follows:

Beginning at the northwest corner of Lot 4, Block 1, Bahm’s Addition, thence south 89° 30’ 00” east a distance of 226.61 feet; thence south 5° 30’ 00” east a distance of 361.75 feet; thence on a curve to the left, having a radius of 25 feet a arc distance of 24.46 feet; thence north 89° 30’ 00” west a distance of 252.22 feet; thence north 0° 30’ 00” west a distance of 340.00 feet to the true point of beginning. Said parcel contains 2.01 acres.

**SECTION 2. Corporate Boundary Extended.** Upon the taking effect of this Ordinance, the corporate limits and boundary lines of the City of Mandan shall thereafter include said lands.

By: /s/ Timothy A. Helbling  
Timothy A. Helbling, President,  
Board of City Commissioners

Attest:

/s/ James Neubauer  
James Neubauer, City Administrator

First Reading: July 20, 2010  
Second Reading: August 3, 2010  
Date of Recording: \_\_\_\_\_

**OTHER BUSINESS:**

1. Mayor Helbling stated that he has been receiving calls regarding the road construction project in Diane’s Addition. He recommended that the staff move forward in coming up with an alternate plan for that project even before the comment period ends due to the large volume of calls coming in that are in opposition to the project’s dollar amount.
2. Mayor Helbling commented and encouraged everyone to view the newly implemented [cityofmandan.com](http://cityofmandan.com) website that has been recently updated.
3. Mayor Helbling noted that in the recent survey conducted, the citizens asked for new restaurants – Montana Mikes, a franchise restaurant has recently opened in the Seven Seas Best Western Hotel.

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There being no further actions to come before the Board, Commissioner Rohr moved to adjourn the meeting at 6:30 p.m. Commissioner Frank seconded the motion. The motion received unanimous approval of the Board members present and the meeting adjourned.

/s/ James Neubauer

James Neubauer,  
City Administrator

/s/ Timothy A. Helbling

Timothy A. Helbling,  
President, Board of City  
Commissioners