



AGENDA
MANDAN CITY COMMISSION
DECEMBER 6, 2011
ED "BOSH" FROEHLICH MEETING ROOM
5:30 P.M.
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 15, 2011 Board of City Commission meeting
- C. PUBLIC HEARING:
- D. BIDS:
- E. CONSENT AGENDA:
1. Consider appointments to the Mayors Committee for People with Disabilities.
 2. Consider Fund Balance Policy in conformity with Governmental Accounting Standards Board Statement No. 54.
 3. Consider the re-appointment of Leonard Bullinger and Jason Krebsbach to the Mandan Architectural Review Commission (MARC).
 4. Consider the Service Agreement for the City's Employee Assistance Program with Medcenter One.
 5. Consider approval of Morton Lane street name changed to Jude Lane. (*First consideration of ordinance 1106*).
 6. Consider for approval an abatement for the Hazel Bergman Estate.
- F. OLD BUSINESS:
1. Consider a motion to rescind the action adopted at the November 1, 2011 City Commission relative to the Papke abatement request.
- G. NEW BUSINESS:
1. Consider Growth Fund Committee recommendations:
 - i. Storefront Improvement application for 116 E Main
 - ii. Committee member appointments
 2. Consider appointments to the Mandan Airport Authority
 3. Consider committee recommendation on proposal for redevelopment of former jr. high property
 4. Consider Visitors Committee recommendation:
 - i. Ft. Abraham Lincoln Foundation, Harold Brady Collection
 5. Consider adopting Waste Water & Collection System Master Plan.

*Agenda
Mandan City Commission
December 6, 2011
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H. RESOLUTIONS & ORDINANCES:

1. *Consider first consideration of Ordinance No. 1106 to change street name Morton Lane to Jude Lane. –An Ordinance changing the names of certain streets or parts thereof situated within the City of Mandan, Morton County, North Dakota.*

I. OTHER BUSINESS:

J. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. December 20, 2011
2. January 3, 2012 – 5 p.m. start
3. January 17, 2012 – 5 p.m. start

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.

The Mandan City Commission met in regular session at 5:30 p.m. on November 15, 2011 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 Attorney Brown, City Administrator Neubauer, and Business Development and Communications Director Huber. Absent: City Assessor Barta, Fire Chief Nardello, Engineering Project Manager Bechtel, and Director of Public Works Wright.

MINUTES: Consider approval of the minutes for November 1, 2011, regular meeting. Commissioner Rohr moved to approve the minutes of November 1, 2011. Commissioner Jackson seconded the motion. The motion received unanimous approval of the members present. The motion passed.

PUBLIC HEARING:

BIDS:

CONSENT AGENDA:

1. Consider approval of monthly bills. The Board approved of the monthly bills.
2. Consider closing Administrative offices the day after Thanksgiving. The Board approved of closing Administrative offices the day after Thanksgiving.
3. Consider site authorization for Mandan Hockey Club, Inc. at Captain Freddy’s Inc. for a three month trial period from 12/1/2011 through 2/29/2012. The Board approved of the site authorization for Mandan Hockey Club, Inc. at Captain Freddy’s Inc. for a three month trial period from 12/1/2011 through 2/29/2012.

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. Bismarck Mandan Development Association Reports:
 - (A) Office Site Inventory: Brian Ritter, Bismarck Mandan Development Association (BMDA) stated that in June 2011 the City Commission instructed the BMDA to investigate available office spaces within the City of Mandan and to research possible office solutions for future developments. The sites included in the office inventory:

~ Current zoning status of CA (Light Commercial & Services), CB (Heavy Commercial), CC (Heavy Commercial) or

~ Identification in Bismarck-Mandan Regional Future Land Use Plan as General Commercial, Mixed Use – Commercial/Residential, Mixed Use – Commercial/Industrial or Neighborhood Commercial

~ Access to a major roadway or thoroughfare which provides an adequate amount of visibility desirable for office locations

The properties identified:

- (1) ORT (Old Red Trail) Commercial Park
- (2) Raging Rivers (North of the Park)
- (3) Midway Lanes
- (4) North Lakewood
- (5) South Lakewood
- (6) ORT and 6th Avenue Northwest
- (7) 2700 46th Avenue Southeast
- (8) Riverwood Commercial Park
- (9) McCormick's Property
- (10) 821 Twin City Drive
- (11) Riverbend Centre
- (12) Collins Avenue and Main Street
- (13) Bridgeview Bay
- (14) 46th Avenue Southeast and McKenzie Drive
- (15) Sunset Commercial Park

Ritter reviewed the Mandan Office Site Inventory methodology for ranking each site which consists of four criteria: size, access, visibility, and zoning/surrounding uses as though the site was to be developed for a 10,000 square foot office building. He explained that the site that was judged to be the best in each criteria was given a "1", the second best a "2", etc. The scores were then completed under the "Total" column with the site that scored the lowest deemed the best site for such an office building. Ritter stated that the top three are: No. 1: Collins and Main; No. 2: Twin City Drive; No. 3: Riverbend Centre.

Ritter outlined the Next Steps "The 2011 BMDA and Mandan Work Plan" states: Create and implement strategies to develop for industrial, office and retail uses:

- (1) Maintain an updated inventory of prospective sites including ownership, availability, and status and other parcel information.
- (2) Provide recommendations regarding prioritization of sites.
- (3) Infrastructure – prepare preliminary cost estimates for street, water, sewer and other utility services for primary sites.
- (4) Determine funding sources available from public and private sources.
- (5) Provide recommendations to the City Commission regarding most favorable site for each use and necessary development steps.

Ritter asked the City Commission what their wishes are with regard to pursuing any of the above and/or follow up with any of the data outlined. Commissioner Frank recommended that this information be posted on the BMDA and City of Mandan websites as a way of disseminating the information to parties interested in this type of data. She stated that the more people this information is shared with, the better chance there is for someone to take advantage of the opportunity to move dirt. Ritter commented in response to Commissioner Frank's comments that the vast majority of inquiries coming in are related to oil and gas and by having this type of data readily available the

opportunity to fill office space will improve. Ritter stated that at this time the inquiries coming in are directed more towards that of white collar workers.

Mayor Helbling commented that Mandan currently does not have an abundance of these types of properties (office sites) available and suggested that the Commission consider preparation of infrastructure in certain areas of the City in order to make these sites available for when the need arises. Commissioner Tibke recommended that discussion on infrastructure be added to the next Retreat Agenda item list. Commissioner Frank commented that there is also information available on several vacant properties located in Mandan on the City of Mandan's website. Ritter stated that the BMDA is currently updating its website and will include information related to Mandan properties on their website as well. Mayor Helbling stated that the majority of the sites are privately owned; however the Collins and Main site is owned by the City.

Russ Staiger, BMDA, commented that he agreed with Mayor Helbling's comments regarding the development of infrastructure in areas of the city in order for the properties to be ready for development when the time comes. Staiger commended the Commission for their positive and extraordinary leadership over the last year during the flood challenges.

(B) BMDA General Update:

Richard Mower, BMDA, presented the 3rd and 4th quarter updates of the 2011 Work Plan. He provided a summary of the five (5) areas of the project:

- (1) Commission Communications
 - ~ Provide copies of Board/Executive Minutes
 - ~ Conducted three (3) in-person briefings (March 1, June 21, November 16)
 - ~ Provided Annual Reports: BMDA; Primary Sector Business retention & expansion; Retail and service sector business retention & expansion
 - ~ Weekly Newsletter
- (2) Industrial and Retail Development sites
 - ~ Prepare reports: monitor inventory and determine site needs; monitor retail site characteristics; determine public and private sector funding options
 - ~ Reports submitted: Industrial 6/21/11; Office 11/16/11; Retail 12/19/11
- (3) Business Attraction and Marketing Program Q3 and Q4
 - ~ Responded to 3 state issued RFP's: 2 w/ Mandan sites
 - ~ 3 site visits: 1 more scheduled December 2011
 - ~ Tradeshows: Bakken Infrastructure Development Summit; Experience ND event
 - ~ Marketing: Regular Marketing Calendar; Pre-Show Marketing; Business Assistance Program Emails
- (4) Business retention and expansion Q3 and Q4
 - ~ Primary Sector: 23 visits scheduled or completed; 2 expansion projects: Tesoro; HIT, Inc.; Identified 4 additional companies exploring an expansion
 - ~ Retail/Services Sectors: 25 visits scheduled or completed; 2 expansion projects: Pro-Finish; Plant Power Sports; Identified 9 companies exploring expansions; identified 5 companies exploring remodel

(5) Mandan Tomorrow

- ~ Act as staff liaison: Continue working on investment group; working to create a Renaissance Zone Funding Organization; Succession Planning Session on 11/16/11
- ~ Provide technical support to Committees

Mayor Helbling extended a thank-you to the BMDA for their efforts in keeping the Commission apprised of prospective business developments now and those that may develop into the future. In addition, he thanked Commissioner Frank along with Business Development and Communications Director Huber for their collaboration efforts with the BMDA throughout the last several years in the development of goals and strategic planning processes.

2. *Introduction of new Police Officer Kirstye Burt.* Police Chief Bullinger introduced Kirstye Burt as a new police officer with the Police Department. Burt is a 2009 graduate of Mandan High School and graduated from the Peace Officer Training Program at Lake Region State College. She is completing her associate's degree in Criminal Justice.

RESOLUTIONS & ORDINANCES:

OTHER BUSINESS:

1. *Consider approval for Old Red Old Ten Scenic Byway signs to be placed on the Peter Toth Statue located near Stage Stop, the Teddy Roosevelt Statue, the Mandan Depot and Beanery and near the water fountain in Heritage Plaza.* City Administrator Neubauer reviewed with the Board an application received from The Old Red Old Ten Scenic Byway Committee. The project consists of establishing a single phone number that the traveling public can use to call and listen to interpretives at various trail points. Five locations have been identified in Mandan. Marlo Anderson, Committee Member from the Old Red Old Ten Scenic Byway, provided additional information stating that there are approximately 40 locations between Mandan and Dickinson where the signs will be located. He said that the BMDA has been instrumental in supporting this project and that almost all of the locations have given approval.

Commissioner Jackson moved to approve the request as presented for the Old Red Old Ten Scenic Byway trail points in Mandan as set out in the diagram: (1) The Peter Toth Statue located near the Stage Stop; (2) St. Joseph's Church; (3) The Teddy Roosevelt Statue located in front of the Mandan Depot (4) The Mandan Depot and Beanery (5) The City of Mandan with the sign located east of the Mandan Depot by the new water fountain. Commissioner Frank seconded the motion. The motion received unanimous approval of the members present.

2. *Announcements:* Commissioner Frank stated that the Mandan Progress Organization is promoting several events for holiday shopping including Santa's Arrival, the Shop Hop and Merry Monday's. Further information can be found at mandanprogress.org.

There being no further actions to come before the Board, Commissioner Frank moved to adjourn the meeting at 6:23 p.m. Commissioner Jackson seconded the motion. The motion received unanimous approval of the members present.

James Neubauer,
City Administrator

Timothy A. Helbling,
President, Board of City
Commissioners



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: November 18, 2011
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Appointments to the Bismarck-Mandan Mayors' Committee for People with Disabilities

STATEMENT/PURPOSE: To consider appointments to the Bismarck-Mandan Mayors' Committee for People with Disabilities.

BACKGROUND/ALTERNATIVES: The Bismarck-Mandan Mayors' Committee for People with Disabilities works to educate the public and initiate projects to establish a receptive climate for the involvement of people with disabilities in all aspects of life within the communities of Bismarck-Mandan. The Committee meets the 2nd Tuesday of each quarter, at 8:00 AM. The meetings are held in Bismarck from January through June, and in Mandan July through December.

Officers are:

- Ron Beck, President
- Robin Werre, Vice President
- Mary Robinson, Secretary
- Elaine Anton, Treasurer

This committee is not limited in numbers; therefore, if anyone else is interested in serving on this committee the Board of City Commissioners could make additional appointments. Those members residing in Mandan are in need of an appointment from January 1, 2012 through December 31, 2014 are:

Judy Moritz, Ron Beck, Kelly Steckler and Jim Neubauer.

ATTACHMENTS: Additional information may be found at the following website:
<http://www.bismarck.org/index.aspx?NID=645>

You will also find:

[Bismarck-Mandan Mayors' Committee on Employment of People with Disabilities Brochure](#)

Board of City Commissioners

Agenda Documentation

Meeting Date: December 6, 2011

Subject: Appointments to the Bismarck-Mandan Mayors' Committee for People with Disabilities

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[Parking Fact Sheet - ADA Accessibility Guidelines](#)

[Scholarship Information and Application](#)

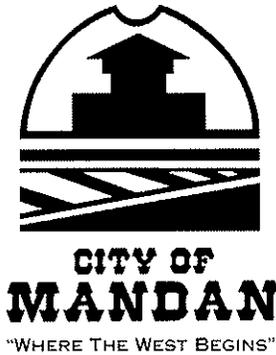
FISCAL IMPACT: n/a

STAFF IMPACT: minimal

LEGAL REVIEW: n/a

RECOMMENDATION: I recommend appointing Judy Moritz, Ron Beck, Kelly Steckler and Jim Neubauer to the Bismarck-Mandan Mayors' Committee for People with Disabilities for the term of January 1, 2012 through December 31, 2014.

SUGGESTED MOTION: I recommend appointing Judy Moritz, Ron Beck, Kelly Steckler and Jim Neubauer to the Bismarck-Mandan Mayors' Committee for People with Disabilities for the term of January 1, 2012 through December 31, 2014.



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: November 23, 2011
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch
SUBJECT: Fund Balance Policy

PURPOSE

To consider approval of the City of Mandan's Fund Balance Policy in conformity with Governmental Accounting Standards Board Statement No. 54.

BACKGROUND

The objective of this Statement is to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied and by clarifying the existing governmental fund type definitions. This Statement establishes fund balance classifications that comprise a hierarchy based primarily on the extent to which a government is bound to observe constraints imposed upon the use of the resources reported in governmental funds.

The initial distinction that is made in reporting fund balance information is identifying amounts that are considered *nonspendable*, such as fund balance associated with inventories. This Statement also provides for additional classification as restricted, committed, assigned, and unassigned based on the relative strength of the constraints that control how specific amounts can be spent.

The *restricted* fund balance category includes amounts that can be spent only for the specific purposes stipulated by constitution, external resource providers, or through enabling legislation. The *committed* fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of decision-making authority. Amounts in the *assigned* fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as

restricted or committed. In governmental funds other than the general fund, assigned fund balance represents the remaining amount that is not restricted or committed. *Unassigned* fund balance is the residual classification for the government's general fund and includes all spendable amounts not contained in the other classifications. In other funds, the unassigned classification should be used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed, or assigned. Governments are required to disclose information about the processes through which constraints are imposed on amounts in the committed and assigned classifications.

Governments also are required to classify and report amounts in the appropriate fund balance classifications by applying their accounting policies that determine whether restricted, committed, assigned, and unassigned amounts are considered to have been spent. Disclosure of the policies in the notes to the financial statements is required.

This Statement also provides guidance for classifying stabilization amounts on the face of the balance sheet and requires disclosure of certain information about stabilization arrangements in the notes to the financial statements.

The definitions of the general fund, special revenue fund type, capital projects fund type, debt service fund type, and permanent fund type are clarified by the provisions in this Statement. Interpretations of certain terms within the definition of the special revenue fund type have been provided and, for some governments, those interpretations may affect the activities they choose to report in those funds. The capital projects fund type definition also was clarified for better alignment with the needs of preparers and users. Definitions of other governmental fund types also have been modified for clarity and consistency.

The requirements of this Statement are effective for financial statements for periods (fiscal years) beginning after June 15, 2010.

How the Changes in This Statement Will Improve Financial Reporting

The requirements in this Statement will improve financial reporting by providing fund balance categories and classifications that will be more easily understood. Elimination of the *reserved* component of fund balance in favor of a *restricted* classification will enhance the consistency between information reported in the government-wide statements and information in the governmental fund financial statements and avoid confusion about the relationship between reserved fund balance and restricted net assets. The fund balance classification approach in this Statement will require governments to classify amounts consistently, regardless of the fund type or column in which they are presented. As a result,

an amount cannot be classified as restricted in one fund but unrestricted in another. The fund balance disclosures will give users information necessary to understand the processes under which constraints are imposed upon the use of resources and how those constraints may be modified or eliminated. The clarifications of the governmental fund type definitions will reduce uncertainty about which resources can or should be reported in the respective fund types.

This Policy does not affect the City's Utility Funds.

The City of Bismarck adopted a similar Fund Balance Policy on November 22, 2011.

ATTACHMENT
Fund Balance Policy

FISCAL IMPACT
None since the Policy only affects the financial reporting of Fund Balance.

STAFF IMPACT
None

LEGAL REVIEW
Not applicable.

RECOMMENDATION
To approve the City's Fund Balance Policy in conformity with Governmental Accounting Standards Board Statement No. 54.

SUGGESTED MOTION
Move to approve the City's Fund Balance Policy in conformity with Governmental Accounting Standards Board Statement No. 54.

CITY OF MANDAN

FUND BALANCE POLICY

A. Fund Balance Purpose

The purpose of this Policy is to establish fund balance classifications in accordance with Governmental Accounting Standards Board Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. The classifications identify the extent to which the City of Mandan is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. The Policy also identifies the appropriate level of unrestricted fund balance to be maintained in the governmental funds. This Policy shall only be used for financial reporting of the City's governmental funds.

B. Classification of Fund Balance

Fund Balance is the difference between assets and liabilities reported in a governmental fund balance sheet and may be referred to as fund equity. Fund Balance shall be classified as nonspendable, restricted, committed, assigned, and unassigned amounts.

Nonspendable Fund Balance

Nonspendable funds are those funds that cannot be spent because they are either:

1. Not in spendable form (e.g. inventories, prepaid items, long-term receivables).
2. Legally or contractually required to be maintained intact.

Restricted Fund Balance

Restricted funds are those funds that have constraints placed on their use either:

1. Externally imposed by creditors (e.g. debt covenants), grantors (e.g. federal and state), contributors (e.g. donations), or laws or regulations of other governments.
2. By law through constitutional provisions or enabling legislation (e.g. voter approval).

Committed Fund Balance

The Board of City Commissioners has the authority to set aside funds for a specific purpose. Any funds set aside as Committed Fund Balance requires formal action by a simple majority vote. The formal action must take place prior to December 31 of the applicable fiscal year and be recorded in the official minutes. If the actual amount of the commitment is not available by December 31, the action must state the process or formula necessary to calculate the actual amount as soon as the information is available. Commitments may be changed or removed by the City Commission by taking the same formal action that imposed the original constraint.

Assigned Fund Balance

Assigned Fund Balance is the amount set aside for the intended use of a specific purpose that is neither restricted nor committed. The Finance Director has the ability to reserve intended amounts for assigned funds. The Budget and Finance Committee has the authority to remove or change the assignment of the funds.

Unassigned Fund Balance

Unassigned fund balance represents the residual classification for the General Fund. It represents the resources available for future spending and amounts that have not been assigned to other funds that are nonspendable, restricted, committed, or assigned to specific purposes.

C. Minimum Fund Balance

The unrestricted fund balance is the amount in the fund balance less nonspendable and restricted fund balance. The City will strive to maintain a minimum unrestricted General Fund balance equal to 17% of the General Fund's subsequent year budgeted expenditures (less debt service and capital outlay). This will assist in maintaining an adequate level of fund balance to provide for economic and financial stability and assist in maintaining the City's bond rating. If spending unrestricted fund balance in designated circumstances has reduced unrestricted fund balance to a point below the minimum target, as noted above, the replenishment will be within five years.

D. Monitor and Reporting

When revenues are not restricted or do not have constraints placed on their use, the funds are considered by the City Commission to be committed or set aside for a specific purpose.

When expenditures are incurred for purposes for which both restricted and unrestricted fund balance is available, restricted fund balance is considered to have been spent first unless legal requirements disallow it.

When expenditures are incurred for which committed, assigned, or unassigned fund balances are available, committed funds should be spent first, then assigned funds, and finally unassigned funds, as needed, unless the City Commission has provided otherwise in its commitment or assignment actions.

The Finance Director shall annually prepare the status of fund balance in relation to this Policy and present to the City Commission in conjunction with the Annual Financial Statement.



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: November 21, 2011
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Joe Lukach/Vice President of the Mandan Architectural Review Commission (MARC)
SUBJECT: Re-appointments to MARC for Leonard Bullinger & Jason Krebsbach

STATEMENT/PURPOSE: To consider the re-appointments of Leonard Bullinger and Jason Krebsbach to the Mandan Architectural Review Commission (MARC) for a three year term, commencing as of January 1, 2012.

BACKGROUND/ALTERNATIVES: Both members have indicated in writing that they wish to remain on and continue to serve as a member for MARC.

Jason, if re-appointed, would be starting his third, three year term and Leonard would be starting his second, third year term.

In my opinion, they are both doing a very good job at representing the community through MARC.

ATTACHMENTS: Letters requesting re-instatement.

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the re-appointments of Leonard Bullinger and Jason Krebsbach to MARC.

SUGGESTED MOTION: We, the Mandan Architectural Review Commission (MARC), recommend approval of the re-appointments of Leonard Bullinger and Jason Krebsbach for a three year term commencing as of January 1, 2012.



4101 33rd Ave.
Mandan, ND 58554
Tel: 701.663.5121

November 1, 2011

City of Mandan
Architectural Review Commission
205 2 Avenue NW
Mandan, ND 58554

Dear Architectural Review Commissioners,

I have served as a commissioner with the Mandan Architectural Review Commission during the past three years. My term will be expiring at the end of this year. I would like to again be considered for this position for the next term.

Sincerely,


Leonard Bullinger



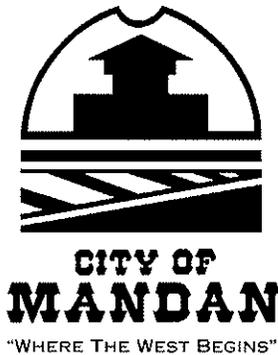
Mary Fahlsing

To: Mary Fahlsing
Subject: FW: MARC Term

Mary, please accept this email as an indication that I would like to be considered for another term as a member of MARC.
Jason

--

Jason Krebsbach
JPL Architects
2219 East Main Avenue Suite A
Bismarck ND 58501
jason@jplarchitects.com
p (701) 222-1565
f (701) 222-1570
m (701) 426-3199



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: November 30, 2011
SUBMITTING DEPARTMENT: Human Resources
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT: Service Agreement for the City's Employee Assistance Program with Medcenter One.

PURPOSE

Consider the Service Agreement for the City's Employee Assistance Program with Medcenter One.

BACKGROUND

The City provides employees with an Employee Assistance Program (EAP) which services are provided by Medcenter One. Employees, their spouses, and dependent children through personal contact may address a variety of issues with the Program Administrator. The number of allotted, free sessions per circumstance is delegated in the Service Agreement. Department Heads and Supervisors may recommend employees to the EAP if an incident becomes unresolved and job related. The City has on occasion made referrals to the EAP for issues such as anger management and conflict resolution. EAP counselors have also provided training to the City's employees.

Medcenter One has provided these services to the City for many years.

Utilization of the EAP services, by percentage of City employees, is as follows:

- 2007 = 8.46%
- 2008 = 14.06%
- 2009 = 8.76%
- 2010 = 10.22%

ATTACHMENT

Service Agreement (January 1, 2012 to December 31, 2012)

Board of City Commissioners

Agenda Documentation

Meeting Date: December 6, 2011

Subject: Service Agreement for the City's Employee Assistance Program with Medcenter One.

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FISCAL IMPACT

\$23.70 per employee/per year or approximately \$3,200 annually. This is a budgeted item.

STAFF IMPACT

None

LEGAL REVIEW

Reviewed by Malcolm Brown, City Attorney.

RECOMMENDATION

To approve the Service Agreement for the City's Employee Assistance Program with Medcenter One.

SUGGESTED MOTION

Move to approve the Service Agreement for the City's Employee Assistance Program with Medcenter One.



Medcenter One

medcenterone.com

November 9, 2011

Kevin Wilson
City of Mandan
205 2nd Ave NW
Mandan ND 58554

Dear Kevin,

Enclosed you will find a new contract for Medcenter One's Employee Assistance Program for the upcoming contract year.

I would like to thank you in advance for continuing as a Medcenter One Employee Assistance Program supported business. This new contract will be effective from January 1, 2012 to December 31, 2012 and will cover all of your employees, their spouses and dependant children.

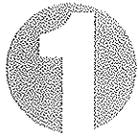
After reviewing the enclosed contract, please sign it and return the entire contract in the envelope provided. Please feel free to contact me with any questions or concerns you might have.

We appreciate your business and look forward to a continued great working relationship.

Sincerely,

Tammy Bulman
EAP Coordinator

Enclosures



Medcenter One

medcenterone.com

SERVICE AGREEMENT FOR THE CITY OF MANDAN

Medcenter One Mental Health Center will provide an **Employee Assistance Program (EAP)** to

- All eligible employees (eligible employee will be defined by the CITY OF MANDAN) and family members (spouse, and dependent children) of the **CITY OF MANDAN**. NOTE: An eligible employee who is terminated and or resigns will have continued eligibility for 90 calendar days past the last date of employment.
- The EAP will assist the employees and family members with personal, social, emotional or other problems in living that may be disruptive to their life or job performance.
- The EAP at Medcenter One is comprised of clinical face to face, confidential counseling for issues such as; marital/relationship/family concerns; physical, mental or emotional illnesses, workplace stress, finances, legal problems and substance abuse evaluation. The employees/family members will meet with the EAP providers at their offices by appointment.
- The Medcenter One Employee Assistance Program has a statewide provider network.
- Medcenter One will provide **up to eight (8) one hour sessions per person, per issue, per year through its provider network**. These sessions are free of charge to the employees and eligible family members. All attempts will be made to resolve the problem within the allowed sessions.
- If necessary the EAP shall make best efforts to refer the employee/family member if their identifying problems require resources outside the Medcenter One provider network. If the employee/family member requires more than eight sessions to resolve the problem the EAP shall work to refer to appropriate services and also help explore alternate payment options. After completion of the eligible sessions the EAP shall not be accountable for payment of referral services. The employee shall be held liable for the cost of the additional services.
- Medcenter One EAP will be available for the purpose of consultation with supervisors and managers of the CITY OF MANDAN. The consultation may occur by phone or by appointment. The purpose of these consultations would be to allow the supervisor or manager an opportunity to discuss with a professional the difficulty that he/she may be experiencing with one of his/her employees and how best to utilize the EAP in resolving the challenges. Management consultation is provided on an as needed basis with no additional charges to the CITY OF MANDAN.
- Medcenter One EAP will provide **employee orientation** to all eligible employees of the CITY OF MANDAN informing them of the EAP, the range of services and how to utilize those services. Orientation sessions can be scheduled with the EAP coordinator once per contract year. One session can be scheduled for every 100 employees. The

sessions will not exceed 1 hour and will be provided in a group setting on the same day. Employees hired during the contract year will be oriented to the EAP by the CITY OF MANDAN. Medcenter One will provide orientation materials for all eligible employees.

- **On Site educational presentations** can be arranged through the Medcenter One EAP office. Two one-hour sessions can be provided to eligible employees and family members and/or supervisors throughout the course of a contract year. The presentations will be considered a part of the EAP at no cost. There will be a charge for mileage at IRS approved rates. Additional sessions (over 2) may be scheduled at a charge of \$150 per session plus mileage.
- CITY OF MANDAN will identify an EAP Contact Person within its organization to serve as the primary liaison person between the CITY OF MANDAN and Medcenter One EAP.
- The **24/7 crisis line** is available for eligible individuals of the CITY OF MANDAN for those times when they need to talk to a professional immediately. The crisis line is accessed by calling toll-free 1-877-829-1219.
- The Employee Assistance Program permits **formal employer referral** of employees to EAP services. When supervisors and managers do a formal referral of employees to the EAP, a Supervisor Referral Form is required. All information regarding the sessions remains confidential unless the employee signs an appropriate Release of Information.
- All eligible employees and supervisors will have access to quarterly **newsletters** that will be posted on Medcenter One's EAP web page at medcenterone.com/eap
- The Medcenter One EAP will provide **utilization reports** on a quarterly basis to the CITY OF MANDAN. The utilization reports will be in a format that is easy to understand.
- One free **drug/alcohol assessment** is available to each eligible individual per calendar year.
- Referrals for one hour of free **legal consultation** per contract year may be provided to all eligible employees and family members at no cost.
- A free one on one **"Fitness Testing"** will be available to all eligible employees. This consists of a free consultation to complete a fitness assessment and gain recommendations for an exercise routine for better health. This is available on an individual basis only and available for employees only.

The CITY OF MANDAN agrees that all participation by its employees and their family members in the EAP programs is confidential. Medcenter One shall not disclose any individual employee or dependent information to the **CITY OF MANDAN** or its' representatives without the prior written consent of the employee or family member. Medcenter One will have exclusive control over the direction and guidance of the professionals rendering services under this agreement. Medcenter One agrees to keep confidential all **CITY OF MANDAN** information obtained in the course of delivering services.

1. STATUS OF EMPLOYEES: In the performance of the services to be rendered, Medcenter One shall provide its employees and agents to undertake such services. Said employees and/or agents shall always be considered to be the employees and/or agents of Medcenter One and not the contracting party to this agreement. Employees of the contracting party shall at no time or under any circumstance be considered to be an employee or agent of Medcenter One, and are not authorized to undertake or engage in any acts on behalf of Medcenter One.
2. DIRECT SERVICES TO CLIENTS: Medcenter One shall provide direct services through its provider network to the employees and family members of the contracting party. They can contact their local Medcenter One Employee Assistance Program (EAP) provider directly to arrange an appointment time that is convenient to them.
3. REPRESENTATION AS TO ADEQUATE INSURANCE COVERAGE: Each party to this contract represents and warrants to the other that it has, and shall maintain in effect, adequate liability insurance, Worker's Compensation, and other appropriate forms of insurance coverage sufficient to generally protect the respective parties to the contract and their employees in carrying out the objective to the contract.
4. CITY OF MANDAN will be responsible to **provide quarterly employee numbers and listing of employee names** to the Medcenter One EAP Coordinator for billing purposes. This can be done either by phone, fax, e-mail or mail.
5. BILLING: Medcenter One EAP will provide the above mentioned services to CITY OF MANDAN at the cost of **\$23.70 per employee/per year and will be billed quarterly at the beginning of each quarter** by Medcenter One.
6. TERMS OF AGREEMENT: This agreement shall be for a one year term unless either party provides written notice to the other of its intention to modify the services and be sent by regular mail. Written notice of termination shall be sent by certified mail, return receipt requested. All notices must be sent at least thirty (30) days prior to the designated modification/termination date. This 30-day provision may be waived upon mutual agreement of both parties.
7. APPLICABLE LAW: This agreement shall be governed by and construed in accordance with the laws of the State of North Dakota.
8. NOTICES: All notices required or permitted by the terms hereof and all correspondence, communications and payments pertaining to the Medcenter One Employee Assistance Program contracts shall be directed to the following address:

Medcenter One Employee Assistance Program
ATTN: EAP Coordinator
414 N 7th St
Bismarck, ND 58506-5525
(701)323-8879 / 1-800-526-8648
FAX: (701) 323-5492
E-Mail: tbulman@mohs.org

In witness thereof that parties have executed this agreement for the contract period of January 1, 2012 to December 31, 2012.



CITY OF MANDAN

11-29-2011
DATE

Kevin Wilson

Name of Designated EAP Contact Person

HR@CityofMandan.com

e-mail Address

205 2nd Ave NW Mandan ND 58554

Business Billing Address

701-667-3217

Phone Number

MEDCENTER ONE MENTAL HEALTH, DIRECTOR

DATE



Consent No. 5 & Ord No. 1

Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: November 30, 2011
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider a change of Morton Lane street name to Jude Lane.

STATEMENT/PURPOSE: To change the street name of Morton Lane to Jude Lane.

BACKGROUND/ALTERNATIVES: Morton County rejected the name Morton Lane when the Replat of Big Sky 3rd was done, on the basis there was already a Morton Lane in the County. The Replat of Big Sky 3rd named the street as Jude Lane. This ordinance will allow for the rest of Morton Lane that was not in the replat, to be changed as well.

ATTACHMENTS:

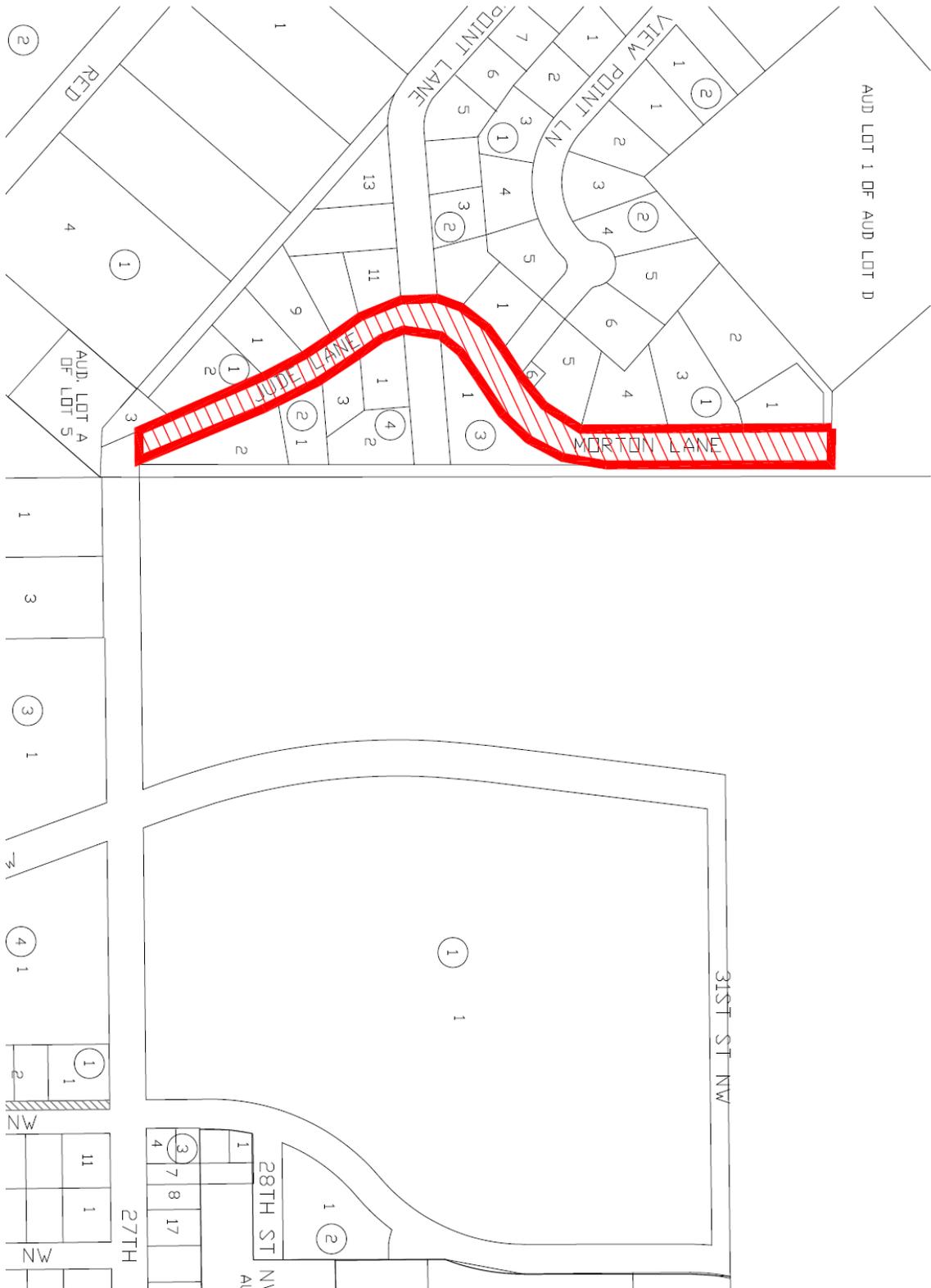
1. Vicinity Map
2. Replat of Big Sky 3rd
3. Ordinance

FISCAL IMPACT: Minimal

STAFF IMPACT: Minimal

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

SUGGESTED MOTION: To approve the name change from Morton Lane to Jude Lane.



ORDINANCE NO. 1106

AN ORDINANCE CHANGING THE NAMES OF CERTAIN STREETS OR PARTS THEREOF SITUATED WITHIN THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA.

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

SECTION 1. Name of Streets. The names of the following streets or parts thereof are hereby changed as set forth below; namely;

1. Morton Lane as platted in Big Sky Estates 3rd Addition in Section 16, Township 139N, Range 81W, in the City of Mandan, Morton County, North Dakota is hereby changed to "Jude Lane".

SECTION 2. Notice. The proper officials of the city are hereby directed to publish a copy of this ordinance in the Mandan News, the official newspaper, for two successive weeks and take such further action in the premise as they may deem necessary or desirable.

President, Board of City Commissioners

Attest:

City Administrator

| | |
|--------------------|---|
| Publication Dates: | <u>November 25 & December 2, 2011</u> |
| Public Hearing: | <u>December 6, 2011</u> |
| First Reading: | <u>December 6, 2011</u> |
| Second Reading: | <u>December 20, 2011</u> |
| Publication Date: | _____ |



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: November 30, 2011
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Abatement for the Hazel Bergman Estate by LuElla Dahme

STATEMENT/PURPOSE: Ms. Dahme is requesting a reduction in the true and full values for the years 2009 and 2010 due to the condition of the properties.

BACKGROUND/ALTERNATIVES: These properties are known as 706 and 708 2 Ave NW, on Lots 10 and 11, Block 87, Northern Pacific 1st Addition on Parcels 4499 and 4500.

Ms. Dahme is requesting to lower the value as follows:

Parcel 4499: (2009) from \$99,200 to \$81,900 with a difference of \$17,300 and (2010) from \$102,000 to \$84,000 with a difference of \$18,000
Parcel 4500: (2009) from \$87,900 to \$67,100 with a difference of \$20,800 and (2010) from \$90,400 to \$69,000 with a difference of \$21,400

ATTACHMENTS: Applications, Chapter 57-23-04(1), Market Analysis reports and letter from new owner.

FISCAL IMPACT:

Parcel 4499: Approximately \$322 (2009) and \$332 (2010)
Parcel 4500: Approximately \$387 (2009) and \$394 (2010)

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend that the two abatement applications for the year 2009 be denied due to the fact that according to Century Code 57-23-04(1), this

application was not turned in and recorded as received by the County Auditor's office prior to the cut-off date of November 1st. In the past, applications have been turned down due to the cut-off date and I do not feel it would be fair to treat this application any differently.

I recommend that the two abatement applications for the year 2010 also be denied due to the fact that I have run market analysis reports on each parcel and with using sales back to 2008, the computer still comes up with a higher value than what is currently established.

Please note that I have also visited with the new owner. He stated that these are the first properties (and they own quite a few) that they paid less than what market value indicated by the City. We both agreed that the 2 units sold for a lower amount because the cost to cure would be quite high. The referenced repairs are considered to be minor and/or cosmetic; paint, fixtures, floor coverings and etc. I agree the property needs updating, but I do consider it structurally sound. He also stated that they have owned the properties almost a year and the market values are still, in his opinion, lower than what they could be re-sold for after the cosmetic repairs are completed. Therefore, he indicated to me that he will not be disputing the 2011 values.

In addition, I'd like to reiterate that private appraisals are not compiled the same way mass appraisals are. When appraising an entire area, you do not take into consideration the cosmetic aspects. You consider the structure. Year built, size, floor plan and etc.

I have a meeting scheduled with Ms. Dahme for Friday afternoon to discuss what I will be presenting and recommending to the commission. And again, if she brings me any additional supporting documentation for her findings, I will supply this to you as soon as possible.

Finally, just as a reminder; you (City Commission) only make a recommendations regarding these abatement applications to the County level. They (County Commission) have the authority to make a final determination as to whether they are approved or denied. This gives Ms. Dahme the right to take this matter to the next level if she decides to do so.

SUGGESTED MOTION: A motion to deny the abatement applications for the estate of Hazel Bergman regarding both parcels (4499 and 4500) for both years (2009 and 2010).

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

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

State of North Dakota Assessment District City of Mandan
 County of Morton Property I.D. No. 04499
 Name Hazel Bergman (life estate interest) Telephone No. (701) 226-3267
 Address c/o LuElla Dahme, POA; PO Box 2182; Bismarck, ND 58502-2182

Legal description of the property involved in this application:

L. 10; B. 87; NP 1st Adn.; City of Mandan

Total true and full value of the property described above for the year 2009 is:
 Land \$ 10,700
 Improvements \$ 88,500
 Total \$ 99,200
 (1)

Total true and full value of the property described above for the year 2009 should be:
 Land \$ 10,700
 Improvements \$ 71,200
 Total \$ 81,900
 (2)

The difference of \$ 17,300.00 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 destroyed or damaged by fire, flood, tornado, or other natural disaster (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) _____

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

1. Purchase price of property: \$ 85,000 Date of purchase: Jan. 4, 2011
 Terms: Cash Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? YES Estimated value: \$ 800
 yes/no

2. Has the property been offered for sale on the open market? yes If yes, how long? 25 days
 yes/no
 Asking price: \$ 89,900 Terms of sale: cash/conventional financing

3. The property was independently appraised: no Purpose of appraisal: _____
 yes/no
 Market value estimate: \$ _____
 Appraisal was made by whom? see market analysis by realtor

4. The applicant's estimate of market value of the property involved in this application is \$ 81,900

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that the true & full value of the property be reduced to \$81,900 for 2009 and the amount of property tax reflecting the difference between \$99,200 and \$81,900 T & F value be refunded to applicant.

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 governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Luella Dahme, POA 10-28-11 for Hazel Bergman
 Signature of Preparer (if other than applicant) Date Signature of Applicant Date

Application For Abatement Or Refund Of Taxes
 North Dakota Century Code § 57-23-04

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

State of North Dakota Assessment District City of Mandan
 County of Morton Property I.D. No. 04499
 Name Hazel Bergman (life estate interest) Telephone No. (701) 226-3267
 Address c/o LuElla Dahme, POA; PO Box 2182; Bismarck, ND 58502-2182

Legal description of the property involved in this application:

L. 10; B. 87; NP 1st Addn.; City of Mandan

Total true and full value of the property described above for the year 2010 is:
 Land \$ 10,700
 Improvements \$ 91,300
 Total \$ 102,000
 (1)

Total true and full value of the property described above for the year 2010 should be:
 Land \$ 10,700
 Improvements \$ 73,300
 Total \$ 84,000
 (2)

The difference of \$ 18,000.00 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 destroyed or damaged by fire, flood, tornado, or other natural disaster (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) _____

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

1. Purchase price of property: \$ 85,000 Date of purchase: Jan. 4, 2011
 Terms: Cash Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? YES Estimated value: \$ 800
 yes/no

2. Has the property been offered for sale on the open market? YES If yes, how long? 25 days
 yes/no
 Asking price: \$ \$89,900 Terms of sale: cash/conventional financing

3. The property was independently appraised: no Purpose of appraisal: _____
 yes/no
 Market value estimate: \$ _____
 Appraisal was made by whom? see market analysis by realtor

4. The applicant's estimate of market value of the property involved in this application is \$ 84,000

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that the true & full value of the property be reduced to \$84,000 for 2010 and the amount of property tax reflecting the difference between \$102,000 and \$84,000 T & F value be refunded to applicant.

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 governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Luella Dahme, POA for Hazel Bergman 10-28-11
 Signature of Preparer (if other than applicant) Date Signature of Applicant Date

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

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

State of North Dakota Assessment District City of Mandan
 County of Morton Property I.D. No. 04500
 Name Hazel Bergman (life estate interest) Telephone No. (701) 226-3267
 Address c/o LuElla Dahme, POA: PO Box 2182, Bismarck, ND 58502-2182

Legal description of the property involved in this application:

L. 11; B. 87; NP 1st Addn., City of Mandan

Total true and full value of the property described above for the year 2009 is:
 Land \$ 10,700
 Improvements \$ 77,200
 Total \$ 87,900
 (1)

Total true and full value of the property described above for the year 2009 should be:
 Land \$ 10,700
 Improvements \$ 56,400
 Total \$ 67,100
 (2)

The difference of \$ 20,800.00 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 destroyed or damaged by fire, flood, tornado, or other natural disaster (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) _____

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

1. Purchase price of property: \$ 70,000 Date of purchase: Jan. 4, 2011
 Terms: Cash Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? YES Estimated value: \$ 800
 yes/no

2. Has the property been offered for sale on the open market? YES If yes, how long? 25 days
 yes/no
 Asking price: \$ \$79,900 Terms of sale: cash/conventional financing

3. The property was independently appraised: NO Purpose of appraisal: _____
 yes/no
 Market value estimate: \$ _____
 Appraisal was made by whom? see market analysis by realtor

4. The applicant's estimate of market value of the property involved in this application is \$ 67,100

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that the True & Full value of the property be reduced to \$67,100 for 2009 and the amount of tax reflecting the difference between \$87,900 and \$67,100 T & F value be refunded to applicant.

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 governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Luella Dahme, POA for _____ Hazel Bergman _____
 Signature of Preparer (if other than applicant) Date Signature of Applicant Date

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

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

State of North Dakota Assessment District City of Mandan
 County of Morton Property I.D. No. 04500
 Name Hazel Bergman (life estate interest) Telephone No. (701) 226-3267
 Address c/o LuElla Dahme, POA; PO Box 2182, Bismarck, ND 58502-2182

Legal description of the property involved in this application:

L. 11; B. 87; NP 1st Addn., City of Mandan

| | | | |
|--|-------------------------|---|-------------------------|
| Total true and full value of the property described above for the year <u>2010</u> is: | | Total true and full value of the property described above for the year <u>2010</u> should be: | |
| Land | \$ <u>10,700</u> | Land | \$ <u>10,700</u> |
| Improvements | \$ <u>79,700</u> | Improvements | \$ <u>58,300</u> |
| Total | \$ <u>90,400</u> (1) | Total | \$ <u>69,000</u> (2) |

The difference of \$ 21,400.00 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 destroyed or damaged by fire, flood, tornado, or other natural disaster (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) _____

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

1. Purchase price of property: \$ 70,000 Date of purchase: Jan. 4, 2011
 Terms: Cash Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? YES Estimated value: \$ 800
 yes/no

2. Has the property been offered for sale on the open market? YES If yes, how long? 25 days
 yes/no
 Asking price: \$ \$79,900 Terms of sale: cash/conventional financing

3. The property was independently appraised: no Purpose of appraisal: _____
 yes/no
 Market value estimate: \$ _____
 Appraisal was made by whom? see market analysis by realtor

4. The applicant's estimate of market value of the property involved in this application is \$ 69,000

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

Applicant asks that the True & Full value of the property be reduced to \$69,000 for 2010 and the amount of tax reflecting the difference between \$90,400 and \$69,000 T & F value be refunded to applicant.

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 governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

LuElla Dahme, POA Sor Date 10-28-11
 Signature of Preparer (if other than applicant) Signature of Applicant

**CHAPTER 57-23
PROCEEDINGS TO ABATE OR REFUND TAXES**

57-23-01. Correcting excessive assessment.

All assessments of any taxable property in excess of the full and true value in money are subject to correction and abatement and refund under the provisions of this chapter.

57-23-02. Notice of equalization meetings to be published.

Each year the county auditor shall cause to be published in the official county newspaper for two successive weeks, the first publication to be not earlier than March first and the last publication not later than March twentieth, a notice to the effect that proceedings for the equalization of assessments will be taken by the several local equalization boards as follows: in any organized township on the second Monday in April, and in any city on the second Tuesday in April, at the office of the clerk or auditor of the township, or city, as the case may be, and that each taxpayer has the right to appear before the appropriate board of review or equalization and petition for correction in the taxpayer's assessment.

57-23-03. Abatement of invalid, inequitable, or unjust assessments.

Repealed by S.L. 1985, ch. 604, § 22.

57-23-04. County commissioners may abate or refund taxes.

1. Upon application filed in the office of the county auditor on or before November first of the year following the year in which the tax becomes delinquent, as in this chapter provided, the board of county commissioners may abate or refund, in whole or in part, any assessment or tax upon real property, in the following cases:
 - a. When an error has been made in any identifying entry or description of the property, in entering the valuation thereof, or in the extension of the tax, to the injury of the complainant.
 - b. When improvements on any real property were considered or included in the valuation thereof which did not exist thereon at the time fixed by law for making the assessment.
 - c. When the complainant, or the property, is exempt from the tax.
 - d. When the complainant had no taxable interest in the property assessed against the complainant at the time fixed by law for making the assessment.
 - e. When taxes have been erroneously paid, or errors made in noting payment, or in issuing receipts therefor.
 - f. When the same property has been assessed against the complainant more than once in the same year, and the complainant produces satisfactory evidence that the tax thereon for such year has been paid.
 - g. When any building, mobile home, structure, or other improvement has been destroyed or damaged by fire, flood, tornado, or other natural disaster, the abatement or refund must be granted only for that part of the year remaining after the property was damaged or destroyed.
 - h. When the assessment on the complainant's property is invalid, inequitable, or unjust.
2. An application for refund of taxes paid with respect to any part of an assessment abated under this section must be granted, regardless of whether or not such taxes were paid under protest, oral or written.
3. Any person aggrieved by any decision of the board of county commissioners may appeal in the manner provided by law.

57-23-05. Application for abatement or refund - Who may make.

An application for an abatement or refund must be in writing and must be filed in duplicate with the county auditor. It must state the grounds relied upon for such abatement or refund and give the post-office address of the applicant. The county auditor shall note the date of filing,

Board of City Commissioners
 Agenda Documentation
 Meeting Date: December 6, 2011
 Subject: Dahme Abatement
 Page 8 of 10

| RESIDENTIAL ASSESSMENT SYSTEM FOR CITY OF MANDAN | | | | | | | | | |
|--|-----------------------|------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|---------|-------------|--------|
| APPRAISAL OF IMPROVED PROPERTY | | | | | AS1125 TEST PAGE 2 | | | | |
| SEQUENCE NUMBER | SUBJECT | ADJ FACTOR | COMPARABLE SALE #1 DESCRPTIVE | COMPARABLE SALE #2 DESCRPTIVE | COMPARABLE SALE #3 DESCRPTIVE | COMPARABLE SALE #4 DESCRPTIVE | ADJ | ADJ | ADJ |
| 04499 | 87100 | 03487 | 71000 | 80400 | 84900 | 103400 | 04528 | | |
| | SALE PRICE | | | | | | | | |
| | YEAR BUILT | 1952 | 1950 | 1950 | 1953 | 1954 | 1954 | | |
| | CONDITION | 4 | 4 | 4 | 4 | 4 | 4 | | |
| | QUALITY | 7 | 5 | 5 | 5 | 5 | 5 | | |
| | EXTERIOR WALLS | .05 | .05 | .05 | .05 | .05 | .05 | | |
| | AIR CONDITIONING | 0 | 0 | 0 | 0 | 0 | 0 | | |
| | BATHS / FIREPLACES | 100 | 100 | 100 | 100 | 100 | 100 | | |
| | FIREPLACE QUALITY | 0 | 0 | 0 | 0 | 0 | 0 | | |
| | FLOOR PLAN | 10 | 10 | 10 | 10 | 10 | 10 | | |
| | BASEMENT FINISH | 0 | 0 | 0 | 0 | 0 | 0 | | |
| | GARAGE | 200 | 200 | 200 | 200 | 200 | 200 | | |
| | CONCRETE | 0 | 0 | 0 | 0 | 0 | 0 | | |
| | CEILING QUALITY | 4 | 4 | 4 | 4 | 4 | 4 | | |
| | SWIMMING POOL | 0 | 0 | 0 | 0 | 0 | 0 | | |
| | TOPICAL LOY | 81 | 81 | 81 | 81 | 81 | 81 | | |
| | 2ND FLOOR AREA | 152 | 152 | 152 | 152 | 152 | 152 | | |
| | 3RD FLOOR AREA | 0 | 0 | 0 | 0 | 0 | 0 | | |
| | AREA FACTOR TO COST | 100 | 100 | 100 | 100 | 100 | 100 | | |
| | DATE OF SALE | 2011/08 | 2011/08 | 2010/06 | 2008/01 | 2008/25 | 2008/25 | | |
| | PROPERTY LOCATION | | | | | | | | |
| | ESMT: FISH ABATE/OLTY | 0/00 | 793/74 | 3965- | 490/04 | 2450- | 600/02 | 4200- | 952/05 |
| | ADJUSTED SALE | | 99,849 | 109,244 | 111,785 | 115,018 | 123,029 | | |
| | WEIGHTED AVG | 108.020 | AS OF 2-2-2011 | MEAN ADJUSTED SALE | 111,785 | STD DEV | 8,452 | COEF OF VAR | 7.64 |
| | INDICATED MKT VALUE | 108,000 | LISTING PRICE | 0 | DATE 00/00/00 | VALUE PER SQ FT | 52.94 | | |
| | PREVIOUS MKT VALUE | 102,000 | | | | | | | |



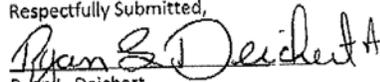
Mandan City Assessor
205 2nd Avenue N
Mandan, ND 58554
Attn: Richard Barta

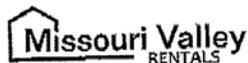
RE: 706 & 708 2nd Ave NW

To Whom It May Concern:

We purchased these properties on 1/4/2011 for \$155,000. The original asking price was \$169,800. Our lower offer reflected the property's age, condition, and deferred maintenance. The property had a number of maintenance issues including but not limited to plumbing, water leaks, overgrown trees, and poor drainage. Other condition factors include aesthetic maintenance items such as flooring, light fixtures, and paint which had also been deferred. Our offer reflected what we felt was a fair price for the property based on its condition.

Respectfully Submitted,


Ryan L. Deichert
Owner





Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: December 6, 2011
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: To consider a motion to rescind previous action taken on the Papke abatement

STATEMENT/PURPOSE: To consider a motion to rescind a previous action by the City Commission.

BACKGROUND/ALTERNATIVES: Mr. Papke was not at the November 1st City Commission meeting. He has asked that the subject be discussed again. In order for this action to be discussed by the commission a motion to rescind the previous action must be taken. (A motion to reconsider would be in order if the motion would occur the same day as the action was taken).

If the Board wishes to further consider the issue, the following script should be followed:

Member: I move to *Rescind* the motion adopted at the November 1, 2011 meeting to deny the request from Wayne Papke to lower his 2011 true and full value from \$277,600 to \$252,659 due to damage sustained in the flood.

Chair: Is there a second to the motion? If no second...stop here.

Second Member: I second the motion.

Chair: It is moved and seconded that we *Rescind* the motion adopted at the November 1, 2011 meeting to deny the request from Wayne Papke to lower his 2011 true and full value from \$277,600 to \$252,659 due to damage sustained in the flood.

Is there any discussion?

Board of City Commissioners

Agenda Documentation

Meeting Date: December 6, 2011

Subject: To consider a motion to rescind previous action taken on the Papke abatement

Page 2 of 2

[After discussion] Is there any further discussion? Are you ready for the question?

[Pause] The question is on the adoption of the motion that we *Rescind* the motion adopted at the November 1, 2011 meeting to deny the request from Wayne Papke to lower his 2011 true and full value from \$277,600 to \$252,659 due to damage sustained in the flood.

Roll call vote please.

The affirmative has it, the motion is adopted, and we have rescinded the action adopted at the November 1, 2011 meeting to deny the request from Wayne Papke to lower his 2011 true and full value from \$277,600 to \$252,659 due to damage sustained in the flood.

If the affirmative has it, the next order of business would be to take action on the abatement either to deny, affirm, or adjust to some other value.

Attached is information previously provided to the City Commission regarding this matter, and information Mr. Papke provided on November 1, 2011 at 5:30 p.m.

or

The negative has it, the motion is lost, and we will not *Rescind* the action adopted at the November 1, 2011 meeting to deny the request from Wayne Papke to lower his 2011 true and full value from \$277,600 to \$252,659 due to damage sustained in the flood.

The next business in order is . . .



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2011 (Tabled)
REVISED: NOVEMBER 1, 2011

PREPARATION DATE: October 12, 2011
REVISED: OCTOBER 26, 2011

SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Abatement for Wayne Papke

STATEMENT/PURPOSE: Mr. Papke is requesting the 2011 true and full value of his residence be lowered from \$277,600 to \$239,850 due to flood damage. Damage estimates to his home range from \$34,000 to \$41,500. Mr. Papke is requesting the mid-point correction \$37,750.

REVISED: Mr. Papke is now requesting a \$24,941 reduction.

BACKGROUND/ALTERNATIVES: This property is also known as 1612 River Dr NE on Lot 5, Block 1, Riverbend 1st Addition on Parcel 5558.

REVISED: Mr. Papke is not disputing his value. He is requesting a reduction in his value due to damage sustained by the flood.

However, in the past, Mr. Papke has insinuated that his value increased due to the re-assessment. Please note that the data collected for the re-assessment will not be implemented until we roll over to the year 2012.

ATTACHMENTS:

- Additional documentation supporting my decision
- Application
- Anticipated Flood Expense sheet
- Correspondence from the U.S. Small Business Administration to Mr. Papke
- Pictures of damaged basement area and memo from Assessor Barta to Commission.

FISCAL IMPACT: Approximately \$695.00.

REVISED: Approximately \$459.00.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to deny the request by Mr. Papke to lower the 2011 true and full value from \$277,600 to \$239,850 due to flood damage. This recommendation is due to his reconsideration and reduction of costs. On October 10, 2011, he indicated the cost would be \$20,790 or \$14,000 paid by the Federal Government.

REVISED: I recommend a motion to deny the request by Mr. Papke to lower the 2011 true and full value from \$277,600 to \$252,659, due to flood damage. According to these numbers, Mr. Papke is requesting a reduction of \$24,941. However, the report submitted to the State, indicates the median of reduction at \$13,350 and the mean of reduction at \$10,037. These numbers are generated from 43 properties that have more basement finish than the 100 square feet indicated on Mr. Papke's records. Therefore, I feel that in order to treat all affected properties equally and not set a precedence for future claims, this abatement should be denied

SUGGESTED MOTION: A motion to deny the request by Mr. Papke to lower the 2011 true and full value from \$277,600 to \$239,850 and keep the 2011 value at \$277,600.

REVISED: A motion to deny the request by Mr. Papke to lower the 2011 true and full value from \$277,600 to \$252,659 due to damage sustained in the flood.

PLEASE NOTE: THIS MEMO IS TO FOLLOW UP THE WAYNE PAPKE ABATEMENT THAT WAS TABLED AT THE OCTOBER 18, 2011 MEETING.

TO: MAYOR HELBLING & MANDAN CITY COMMISSIONERS
FROM: RICHARD L BARTA/CITY ASSESSOR
DATE: OCTOBER 26, 2011
SUBJECT: WAYNE PAPKE ABATEMENT
PARCEL NO. 5558
1612 RIVER DR NE

You, the Mandan City Commission, requested I further research the data concerning the flood damage and 2011 true and full value for Mr. Wayne Papke. The following are my findings:

Mr. Papke's original abatement was requesting a reduction on his 2011 true and full value from \$277,600 to \$239,850 with a reduction difference being \$37,750. Mr. Papke is now requesting a reduction difference of \$24,941. This end result would indicate a 2011 value of \$252,659.

I have run a market analysis on Mr. Papke's property using the sales comparison approach. I want to make it clear that you can't use this value as a starting point because the 2011 values have already been set by the State. However, according to the report I ran, the true and full value of Mr. Papke's property came in at \$293,300.

It is my opinion that a reduction of \$24,941 is out of line as compared to other properties that have received flood damage reductions. According to the flood report I've submitted to the State which included 43 properties, the median of reduction was \$13,350 and the mean of reduction was \$10,037. If this abatement were granted, Mr. Papke would be receiving a larger reduction than other homes that have more damage and more completed square footage. Again,

Mr. Papke's original information shows only studs and Styrofoam insulation on the exterior walls and I indicated the drain field would only be fixed in the areas where there is damage.

Therefore, I am recommending that Mr. Papke's abatement be denied with the understanding that he can take his abatement to the County, who in turn, has the final say on this application. Also, a reminder; that whatever amount Mr. Papke could possibly receive, it will not be for the entire year. It would be pro-rated at 60% of the year. Please note that the median and mean numbers indicated previously do take the 60% into account.

I feel that 25% to 50% of the \$29,941 would be more realistic. As indicated earlier, the cost to cure does not represent the market value. It is usually a quite a bit lower. In fact, some remodel permits, depending on the type of work being completed, may not add any value to the structure.

I feel individuals who had flood damage are more than deserving of a value reduction, but again, I will recommend denial of Mr. Papke's application as presented.

If you wish to further discuss my findings and/or my recommendation of denial, you may contact me at 319-0276.

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 PAPKE WAYNE

Address 1612 RIVER DR NE

Legal Description of the property involved in this application

Lot: 0005

Block: 001

RIVERBEND 1ST

Property ID Number

City 5558

County 65-4288000

Total true and full value of the property described above for the year 2011 is:

Land \$77,700
 Improvements \$199,900
 Total (1) \$277,600

Total true and full value of the property described above for the year 2011 should be:

Land \$77,700
 Improvements 162,150
 Total (2) 239,850

The difference of 37,750 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) _____

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: \$ 200,000 Date of Purchase: DECEMBER 1994
 Terms: Cash Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? NO Estimated value: \$ _____
 2. Has the property been offered for sale on the open market? NO If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____
 3. The property was independently appraised: N/A Purpose of appraisal: N/A
 Market value estimate: \$ _____
 Appraisal was made by whom? N/A
 4. The applicant's estimate of market value of the property involved in this application is \$ 239,850
 5. The estimated agricultural productive value of this property is excessive because of the following condition(s): N/A

The Applicant asks that 2011 TRUE & FULL VALUE BE CORRECTED TO REFLECT ACTUAL STRUCTURAL FLOOD DAMAGE AS WAS INTENDED. DAMAGE ESTIMATES TO MY HOME STRUCTURE RANGE FROM \$34,000 TO \$4,500 SO I'M ASKING FOR MID POINT CORRECTION

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 Wayne Papke Date 8/25/2011

**SBA LOAN
 LIKELY FLOOD RELATED EXPENSES ANTICIPATED
 Wayne & Christi Papke
 1612 River Dr NE, Mandan, ND 58554**

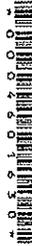
| <u>Anticipated Expense</u> | <u>Estimated Cost</u> |
|---|-----------------------|
| - Fix or replace exterior drain tile - X | \$ 15,000-\$18,000** |
| <i>Keep</i> - Replace wood steps from garage to basement - MOLD/ROT | \$ 4,000** |
| - Landscape yard demolished from dike construction/wells | \$ 20,000 |
| <i>Keep</i> - Replace Studs and insulation moisture damaged basement | \$ 5,000 - \$ 6500** |
| <i>Keep</i> - Concrete replacement from 3 new sump holes basement | \$ 1,500** |
| - River bank stabilization - Rip Rap | \$ 15,000 |
| <i>Keep</i> - Replace basement sheetrock And Melamine ruined | \$ 3500 - \$ 4500** |
| <i>OK out</i> - Possible furnace ductwork replacement due to mold | \$ 5,000 - \$ 7,000** |
| - Cost of 4 outside relief wells with sumps (FEMA "may" pay) | \$ 10,000 |
| TOTAL POTENTIAL RECONSTRUCTION EXPENSES: | \$ 86,500 |

** Denotes actual home structure damages = \$34,000 Low end estimate
 to \$41,500 High EST. MATE
 MIDPOINT OF 2 ABOVE = 37,750



U.S. SMALL BUSINESS ADMINISTRATION
Disaster Assistance
Processing and Disbursement Center
14925 Kingsport Road
Fort Worth, Texas 76155-2243

817-868-2300
800-366-6303
Hearing Impaired
817-267-4688
Fax 817-868-2332



August 24, 2011

WAYNE PAPKE and CHRISTI PAPKE
1612 RIVER DR NE
MANDAN, ND 58554

X5248

RE: SBA Disaster Loan No. DLH 3998516005; Application No. 0004601630

Dear Borrower:

We are pleased to inform you that your loan request has been approved in the amount of \$14,000.00 subject to the terms and conditions of the enclosed Loan Authorization and Agreement (LA&A). Please read your LA&A carefully to ensure that you completely understand the terms and conditions of your loan.

We have enclosed your loan documents and instructions for closing your loan. Please follow the instructions carefully, and return your documents as soon as possible.

YOU MUST RETURN THE SIGNED LOAN DOCUMENTS TO SBA WITHIN SIXTY (60) DAYS FROM THE DATE OF THIS LETTER.

If you have any questions, please contact our Legal Department at the toll free number listed above.

Sincerely,

Legal Department
Enclosures

*approved: \$ 20,790.00
~~\$ 21,000.00~~ w/ Lein
\$ 14,000*







CITY OF MANDAN

MANDAN CITY HALL - 205 2nd Avenue NW
MANDAN, NORTH DAKOTA 58554
701-667-3215 • FAX: 701-667-3223 • www.cityofmandan.com

| CITY DEPARTMENTS | |
|-------------------------------|----------|
| ADMINISTRATION | 667-3215 |
| ASSESSING/BUILDING INSPECTION | 667-3220 |
| BUSINESS DEVELOPMENT | 667-3485 |
| CEMETERY | 667-6044 |
| ENGINEER/PLANNING & ZONING | 667-3225 |
| FINANCE | 667-3213 |
| FIRE | 667-3700 |
| HUMAN RESOURCES | 667-3217 |
| LANDFILL | 667-0184 |
| MUNICIPAL COURT | 667-3270 |
| POLICE | 667-3455 |
| PUBLIC WORKS | 667-3240 |
| WASTEWATER TREATMENT | 667-3278 |
| SPECIAL ASSESSMENTS | 667-3271 |
| UTILITY BILLING | 667-3219 |
| WATER TREATMENT | 667-3275 |

TO: MAYOR HELBLING & MANDAN CITY COMMISSIONERS

FROM: RICHARD L BARTA/CITY ASSESSOR

DATE: OCTOBER 12, 2011

SUBJECT: WAYNE PAPKE ABATEMENT
PARCEL NO. 5558
1612 RIVER DR NE

On October 11, 2011, I personally walked through the above referenced property and determined there are some mold issues. However, Mr. Papke's records only indicate 100 square feet of basement finish which includes some partition walls, some insulation and some sheetrock.

The first item I'd like to address is the replacement of the foam insulation. This could be remedied quite easily by installing the standard fiberglass insulation which would be only a portion of the cost. My point is that there are other cheaper options available to help keep costs down by taking a more conservative approach.

Keep in mind that the cost of materials is not equal to what a return might be at the time of re-sale. Typically, the return would be 50% or less of the replacement cost. In this case, the loan mentioned ranges from \$20,790 down to \$14,000. Mr. Papke indicated the loan amount of \$14,000 was approved by the Federal government. 50% would be \$7,000 and I do not foresee the cost of replacement exceeding this amount for such a small area (100 square feet) of finish in his basement. Also, just because Mr. Papke indicates an increase in his costs, it does not mean that the value of his property will decrease equally in the same proportion. And, according to his expense sheet, he started with a replacement cost of \$86,500 and has come down to \$37,750. This indicates to me that Mr. Papke is already re-thinking his expenses.

Second, the City of Mandan does not require drain tile. It is recommended, but not mandated. Therefore, if Mr. Papke decides to install drain tile, it will be solely by his own discretion.

Next, during my walk-through, Mr. Papke indicated he needed to replace the door leading into the home from the garage due to mold being present. I am not a mold expert, but the chance of mold on a metal door is questionable.

My last concern is that there could possibly be as many as 200 other individuals with similar issues to that of Mr. Papke. Therefore, where do we draw the line? At this time, I am suggesting we (City) wait until 2012 to see just how far these issues will be taken. Remember, citizens have up to two (2) years to file an Abatement and by waiting they would not be losing out.

Therefore, I will be recommending denial of the abatement due to his reconsideration and reduction of costs.



SELLER'S PROPERTY CONDITION STATEMENT (to be completed by SELLER)



Property Address 1612 RIVER DR NE MANDAN Date 10/31/2011

The seller authorizes the Brokers or Salespersons to provide the following information to prospective Buyers. THIS IS NOT A WARRANTY OR GUARANTEE OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PARTY(S) AND IS NOT A SUBSTITUTE FOR INSPECTIONS OR WARRANTIES THE PARTY(S) MAY WISH TO OBTAIN.

Please use the comments section located on pages 2 and 3 to provide further explanation.

I. GENERAL INFORMATION:

When did you purchase or build the home? 1995
Have you lived in this home for the past 12 months? Yes X No
Has the structure been altered? (i.e. additions, altered roof lines, changes to load bearing walls) Yes No X Unknown

UNK = Unknown N/A = Not Applicable

II. STRUCTURAL INFORMATION:

Table with columns YES, NO, UNK, N/A and rows of structural questions. Includes handwritten 'X' in the YES column for rows 19-22 and 25-27. Handwritten notes include 'FLOODED BASEMENT 3 BROUGH ADDED SUMP HOLES DMRS DAMAGED', 'CRACKED FLOORS FROM FLOOD', and 'DRAIN TILE DAMAGED IMPOSSIBLE'.

III. WATER & SEWER SYSTEMS:

Table with columns YES, NO, UNK, N/A and rows of water and sewer system questions. Includes handwritten 'X' in the NO column for row 58 and 'X' in the N/A column for row 63.

Papke – Abatement Presentation & Justification

On Oct. 18 – the commission here and myself discussed damages & effects to my tax valuation at 1612 River Dr NE, here in Mandan

I requested, via the abatement process a reduction of \$ 24,941 for the last 7 months of 2011 due to flood damage which clearly reduced my fair market and tax value.

In the next 2 years, I project and expect to spend about \$ 50,000 to \$ 80,000 in out of pocket costs in bringing my property back to the state it was in prior to the flood. As we know, costs and value are different things. (Refer to my cost sheet estimates)

You can't value properties with conflicting formula's. First, when you do a street or water special assessment the COST is assessed to me and is added to my tax value dollar for dollar. YOU ADD "COST". Now does that street or water project truly add that exact "value" to the property – probably not. So now you contend that I cannot use "cost". SO WHICH IS IT? If I cannot use cost, are you saying that you will no longer use COST on future special assessment projects?

SBA determined that I had \$ 20,790 in direct damages, all which included items that would reduce property value if a Sale were attempted. They approved 20% mitigation damages in addition for a portion of my drain tile repair costs. This brought my total to \$ 24,941 all of which I would have to pay for in order for me to sell my home.

Thus, this is the reduction I am requesting as it validates and justifies from a third party appraisal by SBA, the current documented affects to my home value. This abatement request would reduce my tax value for the last 7 months of 2011 to \$ 252,659.

At the Oct. 18 meeting both Commissioner Frank and Commissioner Jackson requested that I research a market assessment from a realtor. I forwarded you a response from a well-qualified realtor in the region. This realtor brings credentials that make his opinion valuable including his being an attorney and a certified and licensed appraiser. I forwarded all of you his response to my market assessment request. I would ask his name remain off tonight's record other than the forwarded email I sent all of you. I respect his privacy so I ask his name be kept out of tonight's discussion. You each have his email for validation and decision making.

His reply states that a "Market assessment" is impossible at this time in its intended form. He also states that based on 1) my factual documented damage data, 2) that he is very familiar with my home in it's "pre-flood" state and based on 3) that he recently sold a home across the street from me and thus is very familiar with the Riverbend market and history.

Based on his professional knowledge and his familiarity, he confirmed that my estimate of \$ 240,000 to \$ 250,000 in market value listing price, if sold, WAS RIGHT IN LINE.

YET, "amazingly" Mr. Barta, amidst a busy city wide reassessment and increased requests for 2011 tax revaluation from the flood, still had time to do a MARKET ASSESSMENT (per his October 26th memo to you) of my property.

Amazingly, the City sponsored Market assessment now comes up with a number that shows my home going UP in value to \$ 293,300.

NOW, wait. On February 28, 2011 – just 8 months ago – YOU, the city commission signed off on a report from Mr. Barta that said that my homes 2011 true and fair value was \$ 277,600. Ok now, without any home improvements, and after we have a devastating disaster from which my home sustains an estimated \$ 50,000 in damage – SOMEHOW, Mr. Barta now thinks my home went UP in value by about \$ 15,700 to \$ 293,300.

Maybe not publicly, but each of you has to acknowledge the absolute LUNACY and overly biased political push behind this. This is beyond a laughable evaluation. The first question I would challenge is whether his \$ 277,600 number in February correct or is the post flood damaged property number of \$ 293,300 correct. Remember, you all signed off and submitted to the state the \$ 277,600 taxable value prior to the flood. All of your credibility is at stake here. I cannot believe, that after all the devastation that we have been through, that these games are still being played.

I am embarrassed, as you should be by this "market analysis" from Richard Barta's 10/26 memo. The motive for this inconceivable number is very clear – YOU ALL SHOULD BE EMBARRASSED. As I see it, this is very much in the same category as the recent news of the Dickinson State president's actions.

Now the real irony in all this is that we had, at your disposal and right across the street from me, a TRUE market value assessment benchmark set from the sale of 1705 River Dr NE. This home had a 2011 tax valuation of \$ 209,700.

This home ended up “netting” Jim and Heidi Gleason about \$ 198,000 after selling costs. So – right in my neighborhood, within a stone’s throw, we had a very current market assessment basis to use. This home sold about 6 weeks ago.

So this house netted, directly as a result of the flood environment, about 5% BELOW the 2011 tax valuation and THIS home had NO damage from the flood to it. So this comparative is more than a fair benchmark. So if my home, notwithstanding all the damage, at an equal 5% reduction from the 2011 taxable valuation, that would put me right about \$ 263,720. Now deduct my loss in value from damages.

Mr Barta in his memo prior to the Oct. 18th meeting stated that the City of Mandan does not require drain tile and implied that this factor was irrelevant. Well again, I question this statement as this factor is a HUGE factor in the resale of property as this would have to be listed as DAMAGED components of the home on the MLS disclosure forms which weigh heavy on market value. Yet Richard again neglected to mention this factor in his comment. This required selling disclosure factor directly affects the “market” value which is used by Richard in his valuations each year.

Denying my abatement or anything less than my \$24,941 reduction is to state, on record, that my 2011 taxable value or my market value for resale, was NOT affected by the 10 week flood of 2011 . This flood damage still dominates every free hour of my time in doing repairs and in restoring my home to a reasonably livable home again and this will continue well into next year.

I encourage each of you to come out and visit. Stay a day and see the how the value of my home has been affected from the damages that are all still present. I have 1) a complete stairwell 100% destroyed and pending replacement. 2) two doors, two complete door entries and two complete full door frames pending replacement. 3) Drain tile that I depended on now putting my home in jeopardy from future ground water problems until I spend \$ 15,000 to repair it – meantime, it almost negates any possible sale of the property due to both the disclosure and the stigma of it's damage And possible future ramifications resulting from its usefulness.

When I first submitted the final \$ 24,941 value reduction request, I assumed that it was a given and that this process and my home proof would leave you with just the formality of approving the abatement. Now, following the unprofessional and unethical games I see being played, I am embarrassed for you as a commission and I am angry as a citizen of this city. This process has reached a level of blindness and unfairness beyond anything as bad as I've ever seen from the City of Mandan. We should not have had to waste this much of your time or mine.

I ask you grant my abatement for \$ 24,941 and reduce my June through December 2011 value to \$ 252,659.

NOW REGARDING MR. BARTA AND THE ASSESSORS OFFICE SPECIFICLY

I ask you to address the ethics, leadership and staffing of the City assessor's office. It is clearly easy to question. As a city employee, he is not bound by the ethical obligations of his assessors license as it would be "interesting" to see what his valuation number would be if he were doing a market assessment as a private licensed appraiser where his licensing and ethics standards apply. This is obvious by the "magical" increased in valuation following all of my homes 2011 events and it's Feb 28, approved \$ 277,600 value that was turned into the state board of equalization.

I ASK EACH OF YOU AS CITY COMMISSIONERS AND MAYOR TO CHALLENGE THE ETHICAL PRACTICES and LEADERSHIP OF YOUR CITY ASSESSORS OFFICE. It is easy to question – and the public will – so I hope you would do so first.



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: December 1, 2011
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Ellen Huber, Business Development & Communications Director
SUBJECT: Growth Fund Committee Recommendation – Storefront Improvement Projects

STATEMENT/PURPOSE: To consider Mandan Growth Fund Committee recommendations regarding a Storefront Improvement application and a project underway.

BACKGROUND/ALTERNATIVES: The MGF met Dec. 1, 2011. Among agenda items:

- 1. Storefront Improvement application by Scott Johnson for renovations at 116 E Main.** Johnson recently acquired the building from the City of Mandan and intends to renovate the street level space for lease for commercial purposes and the upper level for apartments. Planned exterior improvements include new storefront glass, new upper level windows, fill-in of windows on the west property line with fire-rated glass block, modifications to a rear exterior staircase, an automatic door opener for the front store door, replacement of other doors, and exterior lighting above a new wall-mount sign (business yet to be determined). Cost estimates submitted to date total \$23,202.
- 2. Julie Haibeck request for an extension to complete storefront project.** Haibeck was approved Dec. 7, 2010, for a storefront improvement project at 118 E Main. Exterior renovations completed to date include: front — a new awning and sign; rear — removal of a shed, in-fill, new door and installation of an automatic opener. A remaining component is the addition of brick, stone or similar material on the front of the building in the area of the existing filler board. The final material and area of placement is subject to final review and approval of the Mandan Architectural Review Commission. As per the recipient agreement, the storefront improvement project was to be completed within one year of the original application deadline. In this case, the deadline was Nov. 1, 2011. Haibeck is requesting an extension to March 31, 2012.

ATTACHMENTS: Storefront Applications

FISCAL IMPACT: \$10,000 from \$37,896.30 remaining unallocated but in the budget for the program in 2011 for the Johnson project. The \$10,000 for the Haibeck project was previously approved and allocated.

STAFF IMPACT: Minimal.

LEGAL REVIEW: The Johnson application includes an automatic door as required by an initiated ordinance approved by voters in November 2008.

RECOMMENDATION:

1. The MGF Committee recommends approval of the application by Scott Johnson for \$10,000 in matching funds for exterior improvements to 116 E Main, contingent upon final approval of the project by the Mandan Architectural Review Commission.
2. The MGF Committee recommends approval of an extension for the deadline to complete the Haibeck project at 118 E Main to March 31, 2012.

SUGGESTED MOTION:

1. I move to approve allocation of \$10,000 in matching funds for the Storefront Improvement application by Scott Johnson contingent upon final approval of exterior renovation plans by the Mandan Architectural Review Commission.
2. I move to approve an extension to March 31, 2012, for completion of the Haibeck storefront improvement project at 118 E Main.



2011 STOREFRONT IMPROVEMENT APPLICATION

PRIMARY CONTACT INFORMATION FOR THIS APPLICATION

Name: Scott A. Johnson

Address: 117 N 4th St - Bismack ND

Phone: 223-1121 Fax: _____

E-mail: sajohnsons@hotmail.com

Applicant Name: Scott Johnson
(name of person/entity to receive grant)

Property Owner: Scott Johnson

Property Address: 116 E. Main Mandan

Architect/Firm: _____
(if applicable)

Description of Property

Current tenant(s): Commercial _____

Residential # occupied: _____ # vacant: _____

Building History (if available): was city owned vacant

Total Cost of façade renovation: \$20-25,000

Forgivable Loan Amount of Requested: \$ 10,000

Is the façade renovation part of a larger project?
Yes No, the façade is the only work I am doing

If yes, please describe comprehensive project.

Rehab total building, roof, windows, doors main floor retail, 2nd floor apartments - fire escape.

Summary of Existing Condition of Façade: (please attach pictures – Attachment 1)

Replacing all weathered windows, doors
as pictured in bid. West windows will
need to be glass block or brick as per
Building Inspector Barta.

Summary of Proposed Scope of Work: (materials, color schemes, etc.) Please attach
colorized drawings that include pre- and post- rehab detail, indicating specifically what will
be modified and how (Attachment 2). Bids or official estimates from licensed commercial
contractors or other providers of needed services and materials are required. (Attachment
3)

Historic Character: How will proposed project affect historic character? (if applicable)

It will preserve it as in pictures.

How will your project complement downtown redevelopment efforts?

It will be a great looking building

For more information, call Business Development Director Ellen Huber at 701-667-3485.

Signature of applicant: Scott Johnson Date: 10/31/11

Signature of property owner: Sen J Date: 10/31/11
(if different than applicant)

Special Notices

- 1) Properties are eligible only once to receive Storefront Improvement funds.
- 2) Voters in the Nov. 4, 2008, election in the City of Mandan approved an initiated ordinance that states, "Installation of electric handicap accessible entrance doors are required on every building open to the public that has received public funds in any form whatsoever." Any property receiving Storefront Improvement funds since Nov. 14, 2008, is subject to the requirement. Include an estimate for an automatic door at least for the main entrance if you do not have one.

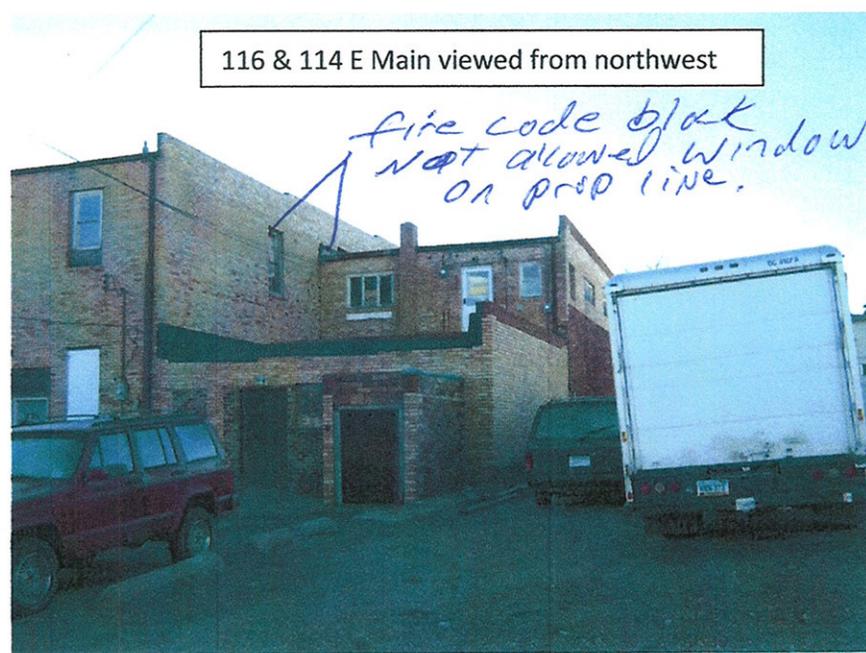
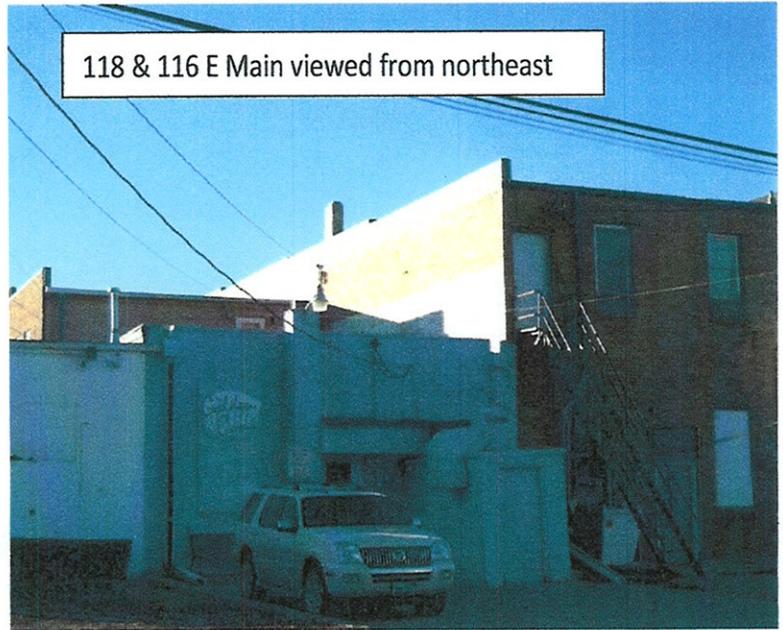
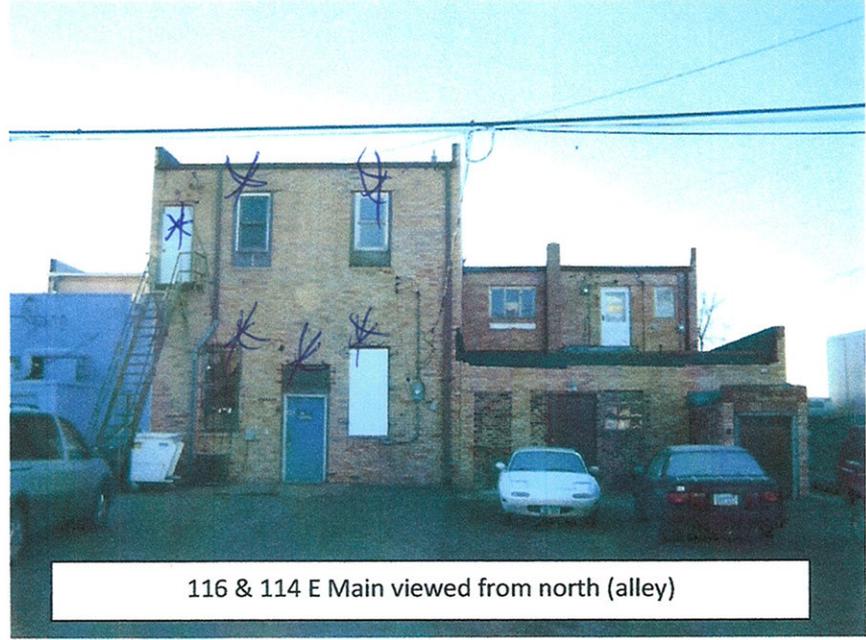
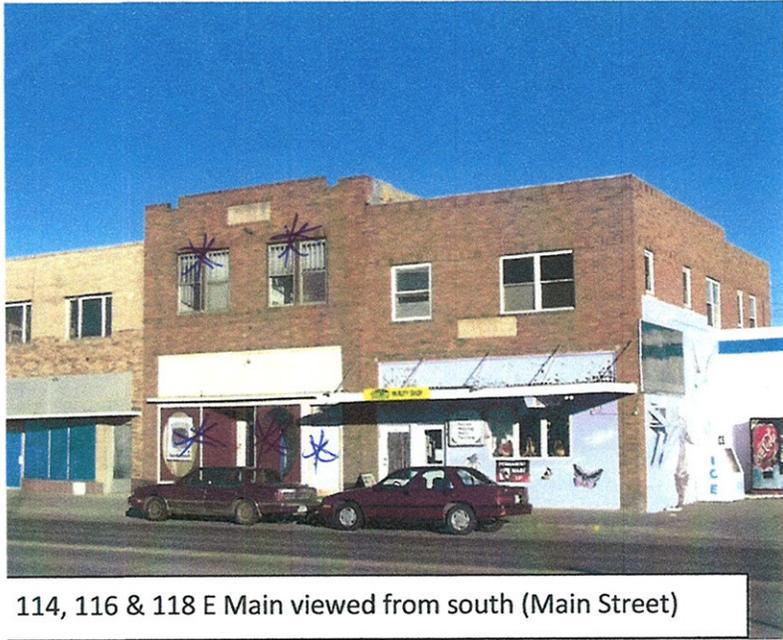


114, 116, 118 & 120 E Main

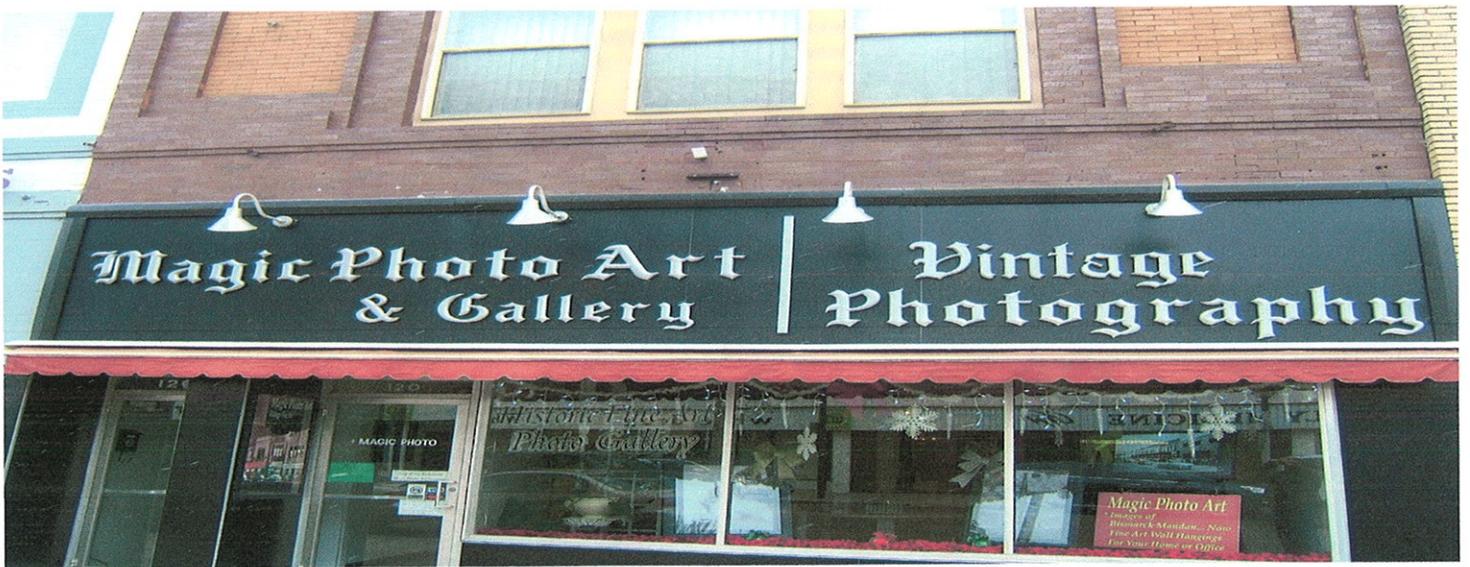
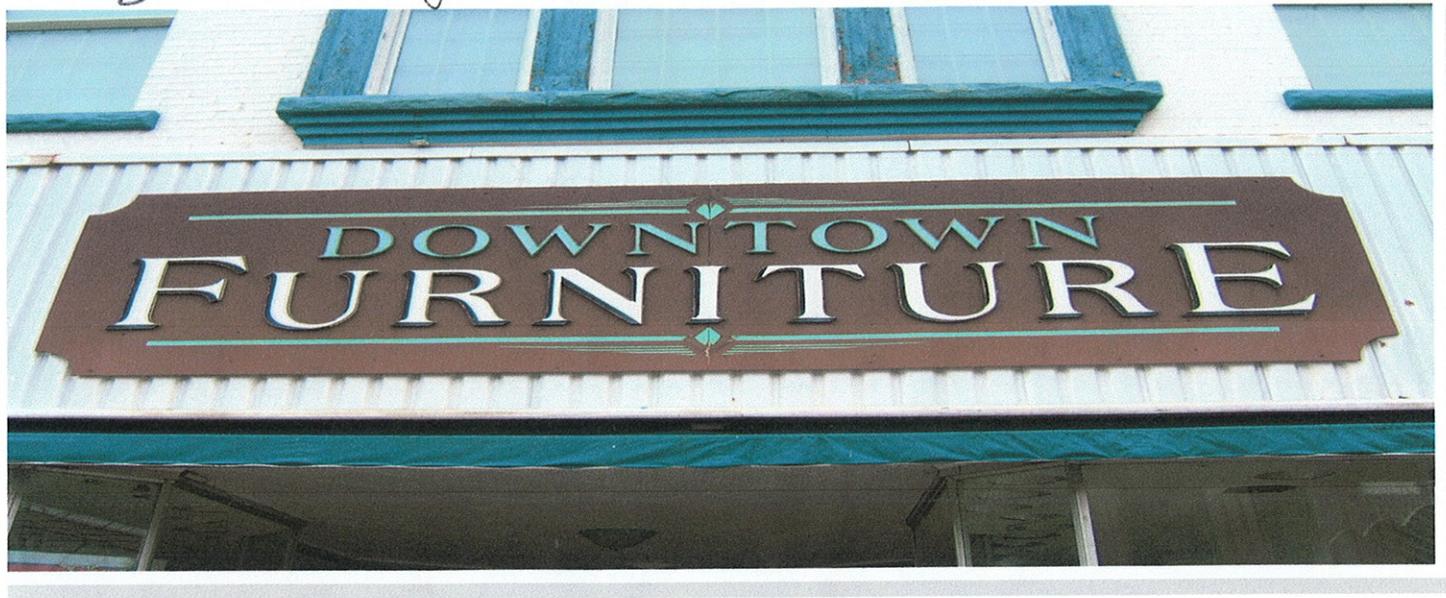


118 & 116 E Main

* Replacing



Business sign will be a wall mounted similar to these.



2601 Twin City Drive
Mandan, ND 58554
701-663-7966 • 1-800-732-7120
Fax: 701-667-0865
www.leingang.com



**WINDOWS
RETAIL SALES CONTRACT**

Mandan • Bismarck
Dickinson • Minot • Pierre

(Name and Business Address of SELLER - Hereinafter referred to as SELLER)

sells and, Scott Johnson, hereby
(Names and Mailing Address of BUYERS - Hereinafter referred to as BUYER)

purchases from the SELLER the following described GOODS and SERVICES: (All products will have the following specifications unless otherwise noted.)

Furnish and install THV COMPOZIT® WINDOWS & DOORS: Composite or vinyl windows, with insulated glass, multi lock system and screens on venting units. Window(s) will be wrapped with foam insulating tape and sealed into opening with silicone caulk.

Gut-out: Yes No Existing frame will be removed completely and new window or patio door installed into rough opening.
New Interior Trim: Yes No Unfinished (w/ paper) Finished Color: _____
 Ranch Colonial Oak Other Pine - custom / gonna to paint
New Brickmold: Yes No Composite Wood wrapped with metal Color: ?
Retrofit: Yes No Existing frame will remain in opening, sashes removed and new window set into existing frame.
Cover Existing Brickmold with Metal: Yes No No Mar Smooth PVC Color: _____

Window Color: Outside: white Inside: wh. to **DH Screen:** 1/2 Full **Vent Stops:** Yes No

Glass options: Double Pane LowE² Argon Gas Triple Pane 1-LowE² 2-LowE² Trigon Gas

Grids: Yes No Colonial Craftsman Perimeter Color Inside: _____ Outside: _____

| location | quan. | style | price | ext | * Add for painted exterior | * Add for inside custom ledger board |
|-------------|-------|--|---------------|------------|----------------------------|--|
| front (top) | 2 | multi D. Hangs with grids | 2764" - 5528" | 320" pc x2 | 640 | 110" pc x2 = 220 |
| back top | 2 | D. Hangs with grids | 1382" - 2764" | 160" pc x2 | 320 | 110" pc x2 = 220 |
| back bottom | 2 | D. Hang with top picture unit with grids | 1573" - 3146" | 222" pc x2 | 444 | 110" pc x2 = 220 660 1104 1704 + 20 |

* All windows compozit material

+1704

Bid Date 10-25-11 . **Prices subject to change** 60 days from bid date.

| | | |
|------------------------------------|-----------------------|---|
| Street <u>Main street property</u> | Home Phone _____ | Cash Price. Credit Card will incur a 3% convenience charge. |
| City <u>Mandan</u> | Cell Phone _____ | Total \$ _____ |
| Email _____ | Work Phone _____ | Down Payment \$ _____ |
| | State _____ Zip _____ | Due on Completion \$ _____ |

Initial Here _____ Buyer acknowledges structure being renovated was built in _____.
Initial Here _____ Buyer acknowledges receipt of the **Notice to Buyer** and important information on the back side of this contract.
Initial Here _____ Buyer acknowledges receipt of two copies of the **Notice of Cancellation** and further acknowledges that Seller orally informed Buyer(s) of Buyers **RIGHT TO CANCEL** the contract.

KEEP A COPY OF THIS CONTRACT TO PROTECT YOUR LEGAL RIGHTS Executed by both Buyer and Seller this _____ day of _____ 20____
1½% per month late payment fee will be charged to all PAST DUE ACCOUNTS. Each buyer hereby acknowledges receipt of a fully completed copy of this RETAIL SALES CONTRACT.

Deane Thlach ACCEPTED BY SELLER (AUTHORIZED REPRESENTATIVE)

(BUYER)

(BUYER)



C & H GLASS COMPANY, INC.

3138 N. 10TH ST. - P.O. BOX 1991
BISMARCK, NORTH DAKOTA 58502
BUS 701-258-6800 - 701-258-6801 FAX

PROPOSAL

Architect: _____ Bid to: Scott Johnson
Job: Mandan Store Front Address: _____
Location: Mandan ND 58554 Date: 10 -26 - 11

Storefront

We propose to furnish and install the material specified below;

Four (4) openings approximate 62 x 88 glazed with 1" clear tempered Low "E" Argon insulated glass. Set into Aluminum 4 1/2 x 2". thermal framing, corners, sides and bottom covered with .040 Aluminum flashing.

Furnish Horton Automatic operator and install on existing Aluminum door. Finish caulk exterior framing.

Installed for a net sum of-----\$7500.00

NOTE: Price includes removal of existing glass and metal.
Does not include 110 Electrical to Automatic operator.

NOTICE: THIS PROPOSAL IS FIRM FOR A PERIOD OF THIRTY (30) DAYS from the date thereof, and is subject to review and possible increase thereafter, due to present fluctuating market conditions affecting our costs.

Accepted: _____ **C & H GLASS COMPANY, INC.**
By: _____ By: Charles Kocher
Date: _____

This proposal is subject to the following terms and conditions:
Material delivered only to job must be paid by the 10th of the month following billing.
All contracts for glass and glazing are due and payable at the completion of the work.

PROPOSAL

220-0500

CAPITOL CITY WELDING INC.

3442 FRANKLIN AVE.

BISMARCK, ND 58503

701-255-0124

ROSS NATHAN OWNER

DATE: 11/15/11

FAX 701-255-6173

TOLL FREE 1-888-255-0124

PROPOSAL SUBMITTED TO:

JOB: Mandan Stairs

Scott Johnson

471-1121

We hereby propose to furnish the materials and preform the labor necessary for the completion of:

Labor and materials to fabricate, and install center landing and rails to existing stairs, including tax.

We hereby propose to furnish labor and materials to complete the above project, in accordance with the above specifications, for the sum of: \$ 2,560.00

With payment to be made as follows: net 30 days

All materials guaranteed to be as specified. All work to be completed in workman like manner, according to standard practices. Any alterations or deviations from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimates. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry necessary insurance. Our workers are fully covered by workers compensations insurance.

Authorized signature



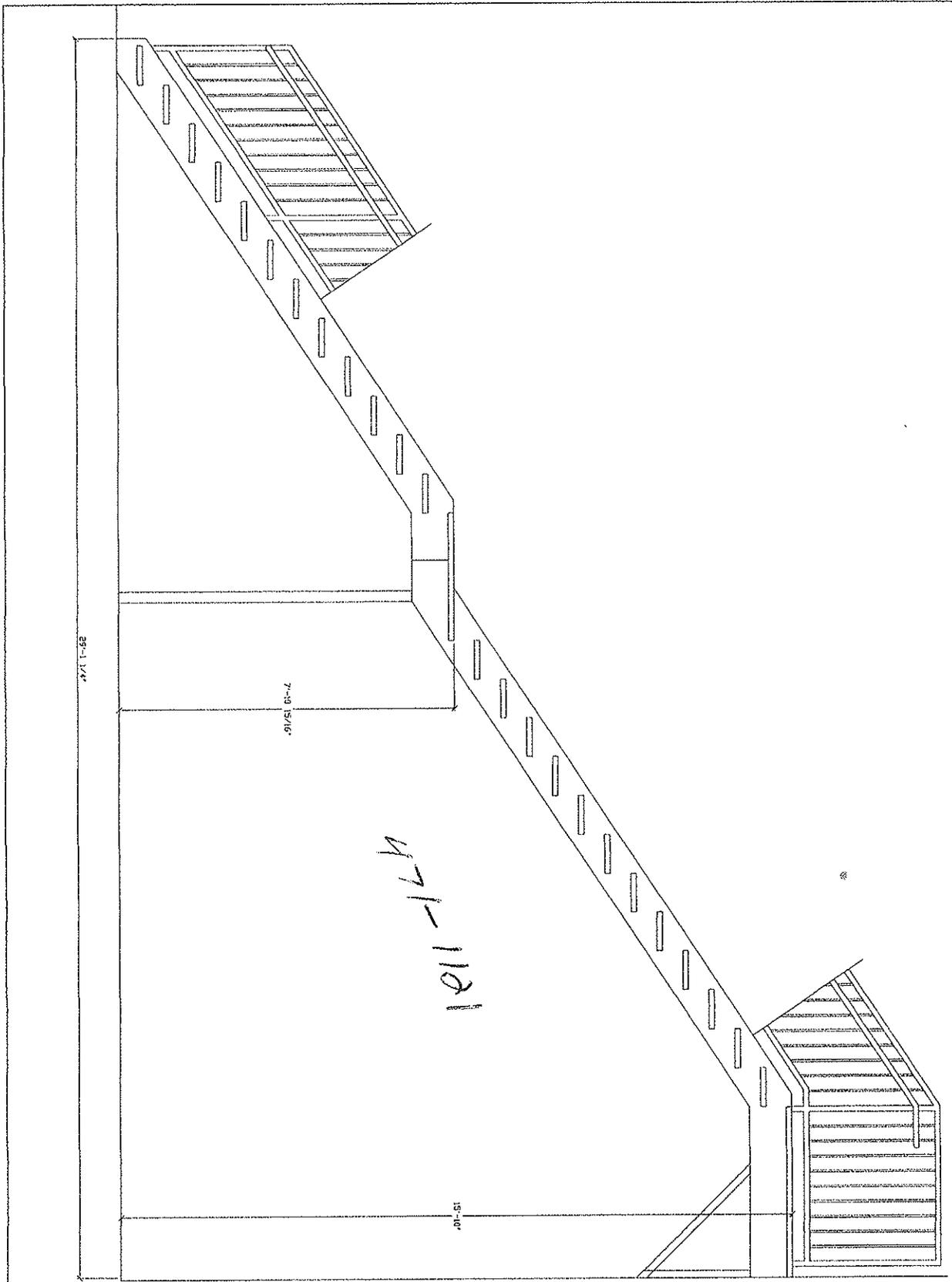
Ross Nathan

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of proposal : The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Dated _____

Signature _____



181-1181

| | | | | |
|--------------------|--|---|--|---------|
| <p>1 SHEET</p> | <p>PROJECT: 116 EAST MAIN STREET - MANDAN, ND.</p> | <p>DWGN JOB# DRAWN: B.G.M. SCALE: 1"=1'-0" DATE: 10/25/11</p> | <p>Precision Stair & Steel Fabricators, Inc.</p> <p>ARCHITECTURAL & MISCELLANEOUS METAL WORK ALONG WITH CUSTOM STEEL FABRICATION</p> <p>929 17th St. NE Mandan, N.D. 58554 PHONE: (701) 663-2943 FAX: (701) 663-3509</p> | <p></p> |
|--------------------|--|---|--|---------|



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2010
PREPARATION DATE: November 29, 2010
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Mandan Growth Fund Recommendation –Appointment

STATEMENT/PURPOSE: The Mandan Growth Fund (MGF) passes recommendations for funding assistance to the Board of City Commissioners for consideration and final approval. The MGF recommends approval of the action outlined below; therefore, their recommendation is before the Board of City Commissioners.

BACKGROUND/ALTERNATIVES: The MGF met on September 27, and December 1, 2011 to consider terms of four members of the committee. Terms expire on December 31, 2011 for the following members: Jeff Erickson, Rick Horn, Todd Humphrey and Annette Behm-Caldwell. All four members expressed a desire to continue serving on the committee.

The committee discussed as one of the membership preferences that a member either live, work or has an employer that has a location in Mandan.

ATTACHMENTS: Current listing of MGF Members and Liaisons

FISCAL IMPACT: n/a

STAFF IMPACT: n/a

LEGAL REVIEW: n/a

RECOMMENDATION: The Mandan Growth Fund recommends to appoint Jeff Erickson, Rick Horn and Annette Behm-Caldwell to three year terms on the Mandan Growth Fund beginning January 1, 2012.

SUGGESTED MOTION: I move to appoint Jeff Erickson, Rick Horn and Annette Behm-Caldwell to three year terms on the Mandan Growth Fund beginning January 1, 2012.

Board of City Commissioners

Agenda Documentation

Meeting Date: December 7, 2010

Subject: Mandan Growth Fund Recommendation – Appointment to the MGF

Page 2 of 2

| <i>Committee Member</i> | | <i>Term Began</i> | <i>Term Ends</i> |
|--|---|---|--|
| Dennis Friesz 801 23rd St SE Mandan, ND 58554 | (H) 663-2199 (C) 226-8569 (Fax) 663-2199 songman@btinet.net | 1 st Term: January 1, 1998 2 nd Term: January 1, 2001 3 rd Term: January 1, 2004 4 th Term: January 1, 2007 5 th Term: January 1, 2010 | December 31, 2000 December 31, 2003 December 31, 2006 December 31, 2009 December 31, 2012 |
| Timothy Spilman Chairman 2601 Hwy 1806 South Mandan, ND 58554 | (W) 667-9378 (H) 663-4948 tspilman@bis.midco.net tspilman@keitu.com | 1 st Term: April 7, 1998 2 nd Term: January 1, 2001 3 rd Term: January 1, 2004 4 th Term: January 1, 2007 5 th Term: January 1, 2010 | December 31, 2000 December 31, 2003 December 31, 2006 December 31, 2009 December 31, 2012 |
| Michael J.B. Schaff Schaff Tax & Financial Services, Inc. Mandan, ND 58554 | (W) 667-5294 (C) 226-7882 (Fax) 667-5295 mschaff@woodburyfinancial.net | 1 st Term: February 16, 2010 | December 31, 2012 |
| Todd Steinwand Wells Fargo Mandan, ND 58554 | (W) 222-5136 (Fax) 222-5551 todd.j.steinwand@wellsfargo.com | 1 st Term: April 14, 1999 2 nd Term: January 1, 2002 3 rd Term: January 1, 2005 4 th Term: January 1, 2008 5 th Term: January 1, 2011 | December 31, 2001 December 31, 2004 December 31, 2007 December 31, 2010 December 31, 2013 |
| Jeff Erickson Security First Bank 614 W Main Mandan, ND 58554 | W 667-7000 jeff@securityfirstbank.com | 1 st Term: January 1, 2009 | December 31, 2011 |
| Jay Simes 500 West Main Street Mandan, ND 58554 | (W) 663-5870 (Fax) 663-5870 jsimes@midco.net | 1 st Term: February, 2007 2 nd Term: January 1, 2010 | December 31, 2009 December 31, 2012 |
| Todd Humphrey Starion Financial 109 1 St NW Mandan, ND 58554 | (W) 663-6434 (Fax) 667-1663 ToddH@starionfinancial.com | 1 st Term: January 1, 2009 | December 31, 2011 |
| Rick Horn Morton County Housing Corp 1500 3 rd Ave NW Mandan, ND 58554 | (W) 663-7494 (Fax) 663-7495 Rick4hjlmgmt@aol.com | 1 st Term: January 1, 2009 | December 31, 2011 |
| Annette Behm-Caldwell Open Road Honda 4120 Memorial Highway Mandan, ND 58554 | (w) 663-4023 Sales@OpenRoad-Honda.com | 1 st Term: February 19, 2008 2 nd Term: January 1, 2009 | December 31, 2008 December 31, 2011 |
| In general representatives from Downtown, Memorial Highway, Northeast (Industrial Park) and Financial Institutions should be represented. | | | |
| ----- <i>Liaisons (non voting)</i> ----- | | | |
| Tim Helbling, Mayor, City of Mandan 904 23rd Street SE Mandan, ND 58554 (W) 667-7460 corralrv@midco.net | Russ Staiger, BMDA 400 E Broadway Avenue PO Box 2615 Bismarck, ND 58502 (W) 222-5530 (Fax) 222-3843 rstaiger@bmda.org | Greg Welch, CPA Finance Director City of Mandan 205 2nd Ave NW Mandan, ND 58554 (W) 667-3213 (Fax) 667-3223 gwelch@cityofmandan.com | Jim Neubauer City Administrator City of Mandan 205 2nd Ave NW Mandan, ND 58554 (W) 667-3215 (Fax) 667-3223 jneubauer@cityofmandan.com |
| | Malcolm Brown City Attorney 209 E Broadway Ave P. O Box 2692 Bismarck, ND 58501 (W) 224-8825 mhblaw@btinet.net | Ellen Huber Business Development Director City of Mandan 205 2nd Avenue NW Mandan, ND 58554 Phone 701-667-3215 Fax 701-667-3223 ehuber@cityofmandan.com | Brent Ekstrom LCRDC, Director of Commercial Lending 200 1st Avenue NW Mandan, ND 58554 Phone (701) 667-7624 bekstrom@lewisandclardrdc.org |



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: November 29, 2011
SUBMITTING DEPARTMENT: Mandan Airport
DEPARTMENT DIRECTOR: Jim Lawler, Manager Mandan Municipal Airport
PRESENTER: Marc Taylor, Treasurer, Mandan Airport Authority
SUBJECT: Appointment to the Mandan Airport Authority

STATEMENT/PURPOSE: The Board of City Commissioners makes appointments to the Mandan Airport Authority.

BACKGROUND/ALTERNATIVES: The Mandan Airport Authority consists of 5 members who are Dr. Dale Klein, Sandy Tibke, Marc Taylor, Lee Weinhandl, and Jim Lawler. The Airport Authority is tasked with managing the affairs of Mandan Airport. There are currently two positions up for appointment. In order to solicit interested parties announcements were placed in the Mandan News on October 11, 2011, on the Mandan Airport and City of Mandan's website and word of mouth.

Two letters of interest were received, which are attached.

ATTACHMENTS: Letters of Interest:
Lee Weinhandl
Dennis Adams

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: The Mandan Airport Authority met on November 21, 2011 and recommends the reappointment of Lee Weinhandl and the appointment of Dennis Adams. The term of the Mandan Airport Authority is for a period of 5 years beginning January 1, 2012 through December 31, 2016.

SUGGESTED MOTION: I move to reappoint Lee Weinhandl and appoint Dennis Adams for a period of 5 years ending December 31, 2016.

October 24, 2011

Mandan Municipal Airport

Mandan, ND 58554

To Whom It May Concern:

Please consider my resume for the Mandan Airport Authority Board. I would appreciate being considered for a member of the board. I am interested in the future development of the Mandan Municipal Airport.

My experience covers a wide range of activities, all of which I have been successful. The following professional highlights from my background are:

- Twenty four years construction experience
- Experience and training with flying and aircraft maintenance
- Excellent interpersonal, organizational and communication skills
- Team player

I am confident that my professional training, extensive experience, and technical skills would make me a valuable asset to your committee.

I would welcome the opportunity to discuss my qualifications with you.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,



Lee Weinhandl
4390 Highway 6
Mandan, ND 58554
(701) 663-2987
(701) 202-3402

5004 South Bay Dr SE
Mandan, ND 58554
February 24, 2011

Jim Lawler
Mandan Municipal Airport
PO Box 250
Mandan, ND 58554

Dear Mr. Lawler:

This letter is in reply to the Mandan City Commission seeking an appointee to the Mandan Airport Authority for a 5-year term.

As a resident of Mandan for 35 years, I am interested in serving on the Mandan Airport Authority. I am retired and able to attend regularly scheduled meetings. On occasion, I would be available to meet on short notice for any urgent need.

My interest centers on being a pilot, keeping my Cessna 172 in the new Mandan hanger addition, and having a keen interest in aviation. I am a member and involved with the Civil Air Patrol (CAP) and have done search and rescue missions the past two years. This past fall I trained in the operation of an airborne imaging system for search and rescue missions. In December our CAP Wing placed 3,500 wreaths at the North Dakota Veterans Cemetery through the Wreaths Across America project.

I am a member of AOPA and attend Oshkosh pilot symposiums most years. I enjoy aviation and will be attending the Upper Mid-West Aviation Symposium in Minot in early March. As a member of the Mandan EAA chapter, I enjoy helping the organization with the fly-ins.

I am proud of the Mandan airport and interested in continuing to see it as an integral part of Mandan's business commerce as well as a safe place for both private and commercial pilots to operate their aircraft. Airport improvements are issues needing attention as ongoing governmental changes in grants and partnerships with our business community need continued vigilance.

I have the time, talents and interest to provide input, planning, and make decisions for the operation and maintenance of the Mandan Airport facilities. I am available for further discussion at 663-9788.

Sincerely

Dennis L. Adams



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: November 30, 2011
SUBMITTING DEPARTMENT: Business Development & Communications Department
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Ellen Huber, Business Development & Communications Director
SUBJECT: Proposal for Redevelopment of Former Jr. High School Property

STATEMENT/PURPOSE: To consider acceptance of a proposal received for redevelopment of the former junior high school property.

BACKGROUND/ALTERNATIVES: The City Commission at its Oct. 18, 2011, meeting approved, under its joint powers agreement with the Mandan Public School District, the issuance of a Request for Proposals for redevelopment of the former junior high school property. Commissioner Rohr was appointed to serve on a joint committee to review any proposals received. The School Board appointed the remaining committee members, including a representative of the neighborhood and two community members at-large.

The School District received one proposal by the Nov. 23 deadline from CommunityWorks North Dakota and MetroPlains. The review committee met Nov. 30 with CommunityWorks Multi-Family Program Director Rob Knoll for a proposal overview and question and answer session. The proposed plan is to preserve the 1924 core southern building for renovation into 16 senior apartments and demolish the remaining buildings to allow new construction of 12 townhomes for families, a community room for use by the development's residents, and considerable green space including play areas. The development partners are asking to buy the property for \$1 in return for an estimated \$5.3 million investment in renovation and new construction on the property. Of these costs, the demolition is pegged at \$500,000.

The developers are seeking site control of the property through a development agreement or memorandum of understanding that grants development rights with a specified time period for progress toward project launch, such as through June 1, 2012, to secure financing and close on acquisition of the property.

As a next step, a business incentive agreement might include accountability provisions such as deadlines for commencement of construction and completion the project. If any tax abatement were involved, the City could require an agreement stipulating payback of such abatement if the property were sold to a tax-exempt, non-profit entity within a specified time period.

The review committee voted 4 in favor and 1 abstaining to recommend approval of the proposal.

ATTACHMENTS: CommunityWorks ND and MetroPlains proposal.

FISCAL IMPACT: Because the property belongs to the school district, no property tax revenue has been generated from the property. The redevelopment proposal offers the potential for it to generate tax revenue upon exchange to private hands or at some point in the future.

STAFF IMPACT: Staff assistance may be needed to draft a memorandum of understanding that grants development rights for a specified time period as well as a purchase agreement and business incentive agreement for ultimate transfer of the property.

LEGAL REVIEW: The proposal has been reviewed by City Attorney Malcolm Brown.

RECOMMENDATION: The review committee recommends acceptance of the CommunityWorks and MetroPlains joint proposal for redevelopment of the former junior high school property.

SUGGESTED MOTION: I move to accept the proposal and authorize the city's legal counsel and staff to work with the School District attorney and staff on drafting a development agreement for consideration at a future meeting.

Mandan Junior High

Redevelopment Proposal



Submitted on November 23, 2011 by CommunityWorks North Dakota

Team Members

CommunityWorks North Dakota

MetroPlains LLC

JLG Architects



METRO *Plains*



REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



SECTION I

DESCRIPTION OF INTERESTED PARTIES

REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



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.



REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



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 completed 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. Currently, Lakewood Townhomes, a 24-unit townhome development in Mandan, is wrapping up construction of its community building and is 100% leased. Other housing projects in development by CommunityWorks include: a 7-unit apartment complex for persons with disabilities; 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
Professional Experience
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



*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

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



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.

METROPlains

Rob McCready Principal, MetroPlains, LLC



Rob's strengths are debt and equity financing, 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 Bachelors degree in Finance and a Masters degree in Business Administration.

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 AIA Committee on Historic Resources and as advisor to the State of Minnesota on Historic Building Codes. Randy's education includes a Bachelors degree in Architecture from the University of Oregon.

LaVerne (“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 or meeting with stakeholders, he focuses on listening carefully, building consensus, and following through.

Vern is genuinely concerned that the quality of life is enriched within 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.

REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



**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. The exterior façade has been restored to imitate its original 1918 design, rebuilding the first floor storefronts and maintain the original masonry.

The Wells Building has been converted from an office building to a brand new senior housing apartment building. The building houses 32 units within the upper four stories with the first floor housing the lobby, parlor, community, support and a leasehold space. The building is new, accessible and comfortable with energy-minded living units all within the context of the historic fabric of the original building.

METRO *Plains*

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 offer design features including a playground, walking/biking path, individual entrances, attached garages, access to local public parks, and services downtown within walking distance.

METRO *Plains*

Lakewood Townhomes

Mandan, ND



Type
New Construction

Occupancy
General

Units
24

Completed
2011

Summary

Lakewood Townhomes will offer 24 living units, including 8 single-level units and 16 two-story units. There will be 12 two-bedroom and 12 three-bedroom townhomes with attached garages. Four units will be wheelchair accessible. The goal in site planning is to orient as many townhomes as possible in a way that is consistent with traditional neighborhood design. This includes pedestrian access via a front sidewalk leading to a front porch, and garage access from a rear alley.

METRO *Plains*

REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



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

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 Zweig White & ArchitectureWeek 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." - *Randy 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 Maidenberg, 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.



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

DESIGN AWARDS

JLG Architects has become one 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 Chaplet

- 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



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.

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.



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 Ledohowski
President, Canad Inns

REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



SECTION II

GENERAL PROJECT DESCRIPTION



REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



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.

REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



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.



REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



DEVELOPMENT TIMETABLE

| | |
|----------------|--|
| December 2011 | • CommunityWorks and MetroPlains selected as co-developers |
| January 2012 | • Complete preliminary site plans and architectural drawings |
| January 2012 | • Apply for funding |
| March 2012 | • Funding awarded |
| May 2012 | • Preliminary site plans and architectural drawings approved |
| June 2012 | • Site acquired |
| June 2012 | • Tax abatement completed |
| June 2012 | • Construction financing closed |
| July 2012 | • Construction started |
| August 2013 | • Construction completed |
| September 2013 | • Project opens for occupancy |



REDEVELOPMENT OF
Mandan Junior High
MANDAN, ND



SECTION III

DRAFT SITE PLAN





MANDAN JUNIOR HIGH REDEVELOPMENT

OCTOBER 2010

© 2010 JLG ARCHITECTS





NORTHWEST CORNER



NORTHEAST CORNER



SOUTHEAST CORNER



SOUTHWEST CORNER

MANDAN JUNIOR HIGH REDEVELOPMENT

OCTOBER 2010

© 2010 JLG ARCHITECTS

JLG
architects

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

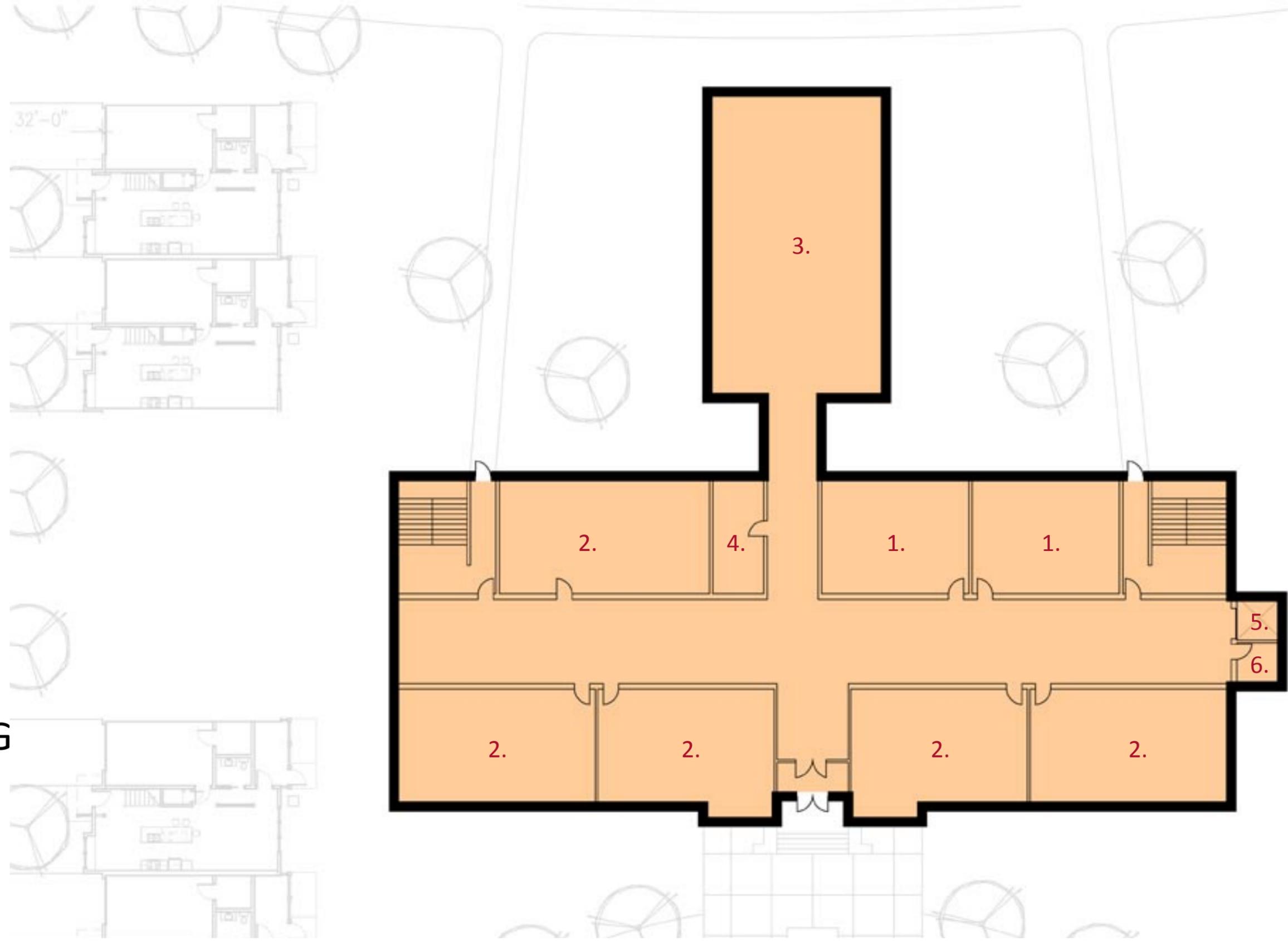
Site Summary

- 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"



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

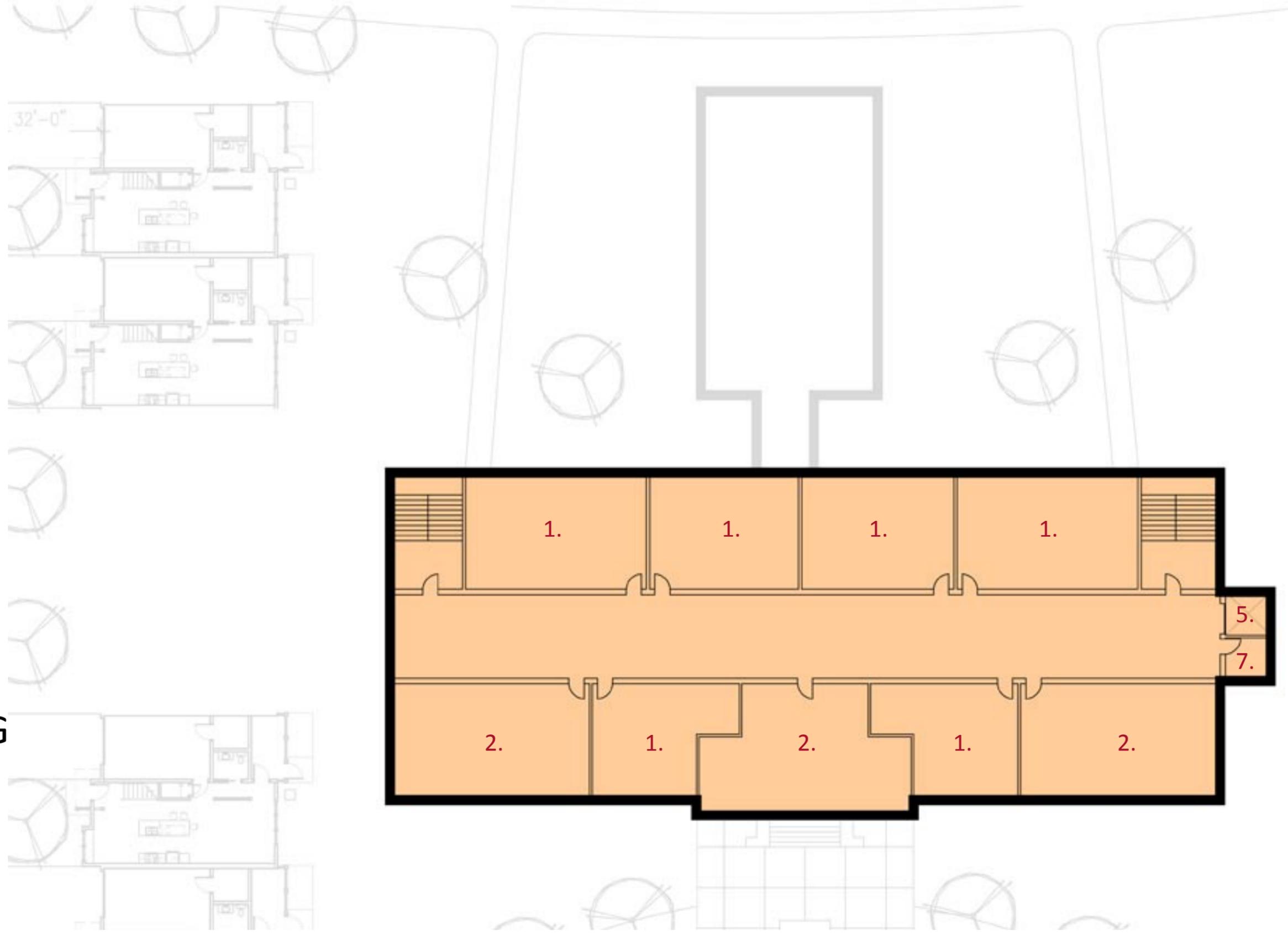


**SENIOR HOUSING
LEVEL 1 PLAN**

Scale: 1"=20'-0"



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

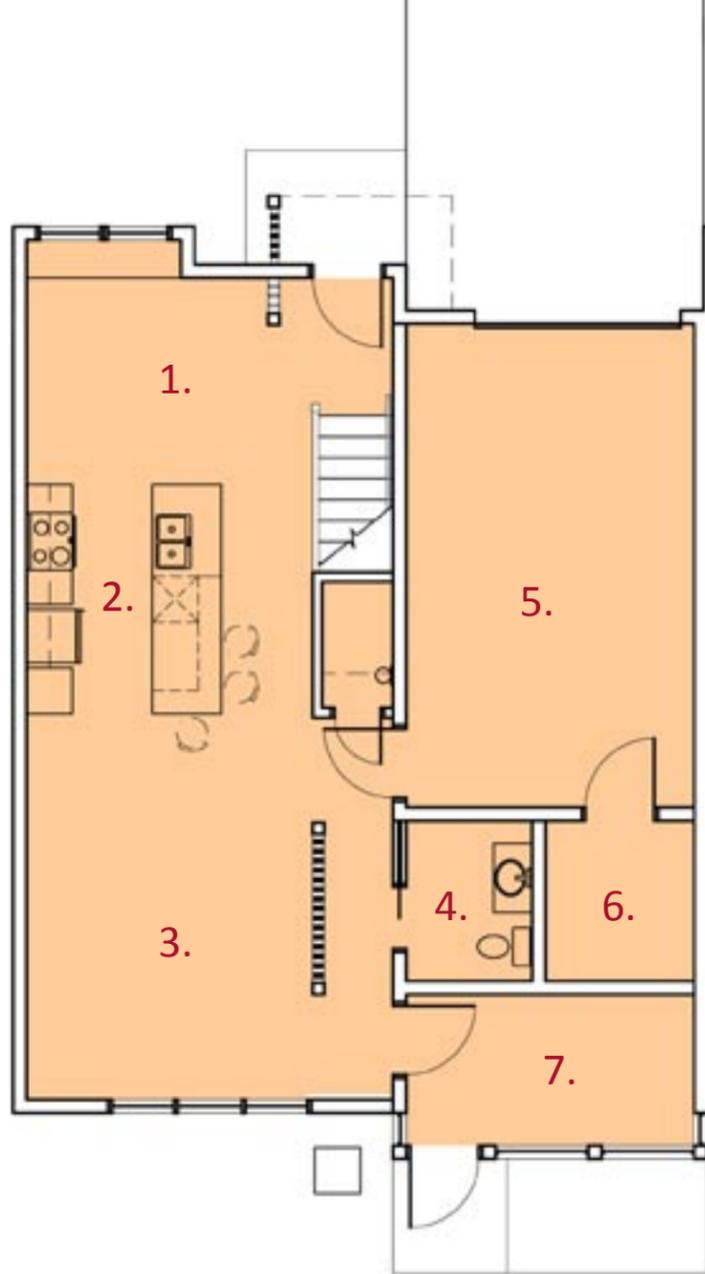


**SENIOR HOUSING
LEVEL 2 PLAN**

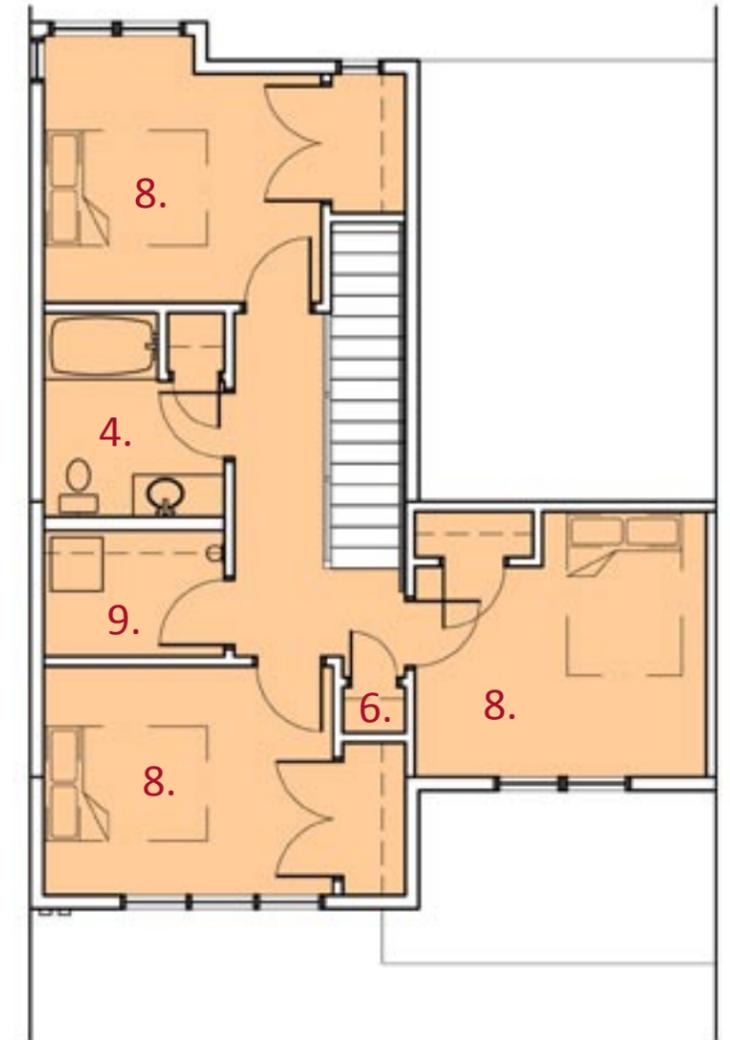
Scale: 1"=20'-0"



- 1. Entry
- 2. Kitchen
- 3. Living Room
- 4. Toilet
- 5. Garage
- 6. Storage
- 7. Office
- 8. Bedroom
- 9. Laundry



LEVEL 1 PLAN



LEVEL 2 PLAN

TOWNHOMES
TYP. UNIT PLAN

Scale: 1/8" = 1'-0"



Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: December 1, 2011
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Visitors Committee Recommendation – Ft. Abraham Lincoln Foundation – Harold Brady Exhibit

STATEMENT/PURPOSE: To consider a recommendation from the Mandan Visitors Committee.

BACKGROUND/ALTERNATIVES: The Visitors Committee consists of Jay Feil, Shannon Gangl, Wally Joersz and Jim Mellon with Mayor Helbling, City Administrator Jim Neubauer and Finance Director Greg Welch serving as liaisons.

The Mandan Visitors Committee met on December 1, 2011 to consider a request from the Ft. Abraham Lincoln Foundation for funds to construct a permanent exhibit for the Harold Brady Collection at the Ft. Abraham Lincoln State Park.

Mr. Brady began collecting artifacts at the Old Fort Lincoln more than 80 years ago. In May 2008, Mr. Brady placed his entire collection on permanent loan to the Ft. Abraham Lincoln Foundation with the requirement that the items be insured, maintained and permanently displayed at Ft. Lincoln State Park.

ATTACHMENTS: Funding Request

FISCAL IMPACT: \$38,500 from the Visitors Committee, there are adequate funds on hand to meet this request.

STAFF IMPACT: minimal

LEGAL REVIEW:

RECOMMENDATION: The Visitors Committee unanimously passed a recommendation supporting this request.

SUGGESTED MOTION: I move to approve to support the recommendation from the Visitors Committee for a grant to the Ft. Abraham Lincoln Foundation for funds to construct a permanent exhibit for the Harold Brady Collection at the Ft. Abraham Lincoln State Park

Reed -
FRIDAY 8-12-2011

**FORT
ABRAHAM
LINCOLN
FOUNDATION**



**LEWIS & CLARK
RIVERBOAT**

401 West Main St.
Mandan, ND 58554
701-663-4758
Fax: 701-663-4751
info@fortlincoln.org

Grant Proposal to the Mandan Visitors Fund

The Harold Brady Collection – A Permanent Exhibit at Fort Abraham Lincoln State Park

Providing funds for capital construction of tourism projects is the guiding principle behind the Mandan Visitors Fund. The Fund has twice invested in successful projects at Fort Abraham Lincoln State Park, once to rebuild the 7th Cavalry Stable at the park, in conjunction with the North Dakota National Guard, the Fort Abraham Lincoln Foundation, North Dakota Parks and Recreation Department and the North Dakota Department of Transportation; and, also to establish an internet coffee shop in the Commissary Bookstore at Fort Lincoln. The concept behind both of those projects was to extend the length of stay of visitors to Fort Lincoln, with the recognition that by extending their visits, it becomes more likely that the visitors will chose to have another meal or spend another night in a hotel or motel in Mandan.

The Harold Brady project has the same goal – to extend the length of stay of visitors to Fort Lincoln for the benefit of the broader community.

Harold Brady began collecting artifacts at old Fort Lincoln more than 80 years ago. As a young boy, he rode his bike to the site and came back with treasures. His collection grew over the years. Harold built very nice display cases and mounted the artifacts, including nails, buttons and beads, military items and civilian, both male- and female-related and even items related to the Mandan Indians' period of occupation of the park. In total, his 75 display cases represent the heritage of the site and tell numerous interesting and very valuable stories.

In May 20, 2008, Harold placed his entire collection on permanent loan to the Fort Abraham Lincoln Foundation, with the requirement that the items be insured, maintained and permanently displayed at Fort Abraham Lincoln State Park. The collection was professionally appraised as worth \$42,500, with the recognition that they are actually priceless, as they cannot be replaced at any price.

While the Brady Collection display cases are excellent and reflect Harold's unique vision of how the items should be displayed – which the Fort Abraham Lincoln Foundation wishes to maintain – the display cases are not secure and do not contain safety glass, which makes them unsafe both for the artifacts and for visitors. A good solution was found. The Brady cases can be arranged within larger display cases, complete with

WHERE HISTORY COMES TO LIFE

Visit www.fortlincoln.com

The Harold Brady Collection, page two of two

safety glass, sturdy wood construction and locks. The display cases would be set at a height and angle to provide excellent handicapped-accessible viewing.

A working model of the case was prepared by Fort Abraham Lincoln Foundation maintenance staff. The case is 36" x 96" made from heavy 5/8ths inch plywood, sitting on 2"x4" legs. While very attractive, the case also fits the style and image of the interior of the old fort buildings. The one case staff manufactured cost approximately \$1,000.00 in materials and labor. To hold the entire Brady collection will require 10 cases (\$9,000, since one has been completed at the Foundation's cost) and additional labor and supervision, (\$5,000) as well as materials and supplies, (\$2,000) to prepare the site, (\$2,000) place the exhibit, (\$3,000) enhance security, (\$5,000) provide educational signage and explanations to create a self-guided tour of the artifacts, (\$4,000) and produce a priceless video featuring Harold Brady reviewing his history of collecting and his research into the items displayed. (\$5,000) The Fort Abraham Lincoln Foundation has a standard rate for grants administration of 10%, which, by holding to it, has established a reimbursement rate honored by the National Park Service and other federal agencies for grants to improve Fort Abraham Lincoln State Park.

All together, this one-time request is for \$38,500, to add a permanent museum exhibit to Fort Abraham Lincoln State Park.

Obviously this is a bargain price for a museum-quality exhibit. It fits into the Fort Abraham Lincoln Foundation philosophy of using local talent to shape the interpretive program presented at Fort Abraham Lincoln State Park. The Foundation's in-house experts designed, wrote, and prepared through local vendors the interpretive exhibits in the 7th Cavalry Stable, as well as the entire Mandan Indian wing of the state park's Visitors Center. Museum design firms would have charged literally hundreds of thousands of dollars for these services, but the Foundation does quality work, consistent throughout the park with its interpretive mission, for a fraction of the cost.

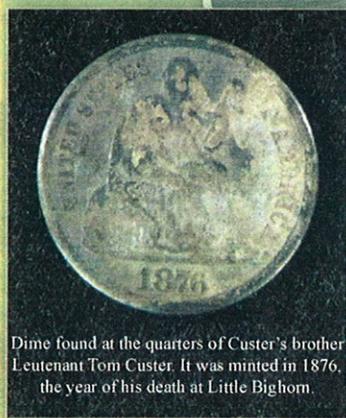
But the Fort Abraham Lincoln Foundation cannot self-fund every project. This is one that needs the assistance of the City of Mandan and its Visitors Fund.

Pieces of History

Return to Fort Abraham Lincoln



Plate shard



Dime found at the quarters of Custer's brother Lieutenant Tom Custer. It was minted in 1876, the year of his death at Little Bighorn.

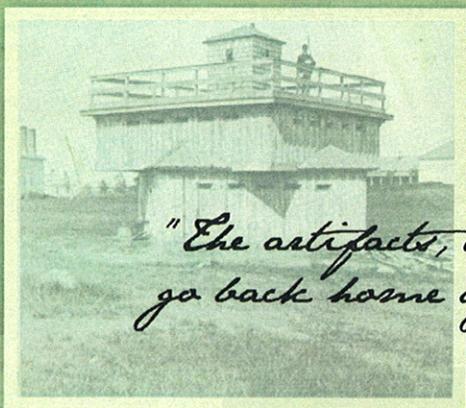
In the years after Fort Abraham Lincoln shut down in 1891, local settlers took every fort building, board by board, until there was nothing left. Today precious little of the original fort remains.

But now thousands of pieces of Fort Abraham Lincoln are returning. The Harold Brady Collection contains over six thousand once-forgotten objects that the Army and local scavengers left behind. Today they form a remarkably complete picture of life at Custer's last command—one of the centers of the Indian Wars.

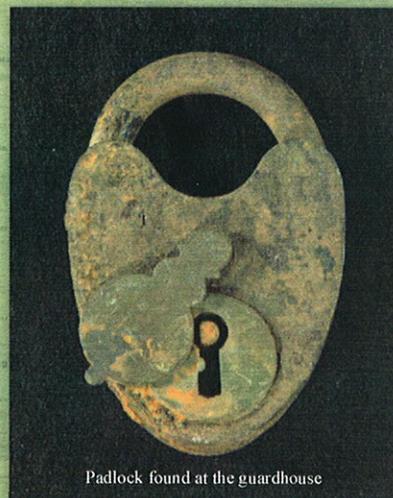


Bottle fragments. The one on the far right had never been opened.

Plans are underway to house this historically significant collection in a permanent gallery at the Fort Lincoln site, and the Fort Abraham Lincoln Foundation could use your help to make it possible.



"The artifacts, they're going to go back home again."



Padlock found at the guardhouse

THE **Harold Brady** COLLECTION

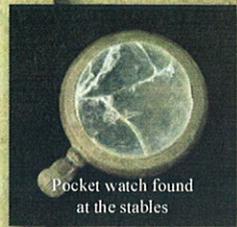
Harold Brady



Broken toy rifle

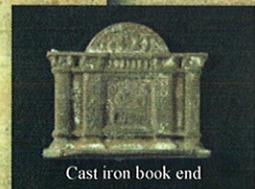
"It seems that every time I picked up a piece it was my favorite until the next one came along."

Once old Fort Lincoln had been reduced to a few empty cellars in the ground, few people took any interest in the site. But in the late 1920s, a boy about ten years old named Harold Brady saw what others couldn't see. He saw the site of an exciting history, where famous generals, impoverished soldiers, and money-hungry entrepreneurs converged. And he saw artifacts. Little glass bottles, ink pots and toys that silently retold that history in thousands of wordless stories.



Pocket watch found at the stables

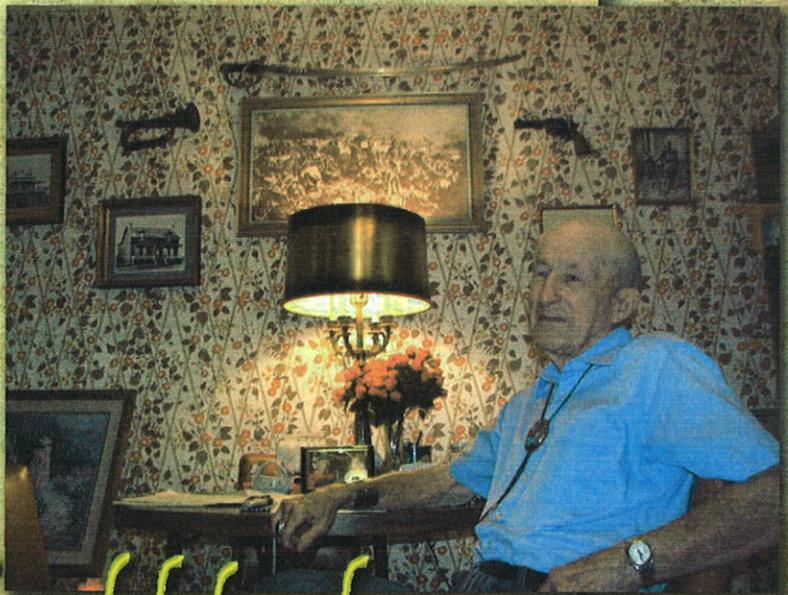
Whenever he had free time, the young Harold Brady rode his bicycle down to the abandoned fort site and collected as many items as he could find, sometimes saving items that were otherwise about to be thrown away forever. Decades later, he never lost his enthusiasm for Fort Lincoln and took active part in the reconstruction of the Custer House in 1989.



Cast iron book end

He even lovingly hand made seventy seven hardwood display cases for his collection. Now Harold Brady is sending them "back home again."

Harold Brady would like the Fort Abraham Lincoln Foundation to permanently preserve and display the entire collection for the public at the original fort site. Fundraising is underway to build a suitable gallery for them.



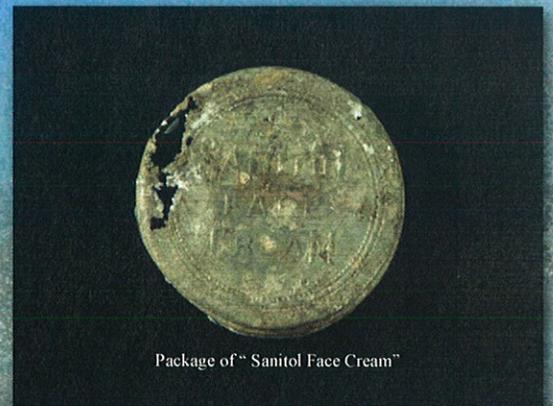
THE **Harold Brady** COLLECTION



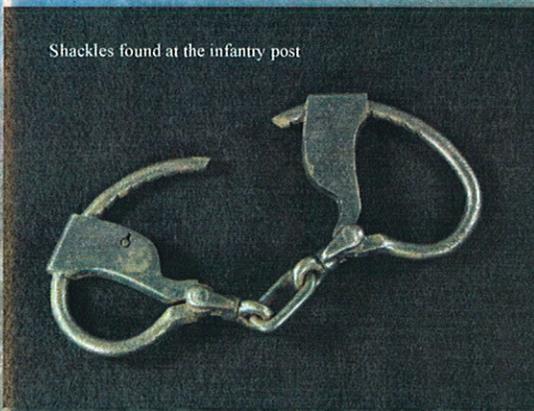
45/55 cartridges and bullet.

THE *Harold Brady* COLLECTION

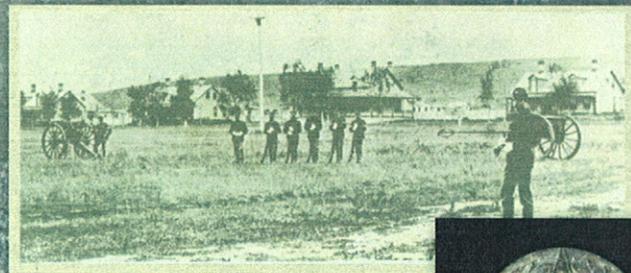
The real beauty of the Harold Brady Collection lies in its completeness. Flatware, dishes, bullet cartridges, tack, ale bottles, and rings conjure up an amazingly complete picture of Fort Abraham Lincoln in its heyday. Brady considered nothing too insignificant to be included. Together these items represent a remarkably complete picture, and hidden among them are many interesting and unique treasures.



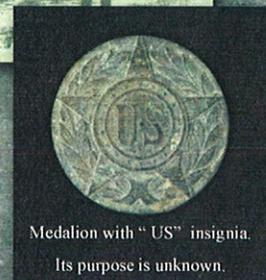
Package of "Sanitol Face Cream"



Shackles found at the infantry post



The collection answers questions about the fort that had long been mysteries. It also contains many new mysteries of its own, which archaeologists, historians, and visitors alike will be able to debate and ponder years into the future.



Medallion with "US" insignia.
Its purpose is unknown.

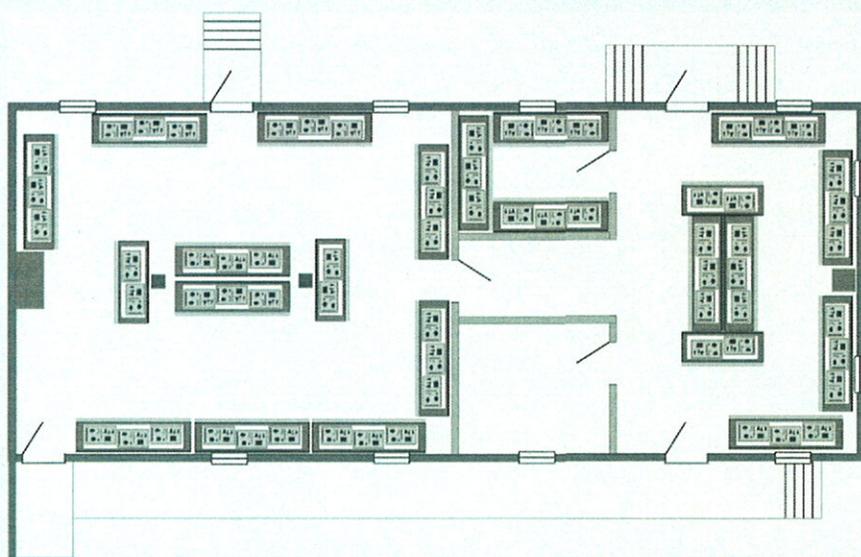
The New Gallery

The entire collection is too large even to display in this room. Therefore plans are underway to house the entire collection in the south kitchen and mess hall of the Central Barracks at the Fort Lincoln site.

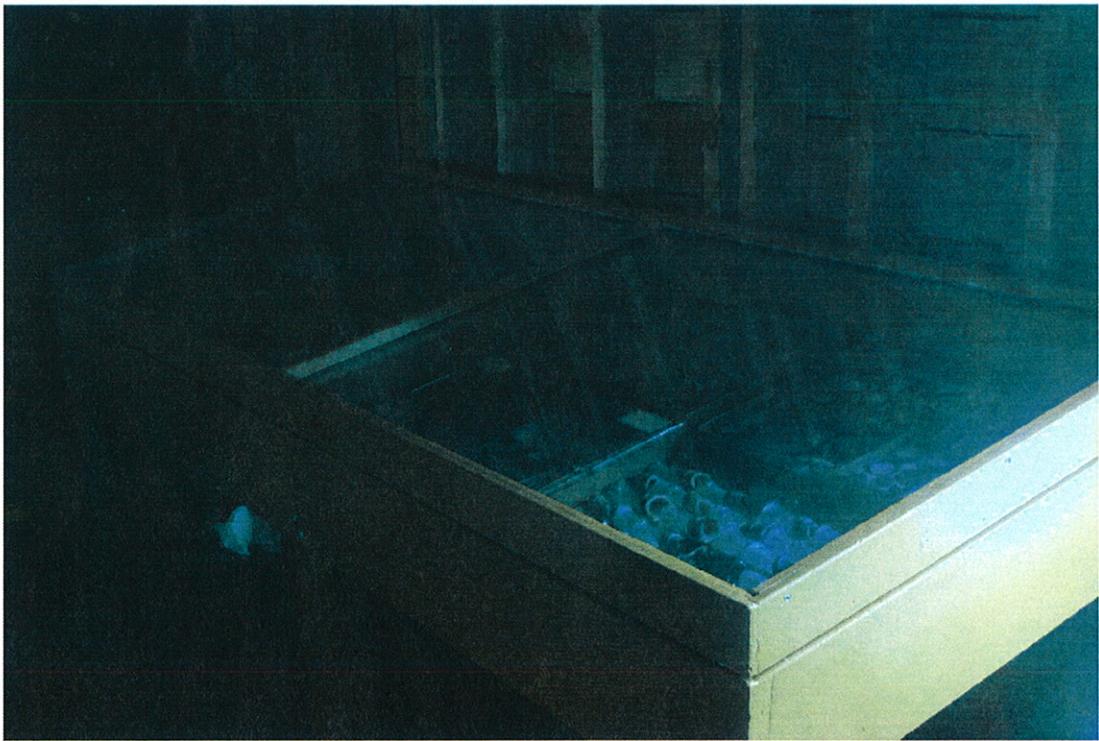
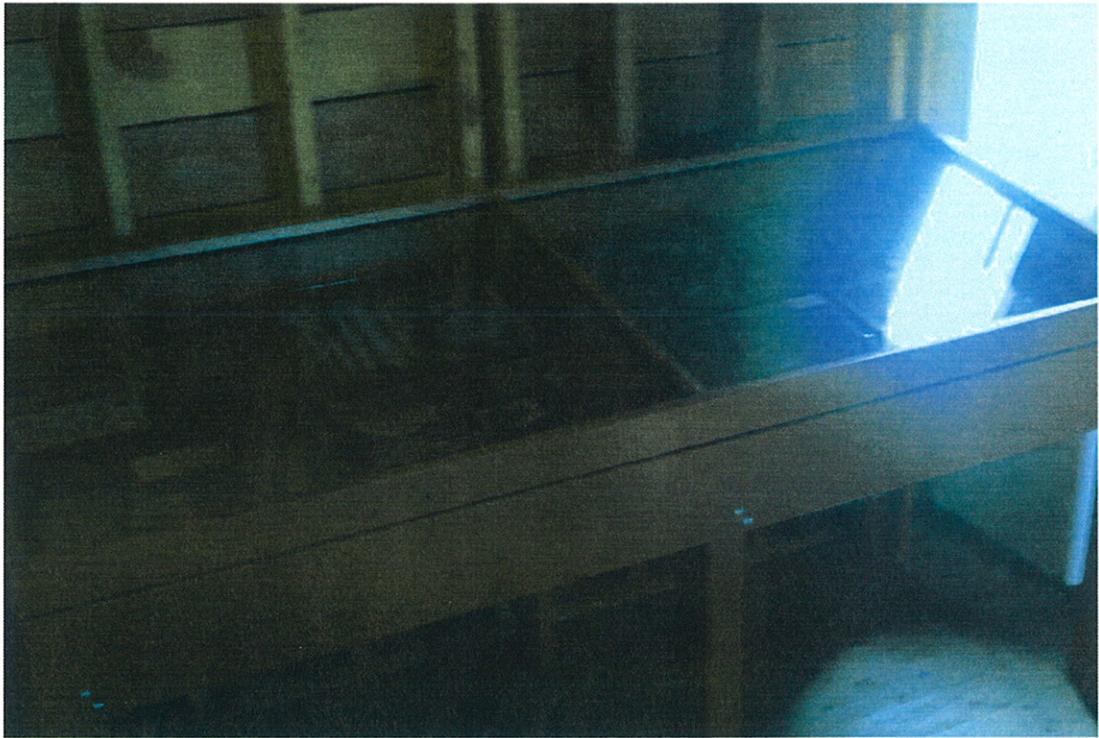
Harold Brady's hand-made cases will continue to be used, but they will be housed in secure cabinets at a convenient height for viewing. Details are in the early planning phases, but pillar-like display cases could highlight specific items and allow viewing from all sides, while audio-visual displays could allow Harold Brady to tell his story to visitors in his own words. Maps and period photographs of the fort might show where the items in each case were recovered.

The rooms will also need wiring for electricity, lighting, insulation, heating, air conditioning, a security system, display cases, and signage. Ideally the exhibit will be staffed all year, increasing Fort Lincoln's year-round attractions.

Also, if you think you know what one of our as-yet unidentified items is, please let us know! You can contact us at info@fortlincoln.org



THE *Harold Brady* COLLECTION





Board of City Commissioners

Agenda Documentation

MEETING DATE: December 6, 2011
PREPARATION DATE: December 1, 2011
SUBMITTING DEPARTMENT: Wastewater Treatment Plant
DEPARTMENT DIRECTOR: Steve Himmelspach Superintendent WWTP
PRESENTER: Russell Sorenson, Operations Manager –
Advanced Engineering and Environmental
Services, Inc.
SUBJECT: Wastewater and Collection System Master Plan

STATEMENT/PURPOSE: To consider adopting Wastewater and Collection System Master Plan

BACKGROUND/ALTERNATIVES:

- September of 2009 the Board of City Commissioners requested proposals to complete a Comprehensive Sanitary Sewer System Plan.
- January of 2010 the Board of City Commissioners awarded the Comprehensive Sanitary Sewer Collection System Master Plan to Advanced Engineering.

The Facility Plan was intended to guide the City through the process of prioritizing, budgeting, expanding, and maintaining the collection system and expanding, improving, or replacing the existing wastewater treatment facility. To achieve a reasonable and economical solution, the study involved collection of data to establish existing conditions, including flows, loads, and record drawings. The existing infrastructure has been evaluated and current deficiencies identified.

A potential future collection system has been modeled and conceptually planned to serve identified growth areas irrespective of where the initial growth occurs. The future treatment requirements have been identified. These requirements are based on capacity needs, current effluent standards, and phasing for anticipated effluent standards. Capacity needs are based on expected population growth patterns. The study identifies potential growth patterns based on recent population growth and previous studies, which is anticipated to remain relatively consistent. Treatment alternatives have been developed based on the project treatment needs. Each alternative addresses capacity, costs, and treatment capabilities.

ATTACHMENTS: Roadmap for the City of Mandan

FISCAL IMPACT: None at this time

STAFF IMPACT: None at this time

LEGAL REVIEW:

RECOMMENDATION: To adopt the Wastewater System and Collection System Master Plan.

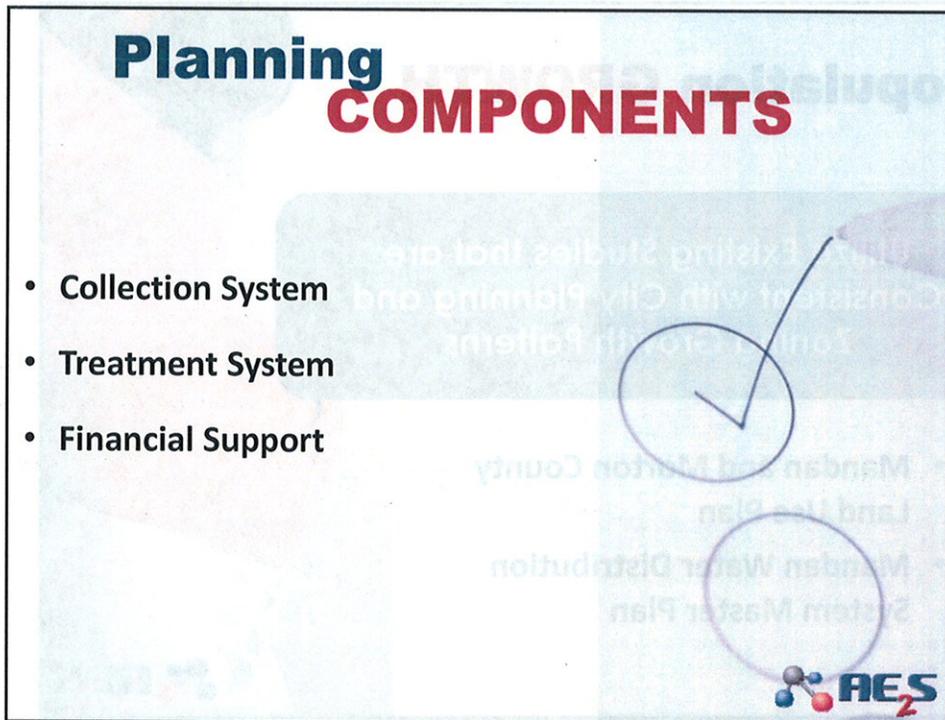
SUGGESTED MOTION: I move to adopt the Wastewater System and Collection System Master Plan.



Roadmap for the City of Mandan
Comprehensive Sanitary System Planning

Russell Sorenson
Operations/Project Manager

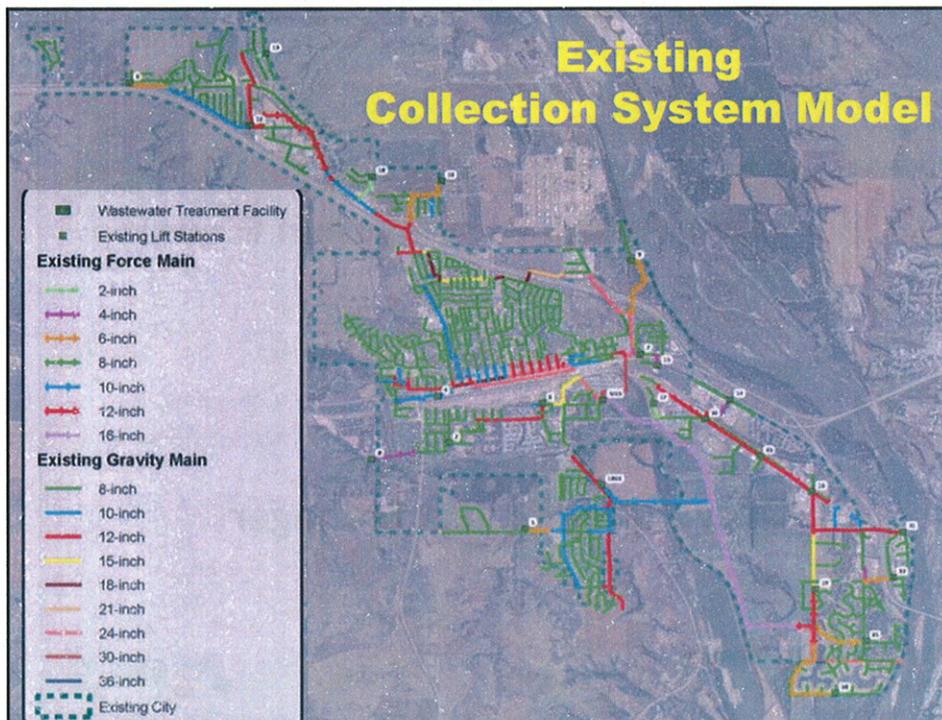
City Commission Meeting
December 3, 2011



Planning
COMPONENTS

- Collection System
- Treatment System
- Financial Support



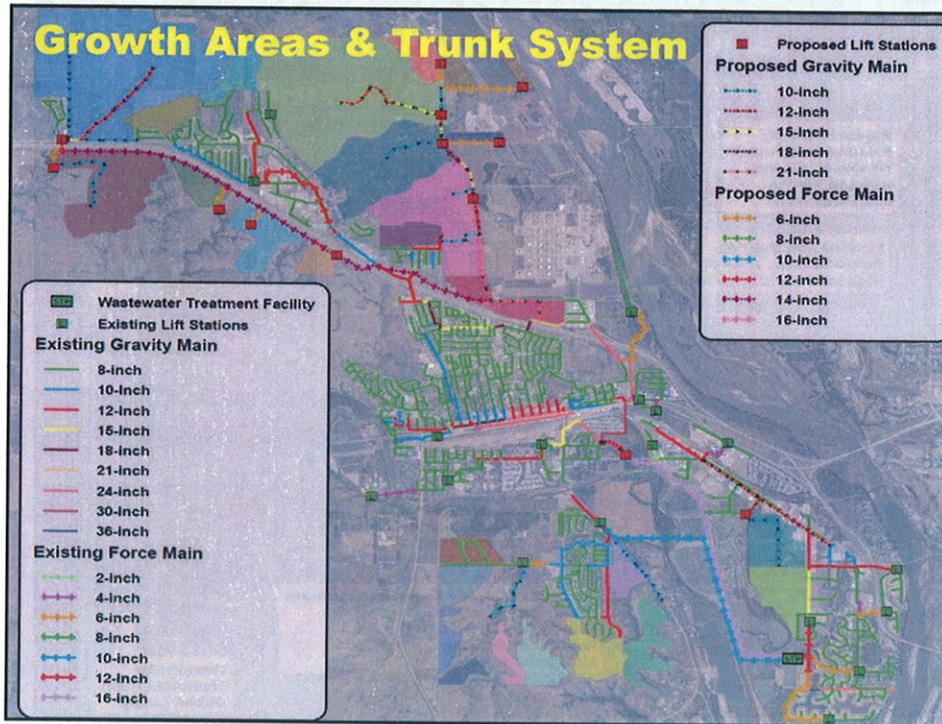


Population **GROWTH**

Utilize Existing Studies that are Consistent with City Planning and Zoning Growth Patterns

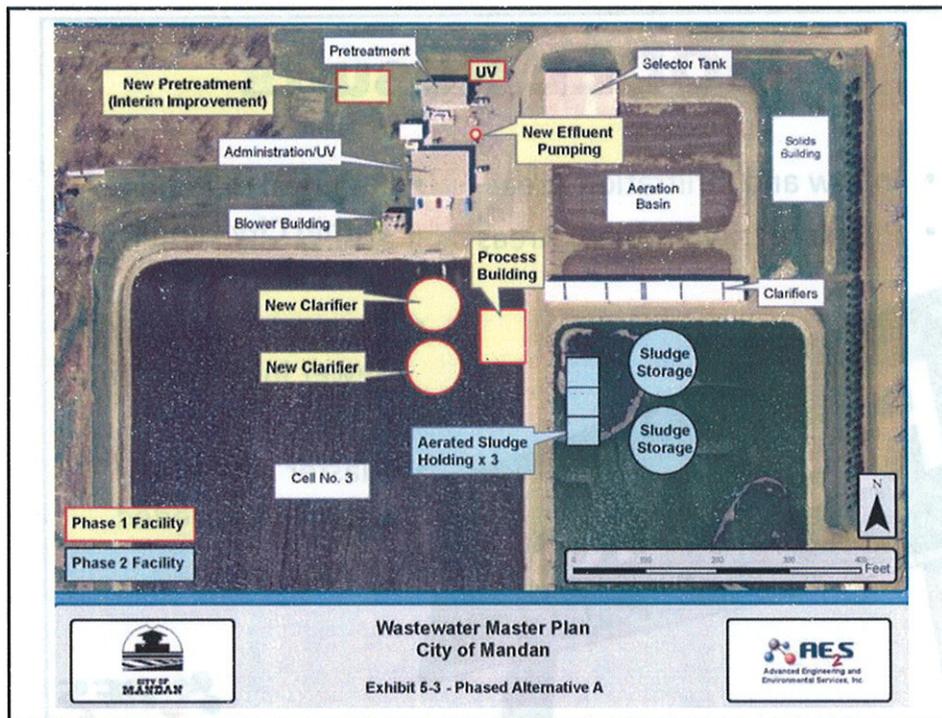
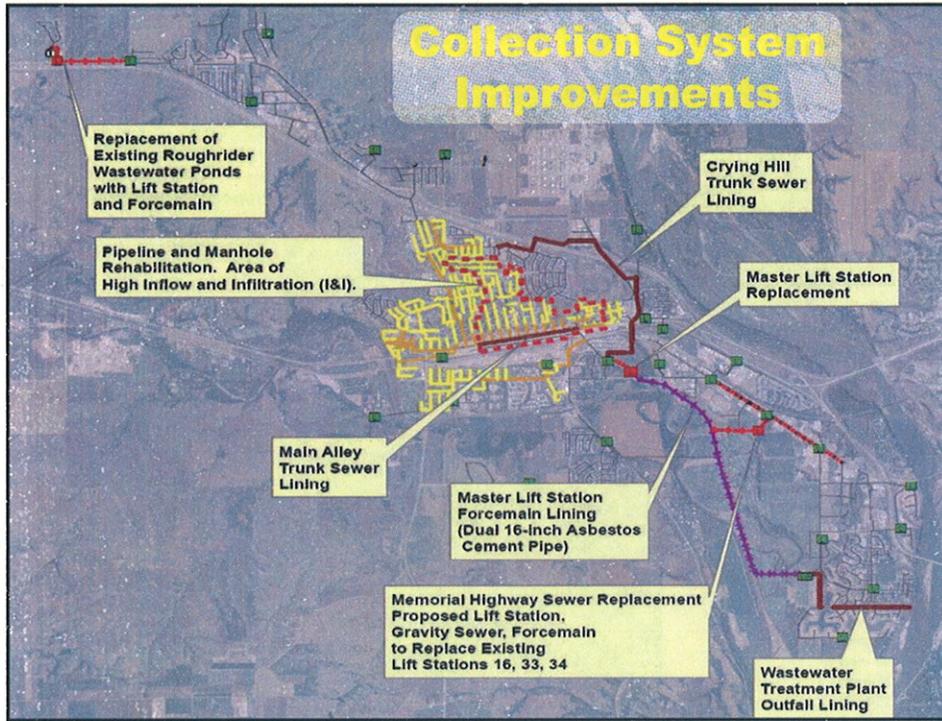
- Mandan and Morton County Land Use Plan
- Mandan Water Distribution System Master Plan

AES



MODEL Results

- Inflow and Infiltration Areas
- Pipe Integrity Problem Areas
- Removal of Ponds within City Limits
- Memorial Highway Sewer Improvements
- Master Lift Station Capacity Exceeded



Additional RECOMMENDATIONS

- Combine Sanitary Sewer Rehabilitation Projects with Street Reconstruction
- Establish a Program for Removal of Sump Pump System Discharge into Sanitary System
- Install New Lift Station Alarm and Radio Communication System
- Incorporate Collection Improvements and Treatment System Improvements into Comprehensive Capital Improvements Plan

THIS WAY →

← THAT WAY



Capital Improvements Plan

TABLE 11-1
CITY OF MANDAN - CAPITAL IMPROVEMENTS PLAN (CIP) FOR WASTEWATER SYSTEM IMPROVEMENTS

| PROJECT DESCRIPTION | 2011 Estimate of Total Project Cost* | Anticipated Start | Indexed Cost (% Annual Inflation) | Year | | | | | | | | | | | | |
|---|--------------------------------------|-------------------|-----------------------------------|------------------|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------------|---------------------|---------------------|--------------|
| | | | | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021-2025 | | |
| Rate Analysis | \$12,600 | 2011 | \$12,600 | \$12,600 | | | | | | | | | | | | |
| Radio Path Study and Central Alarm System | \$200,000 | 2011 | \$204,838 | \$13,870 | \$251,864 | | | | | | | | | | | |
| Existing WWTDF Outlet Joint Repair | \$50,000 | 2011 | \$51,500 | \$51,500 | | | | | | | | | | | | |
| Interim WWTDF Optimization and Pad Placement | \$4,495,000 | 2011/2014 | \$3,481,320 | \$366,000 | | | \$49,110 | \$4,047,330 | \$940,070 | | | | | | | |
| Paughrider Collection System Extension | \$608,000 | 2012 | \$643,140 | \$43,424 | \$580,124 | | | | | | | | | | | |
| Crying Hill Trunk Sewer Lining | \$1,874,000 | 2014 | \$2,076,487 | | | | \$1,023,640 | \$1,054,402 | | | | | | | | |
| Lift Stations | \$300,000 | 2013 | \$334,428 | | | \$377,838 | \$150,541 | | | | | | | | | |
| Main Alley Trunk Sewer Lining | \$501,000 | 2014 | \$551,134 | | | | \$301,040 | \$310,678 | | | | | | | | |
| Master Lift Facility Assessment | \$280,000 | 2014 | \$275,182 | | | | \$275,182 | | | | | | | | | |
| Master Lift Station Replacement | \$3,433,000 | 2015 | \$3,959,308 | | | | | \$969,308 | \$3,084,941 | | | | | | | |
| Memorial Highway Sewer Replacement | \$1,368,100 | 2016 | \$1,641,435 | | | | | | \$497,896 | \$1,143,539 | | | | | | |
| WWTDF Alternative A Phase 1 - Liquids System Improvements with New Final Clarifiers | \$8,736,000 | 2017 | \$11,329,432 | | | | | | | \$21,562 | \$2,148,836 | \$4,426,607 | \$4,232,432 | | | |
| Master Lift Station Forewater Lining | \$1,018,000 | 2018 | \$1,287,347 | | | | | | | | \$324,181 | \$641,666 | | | | |
| Future Outlet Assessment Acquisition | \$58,000 | 2018 | \$61,040 | | | | | | | | \$43,546 | | | | | |
| Leveling WWTDF Outlet Lining | \$712,000 | 2020 | \$4,123,311 | | | | | | | | | | \$498,556 | \$424,755 | | |
| WWTDF Alternative A Phase 2 - Solids System Improvements | \$7,185,000 | 2025 | \$12,536,841 | | | | | | | | | | | | | \$12,536,841 |
| Annual Pipe, Manholes, and Lift Station Maintenance/Replacement and GIS Updates | \$260,000 | 2011 | \$2,628,458 | \$267,000 | \$268,230 | \$271,140 | \$274,177 | \$278,619 | \$284,511 | \$290,924 | \$297,804 | \$305,214 | \$312,614 | \$320,014 | \$327,414 | \$334,814 |
| Annual Odor Control | \$40,000 | 2018 | \$228,124 | | | | | | | | | | | | | |
| Project Totals | \$11,418,600 | | \$43,147,488 | \$437,000 | \$384,499 | \$1,498,563 | \$2,027,004 | \$4,766,923 | \$4,846,171 | \$2,092,120 | \$2,228,596 | \$5,483,603 | \$8,191,708 | \$12,536,841 | \$14,176,719 | |
| Future Growth Area A1 - Trunk System | \$128,000 | 2013 | \$158,123 | | | \$204,515 | | \$313,120 | | | | | | | | |
| Future Growth Area A2 - Trunk System | \$2,640,000 | 2017 | \$3,206,407 | | | | | | | \$1,891,570 | \$449,172 | \$104,850 | | | | |
| Future Growth Area C - Trunk System | \$168,000 | 2020 | \$436,340 | | | | | | | | | | \$499,340 | | | |
| Future Growth Area E - Trunk System | \$884,000 | 2020 | \$1,650,580 | | | | | | | | | | | | | \$1,650,580 |
| Totals | \$36,890,600 | | \$112,173,868 | \$427,000 | \$384,499 | \$1,791,463 | \$2,027,004 | \$7,498,367 | \$4,846,171 | \$3,973,619 | \$3,477,421 | \$4,162,710 | \$10,898,648 | \$14,176,719 | | |

*Capex Excludes Opex Items
*Capex of Total Project Costs are indexed by 3 percent annually for inflation

Collection System Projects
Treatment System Projects
Growth Dependent Projects

WASTEWATER
Utility Rate Study

**Rate Design
&
Revenue Adequacy**



Overview

- ✓ Review of 2010 Cost of Service Results & Projected 2012 Cost of Service Results
- ✓ Rate Design and Revenue Adequacy Results



Rate Design & Revenue Adequacy **OBJECTIVES**

- Planning Period 2013-2021
- Support CIP from Master Plan
- Strive towards \$1M in Rate-Funded Capital by end of Planning Period
- Adjust Rate Structure to reflect Cost of Service
- Stay within Average of Similar Utilities in North Dakota
- Meet 125% Debt Coverage Requirements

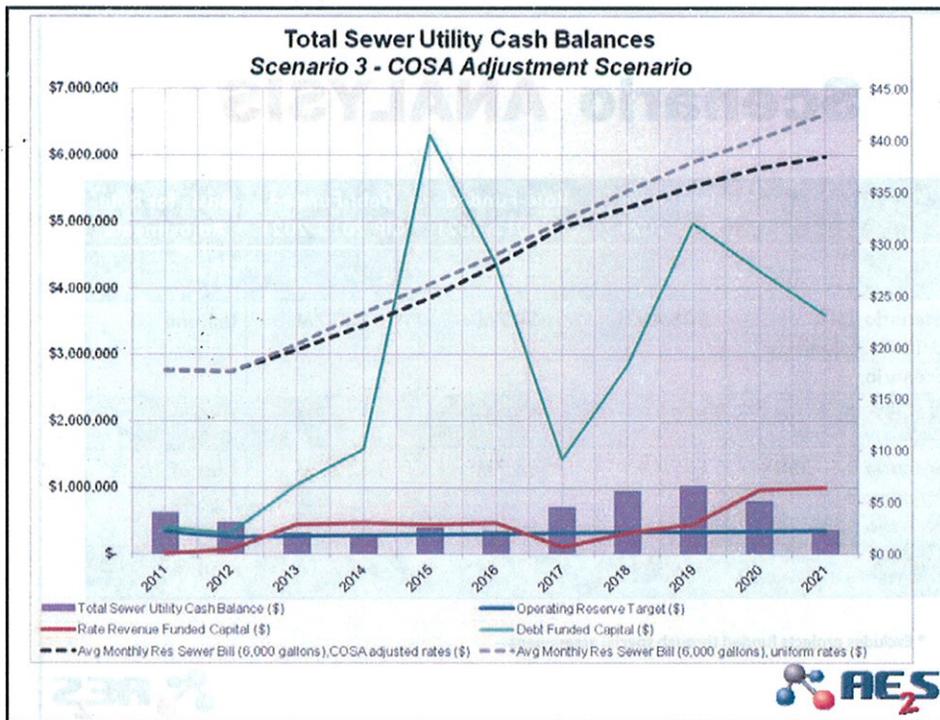
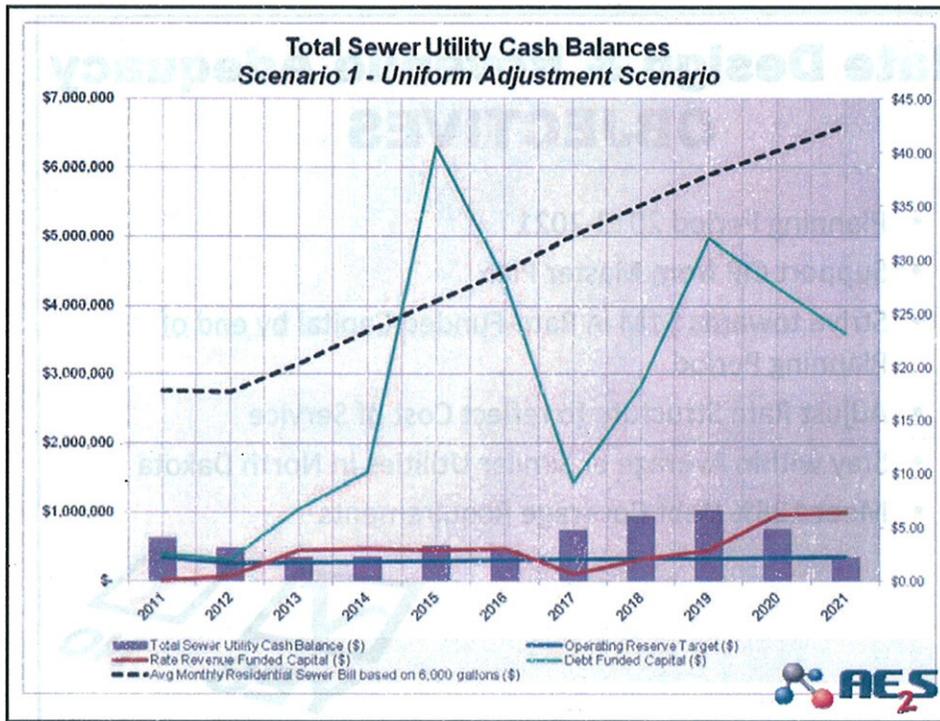


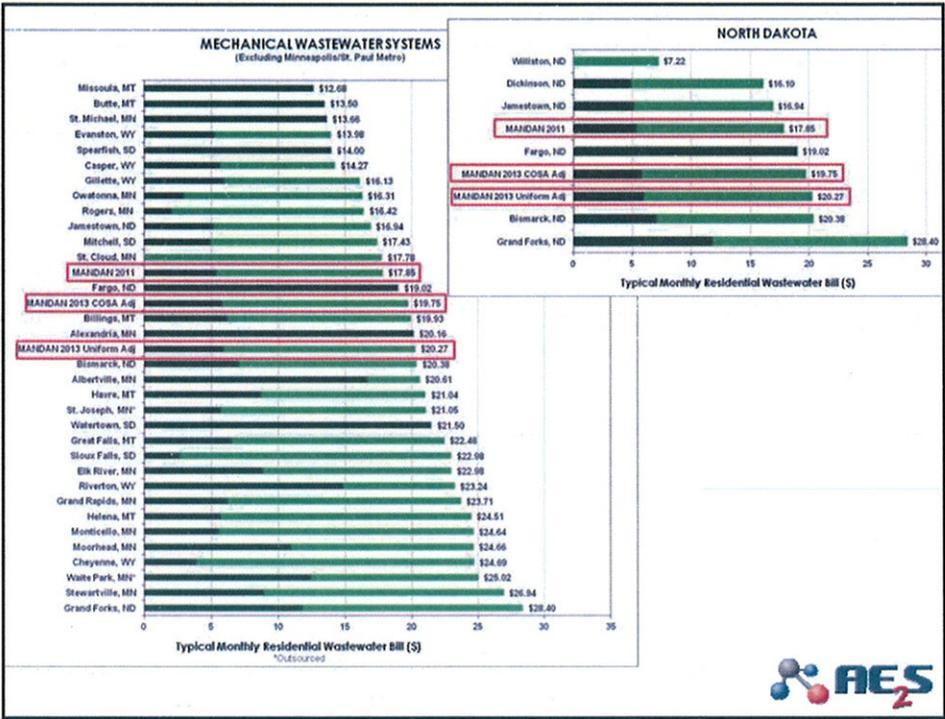
Scenario **ANALYSIS**

| | Total CIP* 2013-2021 | Rate-Funded CIP 2013-2021 | Debt-Funded CIP 2013-2021 | Basis for Rate Adjustments |
|--|-------------------------|------------------------------|------------------------------|-------------------------------|
| Baseline | | | | |
| Scenario 1 – Uniform Adjustment Scenario | \$35.4M | \$4.7M | \$30.7M | Uniform |
| Scenario 2 | \$35.4M | \$8.2M | \$27.2M | Uniform |
| Scenario 3 – COSA Adjustment Scenario | \$35.4M | \$4.7M | \$30.7M | Cost of Service |
| Scenario 4 | \$35.4M | \$8.2M | \$27.2M | Cost of Service |

* Excludes projects funded through special assessment







COMPARISON WITH Other Cities

| City | Total Wastewater Bill |
|--|-----------------------|
| Dickinson 2012 | \$16.10 |
| Jamestown 2012 | \$16.94 |
| Fargo 2012 | \$19.02 |
| Bismarck 2012 | \$20.38 |
| Grand Forks 2012 | \$28.40 |
| 5 City Average | \$20.17 |
| <i>Mandan 2013 COSA Adjustment Scenario</i> | <i>\$19.75</i> |
| <i>Mandan 2013 Uniform Adjustment Scenario</i> | <i>\$20.27</i> |
| <i>Mandan 2013 Scenario 2 & 4</i> | <i>\$22.92</i> |



ORDINANCE NO. 1106

AN ORDINANCE CHANGING THE NAMES OF CERTAIN STREETS OR PARTS THEREOF SITUATED WITHIN THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA.

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

SECTION 1. Name of Streets. The names of the following streets or parts thereof are hereby changed as set forth below; namely;

1. Morton Lane as platted in Big Sky Estates 3rd Addition in Section 16, Township 139N, Range 81W, in the City of Mandan, Morton County, North Dakota is hereby changed to "Jude Lane".

SECTION 2. Notice. The proper officials of the city are hereby directed to publish a copy of this ordinance in the Mandan News, the official newspaper, for two successive weeks and take such further action in the premise as they may deem necessary or desirable.

President, Board of City Commissioners

Attest:

City Administrator

| | |
|--------------------|---|
| Publication Dates: | <u>November 25 & December 2, 2011</u> |
| Public Hearing: | <u>December 6, 2011</u> |
| First Reading: | <u>December 6, 2011</u> |
| Second Reading: | <u>December 20, 2011</u> |
| Publication Date: | _____ |

