



AGENDA
MANDAN CITY COMMISSION
FEBRUARY 21, 2012
ED "BOSH" FROEHLICH MEETING ROOM
***5:00 P.M. (SPECIAL TIME)**
www.cityofmandan.com

A. ROLL CALL:

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

B. MINUTES:

1. Consider approval of the following minutes:
 - i. January 31, 2012 - Special Working Session
 - ii. February 7, 2012 – Regular Meeting

C. PUBLIC HEARING:

- 1.

D. BIDS:

1. Presentation of bids for flood removal projects
 - i. Hesco & various earthen levees
 - ii. Bridgeview Bay
 - iii. Marina Bay
 - iv. Borden Harbor
 - v. Lakewood Harbor
2. Consider the award of Concrete and Asphalt crushing project at the Landfill.
- 3.

E. CONSENT AGENDA:

1. Consider approval of Meadow Ridge 1st Addition Zone Change.
(First consideration of ordinance #1110)
2. Consider approval of monthly bills.
3. Consider the following abatements:
 - i. Norrie – new construction
 - ii. Schmidt – new construction
4. Consider approval of out-of-state travel for Fire Department Instructors Conference (FDIC)
5. Consider approval for out-of-state travel for the Police Department for the FBI Bakken Oil and Gas Law Enforcement Summit.
6. Consider approving the plans & specifications and allow for the advertisement for bids for Street Improvement District No. Project #2010-03 (NW Mandan)

F. OLD BUSINESS:

G. NEW BUSINESS:

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1. Consider the annexation of a tract of land being a part of the NW ¼ of Section 22, Township 139N, Range 81W. (Ordinance 1111)
2. Consider Renaissance Zone Committee recommendations
 - i. Purchase with improvement project at 301 First St NE by 1802 Wooddale Drive, LLC
 - ii. Rehabilitation of 101 E Main by Al Leingang
3. Consider renewal of real estate listing contract for city-owned properties (100 Collins, 104 E Main, 106 E Main, 108 E Main and 116 E Main)
4. Discussion related to liquor licenses.

H. RESOLUTIONS & ORDINANCES:

1. *Consider first consideration of Ordinance No. 1110 Zone Change for Meadow Ridge 1st Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map.*
2. *Consider first consideration of Ordinance 1111, An ordinance annexing certain adjoining lands to the City of Mandan, North Dakota, and extending the corporate boundaries thereof (tract of land being a part of the NW ¼ of 22-139N-81W).*
3. *Consider second and final passage of Ordinance 1108 - An Ordinance to Amend Section 21-03-10 of the Mandan Code of Ordinances Relating to Automobile Parking.*
4. *Consider second and final passage of Ordinance 1109 – An Ordinance to Create and Enact Section 20-09-38 of the Mandan Code of Ordinances Relating to Use of An Electronic Communication Device By Minor Prohibited (Amended)*
- 5.

I. OTHER BUSINESS:

- 1.

J. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. March 6, 2012
2. March 20, 2012
3. April 3, 2012

K. ADJOURN

The Mandan City Commission met in special working session at 5:00 p.m. on January 31, 2012 at Mandan City Hall, 205 2nd Ave NW, in the former Morton County Library area. In attendance were Mayor Helbling, Commissioners Tibke, Rohr, Frank, and Jackson. Department Heads present were Finance Director Welch, City Attorney Brown, City Administrator Neubauer, Business Development & Communications Director Huber, Director of Public Works Wright, Planning & Engineering Project Manager Bechtel and Accounts Payable Technician Karri Motl.

NEW BUSINESS:

1. *Review liquor licenses*

The Board reviewed the City of Mandan's current ordinances related to beer and liquor licenses, in addition to a survey from the North Dakota League of Cities indicating which cities in North Dakota have limitations on the number of licenses and the annual renewals. West Fargo appears to be the only city of size that has no limit on the number of licenses. The Board also reviewed a letter received from John and Tom Miller, owners of Captain Jack's, in opposition to opening up additional licenses. There has been interest in additional Class D, off sale beer, and Class D off sale Beer and Liquor. The number of licenses, per ordinance, is tied to population, and hence discussion centered on if the 2010 census number captured everyone living in Mandan. It would appear based on housing units constructed within the past 10 years, the census number is low. The Board asked that staff do additional analysis on the number of housing units constructed versus population.

2. *Review potential infrastructure projects:*

i. *Sunset Drive*

Planned reconstruction of Sunset Drive was set for 2013, with the recent announcement of Wal-Mart construction in northwest Mandan; we have asked if this project could be moved up to 2012. Rationale would be to have the road reconstruction underway at the same time as store construction in hopes that a potential store opening would not be hindered by street reconstruction. As this is a project with state and local funds, we have not yet heard if the project could move forward in 2012. Estimated costs, including street, lights, storm sewer, and water and sewer lines approximates \$7.8M. As this project is urban in nature it would receive funding from several sources including, federal, state, local mill levy, sales tax and special assessments.

ii. *Boundary Road*

A proposed alignment of Boundary Road to the west, along with how it would possibly connect with Lohstreter Road was provided. The bluffs overlooking Mandan and Bismarck would make excellent office locations and the property has been included in the potential retail/office/industrial sites. Estimated costs to extend Boundary Road to the west approximate \$3.7M. This project would most likely be urban in nature and therefore receive funding from several sources including, federal, state, local mill levy, sales tax and special assessments.

iii. *Old Red Trail, West, Highland Road to potentially 47th Ave.*

Discussion was relative to the possibility of this project moving forward if a new elementary school were constructed and additional development to the northwest. Adequate right of way exists, ditches would be removed, storm sewer installed with most likely a three lane (middle turn) asphalt construction. Estimated cost is \$4.2M. This

project would most likely be urban in nature and therefore receive funding from several sources including, federal, state, local mill levy, sales tax and special assessments.

iv. Old Red Trail, Mandan Ave to Collins Ave.

The property between Tesoro and I-94 changed hands a few years ago and the new owners have indicated (dependent upon development) that a newly constructed roadway through this property would be the preferred option. Estimated cost is \$3.2M. This project would most likely be urban in nature and therefore receive funding from several sources including, federal, state, local mill levy, sales tax and special assessments.

v. Memorial Highway

The reconstruction of Memorial Highway date has moved back several times, the latest date is 2018 or later. This would be a major project including roadway reconstruction, storm sewer, water and sanitary sewer lines, street lights, potential realignment of some side streets, etc. Estimated cost is \$33M. One of the issues related post reconstruction would be that the City of Mandan then would assume ownership along with maintenance. This would require significant manpower and equipment acquisitions. An item brought up to the Board is the uncertainty of the potential special assessments that may be incurred as a hindrance of future development or improvements in this area.

vi. Upcoming potential residential developments

Information was provided to the Board related to potential 2012 residential developments. Those areas in the northwest part of the city include Big Sky Estates (25 lots) and Meadow Ridge (20 lots), in the southeast part of the city, Heart Ridge Addition (35 lots), Keidel's South Heart Terrace (37 lots) and Lincoln Ridge Addition (12 lots). Developers working on these areas have been informed that there is no guarantee that the city will agree to special assess the costs of streets, lights, storm sewer, etc. and these costs may need to be considered when selling lots.

There being no further actions to come before the Board, Commissioner Frank moved to adjourn the meeting at 6:45p.m. Commissioner Jackson seconded the motion. The motion received unanimous approval of the Board members present and the meeting adjourned.

James Neubauer,
City Administrator

Timothy A. Helbling,
President, Board of City
Commissioners

The Mandan City Commission met in regular session at 5:30 p.m. on February 7, 2012 in the Ed “Bosh” Froehlich Room at City Hall. Commissioners present were Helbling, Tibke, Rohr and Frank. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, Engineering Project Manager Bechtel, and City Assessor Barta. Absent: Commissioner Jackson.

MINUTES: Consider approval of the minutes for January 17, 2012, regular meeting. Commissioner Tibke moved to approve the minutes of January 17, 2012. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present. The motion passed.

PUBLIC HEARING:

1. *A Public Hearing to consider for approval the resolution to vacate a 10’ utility easement on the south property line of Lot 3, Block 1, Replat of Lot 1, Block 1 of Ripples 4th Addition.* Engineering Project Manager Bechtel reviewed with members a request to vacate a 10’ utility easement along the south property line. All the utility companies have approved of the request to vacate and the homeowners within 300 feet of the property have been notified. There have been no opposition or comments received. Bechtel stated that the engineer’s office has no problems with the request.

Mayor Helbling stated that this is a public hearing and asked for any comments from the audience regarding the request to vacate the 10’ utility easement. A second request for comment was requested. Hearing none, this portion of the public hearing was closed.

Commissioner Tibke moved to approve the resolution to vacate a 10’ utility easement on the south property line of Lot 3, Block 1, Replat of Lot 1, Block 1 of Ripples 4th Addition. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Absent. The motion passed.

2. *A Public Hearing to consider an Ad Valorem tax exemption for Summit Housing Group, Inc.* City Assessor Barta reviewed with members a request from Summit Housing Group for a 5-year tax exemption for a multi-unit housing complex located at 4402 Shoal Loop Southeast, Mandan. They are planning on constructing a 48-unit apartment complex with an estimated cost of \$5 million. The Mandan Growth Fund (MGF) recommended a 2-year 100% tax exemption for Summit Housing Group in accordance with the policy adopted by the Commission. Assessor Barta stated he supports the MGF 2-year exemption recommendation.

Assessor Barta stated that there was one letter in opposition received that was signed by Kautzmann Management and Investments, Mosbrucker Apartments, Landmark Management & KSB Properties.

Mayor Helbling stated that this is a public hearing and invited comments from the audience regarding the request for the Ad Valorem tax exemption for Summit Housing Group, Inc.

Mark Bitz from KSB Properties, Inc. came forward to speak. Mr. Bitz who was one of the four individuals who signed the letter of opposition reminded the members about the meeting that was held in Glen Ullin with representation from the City stating that there was a handoff for recommendation not to give tax exemptions because they are not necessary any longer. In summary, apartments sell themselves and they will be filled up in a matter of months. He stated that he would encourage the Board to consider the requests outlined in the letter of opposition and to vote “no” on this matter.

Scott Keiper from Summit Housing Group came forward to speak in favor of the request for the Ad Valorem tax exemption, stating that he is here to request a 2-year tax exemption for affordable housing. He commented that in response to the opposition letter that was submitted regarding the transferring to a third party in which he stated that is not the intent whatsoever. He indicated that the application with the North Dakota Housing Finance Agency is under the partnership name of Crown Butte Apartments of which the general partner of that entity will be BHL Development and they are under the same ownership group as Summit Housing.

Mayor Helbling asked if there were any additional comments from the audience and, hearing none, this portion of the hearing was closed. He stated that the School District, the Park District, and Morton County have all been contacted with notice of the request on January 4, 2012 and again on February 2, 2012, and there were no objections from any of these entities.

BIDS:

CONSENT AGENDA:

1. *Consider appointments to the Mayors Committee for People with Disabilities.* The Board approved of the appointments to the Mayors Committee for People with Disabilities.
2. *Consider the execution of a 3-way agreement for the installation of water & sewer in Lakewood Commercial Park 4th Addition (Water & Sewer Imp Project #2011-07).* The Board approved of the execution of a 3-way agreement for the installation of water & sewer in Lakewood Commercial Park 4th Addition (Water & Sewer Imp Project #2011-07).
3. *Consider out-of-state travel for representation at U.S. Treasury Small Business Credit Initiative conference.* The Board approved of the out-of-state travel for representation at U.S. Treasury Small Business Credit Initiative conference.
4. *Consider for approval change order G-2 for the South Side Pump Station.* The Board approve of the change order G-2 for the South Side Pump Station.
5. *Consider the following abatements: i. Jamie Beutler –partial tax exemption;*

ii. John Hartman – tax exemption; iii. Paul Keidel – Keidel Family Limited Partnership – tax exemption. The Board approved of the abatements for Beutler, Hartman, and Keidel as requested.

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

OLD BUSINESS:

NEW BUSINESS:

1. *Consider Growth Fund Committee recommendation on property tax exemption application by Summit Housing Group.* Commissioner Rohr commented that he has mixed feelings with these requests in which a larger apartment complex may be granted a tax exemption while at the same time, a smaller unit would perhaps not qualify for an exemption. And with the (growing) economic times of today things are going to happen regardless and when considering providing a 2-year tax exemption in this instance, he stated he has a hard time justifying it in this case.

Commissioner Tibke requested Scott Keiper from Summit Housing Group to define what affordable housing entails. Keiper explained that the difference between a market rate complex and affordable housing is that with affordable housing an application is completed for the state for low income housing tax credits. The tax credits allow the capital structure to be 65% to 70% equity and 25% to 30% debt and that allows you to have lower debt service on that project which in turn allows you to be able to lower the rents. In order to have an allocation of credits from the state you have to commit to those lower rents and those lower rents are committed to a 30-year period minimum under Section 42 of the Internal Revenue Code. A market rate would be financed at 80% debt and 20% equity, typically, so you would have to charge higher rents in order to maintain operations at the same ratio.

Commissioner Tibke commented that with regard to sales tax on a project such as this as well as other projects that come into the community, it is not about the sales tax. It's about the population, including car counts and increased sales from people moving into the community. Commissioner Frank commented that this request is similar to the request that was before this Commission in August 2011 wherein Commissioner Jackson voiced concern at that time regarding tax exemptions and she has the same concerns as brought forward by Commissioner Rohr today. She stated that Mandan is in competition with Bismarck which makes this a difficult decision. She also reminded the Commission of the policy that was put into place in 2010 regarding requests for exemptions, stating that the Board should stick to that policy. She mentioned she was impressed with the Mandan Growth Fund recommendation of just a 2-year tax exemption as opposed to the tiered 5-year tax exemption of which this is a part under that exemption policy. The 2-year exemption jives with the residential construction and the tax abatement on new construction. However with that there is the limit up to \$75,000. If there are future discussions about this policy and how it relates to residential, she would suggest that we

consider that relationship to residential. Commissioner Frank indicated that Mandan is in need of affordable housing and she would support this request.

Mayor Helbling commented that in 2010 after the development of the policy there was an increase in the number of apartment complexes that were constructed in Mandan. The goal was to utilize the properties in useable fashion and, if the policy was not developed, it would have been likely that single family housing would have been developed on those properties. The larger complexes are better for the City because they require fewer infrastructures. Another consideration is the tax structure for the community and in the meantime the developers may have to be enticed with 2-year exemptions. If we intend to deviate from the policy the Growth Fund Committee should be made aware this. If the Commission wishes to change the policy, it should be placed on the Agenda for discussion and proper resolution. Commissioner Frank commented that the Commission should be cognizant to the current (economic) times and if changes need to be made to adapt to current needs, then it should be handled in that fashion.

Mark Bitz commented on two matters: This can be looked at as to what might generate down the road at a gas station or grocery store or wherever because the tax exemption is for this building and not those businesses who can get tax exemptions via other means. He stated they are not asking the City to change the policy because this request does not meet the qualifications.

Commissioner Frank moved to approve the 2-year 100% exemption for Summit Housing Group, Inc. for a 48 unit affordable housing project in accordance with the recommendation from the Mandan Growth Fund Committee due to meeting all criteria under the City of Mandan's Commercial Property Tax Exemption Policy and Guidelines and also under state statute subject to a repayment agreement if the facility were to be sold to a tax exempt entity within 5 years of expiration of the exemption period. Commissioner Tibke seconded the motion.

Commissioner Frank asked that Business Development Director Huber or other city staff prepare a list of those entities that have applied for and have been approved for these types of exemption requests in order to engage in the responses that are submitted and to determine if there is a need to taper off. Roll call vote: Commissioner Rohr: No; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Absent. The motion passed.

2. *Introduction of new Police Officer Nickolas Pynnonen.* Police Chief Bullinger introduced Officer Pynnonen as a 2010 graduate of Hibbing Community College, Hibbing, Minnesota, where he completed the Law Enforcement Officer Education Program. He is scheduled in the Field Training Program for the next three months.

3. *Consider Renaissance Zone Committee recommendations:*

Business Development and Communications Director Huber reviewed the following actions and recommendations from the Mandan Renaissance Zone Committee meeting held January 31, 2012:

i. Rehabilitation of 116 E Main St by Scott Johnson: This is a \$109,275 investment in improvements to the 2-story building. The improvements include a new roof which has been substantially completed and that had state approval prior to completing Renaissance application process because it was leaking. Other improvements include replacement of windows, doors, fire escape and general renovation of first and second floors to include handicap restroom; new suspended ceiling, floor covering, new heat duct system and painting. This building has been approved for matching funds under the Store Front Improvement Program. This building is subject to a Business Incentive Agreement as part of the previous acquisition from the City for less than market value. The Business Incentive Agreement stipulates an investment in improvements of at least \$100,000 with a deadline for completion of renovations of June 30, 2012. The building is currently vacant and will be made available to the market. The intended lease rate will be \$1,000 per month for 2,000 sq. ft. The assessing department's value of the property will increase to \$145,000 on the building only. The property taxes will be \$2,922 annually for a 5-year tax exemption savings of \$14,610. The MFG recommended approval of the application with a 5-year state and property tax exemptions. The project is subject to approval of the Mandan Architectural Review Committee. Commissioner Rohr stated that this building and overall project had been before the Commission a number of times and it will be good to fix up the building.

Commissioner Rohr moved to approve the rehabilitation of 116 E Main St by Scott Johnson as a Renaissance Zone project with the 5-year 100% property and state income tax exemptions. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Absent. The motion passed.

ii. Amendment of Project 36, new construction at 200 W Main St by CRT Investments. This is a request to finalize the new construction of a four-story mixed-use building. The original application was for about 6,000 sq. ft. of commercial space at street level with approximately 30 apartments above. The number of apartments was reduced by two because of concern of snow on the roof dropping on adjacent buildings. The building was subsequently completed on July 29, 2010. The issue before the Board is to determine if the project is sufficiently complete to allow the Renaissance Zone tax exemption period to begin. The developer is requesting to finalize the project as a Renaissance Zone Project using a completion date of July 29, 2010, to allow the approved 100% 5-year property and state income tax exemptions to begin. The developer reports that the 28 market-rate apartments are fully leased with a waiting list. They are now working with a local real estate agency to market the commercial space. An informal report on construction costs puts that total at \$2.6 million for an average per square foot of \$62.90. That's even without build-out of the commercial space and exceeds the Renaissance Zone's minimum requirement of \$55 per square foot for new construction

projects. The market value of the building for 2011 was \$1,921,800 with property taxes of \$39,336. The original application was approved with an estimated property tax benefit of \$63,750 per year. By permitting finalization of the building project as a Renaissance Zone project prior to build-out of the commercial space, the fiscal impact to the City would be reduced. The property owner would not be maximizing the exemption or capturing full value of the building within the 5-year window for exemption. The RZC voted 5-1 to recommend approval of the request to finalize the construction of 200 West Main as a Renaissance Zone Project.

Commissioner Tibke moved to approve the request from CRT Investments, LLC to finalize the construction at 200 West Main as a Renaissance Zone Project. Commissioner Rohr seconded the motion. Commissioner Frank stated that she was the lone dissenter at the RZC meeting due to a commitment of completing the lower level of the building which was the commercial investment. She indicated that one thing of concern, while the City benefits by giving out less of a property tax exemption, it is losing out because the business portion is not complete. The project intent was \$3 million and it is valued at nearly \$2 million. The developer is getting immediate tax relief without completing the project.

Mayor Helbling commented that it did not work out as planned but Mr. Ritterman is actively marketing the property as is the City Business Development Office and BMDA. If there was a prospective tenant available thus far, it would have been filled. Commissioner Rohr stated that on behalf of Commissioner Jackson, the developer has been very cooperative to work with throughout this project and when he had inquired about office space in the building. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: No; Commissioner Helbling: Yes; Commissioner Jackson: Absent. The motion passed.

RESOLUTIONS & ORDINANCES:

1. *Consider second and final consideration of Ordinance 1107 to amend Ordinance 1013 Relating to Downtown Core & Fringe Districts - An Ordinance to Amend Sections 21-04-17.1 and 21-04-17.2 of Ordinance 1013 of the Mandan Code of Ordinances relating to Establishment of Downtown Core and Fringe Districts.* City Assessor Barta reviewed the request with the Board and stated that it was recommended by the Mandan Architectural Review Commission (MARC) to remove Blocks 1 and 2 out of the core district and put it in the fringe because the restrictions on construction are a little bit less.

Commissioner Tibke moved to approve the second and final consideration of Ordinance 1107 to amend Ordinance 1013 Relating to Downtown Core & Fringe Districts - An Ordinance to Amend Sections 21-04-17.1 and 21-04-17.2 of Ordinance 1013 of the Mandan Code of Ordinances relating to Establishment of Downtown Core and Fringe Districts. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Absent. The motion passed. A copy of the resolution is on file and open for public inspection during regular business hours in the Office of the City Administrator.

2. *Consider first consideration of Ordinance 1108 - An Ordinance to Amend Section 21-03-10 of the Mandan Code of Ordinances Relating to Automobile Parking.* Engineering Project Manager Bechtel reviewed proposed changes having to do with automobile parking specifically in a CA or CB commercial district of one space for each four hundred square feet of floor area on the ground floor, plus one space for each four hundred square feet of floor area in a basement or any story above the ground floor. Bechtel stated that this was a recommendation from the Downtown Parking Study that was done approximately two years ago.

Commissioner Rohr moved to approve the first consideration of Ordinance 1108 - An Ordinance to Amend Section 21-03-10 of the Mandan Code of Ordinances Relating to Automobile Parking. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Absent. The motion passed.

3. *Consider first consideration of Ordinance 1109 – An Ordinance to Create and Enact Section 20-09-38 of the Mandan Code of Ordinances Relating to Use of An Electronic Communication Device By Minor Prohibited.* Police Chief Bullinger reviewed the proposed ordinance relating to the restrictions of use of an electronic communication device by a minor that would be prohibited. He stated that the reason for this request is to have those violations sent to Municipal Court, (rather than District Court).

Commissioner Frank moved to approve the first consideration of Ordinance 1109 – An Ordinance to Create and Enact Section 20-09-38 of the Mandan Code of Ordinances Relating to Use of An Electronic Communication Device By Minor Prohibited. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Absent. The motion passed

OTHER BUSINESS:

1. Commissioner Frank encouraged the Commission to look at Measure 2 and what impact it may have on the City of Mandan. In particular to draw upon each department to run some scenarios. Kind of an “if this passes what can we do now?” situation. Because there are some impacts that we will have to deal with immediately if this measure passes. It would be best to be prepared. It also will serve as an educational opportunity for the departments and the Commissioners to learn what the measure means and what it could do to the City. If this measure passes, it will be retroactive to January 1, 2012. Mayor Helbling commented that the School District, Park District and the County have had some discussions of Measure 2 and the effects that it could have. He concurred with Commissioner Frank that it will be beneficial to be prepared regarding the effects it would have on the city. A retreat may be the best venue for this matter. They have a few items of discussion already for a retreat agenda. Perhaps the commission should look at having another retreat even though they had one several weeks ago which was very productive. Mayor Helbling requested Administrator Neubauer put together a retreat date. Some potential agenda items could include Measure 2 and the 2-year property tax

exemption. Commissioner Frank also suggested including having information regarding property tax assessments. That information might include handling these requests for abatements as well as with the continuing inquiries regarding property tax particularly when we roll out the city-wide reassessments.

There being no further actions to come before the Board of City Commissioners, Commissioner Frank moved to adjourn the meeting at 6:19 p.m. Commissioner Tibke seconded the motion. The motion received unanimous approval of the members present.

James Neubauer,
City Administrator

Timothy A. Helbling,
President, Board of City
Commissioners

BIDS NO. 1

THE FINAL BIDS FOR THE FLOOD REMOVAL PROJECTS
ARE BEING OPENED AT 4:00 P.M. ON FRIDAY,
FEBRUARY 17, 2012.

DOCUMENTATION WILL BE MADE AVAILABLE AT THE
CITY COMMISSION MEETING AT 5:00 P.M. ON
TUESDAY, FEBRUARY 21, 2012.

February 21, 2012

Mr. Jim Neubauer
City of Mandan
205 2nd Ave W
Mandan, ND 58554

Re: Flood Protection Removal Bid Package #12- Earth Levee Removal, Hesco Barrier Removal, Sandbag Removal, Disposal and Restoration

Dear Mr. Neubauer:

Bids on the referenced project were opened on February 17th, 2012. A total of 12 bids were received. The bids were checked for mathematical accuracy and no discrepancies were found.

The apparent low bidder is Park Construction Company of Minneapolis, Minnesota with a bid amount of \$354,970.00. Please see attached Bid Summary and Detailed Tabulation of Bids.

We recommend not awarding to the apparent low bidder at tonight's City Commission meeting. There are possible discrepancies in the apparent low bid that may affect the FEMA reimbursement eligibility for the project. We have been in contact with DES/FEMA but are still working for a definitive answer. Please contact us with any questions.

Sincerely,

Kadrmass, Lee & Jackson, Inc.



Brent Erickson, PE
Project Manager

Enclosure(s): Bid Summary, Detailed Tabulation of Bids
Project #: 1411112 BG14

Hesco Barrier and Earthen Levee Removal Bid Package #12
City of Mandan

Bids to be Opened: 4:00 PM CT, Friday, February, 17, 2012

Bidder	Acknowledge Addenda	Contractor's License	Bid Bond	Total Construction Cost
Park Construction Company Hampton, MN	X	X	X	\$354,970.00
Tom's Backhoe Service Brainerd, MN	X	X	X	\$382,750.00
Weisz & Sons, Inc. Bismarck, ND	X	X	X	\$412,900.00
Rachel Contracting St. Michael, MN	X	X	X	\$433,500.00
H & S Contracting Moorhead, MN	X	X	X	\$452,800.00
Burski Excavating Rice, MN	X	X	X	\$486,065.00
Northern Improvement Company Bismarck, ND	X	X	X	\$533,714.00
Industrial Builders, Inc. West Fargo, ND	X	X	X	\$558,850.00
Guthmiller & Son Dirtworks, LLC Bismarck, ND	X	X	X	\$570,472.50
OCI, Inc. Miles City, MT	X	X	X	\$585,800.00
Ryan Contracting Co. Eiko, MN	X	X	X	\$742,000.00
Quam Construction Company Willmar, MN	X	X	X	\$875,500.00
Engineer's Opinion of Construction Cost				\$1,000,000 and \$1,200,000

DETAILED TABULATION OF BIDS

Flood Protection Removal Bid Package #12-Hesco Barrier & Earthen Levee Removal

Item No.	Description	Unit	Quantity	Engineer's Opinion:		Park Construction		Tom's Backhoe		Weisz & Sons		Rachel Contracting		H & S Contracting	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 29,300.00	\$ 29,300.00	\$ 3,200.00	\$ 3,200.00	\$ 10,000.00	\$ 10,000.00	\$ 5,500.00	\$ 5,500.00	\$ 3,500.00	\$ 3,500.00	\$ 9,500.00	\$ 9,500.00
2	Mobilization	LS	1	\$ 68,000.00	\$ 68,000.00	\$ 132,000.00	\$ 132,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 99,000.00	\$ 99,000.00	\$ 4,500.00	\$ 4,500.00
3	Remove Hesco Barrier	LF	3,750	\$ 35.00	\$ 131,250.00	\$ 13.10	\$ 49,250.00	\$ 15.00	\$ 56,250.00	\$ 20.00	\$ 75,000.00	\$ 46.00	\$ 172,500.00	\$ 42.00	\$ 157,500.00
4	Remove Earth Levee	CY	15,000	\$ 4.00	\$ 60,000.00	\$ 4.35	\$ 65,250.00	\$ 4.50	\$ 67,500.00	\$ 5.85	\$ 87,750.00	\$ 3.25	\$ 48,750.00	\$ 5.95	\$ 80,250.00
5	Sanedbag Removal	CV	5,000	\$ 25.00	\$ 125,000.00	\$ 0.01	\$ 50.00	\$ 23.50	\$ 117,500.00	\$ 30.00	\$ 150,000.00	\$ 5.00	\$ 25,000.00	\$ 15.00	\$ 75,000.00
6	Rip-Rap Removal	CY	250	\$ 125.00	\$ 31,250.00	\$ 14.30	\$ 3,575.00	\$ 10.00	\$ 2,500.00	\$ 17.00	\$ 4,250.00	\$ 9.00	\$ 2,250.00	\$ 15.00	\$ 3,750.00
7	Miscellaneous Debris Removal	CY	2,000	\$ 35.00	\$ 70,000.00	\$ 0.01	\$ 20.00	\$ 1.00	\$ 2,000.00	\$ 0.50	\$ 1,000.00	\$ 1.00	\$ 2,000.00	\$ 24.50	\$ 49,000.00
8	Restoration Gracing	SY	50,000	\$ 2.00	\$ 100,000.00	\$ 1.00	\$ 50,000.00	\$ 1.00	\$ 50,000.00	\$ 0.50	\$ 25,000.00	\$ 0.50	\$ 25,000.00	\$ 0.50	\$ 25,000.00
9	Non-irrigated Seeding	SY	42,000	\$ 2.00	\$ 84,000.00	\$ 0.52	\$ 21,840.00	\$ 1.00	\$ 42,000.00	\$ 0.50	\$ 21,000.00	\$ 0.75	\$ 31,500.00	\$ 0.65	\$ 27,300.00
10	Residential Seeding	SY	3,000	\$ 3.00	\$ 9,000.00	\$ 0.72	\$ 2,160.00	\$ 1.00	\$ 3,000.00	\$ 0.55	\$ 1,650.00	\$ 1.00	\$ 3,000.00	\$ 1.00	\$ 3,000.00
11	Traffic Control	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 9,100.00	\$ 9,100.00	\$ 2,000.00	\$ 2,000.00	\$ 4,000.00	\$ 4,000.00	\$ 10,000.00	\$ 10,000.00	\$ 3,500.00	\$ 3,500.00
12	Street Cleaning	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 23,300.00	\$ 23,300.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00	\$ 6,000.00	\$ 6,000.00	\$ 5,000.00	\$ 5,000.00
TOTAL OF ALL CONSTRUCTION					\$ 1,002,800.00		\$ 354,970.00		\$ 382,750.00		\$ 422,900.00		\$ 493,500.00		\$ 452,800.00

Item No.	Description	Unit	Quantity	Burski Excavating		Northern Improvement		Industrial Builders		Guthmiller & Son		OCI		Ryan Contracting	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 1,725.00	\$ 1,725.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 5,800.00	\$ 5,800.00	\$ 25,000.00	\$ 25,000.00
2	Mobilization	LS	1	\$ 9,500.00	\$ 9,500.00	\$ 43,860.00	\$ 43,860.00	\$ 145,000.00	\$ 145,000.00	\$ 7,500.00	\$ 7,500.00	\$ 86,000.00	\$ 86,000.00	\$ 40,000.00	\$ 40,000.00
3	Remove Hesco Barrier	LF	3,750	\$ 77.50	\$ 290,625.00	\$ 50.50	\$ 189,375.00	\$ 18.00	\$ 67,500.00	\$ 15.75	\$ 59,062.50	\$ 32.00	\$ 120,000.00	\$ 50.00	\$ 187,500.00
4	Remove Earth Levee	CY	15,000	\$ 6.50	\$ 97,500.00	\$ 8.20	\$ 123,000.00	\$ 5.00	\$ 75,000.00	\$ 18.00	\$ 270,000.00	\$ 7.50	\$ 112,500.00	\$ 8.50	\$ 127,500.00
5	Sanedbag Removal	CY	5,000	\$ 1.00	\$ 5,000.00	\$ 10.00	\$ 50,000.00	\$ 27.00	\$ 135,000.00	\$ 22.00	\$ 110,000.00	\$ 17.50	\$ 87,500.00	\$ 30.00	\$ 150,000.00
6	Rip-Rap Removal	CY	250	\$ 12.00	\$ 3,000.00	\$ 29.40	\$ 7,350.00	\$ 9.00	\$ 2,250.00	\$ 15.00	\$ 3,750.00	\$ 12.00	\$ 3,000.00	\$ 20.00	\$ 5,000.00
7	Miscellaneous Debris Removal	CY	2,000	\$ 3.00	\$ 6,000.00	\$ 17.80	\$ 35,600.00	\$ 15.00	\$ 30,000.00	\$ 30.00	\$ 60,000.00	\$ 25.00	\$ 50,000.00	\$ 10.00	\$ 20,000.00
8	Restoration Gracing	SY	50,000	\$ 0.54	\$ 27,000.00	\$ 0.90	\$ 45,000.00	\$ 1.00	\$ 50,000.00	\$ 0.30	\$ 15,000.00	\$ 0.50	\$ 25,000.00	\$ 1.00	\$ 50,000.00
9	Non-irrigated Seeding	SY	42,000	\$ 0.57	\$ 23,940.00	\$ 0.50	\$ 21,000.00	\$ 0.55	\$ 23,100.00	\$ 0.48	\$ 20,160.00	\$ 1.35	\$ 5,670.00	\$ 2.50	\$ 10,500.00
10	Residential Seeding	SY	3,000	\$ 1.00	\$ 3,000.00	\$ 0.60	\$ 1,800.00	\$ 1.00	\$ 3,000.00	\$ 0.50	\$ 1,500.00	\$ 1.00	\$ 3,000.00	\$ 1.00	\$ 3,000.00
11	Traffic Control	LS	1	\$ 3,500.00	\$ 3,500.00	\$ 3,850.00	\$ 3,850.00	\$ 12,000.00	\$ 12,000.00	\$ 2,000.00	\$ 2,000.00	\$ 35,000.00	\$ 35,000.00	\$ 5,000.00	\$ 5,000.00
12	Street Cleaning	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 9,654.00	\$ 9,654.00	\$ 5,000.00	\$ 5,000.00	\$ 6,000.00	\$ 6,000.00	\$ 4,000.00	\$ 4,000.00	\$ 20,000.00	\$ 20,000.00
TOTAL OF ALL CONSTRUCTION					\$ 485,665.00		\$ 533,744.00		\$ 558,850.00		\$ 970,472.50		\$ 585,800.00		\$ 742,000.00

Item No.	Description	Unit	Quantity	Quam Construction	
				Unit Price	Total
1	Contract Bond	LS	1	\$ 9,000.00	\$ 9,000.00
2	Mobilization	LS	1	\$ 35,000.00	\$ 35,000.00
3	Remove Hesco Barrier	LF	3,750	\$ 30.00	\$ 112,500.00
4	Remove Earth Levee	CY	15,000	\$ 15.00	\$ 225,000.00
5	Sanedbag Removal	CY	5,000	\$ 20.00	\$ 100,000.00
6	Rip-Rap Removal	CY	250	\$ 14.00	\$ 3,500.00
7	Miscellaneous Debris Removal	CY	2,000	\$ 22.00	\$ 44,000.00
8	Restoration Gracing	SY	50,000	\$ 1.50	\$ 75,000.00
9	Non-irrigated Seeding	SY	42,000	\$ 4.00	\$ 168,000.00
10	Residential Seeding	SY	3,000	\$ 3.00	\$ 9,000.00
11	Traffic Control	LS	1	\$ 4,500.00	\$ 4,500.00
12	Street Cleaning	LS	1	\$ 20,000.00	\$ 20,000.00
TOTAL OF ALL CONSTRUCTION					\$ 875,500.00

True Tabulations Of Bids Received on 02/17/2012
There were 12 Bids Received and 0 Bids Rejected


Project Manager's Signature
Date: 2/17/2012

February 21, 2012

Mr. Jim Neubauer
City of Mandan
205 2nd Ave W
Mandan, ND 58554

Re: Flood Protection Removal Bid Package #11- Bridgeview Bay Clay Plug Removal

Dear Mr. Neubauer:

Bids on the referenced project were opened on February 17th, 2012. A total of 11 bids were received. The bids were checked for mathematical accuracy and no discrepancies were found.

The apparent low bidder is Park Construction Company of Hampton, Minnesota with a bid amount of \$321,177.50. Please see attached Bid Summary and Detailed Tabulation of Bids.

We recommend not awarding to the apparent low bidder at tonight's City Commission meeting. There are possible discrepancies in the apparent low bid that may affect the FEMA reimbursement eligibility for the project. We have been in contact with DES/FEMA but are still working for a definitive answer. Please contact us with any questions.

Sincerely,

Kadrmass, Lee & Jackson, Inc.



Brent Erickson, PE
Project Manager

Enclosure(s): Bid Summary, Detailed Tabulation of Bids
Project #: 1411112 BG13

Bridgeview Bay Clay Plug Removal Bid Package #11
City of Mandan

Bids to be Opened: 4:00 PM CT, Friday, February 17, 2012

Bidder	Acknowledge Addenda	Contractor's License	Bid Bond	Total Construction Cost
Park Construction Company Hampton, MN	X	X	X	\$321,177.50
Rachel Contracting St. Michael, MN	X	X	X	\$363,363.00
Tom's Backhoe Service Brainerd, MN	X	X	X	\$364,500.00
Industrial Builders, Inc. West Fargo, ND	X	X	X	\$435,450.00
H & S Contracting Moorhead, MN	X	X	X	\$455,650.00
Ryan Contracting Co. Elko, MN	X	X	X	\$587,600.00
OCI, Inc. Miles City, MT	X	X	x	\$640,100.00
Weisz & Sons, Inc. Bismarck, ND	X	X	X	\$644,250.00
Veit & Company, Inc. Rogers, MN	X	X	X	\$802,300.00
Northern Improvement Company Bismarck, ND	X	X	X	\$845,875.00
Quam Construction Company Willmar, MN	X	X	X	\$1,022,200.00
Engineer's Opinion of Construction Cost				\$1,330,000 and \$1,550,000



DETAILED TABULATION OF BIDS

Flood Protection Removal Bid Package #11-Bridgview Bay Clay Plug Removal

Item No.	Description	Unit	Quantity	Engineer's Opinion		Park Construction		Rachel Contracting		Tom's Backhoe		Industrial Builders Inc.		H & S Contracting	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 38,500.00	\$ 38,500.00	\$ 2,850.00	\$ 2,850.00	\$ 4,000.00	\$ 4,000.00	\$ 10,000.00	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 10,000.00	\$ 10,000.00
2	Mobilization	LS	1	\$ 91,000.00	\$ 91,000.00	\$ 205,000.00	\$ 205,000.00	\$ 105,113.00	\$ 105,113.00	\$ 10,000.00	\$ 10,000.00	\$ 355,000.00	\$ 355,000.00	\$ 5,000.00	\$ 5,000.00
3	Remove Clay Plug	CY	35,000	\$ 22.00	\$ 770,000.00	\$ 0.01	\$ 350.00	\$ 350.00	\$ 183,750.00	\$ 7.14	\$ 249,500.00	\$ 1.00	\$ 35,000.00	\$ 8.50	\$ 297,500.00
4	Remove Clay Plug Alternative Disposal #1	TONS	10,000	\$ 14.00	\$ 140,000.00	\$ 5.80	\$ 58,000.00	\$ 3.50	\$ 35,000.00	\$ 5.10	\$ 51,000.00	\$ 1.00	\$ 10,000.00	\$ 5.50	\$ 55,000.00
5	Remove Clay Plug Alternative Disposal #2	CY	5,000	\$ 125.00	\$ 625,000.00	\$ 4.55	\$ 22,750.00	\$ 3.75	\$ 18,750.00	\$ 9.50	\$ 47,500.00	\$ 0.50	\$ 2,500.00	\$ 5.00	\$ 25,000.00
6	Remove Rip-Rap	CY	350	\$ 125.00	\$ 43,750.00	\$ 11.45	\$ 3,997.50	\$ 9.00	\$ 3,150.00	\$ 12.00	\$ 4,200.00	\$ 9.00	\$ 3,150.00	\$ 13.00	\$ 4,550.00
7	Remove Miscellaneous Debris	CY	2,000	\$ 25.00	\$ 50,000.00	\$ 0.01	\$ 20.00	\$ 1.00	\$ 2,000.00	\$ 8.00	\$ 16,000.00	\$ 2.00	\$ 4,000.00	\$ 24.50	\$ 49,000.00
8	Traffic Control	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 15,000.00	\$ 15,000.00	\$ 5,000.00	\$ 5,000.00	\$ 2,000.00	\$ 2,000.00	\$ 12,000.00	\$ 12,000.00	\$ 3,500.00	\$ 3,500.00
9	Street Cleaning	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 11,700.00	\$ 11,700.00	\$ 4,000.00	\$ 4,000.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 3,000.00
10	NFDES Permit	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 1,170.00	\$ 1,170.00	\$ 800.00	\$ 800.00	\$ 500.00	\$ 500.00	\$ 3,000.00	\$ 3,000.00	\$ 500.00	\$ 500.00
TOTAL OF ALL CONSTRUCTION					\$ 1,338,650.00		\$ 321,177.50		\$ 363,363.00		\$ 364,500.00		\$ 495,450.00		\$ 455,650.00

Item No.	Description	Unit	Quantity	Ryan Contracting		OCI		Weiss & Sons		Veit Construction		Northern Improvement		Quam Construction	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 4,800.00	\$ 4,800.00	\$ 2,000.00	\$ 2,000.00	\$ 10,500.00	\$ 10,500.00	\$ 1,815.00	\$ 1,815.00	\$ 5,500.00	\$ 5,500.00
2	Mobilization	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 64,400.00	\$ 64,400.00	\$ 10,000.00	\$ 10,000.00	\$ 15,000.00	\$ 15,000.00	\$ 29,000.00	\$ 29,000.00	\$ 35,000.00	\$ 35,000.00
3	Remove Clay Plug	CY	35,000	\$ 11.00	\$ 385,000.00	\$ 10.90	\$ 381,500.00	\$ 13.00	\$ 455,000.00	\$ 14.75	\$ 516,250.00	\$ 15.90	\$ 556,500.00	\$ 16.00	\$ 560,000.00
4	Remove Clay Plug Alternative Disposal #1	TONS	10,000	\$ 7.50	\$ 75,000.00	\$ 8.15	\$ 81,500.00	\$ 10.00	\$ 100,000.00	\$ 13.00	\$ 130,000.00	\$ 12.10	\$ 121,000.00	\$ 22.00	\$ 220,000.00
5	Remove Clay Plug Alternative Disposal #2	CY	5,000	\$ 7.50	\$ 37,500.00	\$ 6.00	\$ 30,000.00	\$ 7.00	\$ 35,000.00	\$ 8.00	\$ 40,000.00	\$ 9.70	\$ 48,500.00	\$ 22.00	\$ 110,000.00
6	Remove Rip-Rap	CY	350	\$ 12.80	\$ 4,480.00	\$ 10.00	\$ 3,500.00	\$ 15.00	\$ 5,250.00	\$ 21.00	\$ 7,350.00	\$ 21.40	\$ 7,490.00	\$ 14.00	\$ 4,900.00
7	Remove Miscellaneous Debris	CY	2,000	\$ 3,500.00	\$ 7,000.00	\$ 25.00	\$ 50,000.00	\$ 1.00	\$ 2,000.00	\$ 25.00	\$ 50,000.00	\$ 28.70	\$ 57,400.00	\$ 22.00	\$ 44,000.00
8	Traffic Control	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 4,000.00	\$ 4,000.00	\$ 9,000.00	\$ 9,000.00	\$ 24,000.00	\$ 24,000.00	\$ 2,190.00	\$ 2,190.00	\$ 4,500.00	\$ 4,500.00
9	Street Cleaning	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 4,000.00	\$ 4,000.00	\$ 9,000.00	\$ 9,000.00	\$ 24,000.00	\$ 24,000.00	\$ 2,190.00	\$ 2,190.00	\$ 4,500.00	\$ 4,500.00
10	NFDES Permit	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 4,400.00	\$ 4,400.00	\$ 5,000.00	\$ 5,000.00	\$ 1,000.00	\$ 1,000.00	\$ 5,800.00	\$ 5,800.00	\$ 12,500.00	\$ 12,500.00
TOTAL OF ALL CONSTRUCTION					\$ 587,600.00		\$ 640,100.00		\$ 644,250.00		\$ 802,300.00		\$ 845,875.00		\$ 1,022,200.00

True Tabulations Of Bids Received on 02/17/2012
There were 11 Bids Received and 0 Bids Rejected


Project Manager's Signature
Date: 2/17/2012

February 21, 2012

Mr. Jim Neubauer
City of Mandan
205 2nd Ave W
Mandan, ND 58554

Re: Flood Protection Removal Bid Package #8- Marina Bay Clay Plug Removal

Dear Mr. Neubauer:

Bids on the referenced project were opened on February 16th, 2012. A total of 14 bids were received. The bids were checked for mathematical accuracy and one discrepancy was found but did not affect the apparent low bidder.

The apparent low bidder is H & S Contracting from Moorhead, Minnesota with a bid amount of \$414,920.00. Please see attached Bid Summary and Detailed Tabulation of Bids.

We recommend award to the apparent low bidder. Please contact us with any questions.

Sincerely,

Kadrmass, Lee & Jackson, Inc.



Brent Erickson, PE
Project Manager

Enclosure(s): Bid Summary, Detailed Tabulation of Bids
Project #: 1411112 BG10

Marina Bay Clay Plug Removal Bid Package #8
City of Mandan

Bids to be Opened: 10:00 AM CT, Thursday, February 16, 2012

Bidder	Acknowledge Addenda	Contractor's License	Bid Bond	Total Construction Cost
H & S Contracting Moorhead, MN	X	X	X	\$414,920.00
Rachel Contracting St. Michael, MN	X	X	X	\$472,325.00
Industrial Builders, Inc. West Fargo, ND	X	X	X	\$514,375.00
Park Construction Company Hampton, MN	X	X	X	\$577,904.00
Tom's Backhoe Service Brainerd, MN	X	X	X	\$579,150.77
Burski Excavating Rice, MN	X	X	X	\$657,050.00
Ceres Environmental, Inc. Brooklyn Park, MN	X	X	X	\$692,725.00
OCI, Inc. Miles City, MT	X	X	X	\$699,225.00
Ryan Contracting Co. Elko, MN	X	X	X	\$675,850.00
Quam Construction Company Willmar, MN	X	X	X	\$957,560.00
Weisz & Sons, Inc. Bismarck, ND	X	X	X	\$964,000.00

Veit & Company, Inc. Rogers, MN	X	X	X	X	\$972,475.00
J.R. Ferche, Inc. Rice, MN	X	X	X	X	\$1,105,275.00
Northern Improvement Company Bismarck, ND	X	X	X	X	\$1,285,991.50
Engineer's Opinion of Construction Cost					\$1,360,000 and \$1,580,000

DETAILED TABULATION OF BIDS

Flood Protection Removal Bid Package #8-larima Bay Clay Plug Removal

Item No.	Description	Unit	Quantity	Engineer's Opinion		H & S Contracting		Rachel Contracting		Industrial Builders Inc.		Park Construction		Tom's Backhoe	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 52,900.00	\$ 52,900.00	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 4,800.00	\$ 4,800.00	\$ 4,940.00	\$ 4,940.00	\$ 10,000.00	\$ 10,000.00
2	Mobilization	LS	1	\$ 123,000.00	\$ 123,000.00	\$ 4,500.00	\$ 4,500.00	\$ 86,000.00	\$ 86,000.00	\$ 190,000.00	\$ 190,000.00	\$ 82,000.00	\$ 82,000.00	\$ 40,000.00	\$ 40,000.00
3	Remove Clay Plug	TON	65,000	\$ 34.50	\$ 2,242,500.00	\$ 5.04	\$ 327,440.00	\$ 5.30	\$ 343,700.00	\$ 4.15	\$ 2,695,150.00	\$ 6.00	\$ 3,902,500.00	\$ 8.10	\$ 528,150.00
4	Remove Clay Plug Alternate Disposal	CY	5,000	\$ 14.00	\$ 70,000.00	\$ 5.90	\$ 29,500.00	\$ 5.90	\$ 29,500.00	\$ 4.00	\$ 20,000.00	\$ 5.00	\$ 25,000.00	\$ 6.00	\$ 30,000.00
5	Remove Clay Plug Alternative Disposal	CY	550	\$ 125.00	\$ 68,750.00	\$ 13.00	\$ 7,150.00	\$ 9.00	\$ 4,950.00	\$ 8.00	\$ 4,400.00	\$ 11.50	\$ 6,325.00	\$ 12.00	\$ 6,600.00
6	Miscellaneous Debris Removal	CY	2,000	\$ 25.00	\$ 50,000.00	\$ 24.50	\$ 49,000.00	\$ 1.00	\$ 2,000.00	\$ 7.00	\$ 14,000.00	\$ 29.70	\$ 59,400.00	\$ 10.00	\$ 20,000.00
7	Parking Lot Restoration	TON	115	\$ 65.00	\$ 7,475.00	\$ 42.00	\$ 4,830.00	\$ 35.00	\$ 4,025.00	\$ 35.00	\$ 4,025.00	\$ 24.60	\$ 2,829.00	\$ 30.00	\$ 3,450.00
8	Traffic Control	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 3,500.00	\$ 3,500.00	\$ 6,500.00	\$ 6,500.00	\$ 5,000.00	\$ 5,000.00	\$ 22,500.00	\$ 22,500.00	\$ 2,000.00	\$ 2,000.00
9	Street Cleaning	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 500.00	\$ 500.00	\$ 800.00	\$ 800.00	\$ 3,000.00	\$ 3,000.00	\$ 1,030.00	\$ 1,030.00	\$ 1,000.00	\$ 1,000.00
10	NPDES Permit	LS	1	\$ 3,000.00	\$ 3,000.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 3,000.00	\$ 3,000.00	\$ 1,030.00	\$ 1,030.00	\$ 1,000.00	\$ 1,000.00
TOTAL OF ALL CONSTRUCTION					\$ 4,361,625.00		\$ 414,920.00		\$ 472,325.00		\$ 534,375.00		\$ 577,904.00		\$ 579,150.00

Item No.	Description	Unit	Quantity	Burski Excavating		Ceres Environmental		Official Construction		Ryan Contracting		Kramedal Construction		Weitz & Sons	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 5,570.00	\$ 5,570.00	\$ 5,000.00	\$ 5,000.00	\$ 20,000.00	\$ 20,000.00	\$ 10,000.00	\$ 10,000.00	\$ 11,000.00	\$ 11,000.00
2	Mobilization	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 25,000.00	\$ 25,000.00	\$ 70,000.00	\$ 70,000.00	\$ 15,000.00	\$ 15,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00
3	Remove Clay Plug	TON	65,000	\$ 8.50	\$ 552,500.00	\$ 8.75	\$ 568,750.00	\$ 8.00	\$ 520,000.00	\$ 7.75	\$ 503,750.00	\$ 11.50	\$ 747,500.00	\$ 11.50	\$ 747,500.00
4	Remove Clay Plug Alternate Disposal	CY	5,000	\$ 7.00	\$ 35,000.00	\$ 7.00	\$ 35,000.00	\$ 6.50	\$ 32,500.00	\$ 9.00	\$ 45,000.00	\$ 22.00	\$ 110,000.00	\$ 13.00	\$ 65,000.00
5	Remove Clay Plug Alternative Disposal	CY	550	\$ 21.00	\$ 11,550.00	\$ 13.00	\$ 7,150.00	\$ 11.50	\$ 6,325.00	\$ 20.00	\$ 11,000.00	\$ 14.00	\$ 7,700.00	\$ 25.00	\$ 13,750.00
6	Miscellaneous Debris Removal	CY	2,000	\$ 12.00	\$ 24,000.00	\$ 24.00	\$ 48,000.00	\$ 29.00	\$ 58,000.00	\$ 40.00	\$ 80,000.00	\$ 22.00	\$ 44,000.00	\$ 40.00	\$ 80,000.00
7	Parking Lot Restoration	TON	115	\$ 40.00	\$ 4,600.00	\$ 37.00	\$ 4,245.00	\$ 60.00	\$ 6,900.00	\$ 40.00	\$ 4,600.00	\$ 44.00	\$ 5,060.00	\$ 50.00	\$ 5,750.00
8	Traffic Control	LS	1	\$ 2,400.00	\$ 2,400.00	\$ 19,000.00	\$ 19,000.00	\$ 24,000.00	\$ 24,000.00	\$ 5,000.00	\$ 5,000.00	\$ 6,800.00	\$ 6,800.00	\$ 20,000.00	\$ 20,000.00
9	Street Cleaning	LS	1	\$ 7,000.00	\$ 7,000.00	\$ 5,000.00	\$ 5,000.00	\$ 4,000.00	\$ 4,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 15,000.00	\$ 15,000.00
10	NPDES Permit	LS	1	\$ 14,000.00	\$ 14,000.00	\$ 5,000.00	\$ 5,000.00	\$ 4,500.00	\$ 4,500.00	\$ 2,500.00	\$ 2,500.00	\$ 12,500.00	\$ 12,500.00	\$ 12,000.00	\$ 12,000.00
TOTAL OF ALL CONSTRUCTION					\$ 657,050.00		\$ 682,725.00		\$ 699,225.00		\$ 675,850.00		\$ 957,560.00		\$ 964,000.00

Item No.	Description	Unit	Quantity	Veit Contracting		J.B. Ferche		Northern Improvement	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 12,000.00	\$ 12,000.00	\$ 7,500.00	\$ 7,500.00	\$ 2,117.00	\$ 2,117.00
2	Mobilization	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 35,000.00	\$ 35,000.00	\$ 42,900.00	\$ 42,900.00
3	Remove Clay Plug	TON	65,000	\$ 13.00	\$ 845,000.00	\$ 15.00	\$ 975,000.00	\$ 17.10	\$ 1,112,100.00
4	Remove Clay Plug Alternate Disposal	CY	5,000	\$ 7.75	\$ 38,750.00	\$ 11.00	\$ 55,000.00	\$ 34.50	\$ 172,500.00
5	Remove Clay Plug Alternative Disposal	CY	550	\$ 21.00	\$ 11,550.00	\$ 18.00	\$ 9,900.00	\$ 28.30	\$ 15,565.00
6	Miscellaneous Debris Removal	CY	2,000	\$ 25.00	\$ 50,000.00	\$ 30.00	\$ 60,000.00	\$ 40.80	\$ 81,600.00
7	Parking Lot Restoration	TON	115	\$ 45.00	\$ 5,175.00	\$ 25.00	\$ 2,875.00	\$ 43.30	\$ 4,979.50
8	Traffic Control	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 6,000.00	\$ 6,000.00	\$ 330.00	\$ 330.00
9	Street Cleaning	LS	1	\$ 27,000.00	\$ 27,000.00	\$ 10,000.00	\$ 10,000.00	\$ 18,000.00	\$ 18,000.00
10	NPDES Permit	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00	\$ 4,000.00	\$ 6,900.00	\$ 6,900.00
TOTAL OF ALL CONSTRUCTION					\$ 974,475.00		\$ 1,105,275.00		\$ 1,285,991.50

True Tabulations Of Bids Received on 02/16/2012
There were 14 Bids Received and 0 Bids Rejected


Project Manager's Signature
Date: 2/16/2012

February 21, 2012

Mr. Jim Neubauer
City of Mandan
205 2nd Ave W
Mandan, ND 58554

Re: Flood Protection Removal Bid Package #9- Borden Harbor Clay Plug Removal

Dear Mr. Neubauer:

Bids on the referenced project were opened on February 16th, 2012. A total of 14 bids were received. The bids were checked for mathematical accuracy and one discrepancy was found but did not affect the apparent low bidder.

The apparent low bidder is Rachel Contracting of St. Michael, Minnesota with a bid amount of \$153,338.00. Please see attached Bid Summary and Detailed Tabulation of Bids.

We recommend award to the apparent low bidder. Please contact us with any questions.

Sincerely,

Kadrmass, Lee & Jackson, Inc.



Brent Erickson, PE
Project Manager

Enclosure(s): Bid Summary, Detailed Tabulation of Bids
Project #: 1411.112 BG11

Borden Harbor Clay Plug Removal Bid Package #9
City of Mandan

Bids to be Opened: 4:00 PM CT, Thursday, February 16, 2012

Bidder	Acknowledge Addenda	Contractor's License	Bid Bond	Total Construction Cost
Rachel Contracting St. Michael, MN	X	X	X	\$153,338.00
Tom's Backhoe Service Brainerd, MN	X	X	X	\$179,500.00
Industrial Builders, Inc. West Fargo, ND	X	X	X	\$194,500.00
H & S Contracting Moorhead, MN	X	X	X	\$217,475.00
Burski Excavating Rice, MN	X	X	X	\$239,500.00
Ceres Environmental, Inc. Brooklyn Park, MN	X	X	X	\$241,096.00
Park Construction Company Hampton, MN	X	X	X	\$291,823.00
Ryan Contracting Co. Elko, MN	X	X	X	\$305,000.00
Weisz & Sons, Inc. Bismarck, ND	X	X	X	\$337,000.00
Veit & Company, Inc. Rogers, MN	X	X	X	\$339,000.00
OCI, Inc. Miles City, MT	X	X	X	\$362,750.00
J.R. Ferche, Inc. Rice, MN	X	X	X	\$411,500.00

Northern Improvement Company Bismarck, ND	X	X	X	\$429,582.00
Quam Construction Company Willmar, MN	X	X	X	\$590,500.00
Engineer's Opinion of Construction Cost				\$635,000 and \$795,000

DETAILED TABULATION OF BIDS

Flood Protection Removal Bid Package #9-Borden Harbor Clay Plug Removal

Item No.	Description	Unit	Quantity	Engineer's Opinion		Rachel Contracting		Tom's Backhoe		Industrial Builders Inc.		M & S Contracting		Bid 5	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 18,500.00	\$ 18,500.00	\$ 2,000.00	\$ 2,000.00	\$ 6,000.00	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 4,875.00	\$ 4,875.00	\$ 6,000.00	\$ 6,000.00
2	Mobilization	LS	1	\$ 22,000.00	\$ 22,000.00	\$ 41,038.00	\$ 41,038.00	\$ 10,000.00	\$ 10,000.00	\$ 134,000.00	\$ 134,000.00	\$ 4,600.00	\$ 4,600.00	\$ 18,000.00	\$ 18,000.00
3	Remove Clay Plug	CY	22,000	\$ 34.00	\$ 748,000.00	\$ 3.50	\$ 77,000.00	\$ 4.50	\$ 99,000.00	\$ 0.50	\$ 11,000.00	\$ 5.50	\$ 121,000.00	\$ 7.25	\$ 159,500.00
4	Remove Clay Plug Alternate Disposal	TONS	5,000	\$ 24.50	\$ 122,500.00	\$ 3.50	\$ 17,500.00	\$ 7.00	\$ 35,000.00	\$ 5.00	\$ 25,000.00	\$ 5.00	\$ 25,000.00	\$ 6.40	\$ 32,000.00
5	Remove Rip-Rap	CY	500	\$ 35.00	\$ 17,500.00	\$ 8.00	\$ 4,000.00	\$ 12.00	\$ 6,000.00	\$ 3.00	\$ 1,500.00	\$ 13.00	\$ 6,500.00	\$ 20.00	\$ 10,000.00
6	Remove Miscellaneous Debris	CY	200	\$ 25.00	\$ 5,000.00	\$ 1.00	\$ 2,000.00	\$ 3.00	\$ 600.00	\$ 2.00	\$ 400.00	\$ 24.50	\$ 4,900.00	\$ 1.00	\$ 200.00
7	Traffic Control	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 5,000.00	\$ 5,000.00	\$ 2,000.00	\$ 2,000.00	\$ 7,000.00	\$ 7,000.00	\$ 3,500.00	\$ 3,500.00	\$ 2,500.00	\$ 2,500.00
8	Street Cleaning	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 3,500.00	\$ 3,500.00	\$ 1,000.00	\$ 1,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 4,000.00	\$ 4,000.00
9	NODDES Permit	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 800.00	\$ 800.00	\$ 500.00	\$ 500.00	\$ 3,000.00	\$ 3,000.00	\$ 500.00	\$ 500.00	\$ 5,500.00	\$ 5,500.00
TOTAL OF ALL CONSTRUCTION					\$ 638,500.00		\$ 153,338.00		\$ 179,500.00		\$ 594,500.00		\$ 217,475.00		\$ 239,500.00

Item No.	Description	Unit	Quantity	Cores Environmental		Prest Construction		Ryan Contracting		Wells & Sons		Vest Contracting		Bid 11	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 2,496.00	\$ 2,496.00	\$ 2,690.00	\$ 2,690.00	\$ 10,000.00	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,500.00	\$ 4,500.00	\$ 4,000.00	\$ 4,000.00
2	Mobilization	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 60,000.00	\$ 60,000.00	\$ 20,000.00	\$ 20,000.00	\$ 11,000.00	\$ 11,000.00	\$ 12,000.00	\$ 12,000.00	\$ 95,000.00	\$ 95,000.00
3	Remove Clay Plug	CY	22,000	\$ 5.50	\$ 121,000.00	\$ 5.00	\$ 110,000.00	\$ 7.00	\$ 154,000.00	\$ 8.00	\$ 176,000.00	\$ 8.00	\$ 176,000.00	\$ 7.00	\$ 154,000.00
4	Remove Clay Plug Alternate Disposal	TONS	5,000	\$ 6.70	\$ 33,500.00	\$ 6.00	\$ 30,000.00	\$ 7.50	\$ 37,500.00	\$ 10.00	\$ 50,000.00	\$ 13.00	\$ 65,000.00	\$ 12.25	\$ 61,250.00
5	Remove Rip-Rap	CY	500	\$ 10.00	\$ 5,000.00	\$ 13.50	\$ 6,750.00	\$ 13.00	\$ 6,500.00	\$ 16.00	\$ 8,000.00	\$ 21.00	\$ 10,500.00	\$ 14.00	\$ 7,000.00
6	Remove Miscellaneous Debris	CY	200	\$ 19.50	\$ 3,900.00	\$ 30.00	\$ 6,000.00	\$ 13.00	\$ 2,600.00	\$ 25.00	\$ 5,000.00	\$ 25.00	\$ 5,000.00	\$ 29.00	\$ 5,800.00
7	Traffic Control	LS	1	\$ 6,400.00	\$ 6,400.00	\$ 8,293.00	\$ 8,293.00	\$ 2,500.00	\$ 2,500.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 15,000.00	\$ 15,000.00
8	Street Cleaning	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 34,100.00	\$ 34,100.00	\$ 10,000.00	\$ 10,000.00	\$ 7,000.00	\$ 7,000.00	\$ 16,000.00	\$ 16,000.00	\$ 3,500.00	\$ 3,500.00
9	NODDES Permit	LS	1	\$ 6,700.00	\$ 6,700.00	\$ 1,060.00	\$ 1,060.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00
TOTAL OF ALL CONSTRUCTION					\$ 241,096.00		\$ 291,822.00		\$ 267,500.00		\$ 387,000.00		\$ 389,000.00		\$ 362,750.00

Item No.	Description	Unit	Quantity	J.R. Ferche		Northern Improvement		Quam Construction	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 7,500.00	\$ 7,500.00	\$ 1,100.00	\$ 1,100.00	\$ 6,000.00	\$ 6,000.00
2	Mobilization	LS	1	\$ 14,000.00	\$ 14,000.00	\$ 18,905.00	\$ 18,905.00	\$ 35,000.00	\$ 35,000.00
3	Remove Clay Plug	CY	22,000	\$ 10.00	\$ 220,000.00	\$ 11.80	\$ 260,600.00	\$ 16.00	\$ 352,000.00
4	Remove Clay Plug Alternate Disposal	TONS	5,000	\$ 17.00	\$ 85,000.00	\$ 12.50	\$ 62,500.00	\$ 22.00	\$ 110,000.00
5	Remove Rip-Rap	CY	500	\$ 18.00	\$ 9,000.00	\$ 22.50	\$ 11,250.00	\$ 34.00	\$ 17,000.00
6	Remove Miscellaneous Debris	CY	200	\$ 36.00	\$ 7,200.00	\$ 29.70	\$ 5,940.00	\$ 22.00	\$ 4,400.00
7	Traffic Control	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 825.00	\$ 825.00	\$ 4,000.00	\$ 4,000.00
8	Street Cleaning	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 9,654.00	\$ 9,654.00	\$ 20,000.00	\$ 20,000.00
9	NODDES Permit	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 6,348.00	\$ 6,348.00	\$ 12,500.00	\$ 12,500.00
TOTAL OF ALL CONSTRUCTION					\$ 411,500.00		\$ 428,582.00		\$ 590,500.00

True Tabulations Of Bids Received on 02/16/2012
There were 14 Bids Received and 0 Bids Rejected


Project Manager's Signature
Date: 2/16/2012

February 21, 2012

Mr. Jim Neubauer
City of Mandan
205 2nd Ave W
Mandan, ND 58554

Re: **Flood Protection Removal Bid Package #10- Lakewood Harbor Clay Plug Removal**

Dear Mr. Neubauer:

Bids on the referenced project were opened on February 17th, 2012. A total of 13 bids were received. The bids were checked for mathematical accuracy and one discrepancy was found but did not affect the apparent low bidder.

The apparent low bidder is Tom's Backhoe Service, Inc of Brainerd, Minnesota with a bid amount of \$166,500.00. Please see attached Bid Summary and Detailed Tabulation of Bids.

We recommend award to the apparent low bidder. Please contact us with any questions.

Sincerely,

Kadrmass, Lee & Jackson, Inc.



Brent Erickson, PE
Project Manager

Enclosure(s): Bid Summary, Detailed Tabulation of Bids
Project #: 1411112 BG12

Lakewood Harbor Clay Plug Removal Bid Package #10
City of Mandan

Bids to be Opened: 10:00 AM CT, Friday, February 17, 2012

Bidder	Acknowledge Addenda	Contractor's License	Bid Bond	Total Construction Cost
Tom's Backhoe Service Brainerd, MN	X	X	X	\$166,500.00
Rachel Contracting St. Michael, MN	X	X	X	\$214,900.00
Burski Excavating Rice, MN	X	X	X	\$217,500.00
Industrial Builders, Inc. West Fargo, ND	X	X	X	\$232,900.00
Park Construction Company Hampton, MN	X	X	X	\$259,365.00
H & S Contracting Moorhead, MN	X	X	X	\$263,275.00
Weisz & Sons, Inc. Bismarck, ND	X	X	X	\$313,950.00
Ryan Contracting Co. Elko, MN	X	X	X	\$321,600.00
OCI, Inc. Miles City, MT	X	X	X	\$377,700.00
Veit & Company, Inc. Rogers, MN	X	X	X	\$408,050.00
Northern Improvement Company Bismarck, ND	X	X	X	\$415,531.00
J.R. Ferche, Inc. Rice, MN	X	X	X	\$458,400.00
Quam Construction Company Willmar, MN	X	X	X	\$721,200.00
Engineer's Opinion of Construction Cost				\$790,000 and \$965,000

DETAILED TABULATION OF BIDS

Flood Protection Removal Bid Package #10-Lakewood Harbor Clay Plug Removal

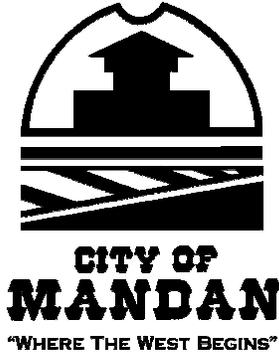
Item No.	Description	Unit	Quantity	Engineer's Opinion		Tom's Backhoe		Rachel Contracting		Burski Excavating		Industrial Builders		Park Construction	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 23,000.00	\$ 23,000.00	\$ 6,000.00	\$ 6,000.00	\$ 2,400.00	\$ 2,400.00	\$ 4,500.00	\$ 4,500.00	\$ 3,000.00	\$ 3,000.00	\$ 2,390.00	\$ 2,390.00
2	Mobilization	LS	1	\$ 54,000.00	\$ 54,000.00	\$ 10,000.00	\$ 10,000.00	\$ 57,500.00	\$ 57,500.00	\$ 8,900.00	\$ 8,900.00	\$ 172,000.00	\$ 172,000.00	\$ 100,000.00	\$ 100,000.00
3	Remove Clay Plug	CY	30,000	\$ 14.00	\$ 420,000.00	\$ 3.50	\$ 105,000.00	\$ 4.00	\$ 120,000.00	\$ 5.30	\$ 159,000.00	\$ 0.50	\$ 15,000.00	\$ 0.01	\$ 300.00
4	Remove Clay Plug Alternate Disposal	TONS	5,000	\$ 14.50	\$ 72,500.00	\$ 4.00	\$ 20,000.00	\$ 3.75	\$ 18,750.00	\$ 4.30	\$ 21,500.00	\$ 4.00	\$ 20,000.00	\$ 7.20	\$ 36,000.00
5	Remove Rip-Rap	CY	550	\$ 125.00	\$ 68,750.00	\$ 10.00	\$ 5,500.00	\$ 9.00	\$ 4,950.00	\$ 13.00	\$ 7,150.00	\$ 8.00	\$ 4,400.00	\$ 13.30	\$ 7,315.00
6	Remove Miscellaneous Debris	CY	2000	\$ 25.00	\$ 50,000.00	\$ 8.00	\$ 16,000.00	\$ 1.00	\$ 2,000.00	\$ 1.00	\$ 2,000.00	\$ 2.00	\$ 4,000.00	\$ 0.01	\$ 20.00
7	Traffic Control	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 2,000.00	\$ 2,000.00	\$ 3,500.00	\$ 3,500.00	\$ 5,500.00	\$ 5,500.00	\$ 3,500.00	\$ 3,500.00	\$ 34,000.00	\$ 34,000.00
8	Street Cleaning	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	\$ 3,000.00	\$ 4,500.00	\$ 4,500.00	\$ 3,000.00	\$ 3,000.00	\$ 4,400.00	\$ 4,400.00
9	NPDES Permit	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 500.00	\$ 500.00	\$ 800.00	\$ 800.00	\$ 1,200.00	\$ 1,200.00	\$ 3,000.00	\$ 3,000.00	\$ 4,400.00	\$ 4,400.00
TOTAL OF ALL CONSTRUCTION					\$ 793,250.00		\$ 166,500.00		\$ 234,900.00		\$ 217,500.00		\$ 232,900.00		\$ 259,965.00

Item No.	Description	Unit	Quantity	H & S Contracting		Weisz & Sons		Ryan Contracting		CCI		Velt Contracting		Northern Improvement	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 5,125.00	\$ 5,125.00	\$ 3,500.00	\$ 3,500.00	\$ 10,000.00	\$ 10,000.00	\$ 4,450.00	\$ 4,450.00	\$ 5,500.00	\$ 5,500.00	\$ 1,200.00	\$ 1,200.00
2	Mobilization	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 9,000.00	\$ 9,000.00	\$ 20,000.00	\$ 20,000.00	\$ 45,000.00	\$ 45,000.00	\$ 15,000.00	\$ 15,000.00	\$ 21,174.00	\$ 21,174.00
3	Remove Clay Plug	TONS	30,000	\$ 5.50	\$ 1,650,000.00	\$ 7.50	\$ 225,000.00	\$ 7.00	\$ 210,000.00	\$ 6.75	\$ 202,500.00	\$ 8.00	\$ 240,000.00	\$ 8.00	\$ 240,000.00
4	Remove Clay Plug Alternate Disposal	TONS	5,000	\$ 5.00	\$ 25,000.00	\$ 10.00	\$ 50,000.00	\$ 12.00	\$ 60,000.00	\$ 11.00	\$ 55,000.00	\$ 12.00	\$ 60,000.00	\$ 12.40	\$ 62,000.00
5	Remove Rip-Rap	CY	550	\$ 13.00	\$ 7,150.00	\$ 15.00	\$ 8,250.00	\$ 12.00	\$ 6,600.00	\$ 9.00	\$ 4,950.00	\$ 13.00	\$ 7,150.00	\$ 25.40	\$ 13,970.00
6	Remove Miscellaneous Debris	CY	2000	\$ 24.50	\$ 49,000.00	\$ 1.00	\$ 2,000.00	\$ 12.00	\$ 24,000.00	\$ 25.00	\$ 50,000.00	\$ 25.00	\$ 50,000.00	\$ 825.00	\$ 825,000.00
7	Traffic Control	LS	1	\$ 3,500.00	\$ 3,500.00	\$ 4,000.00	\$ 4,000.00	\$ 10,000.00	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 16,000.00	\$ 16,000.00	\$ 9,654.00	\$ 9,654.00
8	Street Cleaning	LS	1	\$ 3,000.00	\$ 3,000.00	\$ 7,000.00	\$ 7,000.00	\$ 10,000.00	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 1,000.00	\$ 1,000.00	\$ 8,408.00	\$ 8,408.00
9	NPDES Permit	LS	1	\$ 500.00	\$ 500.00	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00	\$ 1,000.00	\$ 5,700.00	\$ 5,700.00	\$ 1,000.00	\$ 1,000.00	\$ 8,408.00	\$ 8,408.00
TOTAL OF ALL CONSTRUCTION					\$ 263,275.00		\$ 313,950.00		\$ 321,600.00		\$ 377,700.00		\$ 408,050.00		\$ 415,531.00

Item No.	Description	Unit	Quantity	J.R. Ferchle		Quam Construction	
				Unit Price	Total	Unit Price	Total
1	Contract Bond	LS	1	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
2	Mobilization	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 85,000.00	\$ 85,000.00
3	Remove Clay Plug	CY	30,000	\$ 9.00	\$ 270,000.00	\$ 16.00	\$ 480,000.00
4	Remove Clay Plug Alternate Disposal	TONS	5,000	\$ 17.00	\$ 85,000.00	\$ 22.00	\$ 110,000.00
5	Remove Rip-Rap	CY	550	\$ 18.00	\$ 9,900.00	\$ 14.00	\$ 7,700.00
6	Remove Miscellaneous Debris	CY	2000	\$ 30.00	\$ 60,000.00	\$ 22.00	\$ 44,000.00
7	Traffic Control	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 4,500.00	\$ 4,500.00
8	Street Cleaning	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00
9	NPDES Permit	LS	1	\$ 4,000.00	\$ 4,000.00	\$ 12,500.00	\$ 12,500.00
TOTAL OF ALL CONSTRUCTION					\$ 458,400.00		\$ 721,200.00

True Tabulations Of Bids Received on 02/17/2012
There were 13 Bids Received and 0 Bids Rejected


Project Manager's Signature
Date: 2/17/2012



Bids No. 2

Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 9, 2012
SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Jeff Wright, Public Works Director
PRESENTER: Jeff Wright, Public Works Director
SUBJECT: Consider for approval the award of the Concrete and Asphalt crushing project at the Landfill to Kraemer Trucking.

STATEMENT/PURPOSE: To consider the award of bid for concrete and asphalt crushing at the landfill.

BACKGROUND/ALTERNATIVES: On February 8, 2012 bids were opened for the crushing of concrete and asphalt at the Landfill. Consider awarding bid to low bidder, Kraemer Trucking, to crush the concrete and asphalt at the landfill not to exceed the budgeted amount of \$50,000.

Years of accumulating asphalt and concrete taken in at the landfill is causing issues with space at the landfill and needs to be recycled and reused. We do that by crushing the oversized chunks into usable material, to be used as road base, material for water break repairs, temporary road surface during winter months, and material that can be sold to contractors for similar use. This material is much in demand and we will not have any trouble selling this material. This material is taken at the landfill at no charge, solely for recycling, saving space in our inert landfill. We are charging \$12/ton and we sold approximately \$22,000 worth in 2011 and utilized the material during the 2011 Flood Fight, which saved the City from having to purchase this type of material.

ATTACHMENTS: Bid Tab

FISCAL IMPACT: \$50,000 has been approved for the 2012 Budget for crushing.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

Board of City Commissioners

Agenda Documentation

Meeting Date: February 21, 2012

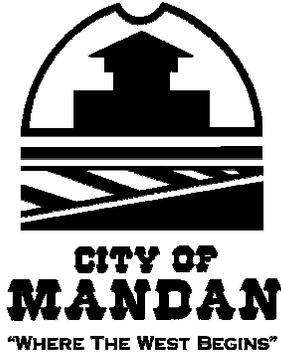
Subject: Consider for approval the award of the Concrete and Asphalt crushing project at the Landfill to Kraemer Trucking

Page 2 of 2

RECOMMENDATION: Recommend to award the Concrete and Asphalt Crushing Project to Kraemer Trucking for the amount of \$50,000.

SUGGESTED MOTION: Move to award the Concrete and Asphalt Crushing Project to Kraemer Trucking for the amount of \$50,000.

ASPHALT AND CONCRETE CRUSHING PROJECT			
BID TAB			
			Opened FEBRUARY 8, 2012
Company	APPROX. QUANTITY	SUNDRE S&G, INC.	KRAEMER TRUCKING
CONCRETE PER TON	10,000	\$ 10.98	\$ 7.25
ASPHALT PER TON	2,000	\$ 10.98	\$ 4.00
MOBILIZATION		\$ 5,000.00	\$ 3,000.00
SCOPE OF WORK			
Concrete to be crushed to 1" minus diameter.			
Asphalt to be crushed to 1" minus diameter.			
All iron, rebar and or garbage shall be left on site and will remain the property of the City of Mandan.			
Belt scale readings will be used for billing purposes.			
The City of Mandan will have free access to the belt scale readings at any time as so desired.			
Work is to be completed by June 3, 2012.			
It appears that KRAEMER TRUCKING is the apparant low bidder.			
I recommend we contract with KRAEMER TRUCKING to crush the concrete and asphalt at the landfill up to the \$50,000 budget.			



Consent No. 1 & Ord No. 1

Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 1, 2012
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider a change of zoning of Meadow Ridge 1st Addition from MC (Light Non-Nuisance Industrial/Heavy Commercial) to RM (Multi-Family Residential).

STATEMENT/PURPOSE: Request from Pat Wachter, WW Ranch. The purpose of the zone change is for apartment buildings.

BACKGROUND/ALTERNATIVES: The zone change was approved by the Planning & Zoning Commission on January 23, 2012. The preliminary plat was approved by Planning & Zoning on January 23, 2012. The final plat goes before Planning & Zoning February 27th and City Commission on March 6th.

ATTACHMENTS: 1. Office Report
2. Map
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 zone change to RM (Multi-Family Residential).

MANDAN PLANNING OFFICE REPORT
January 19, 2012

Applicant(s): Pat Wachter, WW Ranch

Owner(s): same

Developer(s):

Requested Action: Zone Change Approval

Name of Subdivision: Meadow Ridge 1st Addition

Legal Description: All of Block 1; All of Lots 1-2 and part of Lots 3-4, Block 2; All of Lots 1-2 and part of Lots 3, 13-15, Block 3; All of Lots 1-2 and part of Lot 3, Block 4; part of 26th Street NW and part of 5th Avenue NW, Pioneer Industrial Park 1st Addition, all lying within the 2 mile extraterritorial jurisdiction of the City of Mandan, Morton County, North Dakota.

Located: 27th Street NW

Parcel Acreage: 8.57

Existing Land Use: Agricultural

Proposed Land Use: Apartment Building

Adjacent Land Use: Residential and Agricultural

Existing Zoning: MC (Light Non-Nuisance Industrial/Heavy Commercial)

Proposed Zoning: RM (Multi-Family Residential)

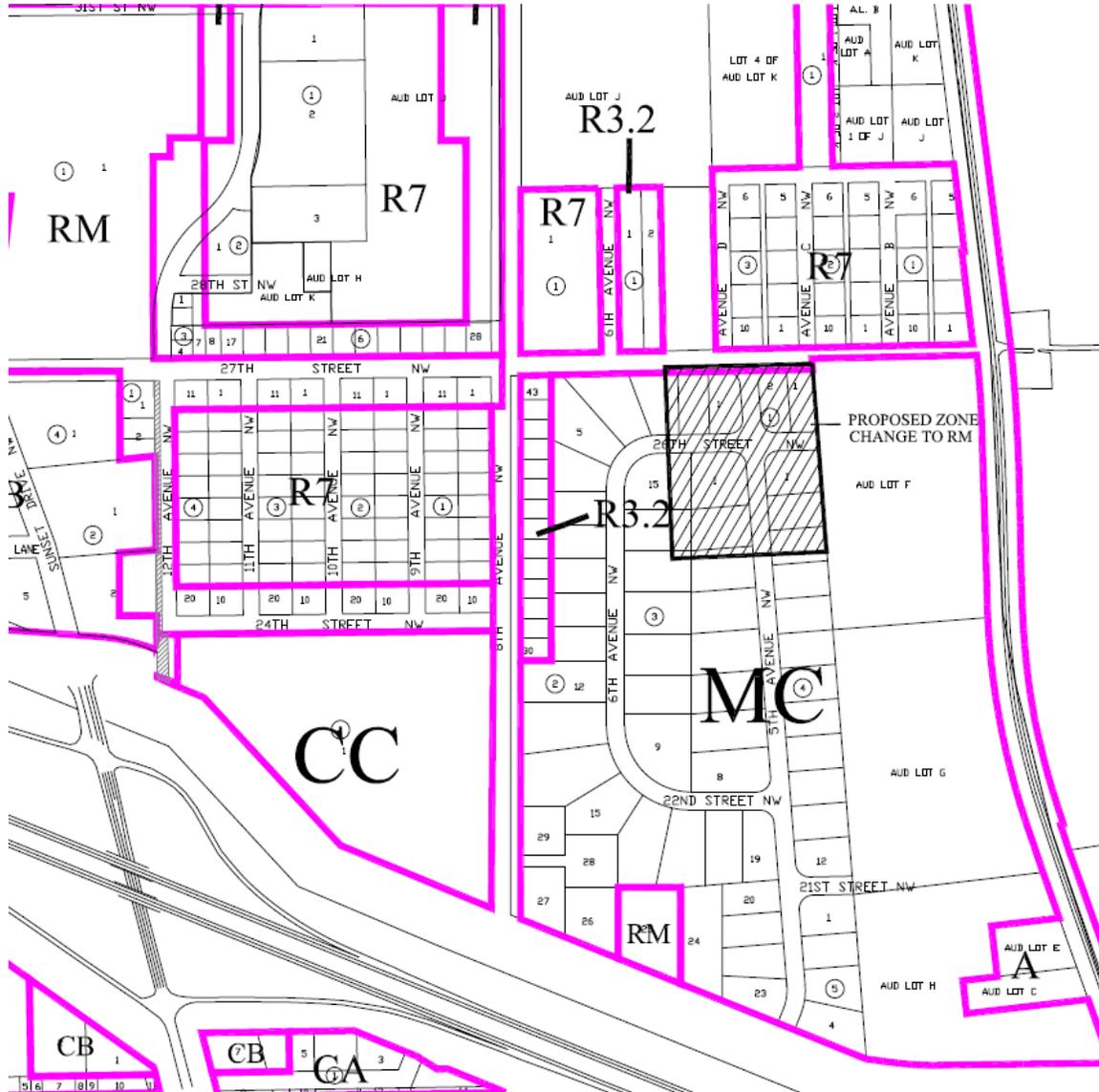
Adjacent Zoning: MC (Light Non-Nuisance Industrial/Heavy Commercial), MB (Heavy Industrial/Heavy Commercial), R7 (Single-Family Residential)

Fee(s) Required: \$250.00 Date Received: 1-6-2012

Adjacent Property Owner Notification: January 12, 2012

Dates of Legal Notices: January 13th & 20th, 2012

Recommendations: The Planning Office recommends approval.



ORDINANCE NO. 1110

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

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

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

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

All of Block 1; all of Lots 1-2 and part of Lots 3-4, Block 2; all of Lots 1-2
and part of Lots 3, 13-15, Block 3; all of Lots 1-2 and part of Lot 3, Block
4; part of 26th Street NW and part of 5th Avenue NW, Pioneer Industrial
Park 1st Addition of Section 22, Township 139N, Range 81W, all lying
within the 2 mile extraterritorial jurisdiction of the City of Mandan,
Morton County, North Dakota.

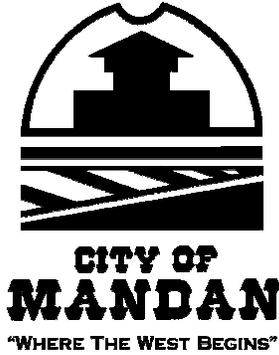
And as so amended said section is hereby reenacted. The purpose of the zone change is
to build apartment buildings. The city administrator is authorized and directed to make
the necessary changes upon the official zoning map of the city in accordance with this
section.

President, Board of City Commissioners

Attest:

City Administrator

Public Hearing:	<u>January 23, 2012</u>
First Consideration:	<u>February 21, 2012</u>
Second Consideration and Final Passage:	<u>March 6, 2012</u>
Publication Date:	<u>March 30, 2012</u>



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 8, 2012
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: 2-Year Exemption for
Greg Norrie

STATEMENT/PURPOSE: To consider an exemption for new construction of a residential structure for the year 2011.

BACKGROUND/ALTERNATIVES: Mr. Norrie qualifies for an exemption of the first \$75,000 of structure value on a new single family dwelling.

This parcel is also known as Lot 15, Block 3, Lakewood 2nd Addition at 3307 Bay Shore Bend SE on Parcel #9846.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$1,361.00.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the requested exemption for the first \$75,000 of structure value for the year 2011 on a newly constructed single family dwelling due to all qualifications being met.

SUGGESTED MOTION: I recommend a motion to approve the request by Mr. Norrie for an exemption of the first \$75,000 of structure value for the year 2011 on a newly constructed single family dwelling due to all qualifications being met.

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

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

State of North Dakota

County of Morton

Name NORRIE GREGORY & CONNIE
 Address 3307 BAY SHORE BEND SE
 Legal Description of the property involved in this application
 Lot: 15
 Block: 3
 LAKEWOOD 2ND

Property ID Number

City 9846

County 65-1808950

Received by the Morton County Auditor

Date 2-3-12 KP

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

Land \$55,400
 Improvements \$251,400
 Total (1) \$306,800

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

Land \$55,400
 Improvements \$176,400
 Total (2) \$231,800

The difference of \$75,000 true and full value between (1) and (2) above is due to the following reason(s):

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

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

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

The Applicant asks that _____

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

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

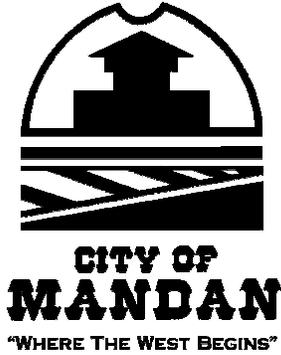
Signature of Preparer (if other than applicant)

Date

Signature of Applicant

Date

X Greg Nowis 2-3-12



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 8, 2012
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: 2-Year Exemption for
Louis Schmidt

STATEMENT/PURPOSE: To consider an exemption for new construction of a residential structure for the year 2011.

BACKGROUND/ALTERNATIVES: Mr. Schmidt qualifies for an exemption of the first \$75,000 of structure value on a new single family dwelling.

This parcel is also known as Lot 4, Unit 1, Block 1, Koch's Lakewood Villa Addition at 2502 Nash Lane SE on Parcel #10902.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$1,361.00.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the requested exemption for the first \$75,000 of structure value for the year 2011 on a newly constructed single family dwelling due to all qualifications being met.

SUGGESTED MOTION: I recommend a motion to approve the request by Mr. Schmidt for an exemption of the first \$75,000 of structure value for the year 2011 on a newly constructed single family dwelling due to all qualifications being met.

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

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

State of North Dakota

County of Morton

Name SCHMIDT LOUIS M

Address 2502 NASH LN SE UNIT 1

Legal Description of the property involved in this application
LOT 4 UNIT 1

Property ID Number

City 10902

County 65-6104223

Received by the Morton County Auditor

Date 2-8-12 KP

Block: 1

KOCH'S LAKEWOOD VILLAS

Total true and full value of the property described above for the year 2011 is:		Total true and full value of the property described above for the year 2011 should be:	
Land	\$10,400	Land	\$10,400
Improvements	\$154,900	Improvements	\$79,900
Total (1)	\$165,300	Total (2)	\$90,300

The difference of \$75,000 true and full value between (1) and (2) above is due to the following reason(s):

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

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

1. Purchase price of property: \$ _____ Date of Purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
 _____ Market value estimate: \$ _____
 Appraisal was made by whom? _____

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

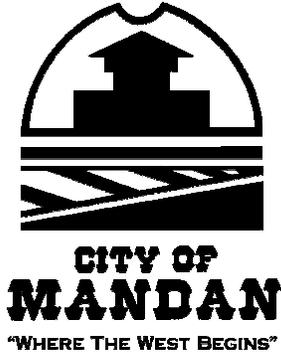
5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that _____

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

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

[Signature] 2-7-12 Signature of Preparer (if other than applicant) Date
[Signature] 2-7-12 Signature of Applicant Date



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 14, 2012
SUBMITTING DEPARTMENT: Fire Department
DEPARTMENT DIRECTOR: Steve Nardello, Fire Chief
PRESENTER: Steve Nardello Fire Chief
SUBJECT: Out-of-State travel

STATEMENT/PURPOSE – Consideration of out-of-state travel to attend the Fire Department Instructors Conference (FDIC) in Indianapolis, Indiana

BACKGROUND/ALTERNATIVES – The FDIC is held each year in Indianapolis for firefighters throughout the globe to obtain valuable training. The fire department budgets for two firefighters to attend the conference every year. New firefighting and training techniques are learned by everyone in attendance such as our new burn building, searching buildings, hazardous materials handling, and many more new ideas.

ATTACHMENTS – FDIC website (www.fdic.com) that contains conference information and courses being offered.

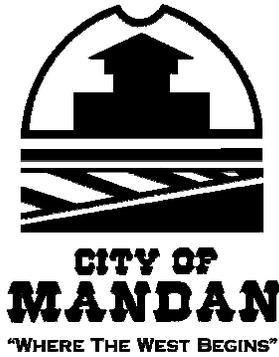
FISCAL IMPACT – The conference registration is \$500.00 per person; airfare is approximately \$500.00 per person, one hotel room at \$169.00 per night for four nights, and meal expenses in accordance with GSA allowance of \$61.00 per day. All expenses were considered and are incorporated into the 2012 Fire Department travel and training budget.

STAFF IMPACT – Chief Nardello and Captain Beehler will be out of the office for five days.

LEGAL REVIEW – N/A

RECOMMENDATION – I recommend that the Mandan City Commission allow two firefighters to attend the 2012 FDIC in April.

SUGGESTED MOTION – A motion to approve out-of-state travel for Chief Nardello and Captain Beehler to attend the FDIC held in Indianapolis April 16-20, 2012.



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 15, 2012
SUBMITTING DEPARTMENT: Police
DEPARTMENT DIRECTOR: Chief Dennis A. Bullinger
PRESENTER: Chief Dennis A. Bullinger
SUBJECT: Approval for Out of State Travel

STATEMENT/PURPOSE:

I have received an invitation from the Federal Bureau of Investigation to attend a summit in Denver, Colorado from March 13-15, 2012. The summit will include administrators from different law enforcement agencies across western and central North Dakota. The conference focus is to identify threats to communities affected by the Bakken formation while creating strategies in addressing issues, and developing effective relationships between private industry and law enforcement.

BACKGROUND/ALTERNATIVES:

ATTACHMENTS: Copy of invite from Leslie Hagen.

FISCAL IMPACT: Expenses for fuel, daily per diem, would be paid from the 2012 police Training/Travel budget with reimbursement from the Department of Justice. Lodging is not need.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: N/A

SUGGESTED MOTION: N/A

Board of City Commissioners
Agenda Documentation
Meeting Date:
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Page 2 of 3

From: Hagen, Leslie (USANAC) <Leslie.Hagen3@usdoj.gov>
Sent: Tuesday, February 14, 2012 2:21 PM
To: Barry Jager; Brad Baisch; Colonel James Prochniak; Dallas Carlson; Dave Jurgens; David Hilliard; Dean Danzeisen; Dennis Bullinger; Don Charging; Don Rockvov; Dustin Dassinger; Frank Difonzo; Jeff Balentine; Jim Lokken; Keith Witt; Kenneth Halvorson; Lauren Throntweit; Pat Heinert; Ron Rankin; Scott Busching; Steve Kukowski; Steve Watson; Wayne Stenehjem Vickery, Elizabeth (USANAC)
Cc:
Subject: FBI Bakken Oil and Gas Law Enforcement Summit - March 13-15

Dear Colleague:

The Federal Bureau of Investigation would like to invite you to a multi-agency Bakken Oil and Gas Law Enforcement summit set in Denver, Colorado from 03/13-15/2012. The purpose of the summit is to create a dynamic partnership between the oil and gas industry and law enforcement, in response to the overwhelming number of threats to the communities in the region. This three day conference will focus on building strategies to address issues identified by the private industry, federal, state, local, and tribal government entities impacted in the Northern Plains of the United States.

The first two days of the conference will be hosted by the Oil and Gas Industry and will be held at the Colorado School of Mines in Golden, CO (Brown Hall). The school will be on Spring break and the conference room is brand new in their Mining Engineering Hall. Attendees can take a shuttle from DIA to their hotel. The third day of the conference will be held at the FBI Denver Field Office, 8000 East 36th Avenue, Denver, Colorado for law enforcement participation only and focus on strategy building.

Please join us to begin to develop an effective relationship between private industry and law enforcement partners to create law enforcement strategies to improve communities affected by the Bakken formation economic boom.

If necessary, DOJ will pay for your travel, lodging and daily per diem. Rental cars are not authorized. Please advise if you or a delegate will be attending this Summit. And, if you plan on attending and having DOJ cover your costs – please do not make travel arrangements until you receive additional guidance from DOJ. You may, however, make your room reservation.

We look forward to working with you on this important issue.

DETAILS:

Date: March 13-15, 2012 (Travel March 12 & 16)

Time: 8:00 am – 5:00 pm

May 13-14, 2012

Location: Colorado School of Mines in Golden, CO (Brown Hall)

May 15, 2012

Location: FBI Denver
8000 East 36th Avenue

Board of City Commissioners
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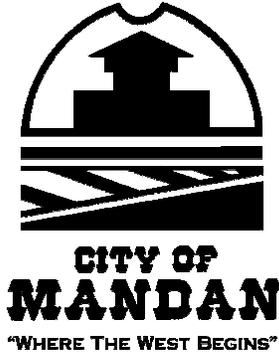
Denver, CO 80238

The hotel information is as follows:

Check in March 12
Check out March 14
Table Mountain Inn
1310 Washington Avenue
Golden, CO
800-762-9898
Block is under DOJ/FBI

Check in March 14
Check out March 16
Doubletree Hotel
3203 Quebec Street
Denver, CO
303-321-3333 or 800-222-8733
Block is under DOJ

Leslie A. Hagen
National Indian Country Training Coordinator
DOJ/EOUSA/OLE
1620 Pendleton Street
Columbia, SC 29201
Leslie.Hagen3@usdoj.gov
BB 202-658-8490



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 16, 2012
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider approving the plans & specifications and allow for the advertisement for bids for Street Improvement District No. Project #2010-03 (NW Mandan)

STATEMENT/PURPOSE: To approve of the plans and specifications on file with and in the Engineering office and allow for the advertisement of the project to solicit bids.

BACKGROUND/ALTERNATIVES: On November 1st the City Commission created the district and allowed for the advertisement of the protest period. We have not advertised the protest period as we haven't reviewed the final estimate numbers. Those estimate numbers were provided this week to our office and we are currently digesting them. Once we have the numbers available based on the work to be done, we will be advertising the protest period and letters will go out to the property owners within the district, providing them with the range of the assessment they can expect for the work being done within the district. We currently have the plans and specifications in office and have reviewed them and approve them. We are asking for permission to advertise the project to solicit bids from contractors. We anticipate a March 28th bid opening and to come before the City Commission with a recommendation on the award of the project on April 3rd.

ATTACHMENTS: resolutions for the advertisement of the request for bids and the approval of the plans and specifications.

FISCAL IMPACT: We are currently looking at the provided estimate of costs. We have several alternatives to decide upon before a final true estimate can be provided. If we follow the recommended improvements for all roads within the district, we are estimating a cost of \$ As and if we choose to look at the alternatives, that number should be reduced and once the final determination is made for what improvements will take place where, we will have a true estimate and those will be the numbers we send out to the residences within the district.

Board of City Commissioners

Agenda Documentation

Meeting Date: February 21, 2012

Subject: Consider approving the plans & specifications and allow for the advertisement for bids for Street Improvement District No. Project #2010-03 (NW Mandan)

Page 2 of 7

STAFF IMPACT: I am currently reviewing the recommendations and determining where to either go with the recommendations or the alternate method of road repair. With the need for the letter to out to the public by or around March 2nd, the next two weeks will be spent digesting the project.

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

RECOMMENDATION: This office recommends approving the plans and specs and allowing for the advertisement of the project.

SUGGESTED MOTION: I move to approve the plans & specifications and allow for the advertisement for bids for Street Improvement District No.161 Project #2010-03.

**RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS
FOR STREET IMPROVEMENT DISTRICT NO. 161
PROJECT 2010-03**

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

1. The City Administrator, Deputy Auditor and City Engineer shall meet at the time and place specified in the notice authorized in paragraph 2 hereof, for the purpose of opening sealed bids for the work and material needed for the improvement project to be made in Street Improvement District No. 161 Project # 2010-03 of the City of Mandan, as more fully described and referred to in the resolution creating said improvement district passed and approved by the Board on November 1st, 2011, and in the plans and specifications for said improvement now on file in the office of the City Engineer.

2. The City Administrator is authorized and directed to cause notice of advertisement for bids to be published once each week for two consecutive weeks in the Mandan News, the official newspaper, the first of such publications to be at least fourteen days before the date specified for receipt of bids, which notice shall be in the following form:

**“ADVERTISEMENT FOR BIDS FOR
STREET IMPROVEMENT DISTRICT 161, PROJECT #2010-03
MANDAN, NORTH DAKOTA**

Notice is hereby given, that the City of Mandan, North Dakota will receive sealed bids at the office of the City Administrator until March 28, 2012, at 2:00 p.m., local time for the purpose of opening sealed bids for the furnishing of materials, labor and skill needed for Street Rehabilitation Project and related work in accordance with the plans and specifications for Street Improvement District 161, Project #2010-03.

Plans and Specifications are on file in the office of the City Administrator and the City Engineer. Plans may be obtained at the office of Toman Engineering Company, 501 1st Street NW, Mandan, ND 58554, upon a non-refundable deposit of \$75.00.

The bid proposals must be submitted to the City Administrator by 2:00 p.m, local time, March 28, 2012 and shall be sealed and endorsed “Proposal for Street Improvement District 161 Project No. 2010-03.” Bids shall be delivered or mailed to: City Administrator, City of Mandan, 205 2nd Avenue NW, Mandan, ND 58554. Bids will be opened and read aloud in the City Commission Meeting Room at 2:00 PM , local time, on March 28, 2012. All bidders are invited to be present at the public opening of the Bids.

All Bidders must be licensed for the highest amount of their Bids, as provided by Section 43-07-05 of the North Dakota Century Code. The Bidder shall include a copy of his license or certificate of renewal thereof enclosed in the required bid bond envelope as required pursuant to Section 43-07-12 of the North Dakota Century Code, as amended.

Each bid shall be accompanied by a separate envelope containing a bidder’s bond in the amount of five (5) percent of the highest amount of the bids as required by Section 48-01.1-05 (3), North Dakota Century Code, as amended, and executed by the Bidder as principal and by a surety, conditioned that if the principal’s bid is accepted and the contract awarded to the principal, the principal, within ten days after

Board of City Commissioners

Agenda Documentation

Meeting Date: February 21, 2012

Subject: Consider approving the plans & specifications and allow for the advertisement for bids for Street Improvement District No. Project #2010-03 (NW Mandan)

Page 4 of 7

Notice of Award, shall execute and effect a contract in accordance with the terms of the bid, and a Contractor's Bond as required by law. No bid may be read or considered if it does not fully comply with the requirements of Section 48-01.1-05 of the North Dakota Century Code and any deficient bid must be resealed and returned to the bidder immediately.

Bids shall be made on the basis on cash payment for the work to be done. All work under this advertisement shall be started on a date to be specified in a written order from the Board of City Commissioners, or no later than ten (10) days after written notice to proceed has been received from the city.

All work under this advertisement shall be started on a date to be specified in a written order from the City of Mandan or no later than ten (10) days after written notice to proceed has been received from the City.

Work shall be completed on or before the dates specified within the specifications with liquidated damages assessed if any completion dates are exceeded.

Should the contractor fail to complete all of the work in a District according to the specified date, or within such additional time as may have been granted by formal extensions of time approved by the City Engineer, there shall be deducted from any money due the contractor, the sum for each calendar day the completion of the Work is delayed, for each District. Liquidated damages will continue to accumulate until the City Engineer determines winter weather prevents further construction. Liquidated damages will restart on the first day of construction in the Spring of following year and continue to accumulate until final project acceptance. The Contractor and his surety shall be liable for any excess. Such payments shall be deducted from the final payment and shall be charged as liquidated damages and not as a penalty.

The Board of City Commissioners will meet on Tuesday, April 3, 2012 , at 5:30 PM, local time, to review the Bids submitted, consider the engineer's recommendation, and to award the contract to the successful Bidder. The contract will be awarded on the basis of the low Bid submitted by a responsible and responsive Bidder deemed most favorable to the City's interest.

The Board of City Commissioners reserves the right to hold all bids for a period of thirty (30) days after the date fixed for the opening thereof, and to reject any or all bids and to waive irregularities whenever it is in the best interest of the City of Mandan.

City of Mandan, North Dakota

BY: James Neubauer
City Administrator"

3. Each and all of the terms and provisions of the foregoing notice are hereby adopted as the terms and conditions for the award of said contract.

4. The Board of City Commissioners shall meet on Tuesday, April 3, 2012 at 5:30 pm, local time, to review the bids submitted, consider the engineer's recommendation, and to award the contract to the successful bidder, subject to the Board finding that filed protests are insufficient to bar the work.

President, Board of City Commissioners

Board of City Commissioners

Agenda Documentation

Meeting Date: February 21, 2012

Subject: Consider approving the plans & specifications and allow for the advertisement for bids for Street Improvement District No. Project #2010-03 (NW Mandan)

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ATTEST:

City Administrator

Passed: February 21, 2012

**RESOLUTION APPROVING ENGINEER'S REPORT AND
AUTHORIZING PREPARATION OF THE DETAILED PLANS AND
SPECIFICATIONS FOR THE CONSTRUCTION OF THE IMPROVEMENT
IN STREET IMPROVEMENT DISTRICT NO. 161**

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

1. That the report of the City Engineer with respect to the general nature, purpose, and feasibility of the proposed improvement and the estimate of the probable cost of the work to be done in Street Improvement District No. 161 Project # 2010-03, as required by section 40-22-10 of the North Dakota Century Code, and hereto filed in the office of the City Administrator, is hereby accepted and approved and the proposed improvement project within said District is hereby determined and declared to be feasible.

2. The probable costs of the of the improvement project are estimated to be as follows:

a. Construction costs:	\$8,921,236.48
b. Other costs including necessary and reasonable change orders; engineering, fiscal agents' and attorneys' fees; cost of publication of legal notices; printing of warrant bonds; and all expenses incurred in the making of the improvement and levy of assessments therefore:	\$3,122,432.77
c. Total estimated costs of the improvement:	\$12,043,669.24

3. The Engineer is hereby authorized and directed to prepare detailed plans and specifications for the project to be constructed.

4. This resolution shall be in full force and effect from and after its passage.

Dated this 21st day of February, 2012.

Board of City Commissioners

Agenda Documentation

Meeting Date: February 21, 2012

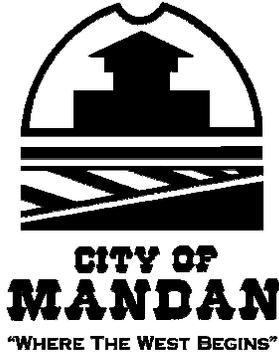
Subject: Consider approving the plans & specifications and allow for the advertisement for bids for Street Improvement District No. Project #2010-03 (NW Mandan)

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President, Board of City Commissioners

ATTEST:

City Administrator



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 7, 2012
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider the annexation of a tract of land in
Section 22-139N-81W.

STATEMENT/PURPOSE: To annex subject lands as requested by the owner.

BACKGROUND/ALTERNATIVES: Request by Mike Wachter, WW Ranch. He is currently platting part of the property as Meadows Ridge 1st Addition, with a zone change to RM (Multi-Family Residential) and vacating most of Pioneer Industrial Park 1st Addition.

ATTACHMENTS: 1. Ordinance
2. Vicinity Map

FISCAL IMPACT: Minimal.

STAFF IMPACT: Minimal.

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

RECOMMENDATION: This office supports the approval of the vacation.

SUGGESTED MOTION: I move to approve Ordinance 1111, annexing the subject lands.

Board of City Commissioners

Agenda Documentation

Meeting Date: February 21, 2012

Subject: Annexation of a tract of land being a part of the NW ¼ of Section 22, Township 139N, Range 81W.

Page 2 of 3

ORDINANCE NO. 1111

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

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

WHEREAS, the City of Mandan, North Dakota has determined it to be its interests to annex the hereinafter described property, which is contiguous to the City of Mandan, Morton County, North Dakota, but not embraced within the limits thereof, and has met all requirements as directed by Section 40-51.2-03 of the North Dakota Century Code.

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

A tract of land being a part of the NW ¼ of Section 22, Township 139N, Range 81W of the 5th Principal Meridian of the City of Mandan, Morton County, North Dakota, being more particularly described as follows:

Beginning at the northeast corner of Lot 44, Block 2, Pioneer Industrial Park 1st Addition of Morton County, North Dakota, said point also being on the south Right-of-Way line of 27th Street NW; thence North 88°50'27" East along said south Right-of-Way line for 1053.60 feet to a point on the west boundary line of Auditor's Lot "F" of the NW ¼ of Section 22, Township 139N, Range 81W; thence South 04°24'52" East along said west boundary line for 694.25 feet; thence South 87°42'57" West for 557.47 feet; thence South 02°16'51" East for 220.70 feet; thence South 89°21'20" West for 559.59 feet to a point on the east boundary line of said Lot 44; thence North 00°03'39" East along said Lot 44 for 919.92 feet to the Point of Beginning. Said tract of land containing 20.18 Acres, more or less.

Beginning at the northwest corner of the NW ¼ of Section 22, Township 139N, Range 81W; thence North 88°50'27" East along the north boundary line of said NW ¼ for 1116.49 feet to the northwest corner of Auditor's Lot "F" of said NW ¼; thence South 04°24'52" East along the west boundary line of said Auditor's Lot "F" for 734.32 feet; thence South 87°42'57" West for 557.47; thence South 02°16'51" East for 220.70 feet; thence South 89°21'20" West for 625.60 feet to a point on the west boundary line of said NW ¼; thence North 00°03'39" East along said west boundary line for 959.34 feet to the Point of Beginning. Said tract of land containing 22.60 Acres, more or less.

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

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

Attest:

/s/
James Neubauer, City Administrator

First Consideration: February 21, 2012
Second Consideration
and Final Passage: March 6, 2012
Date of Recording: _____

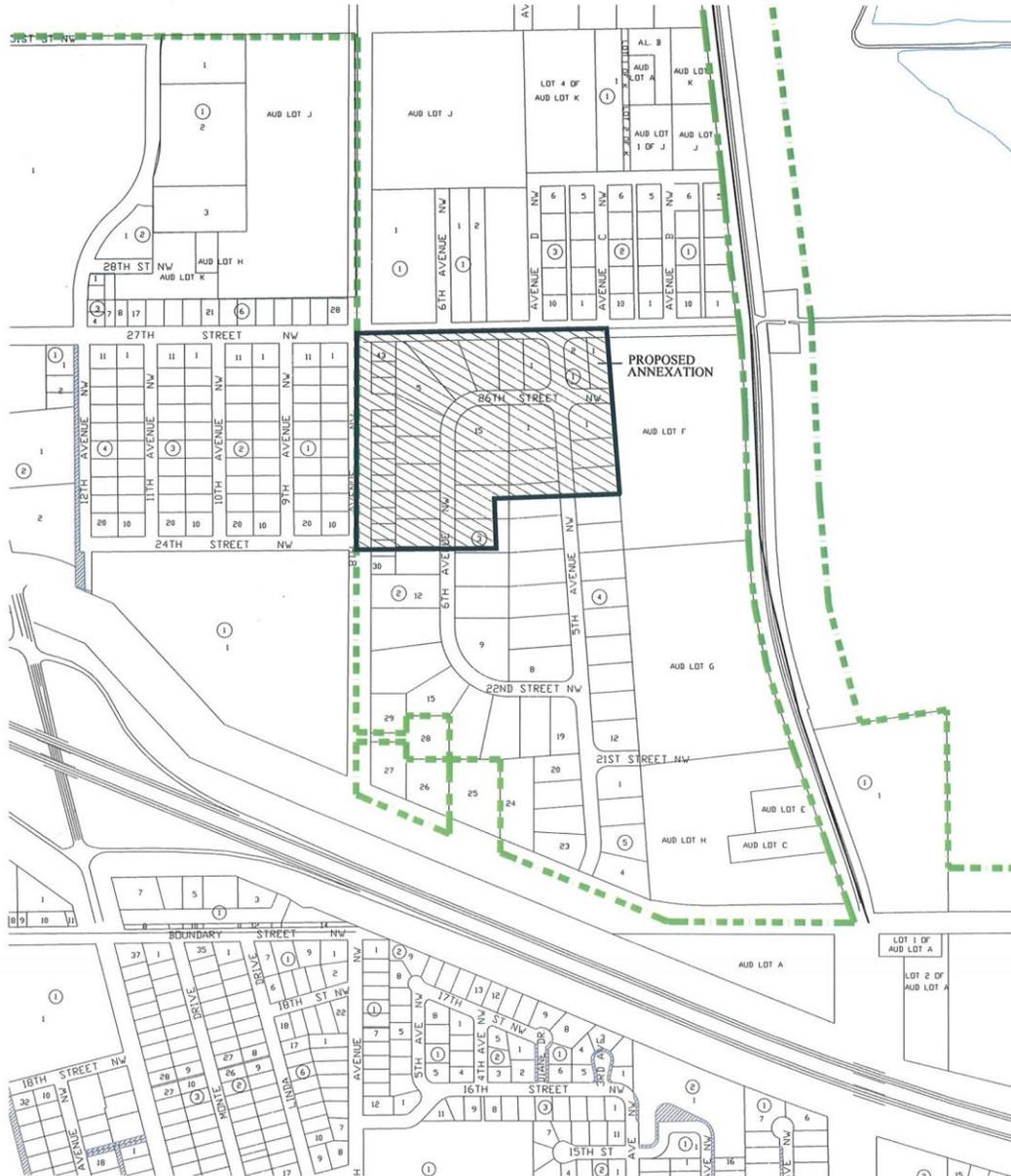
Board of City Commissioners

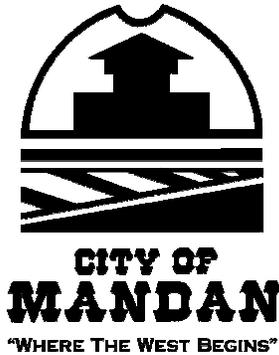
Agenda Documentation

Meeting Date: February 21, 2012

Subject: Annexation of a tract of land being a part of the NW ¼ of Section 22, Township 139N, Range 81W.

Page 3 of 3





Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 16, 2012
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Ellen Huber, Business Development & Communications Director
SUBJECT: Renaissance Zone Committee Recommendation on Purchase with Improvements of 301 First St NE

STATEMENT/PURPOSE: To consider a Renaissance Zone (RZ) Committee recommendation for approval of an application for purchase with improvements of 301 First Street NE by 1802 Wooddale Drive, LLC.

BACKGROUND/ALTERNATIVES: The RZ Committee met Feb. 9, 2012, to review the application for purchase of the building located at 301 First Street NE with an additional investment in improvements of \$138,315 to include extensive second story renovations and painting of the exterior south wall. The wall is being painted rather than applying dryvit as on the east wall because the applicant may add on to the building in the future. The applicant is also purchasing three residential parcels to the south for use in providing additional off-street parking as well as for the possibility of future expansion plans.

To qualify for purchase with improvements under Mandan's Renaissance Zone plan, a 20% minimum re-investment is needed to receive a 50% property tax exemption. The applicant's proposed investment meets that requirement and as well the stipulation that at least 80 percent of the minimum be for capital improvements.

The building's total present value is \$783,900. Fourteen percent of the building's space was previously exempted as part of the Leingang Chiropractic leasehold improvement project. Thus 86 percent, or \$674,154 of the value, is subject to this application.

The Wooddale Drive entity is a property holding company for Wenck Associates, a consulting engineering and environmental science firm that has been leasing space at the subject location for a few years. They have grown from 1 employee to 9 and need more space, thus would like to purchase the building. One of those employees is

working from Fargo due to lack of space at the Mandan location. Wenck will occupy about 4,600 square feet of the building. Other current tenants are Horace Mann Insurance, Reis Mixed Martial Arts, Leingang Chiropractic, and Beaver Creek Archeology. Additional applications for continued lease of space in a building being improved as a Renaissance Zone project are likely.

ATTACHMENTS: Excerpts of application by 1802 Wooddale Drive, LLC

FISCAL IMPACT: The Assessing Department estimates the improvements will increase the property's value by \$60,000, bringing the 86 percent eligible for exemption to \$734,154. The 50% property tax exemption is estimated at just under \$8,000 annually for a five-year total of slightly less than \$40,000. Property taxes are still required on the land. The state income tax exemption is estimated at zero due to the company being employee owned.

STAFF IMPACT: Minimal.

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

RECOMMENDATIONS: The Renaissance Zone Committee unanimously voted (5-0 with 2 absent) to recommend approval of the application with the five-year 50% property tax exemption on the building and the 100% state income tax exemption.

SUGGESTED MOTION: I move to approve the purchase with improvements by 1802 Wooddale Drive, LLC of the property located at 301 First Street NE as a Renaissance Zone project with the five-year 50% property tax exemption on the building and 100% state income tax exemption.



RENAISSANCE ZONE PROJECT APPLICATION

A Renaissance Zone project must be approved by the Mandan Renaissance Zone Committee, Mandan City Commission and the N.D. Commerce Department — Division of Community Services before the qualifying event occurs (purchase, rehabilitation, lease or new construction). Submit applications to the City of Mandan Business Development Office, 205 Second Avenue NW, Mandan, ND 58554, phone 701-667-3485.

APPLICANT INFORMATION

1. Type of project

- Commercial/Business
 Residential

2. Name of applicant(s)/or business name 1802 Wooddale Drive, LLC

Tax identification or social security number (both for joint filers)

20-8874087 /

Legal name (if different than trade name) _____

Type of entity (for commercial/ business applications)

- Partnership
 Corporation
 Subchapter S corporation
 Cooperative
 Sole proprietorship
 Limited liability company
 Limited liability partnership

3. Mailing address PO Box 249, Maple Plain, MN 55359-9000

4. Phone number 763-479-4200

5. E-mail address jotte@wenck.com

PROJECT INFORMATION

6. Street address of proposed project 301 1st Street NE, Mandan, ND 58554

7. Legal description Lot 018, Block 004 Mandan Proper, Morton County, North Dakota

8. Current owner (if different than applicant) Jerry Renner

9. Current use of property Office Building

10. Parcel size (in square feet) 50' x 140' = 7,000 s.f.

11. Building floor area (in square feet) 50' x 137' x 2 floors = 13,700 square foot

12. Type of project

- New construction
- Purchase with improvements
- Rehabilitation
- Leasehold improvements
- Lease
 - New
 - Expansion – additional square footage _____
 - Continuation of a lease

If a lease project, does it involve relocation of a business from one location in the city's Renaissance Zone to another location in the Renaissance Zone?

- Yes
- No

13. Project description (scope of work including breakout of capital improvements)

Wenck is renovating 3/4 of the top floor to update office space. This renovation includes updated interior finishes, new plumbing, and all new electrical upgrades. Wenck will also paint the south exterior wall (Estimated to cost \$5,000.00) to improve the appearance of this exposure. See attached estimates.

14. Current true and full value of the building \$674,154.00

15. Total estimated cost of improvements (attach cost estimates) \$138,315.00

Note: Any grant funds may not be counted in determining if the cost of improvements or rehabilitation meets or exceeds the minimum requirements.

16. Estimated value of building after improvements have been completed \$734,154.00

17. Estimated property tax benefit (annually) \$7,397.00 (five years) \$36,985.00

18. Estimated state income tax benefit (annually) N/A (five years) N/A

Is the entity subject to the financial institution tax (NDCC 57-35.3)?

- Yes
- No

19. Describe how the project benefits the community (Examples: Business created, expanded or retained, additional jobs created, additional products or services available, improved property, etc.)

With the purchase and renovation of the building, Wenck Associates, Inc. will be able to expand their office, the number of jobs in the community and be able to provide additional services to

existing and new clients in the region.

20. Project timeline including anticipated start and completion dates.

Start January 2012; Completion May 2012

21. Does this project involve historical preservation or renovation?

- Yes
 No

For projects that involve historical preservation or renovation, but are not part of a rehabilitation project, provide a description of the work and the estimated costs. A **letter of approval from the Historical Society is required to claim any historical tax credits either on a rehabilitation project or renovation.** Information for historical properties may be obtained by contacting the Historical Society at: (701) 328- 2666.

22. Evidence that the taxpayer is current on local and state taxes?

- Yes
 No

Attach copy of certificate of Good Standing from the N.D. Tax Department and proof of payment of current real estate taxes such as a copy of a receipt from the Morton County Treasurer's Office.

23. For residential projects, please provide evidence that the home is the taxpayer's primary residence.

SUMMARY OF ATTACHMENTS

Documents to be submitted along with application:

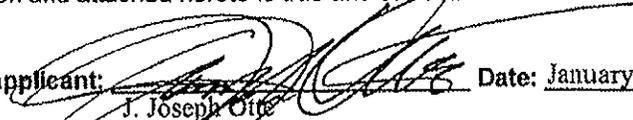
- Certificate of Good Standing from N.D. Tax Commissioner
- Proof of payment of current real estate taxes
- Contractor(s) detailed cost estimate(s) — for improvements, rehab or new construction with capital improvements delineated as compared to non-capital improvements. Capital improvements include, but are not limited to, replacement or updating of roof, foundation, structure, siding, windows, doors or other weatherization improvements, electrical, plumbing, heating, ventilation or central air conditioning. Non-capital improvements are items such as floor coverings, wall treatments, cabinets, furnishings, and window treatments.
 - o Rehabilitation
 - Commercial — must demonstrate that the proposed re-investment is at least 50 percent of the current and true value of the, of which not less than 80 percent will be used for capital improvements
 - Residential — must demonstrate that the proposed re-investment is at least 20 percent of the current and true value of the building, of which not less than 80 percent will be used for capital improvements and no more than 20 percent for detached out buildings
 - o New construction — documentation that the proposed investment is at least \$55 per square foot
- Current photo(s) of property showing all sides of any existing building(s) — for improvements, rehab
- Site plan — for new construction or expansion
- Proposed building elevations, with exterior building material and color clearly indicated — for improvements, rehab, new construction
- Proof of primary residence — for residential applications
- Proof of benefit from property tax exemption — for leasehold improvement applications

NOTICE OF ADDITIONAL LOCAL REQUIREMENT

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." Include an estimate for an automatic door at least for the main entrance if subject building or business space does not have one.

APPLICANT CERTIFICATION

Applicant certifies that, to the best of his or her knowledge and belief, the information contained in the application and attached hereto is true and correct.

Signature of applicant:  Date: January 24, 2012
J. Joseph Oite

BUILDING OWNER CERTIFICATION — For lease-hold improvement projects only

I, as owner of the property at _____, which includes an approximate _____ square foot lease space addressed _____, grant permission to _____ (applicant) to make leasehold improvements to this space as a Renaissance Zone project. I understand and acknowledge that if there is any rehabilitation to the building at a future date that this space does not qualify as a Renaissance Zone project.

Building Owner Name – printed

Building Owner Signature

Date

FOR OFFICE USE ONLY

	<u>Date</u>	<u>Recommendation</u>
Review by Mandan Renaissance Zone Committee	_____	Approval or Denial
Review by City Commission	_____	Approval or Denial
Review by N.D. Commerce Department Division of Community Services	_____	Approval or Denial

Renaissance Zone Block _____ Renaissance Zone Project _____

Date of actual project completion _____

BUSINESS INCENTIVE AGREEMENT — For tax incentives exceed \$25,000

NDCC 54-60 requires any business that receives a reduction or deferral of any tax of \$25,000 or greater to enter into a Business Incentive Agreement. For purposes of the Renaissance Zone Program, this includes any combination of property tax exemption, state income tax exemption, or historical tax credit that exceeds \$25,000.

Name and address of the parent corporation if any.

Name Wenck Associates, Inc.

Address PO Box 249 Maple Plain, MN 55359-9000

Location of the business prior to receiving the business incentive.

Address _____

City _____ State _____

Was any additional financial assistance received from any state or other political subdivision grantors (does not include state or local taxes)?

- Yes
- No

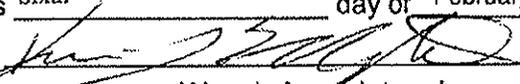
If yes, please list the name and amount below.

By signing this document, the recipient agrees:

- to continue operations in the jurisdiction in which the business incentive is issued for five years or more after the benefit date, and
- to report for two years on number of jobs created, average wages, and average benefits.

By signing this agreement, the recipient verifies that it has not failed to meet the terms of any business incentive agreement in the last five years.

Dated this Sixth day of February, 2012.

Recipient 

On behalf of (business) Wenck Associates, Inc.

Dated this _____ day of _____, 20_____.

Grantor _____

On behalf of the City of Mandan

Dated this _____ day of _____, 20_____.

Grantor _____

On behalf of the N.D. Commerce Department — Division of Community Services

Wenck Associates

Mandan, ND

February 6, 2012

History

- Office opened January 2009 – 1 person
- Hired 1 person June 2009
- Hired 5 people January 2011
- Hired 3 people January 2012
- Current total
 - 9 full time
 - 1 half time traveler (frequent Hotel stays)
 - Multiple as needed employee's working out of Mandan office (frequent Hotel Stays)
- Strategic Plan to have 20 plus in office by end 2013

Investment in Mandan

- Purchase building approximately \$1.2 million
- Office renovation
 - \$138,315.42
 - Future building expansion (substantial?)
- Total \$138,315.42now

South parking

- \$45,000 demolition of houses
- \$50,000 parking lot with no curb, stripping, etc.

Total Mandan Investment

- Approximately \$1.5 Million



STATE OF NORTH DAKOTA
OFFICE OF STATE TAX COMMISSIONER
Cory Fong, Commissioner

January 26, 2012

Ref: L2025182720

1802 WOODDALE DRIVE LLC
PO BOX 249
MAPLE PLAIN MN 55359-0249

RE: Renaissance Zone Certificate Of Good Standing, State Income And Sales Taxes Only

This letter is evidence of good standing as required by the North Dakota Division of Community Services for purposes of obtaining final approval of a renaissance zone project.

As of the date of this letter, the records in the North Dakota Office of State Tax Commissioner do not show probable cause to believe that any income taxes (including income tax withheld from wages) or sales and use taxes are due and owing to the State of North Dakota by the following taxpayer:

Taxpayer's Name: 1802 WOODDALE DRIVE LLC
SSN or FEIN:

The enclosed copy of this letter must be submitted (as part of the zone project application) to the local zone authority for the renaissance zone in which the proposed zone project will be located. Please keep this original letter for your records.

/s/ Nathan Bergman

Nathan Bergman
Supervisor, Individual Income Tax and Withholding
Phone: (701) 328-1296
Email: nwbergman@nd.gov

Enc.

Wenck Bids for remodeling office space

		<u>General contractor (10%)</u>	<u>Total</u>
Building Permit	\$ 590.00	\$ 59.00	\$ 649.00
Materials Bis. Lumber	\$ 29,200.00	\$ 2,900.00	\$ 32,100.00
Ceiling	\$ 9,400.00	\$ 940.00	\$ 10,340.00
Carpet	\$ 8,546.42	\$ 855.00	\$ 9,401.42
Electrical	\$ 14,850.00	\$ 1,485.00	\$ 16,335.00
Staining	\$ 6,000.00	\$ 600.00	\$ 6,600.00
Labor Build out and Demo	\$ 36,005.00	\$ 3,600.00	\$ 39,605.00
Lights	\$ 1,900.00	\$ 190.00	\$ 2,090.00
Ceiling Registers	\$ 2,000.00	\$ 200.00	\$ 2,200.00
Window removal for demo	\$ 700.00	\$ 70.00	\$ 770.00
Dumpster	\$ 350.00	\$ 35.00	\$ 385.00
Door Hardware	\$ 650.00	\$ 65.00	\$ 715.00
Plumbing bid	\$ 3,000.00	\$ 300.00	\$ 3,300.00
Cabinets	\$ 4,100.00	\$ 410.00	\$ 4,510.00
Painting South Side building	\$ 5,000.00	\$ 500.00	\$ 5,500.00
Handy Cap Door on door 301	\$ 2,000.00	\$ 200.00	\$ 2,200.00
Chair Molding and Wainscoat	\$ 2,000.00	\$ 200.00	\$ 2,200.00
City Air Preventative Maintenance	\$ 286.00	\$ 29.00	\$ 315.00
Demo portion	\$ (900.00)		\$ (900.00)
Sub Total	\$ 125,677.42	\$ 12,638.00	\$ 138,315.42
<u>Total</u>	\$ 125,677.42	\$ 12,638.00	\$ 138,315.42

301 First Street NE

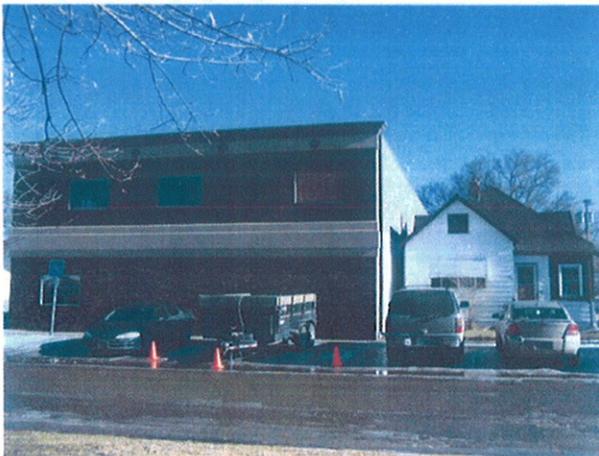
Existing Condition as of Jan. 26, 2012



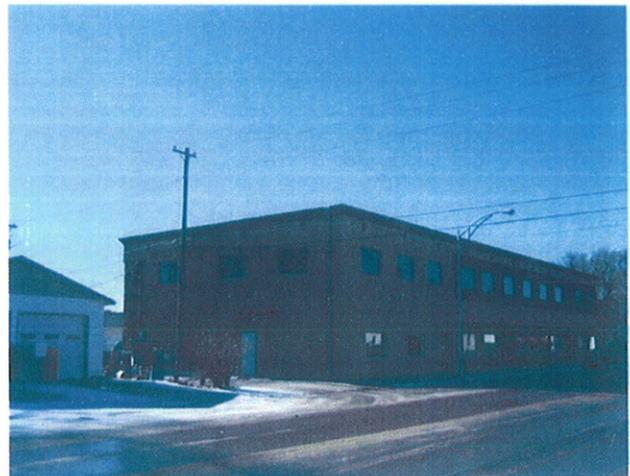
Northwest



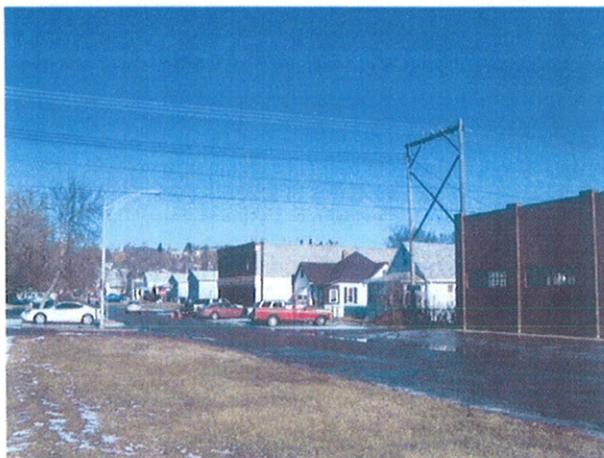
Southeast



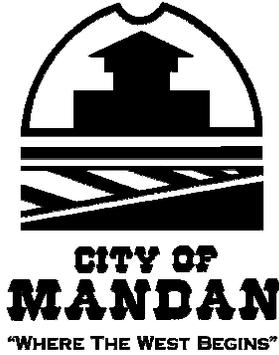
West



Northeast



Southwest



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 17, 2012
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Ellen Huber, Business Development & Communications Director
SUBJECT: Renaissance Zone Committee Recommendation on Rehabilitation of 101 E Main Street

STATEMENT/PURPOSE: To consider a Renaissance Zone (RZ) Committee recommendation for approval of an application for rehabilitation of 101 E Main Street by Alvin Leingang.

BACKGROUND/ALTERNATIVES: The RZ Committee met Feb. 16, 2012, to review the application. Leingang, together with development partner Loran Galpin, plans to renovate the building as a professional office center. The proposed initial investment for the Renaissance Zone application is \$2.1 million to include exterior remodeling of building shell, new windows, the addition of an elevator tower and renovation/build-out of the first floor. Additional plans, beyond the scope of the Renaissance Zone application, are for parking lot and courtyard landscaping and enhancements, renovation of the second and third stories, and possibly construction of an additional building to the east.

The building's current value is \$152,100. The proposed investment far exceeds the minimum 50 percent requirement of \$76,050.

The project has been informally previewed by the Mandan Architectural Review Commission. Final approval by MARC is required for the issuance of a building permit.

Additional applications are likely to stem from the project with tenants being eligible to apply for lease of space in a building being rehabilitated as a Renaissance Zone project. The project has the potential to bring many additional jobs to Mandan.

ATTACHMENTS: Excerpts of Leingang application

FISCAL IMPACT: The projected value of the building after the initial Renaissance Zone improvements is \$1,815,275. The estimated annual property tax on the building as improved is \$86,578 for a projected five-year savings of \$182,890. If build-out of the second and third stories of the project is completed within the five-year window of exemption, there's the possibility that the value of the building will increase and thus the value of the exemption.

The estimated state income tax exemption for lease of space in the building is \$4,000 annually for a five-year savings of \$20,000.

The applicant has also intends to apply for a Storefront Improvement Program forgivable loan of \$10,000 and a Tax Increment Financing (TIF) property tax exemption. The TIF exemption request is likely to be for property tax on building improvements in years six to 15. Each of these requests is subject to a separate application, review and approval process.

STAFF IMPACT: Minimal.

LEGAL REVIEW: An automatic door will be installed in the elevator tower. The applicant has also signed a business incentive agreement as required for projects where the tax incentives exceed \$25,000.

RECOMMENDATIONS: The Renaissance Zone Committee unanimously voted (5-0 with 2 absent) to recommend approval of the application with the five-year 100% property and state income tax exemptions.

SUGGESTED MOTION: I move to approve the rehabilitation of 101 E Main Street as a Renaissance Zone project with the five-year 100% property and state income tax exemptions.



Memo

P.O. Box 2567
Bismarck, ND 58502
701-258-6663

To: Ellen Huber ... City of Mandan Bismarck Renaissance Zone Authority
Fr: Al Leingang Owner
Loran Galpin : Galpin Company IncDevelopment partner
Re: Application Renaissance Zone: Plaza Square on Main
101 E Main Street, Mandan, ND 58554
.....A Downtown Redevelopment project.....
Date: 2-13-12

Enclosed is our application for seeking Renaissance Zone designation for the above project . The property is owned by Al Leingang .
Plaza Square will be developed by Al Leingang and Loran Galpin

The Renaissance Zone Project Application form is included . The application includes :

I. Applicant & Project Information

1. Attachments include :

* Exhibit A :

- Project description of proposed Plaza Square development
- Proposed Tenant mix
- Historic impact
- Reasons for participating in The Renaissance Zone
- How our project meets and exceeds the Renaissance Zone Objectives and standards for downtown Mandan

* Exhibit B Cost estimates

Graphic exhibits include :

- Site Development Plan
- Photo of existing property... North view
- Photo of existing property... East view
- Photo existing propertyWest view
- Photo existing propertySouth View
- Building elevations: due to metal enclosure South elevation is not shown (View to be supplied later)
- Building floor plans 1st ,2nd , 3rd flr. (Basement..NIC)
- Exterior design ..perspective view..
(present at Renaissance Zone & City Commission mtgs)

Al Leingang and I look forward to attending the Feb 21th Meeting to present our project. We would appreciate the opportunity to meet before the City Renaissance Zone Committee on or before Feb 16th if such a meeting can be arranged.

Our goal is to conduct these meetings in a manner that will permit us to explain the project in greater detail and afford us the opportunity to answer any and all questions. Our project is quite special in that it offers a unique design approach to preserving the historical features of the property while adding an uplifting image that combines old and new world materials and imagery .

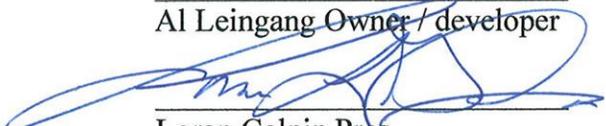
Our desire is to bring our property to life in a way that will be a beacon and set an example that will illustrate what exciting development can occur in downtown Mandan. We look forward to sharing the special character and benefits that Plaza Square brings to launching the development of a healthy and vibrant project for downtown Mandan.

Please review our application and contact us if there are any questions.

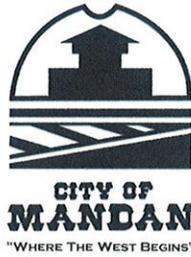
Respectfully ,



Al Leingang Owner / developer



Loran Galpin Pres
Galpin Company Inc



RENAISSANCE ZONE PROJECT APPLICATION

A Renaissance Zone project must be approved by the Mandan Renaissance Zone Committee, Mandan City Commission and the N.D. Commerce Department — Division of Community Services before the qualifying event occurs (purchase, rehabilitation, lease or new construction). Submit applications to the City of Mandan Business Development Office, 205 Second Avenue NW, Mandan, ND 58554, phone 701-667-3485.

APPLICANT INFORMATION

1. Type of project

- Commercial/Business
 Residential

2. Name of applicant(s)/or business name AL Lemqang

Tax identification or social security number (both for joint filers)

/ [REDACTED]

Legal name (if different than trade name) AL Lemqang

Type of entity (for commercial/ business applications)

- Partnership
 Corporation
 Subchapter S corporation
 Cooperative
 Sole proprietorship
 Limited liability company
 Limited liability partnership

3. Mailing address P.O. Box 565

4. Phone number 701-471-3873

5. E-mail address TL57@me.com

PROJECT INFORMATION

6. Street address of proposed project 101 E Main Street

7. Legal description Lots 9 & 10 Block 1 : Addition 01313 BNSF Comm. Park 3rd

8. Current owner (if different than applicant) SAME

9. Current use of property VACANT WAREHOUSE / VACANT LAND
10. Parcel size (in square feet) Lot 9 = 18,691 SF Lot 10 = 48,675 SF
11. Building floor area (in square feet) 8,000/FLOOR - 3 story + BASEMENT
TOTAL FLOOR AREA = 33,600 SF
12. Type of project

- New construction
- Purchase with improvements
- Rehabilitation Lot 9 portion Lot 10
- Leasehold improvements
- Lease
 - New
 - Expansion – additional square footage _____
 - Continuation of a lease

If a lease project, does it involve relocation of a business from one location in the city's Renaissance Zone to another location in the Renaissance Zone?

- Yes
- No

13. Project description (scope of work including breakout of capital improvements)

SEE ATTACHED "EXHIBIT A"

PLAZA SQUARE DEVELOPMENT

14. Current true and full value of the building x \$ 152,100

15. Total estimated cost of improvements (attach cost estimates) \$ 2,151,098

Note: Any grant funds may not be counted in determining if the cost of improvements or rehabilitation meets or exceeds the minimum requirements.

16. Estimated value of building after improvements have been completed x \$ 3,642,000 ~~1,771,000~~ 1,815,275

17. Estimated property tax benefit (annually) x \$ 36,578 ~~70,000~~ (five years) x \$ 350,000 ~~350,000~~ 182,890

18. Estimated state income tax benefit (annually) x \$ 4,000 (five years) x \$ 20,000

Is the entity subject to the financial institution tax (NDCC 57-35.3)?

- Yes
- No

19. Describe how the project benefits the community (Examples: Business created, expanded or retained, additional jobs created, additional products or services available, improved property, etc.)

Project will Remove a Blighted Vacant Building and in its place create
A NEW 24,000 SF Professional Downtown OFFICE Center. New jobs will
BE created, hard to know how many but we estimate 20 plus
per floor will be reasonable estimate.
Presently we have tenant interest that could generate
20 plus new jobs if our project approvals are obtained and
the project moves forward.

20. Project timeline including anticipated start and completion dates.

SEE EXHIBIT "A" ATTACHED
PLAZA SQUARE DEVELOPMENT

21. Does this project involve historical preservation or renovation?

- Yes
- No

For projects that involve historical preservation or renovation, but are not part of a rehabilitation project, provide a description of the work and the estimated costs. A **letter of approval from the Historical Society is required to claim any historical tax credits either on a rehabilitation project or renovation.** Information for historical properties may be obtained by contacting the Historical Society at: (701) 328- 2666.

22. Evidence that the taxpayer is current on local and state taxes?

- Yes
 - No
- Application has been requested. Copy will be provided to city as soon as it is received

Attach copy of certificate of Good Standing from the N.D. Tax Department and proof of payment of current real estate taxes such as a copy of a receipt from the Morton County Treasurer's Office.

23. For residential projects, please provide evidence that the home is the taxpayer's primary residence. NA

SUMMARY OF ATTACHMENTS

Documents to be submitted along with application:

- Certificate of Good Standing from N.D. Tax Commissioner * Applicant Gr. will be provided when it is received
- Proof of payment of current real estate taxes
- Contractor(s) detailed cost estimate(s) — for improvements, rehab or new construction with capital improvements delineated as compared to non-capital improvements. Capital improvements include, but are not limited to, replacement or updating of roof, foundation, structure, siding, windows, doors or other weatherization improvements, electrical, plumbing, heating, ventilation or central air conditioning. Non-capital improvements are items such as floor coverings, wall treatments, cabinets, furnishings, and window treatments.
 - o Rehabilitation
 - Commercial — must demonstrate that the proposed re-investment is at least 50 percent of the current and true value of the, of which not less than 80 percent will be used for capital improvements
 - Residential — must demonstrate that the proposed re-investment is at least 20 percent of the current and true value of the building, of which not less than 80 percent will be used for capital improvements and no more than 20 percent for detached out buildings
 - o New construction — documentation that the proposed investment is at least \$55 per square foot
- Current photo(s) of property showing all sides of any existing building(s) — for improvements, rehab
- Site plan — for new construction or expansion
- Proposed building elevations, with exterior building material and color clearly indicated — for improvements, rehab, new construction
- Proof of primary residence — for residential applications
- Proof of benefit from property tax exemption — for leasehold improvement applications

Architect
Developer

NA →

NOTICE OF ADDITIONAL LOCAL REQUIREMENT

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." Include an estimate for an automatic door at least for the main entrance if subject building or business space does not have one.

APPLICANT CERTIFICATION

Applicant certifies that, to the best of his or her knowledge and belief, the information contained in the application and attached hereto is true and correct.

Signature of applicant: X  Date: X 2-13-12

BUILDING OWNER CERTIFICATION — For lease-hold improvement projects only

I, as owner of the property at _____, which includes an approximate _____ square foot lease space addressed _____, grant permission to _____ (applicant) to make leasehold improvements to this space as a Renaissance Zone project. I understand and acknowledge that if there is any rehabilitation to the building at a future date that this space does not qualify as a Renaissance Zone project.

X

Building Owner Name – printed

X

Building Owner Signature

X

Date

FOR OFFICE USE ONLY

	<u>Date</u>	<u>Recommendation</u>
Review by Mandan Renaissance Zone Committee	_____	Approval or Denial
Review by City Commission	_____	Approval or Denial
Review by N.D. Commerce Department Division of Community Services	_____	Approval or Denial

Renaissance Zone Block _____ Renaissance Zone Project _____

Date of actual project completion _____

BUSINESS INCENTIVE AGREEMENT — For tax incentives exceed \$25,000

NDCC 54-60 requires any business that receives a reduction or deferral of any tax of \$25,000 or greater to enter into a Business Incentive Agreement. For purposes of the Renaissance Zone Program, this includes any combination of property tax exemption, state income tax exemption, or historical tax credit that exceeds \$25,000.

Name and address of the parent corporation if any.

Name ALVIN LEUNG

Address 3282 River Pl Dr Box 565 MANDAN, ND

Location of the business prior to receiving the business incentive.

Address N/A

City _____ State _____

Was any additional financial assistance received from any state or other political subdivision grantors (does not include state or local taxes)?

- Yes
- No

If yes, please list the name and amount below.

By signing this document, the recipient agrees:

- to continue operations in the jurisdiction in which the business incentive is issued for five years or more after the benefit date, and
- to report for two years on number of jobs created, average wages, and average benefits.

By signing this agreement, the recipient verifies that it has not failed to meet the terms of any business incentive agreement in the last five years.

Dated this 13 day of Feb, 2012.

Recipient ALVIN LEUNG

On behalf of (business) [Signature]

Dated this _____ day of _____, 20_____.

Grantor _____

On behalf of the City of Mandan

Dated this _____ day of _____, 20_____.

Grantor _____

On behalf of the N.D. Commerce Department — Division of Community Services



STATE OF NORTH DAKOTA
OFFICE OF STATE TAX COMMISSIONER
Cory Fong, Commissioner

February 10, 2012

Ref: L1794102784

ALVIN W. LEINGANG
PO BOX 565
MANDAN ND 58554-0565

RE: Renaissance Zone Certificate Of Good Standing, State Income And Sales Taxes Only

This letter is evidence of good standing as required by the North Dakota Division of Community Services for purposes of obtaining final approval of a renaissance zone project.

As of the date of this letter, the records in the North Dakota Office of State Tax Commissioner do not show probable cause to believe that any income taxes (including income tax withheld from wages) or sales and use taxes are due and owing to the State of North Dakota by the following taxpayer:

Taxpayer's Name: ALVIN W. LEINGANG
SSN or FEIN: 585547720

The enclosed copy of this letter must be submitted (as part of the zone project application) to the local zone authority for the renaissance zone in which the proposed zone project will be located. Please keep this original letter for your records.

/s/ Nathan Bergman

Nathan Bergman
Supervisor, Individual Income Tax and Withholding
Phone: (701) 328-1296
Email: nwbergman@nd.gov

Enc.

As of :
2/13/2012

Parcel Number: **65-6104700**

Payable Year: 2011

[General Info](#) | [Tax Info](#) | [Current Receipts](#) | [Special Asmts](#) | [Unpaid Tax](#) | [History](#) |
[View Maps](#)

Tax Receipt Information

		Tax & Penalty	Special Assessments		
			Rec #	Code	Amount
1/18/2012		3,851.27	1	6500	1331.98
Batch # 1	DISC	202.69			
Paid by LEINGANG/ALVIN					
Validation # 8714					
Total					5,183.25

[Another Search](#) | [Back to ParcelList](#) |

Exhibit A

(Attachment Paragraph 13)

Plaza Square Redevelopment

101 E Main Street, Mandan, ND 58554

Lots 9 & 10, Block 1, Addition 01313 BNSF Commercial Park 3rd

Development Plan

2-13-12 ...revised

Renaissance Zone Project Description

Plaza Square will provide “Class A” Office and Business center in the heart of Downtown Mandan. Plaza Square is the name of a development that, at completion, will include three building stages.

Stage #1: Plaza Square On Main will be the redevelopment and renovation of the John Iverson Building into a new professional office center. This Stage 1 improvements will include :

Building interior demolition , exterior demolition of south metal loading dock enclosure, basement cleanup , sprinkler basement , environmental testing, exterior remodeling of building shell, new windows, new elevator /stair tower , first floor renovation 8,000 sf .

Only Stage 1 is considered to be completed within the approved renaissance zone incentives being requested.

Stage #2 :

Floors 2 and 3 will be completed as market conditions permit .If these stages can be completed with the first 5 years it will be our goal to do so .

Stage #3: Plaza Business Centre will be a new building that at this time is planned to be a home for future professional businesses needing a free standing location. Plaza Business Centre will offer between 5600 -11,000 sf of new business and business support service space.

I. Development Concept

The proposed development seeks to create a downtown office park with a new downtown plaza with a fountain court containing sculptural panels that can may serve as historical references. Street boulevards and new parking lots will be to reinforce and unify the downtown streetscape character along Mandan's downtown Main Street corridor.

The description of the Renaissance Zone Project in this application will concentrate and address the design and development of Stage #1 **Plaza Square on Main.**

II. Design theme and goals:

The Architectural design theme of Plaza Square on Main combines the historic flavor and character of the existing warehouse building, with a modern touch that integrates the addition of a new elevator /stair tower. The new tower brings brick accents matching the existing brick in combination with reflective glass and stainless steel panels. The theme delivers an uplifting design that illustrates the best of both the old and the new world architecture in a new energized business center.

Plaza Square on Main is designed to attract existing businesses as well as new businesses that are interested in locating and growing in our community. New businesses are coming and they are coming rapidly to the Bismarck- Mandan Communities. These new businesses are seeking new professional office and business centers for their companies in communities that are able to offer Class A space, convenient parking, and hopefully in close proximity to support services such as restaurants, retail etc.

Neither Bismarck nor Mandan are presently able, at this time, to deliver the size or quality image that are needed by these new professional businesses.

Our development team recognizes the opportunity with Plaza Square on Main to create a new business center that, will not only be a flag ship property for downtown Mandan but it will meet and exceed the expectations of new growing professional businesses seeking Class A office space. Plaza

Square on Main plans to offer a new standard of professional office space that will bring new life to downtown Mandan today and beyond.

III. History

The John Iverson building has sat vacant now for nearly 10 years. It has an exceptional north entry elevation rich in detail and character. The buildings south wall that has a metal addition over the loading dock enclosure that will be removed when the renovation begins.

The building now stands alone. The building's character presents a blighted image on downtown and it now time to turn the image from one of "no confidence" to supreme confidence.

The outdated nature of the building, the inflexibility of the buildings foot print, and the high costs to develop the property, combined with the impact of the underground oil spill have contributed to the properties inability to attract developers until now.

Together Al Leingang and Loran Galpin are now combining their love for the downtown with their development experience, design skills, marketing expertise, and financial capabilities to bring Plaza Square on Main to life.

We, whole heartedly, believe that Plaza Square on Main will re-energize and re-vitalize the image and belief that exceptional business can find a welcome business home in downtown Mandan.

IV. Project details:

1. Parcel size of Plaza Square on Main = 45, 690 SF
(All of Lot 9 18,691 SF) + (East 200 ft of lot 10 approx 27,00 SF)
2. Building is a 3 story above grade structure with basement.
 - Existing floor area of building is approx 8,000 gross sf per floor
 - Finish floors 1-3 = 24,000 gross sf
 - Clean up Basement 8,000 sf will be used for storage and mech. /service space.
3. Stage 1: Completion will include:
 - Testing for environmental concerns, asbestos, mold etc.
 - Filing for permits
 - New roof parapet cap and verification of roof membrane integrity
 - Interior demolition

- Clean out basement. Sanitize and air-out the building
- Removal of south metal addition over loading dock
- Remove and replace all windows in existing building with typical window sash details replicating existing window units
- Remove all old signage and west dock areas
- Coordinate installing a new updated enclosure with the city for the small pumping station located at the SW corner of the existing building. Enclosure has to look as if it belongs and the stigma of the pumping station image has to be eliminated to reduce the concern that many will have if they see the station so close to our property. This is an essential item that must be addressed by the city.
- Add new east tower for stair, interior court entry, and glass elevator viewing onto Main Street.
- Install a new canopy over south side to create a roof structure element to cover drive area between building and railroad fence
- First floor tenant lease improvements to begin ASAP once the main floor tenant is identified and leases are negotiated.
- Renaissance Zone guidelines require that tenants be approved prior to final lease being drafted. Applications for tenant approvals as a designated Renaissance Zone Tenant will be submitted and approved by the Renaissance Zone Committee prior to final leases being executed.
- Sanitary Sewer, water line service, and storm sewer infrastructure to be verified and upgraded as necessary with City Engineering. Services will be vacated, removed and/or replaced with new installed services as conditions warrant.

V. Estimated Project Schedule

Goal: Renaissance Zone Approval for Stage 1 Plaza Square on Main Improvements

- March 2012. Begin tenant lease discussions/negotiations
- May- July 2012. Negotiate First phase lease and development agreements
- June 2012... Obtain City approvals by this date at the latest
- July 2012 – Nov. 2012. Design and Bid negotiations (Optimistic)
- August – Oct. 2012 Building permits ... timing based on construction documents being completed. Anticipate a fast track

process of staged development as plans are completed. Coordinate with City Building & Inspection Dept on process.

- Oct 2012. Demolition / project start if possible. Demolition of south metal loading addition, interior removals, windows in select locations depending on weather.
- Spring 2014. Completion of exterior renovation , site improvements and First Floor tenant improvements

Goal :Stage 2

- Spring 2015Est. Completion 2nd floor
- Fall 2016.....Est. Completion of all floors

VI. Tenant Mix:

First floor will be completed in Stage 1 . All floors will be designated for Professional offices and businesses only.

First floor tenant negotiations have begun with three parties. One party will require a minimum of a full floor. No tenant has or will make any commitment to us until all city approvals are in place.

Restaurants, bars and other food service businesses are not permitted uses in the building.

VII. Reasons for participating in the Renaissance zone & requesting designation of Plaza Square as Renaissance Zone Project.

1. We wish to play a role in helping to create a new look and image to aid in revitalizing our downtown.
2. We want to eliminate blight and work with the city and adjoining properties to attract and secure more professional businesses in our downtown. New Housing has been making great progress in the downtown and now its time for us to create a development that will attract new professional businesses into the center of the community.
3. Our goal is to design and create a development that will be exceptional, not ordinary, and the existing development incentives available thru the Renaissance Zone program are essential to helping us help us accomplish a project of this character.

4. The Renaissance Zone offers a framework that encourages projects such as Plaza Square on Main to locate and build in the downtown.
5. Without the Renaissance Zone Tax Incentives we would not be able to deliver a project of this quality and design character.

VIII. Plaza Square On Main request from Renaissance Zone Committee

Plaza Square on Main seeks the following approvals from the Renaissance Zone Committee and the City of Mandan:

1. 5 Year Tax abatement on project
2. 5 Year state Income tax incentives
3. Tax Increment approval: While not part of this application at this time we will be asking the city commission for Tax Increment consideration. The tax increment request will be submitted in a separate application to the city if our approvals for the Renaissance zone are approved.

If our Renaissance Zone request is denied, the Tax Increment application request will be a mute issue since the project can not move forward successfully with out the support of both of these City incentive packages.

IX. How does our project meet the Renaissance Zone Objectives and Standards?

1. Plaza Square on Main proposes the highest quality in standards for the design and renovation.
2. Plaza Square on Main will eliminate a blighted and substandard property while building confidence to attract additional development.
3. Plaza Square on Main will be a highly visible project that will illustrate the unique growth and development possibilities for downtown Mandan
4. Plaza Square on Main is a primary sector business project that will be a “Class A” professional Office Project
5. Use of the site is consistent with the downtown objectives to encourage expansion and investment in existing properties
6. The Plaza Square on Main investment being made far exceeds the minimum criteria established for being designated as a Renaissance Zone project

7. Architectural Image and streetscape improvements planned are important in the downtown District and Plaza Square on Main delivers in creating an upscale image in both of these areas.
8. Plaza Square on Main combines the preservation of the architectural integrity of the existing buildings historical theme while incorporating a new modernized image that brings out the best in the completed property. Examples of how contemporary projects can be successfully integrated in concert with older properties that may have features that are historically significant will be discussed in our presentation It is this unique blending that will make Plaza Square on Main a spark for new development in the downtown.
9. Plaza Square on Main conforms with the Downtown Core Standards in the following ways:

Core standards

A. Building Materials. All walls visible from the street shall be primarily faced with brick, stone, architectural or pre-cast concrete, EFIS, stucco, or an equivalent or better. The use of plain surface concrete or block shall be prohibited (i.e. the surface must be dimensional). Non-transparent glass shall be prohibited from covering more than 40 percent of the exterior walls.

B. All subsequent renovations additions and related structures constructed after the construction of an original building shall be constructed of materials comparable to those used in the original construction and shall be designed in a manner conforming to the original architectural design and general appearance.

C. In order to maintain a sense of harmony within the area, the **colors and materials used should generally be compatible** with or complementary to those used for buildings on adjoining parcels.

How Plaza Square Conforms or Differs from Core Standards

A. Building materials:

****All walls visible from the street shall be primarily faced with Brick etc etc, or an equivalent or better. **This is true for Plaza Square on Main.***

- **84 % of all the walls visible form the street are brick**
***Non-transparent glass shall be prohibited from covering more than 40 percent of the exterior walls.
- **7.3 % of the structure is Reflective semi transparent Glass**
- **8.7% of the exterior is Stainless steel.**

B. All subsequent renovations

This is the one place we differ. All our materials are not materials of the same as the building and this is an intentional design improvement to create an uplifting image that is essential for not only the project but for what we recognize as being essential to attract the type of tenants we are seeking to bring into the downtown.

The standard being requested in this criteria of using only the same materials in a renovation project is a standard usually applied that limits exceptional projects while guaranteeing projects that are the same as all projects around it. In no growing healthy community does the criteria for sameness apply. Energetic developing communities recognize the need for variety especially in their downtowns. Plaza Square on Main cannot afford to be mediocre since we our success and downtown Mandan's renewal success will depend on bringing new design and creativity into the fabric of its downtown.

We welcome discussion on this issue as it is at the heart of the future of our project and Mandan's downtown.

C. Colors and materials used should generally be compatible with or complementary to those used for buildings on adjoining parcels

We agree and we are in conformance with this request. Our use of colors and materials are generally compatible with, or complementary to adjoining parcels. It should be noted there are no adjoining buildings to Plaza Square on Main

. Building is designed to keep the main building character in tact. The Northwest and south building elevations are maintained in their existing character except main floor awnings added to provide color and develop a streetscape character.

- Materials and colors of brick on the new tower will match the existing brick on the building.
- The design style is created to be uplifting and energetic. Use of materials is designed to create a new look that breaks with the normal character of the downtown.
- There are no other buildings on our block that sets a tone for the theme for our building.
- The buildings height, scale and architectural detailing has been preserved and respected while incorporating a fresh design look to illustrate the fresh renewal image of the project.
- 84 % of the exterior is comprised of brick.
- The exterior tower material of glass and stainless steel represents 16% of the exterior materials on the building. (7.3% transparent glass / only 8.7 % stainless steel panels)
- The buildings parapet wall cap will be banded in metal to match the tower materials.
- Signage and lighting will be added to create a nighttime theme.

In summary Al and I appreciate the opportunity to grow and work with the City of Mandan. Al Leingang is a strong supporter of Mandan. His commitment to doing quality projects in the community is well known.

Loran Galpin is not as well known in Mandan but our company is known for doing high quality projects through out the region. Downtown is our specialty and I personally have made it our company's primary focus.

Together Al and Loran bring a proven track record on how to develop key projects in the heart of a downtown. Where most people only see only the problems we see the opportunity. Working together with the City of Mandan we feel we can achieve a project that is more than just another development of a building. This project is about creating a vision and raising the bar as to what can be accomplished for the downtown.

We pride ourselves on our creativity, leadership, experience in design and development, project assembly, construction management, leasing, and property management. and , and in creating new opportunities for growth where few

It is our hope that you will consider, approve and designate our project as a Renaissance Zone Project.

We look forward to working with the Mandan Renaissance Zone Committee, the architectural review committee and the City Commission. Together Al and I believe we can all bring a new excitement and energy into the downtown. We all recognize that new energy is needed now more than ever. The time for our project is now and we trust we can obtain the necessary support from the City of Mandan to permit us to move forward.

The Renaissance Zone Committee's review, support, and approval of Plaza Square on Main is the first key step in our effort to bring this project to life. The incentives available in the Renaissance Zone are essential for the renovation and development of this property to the quality standards that are necessary to launch both this project and the downtown on a successful journey.

We look forward to meeting with the Renaissance Zone Committee as we seek your support for Plaza Square on Main.

Respectfully,

Al Leingang , Owner /developer

Loran Galpin , Galpin Company Inc

Exhibit B

(Attachment Paragraph 23)

Plaza Square Redevelopment

101 E Main Street, Mandan, ND 58554

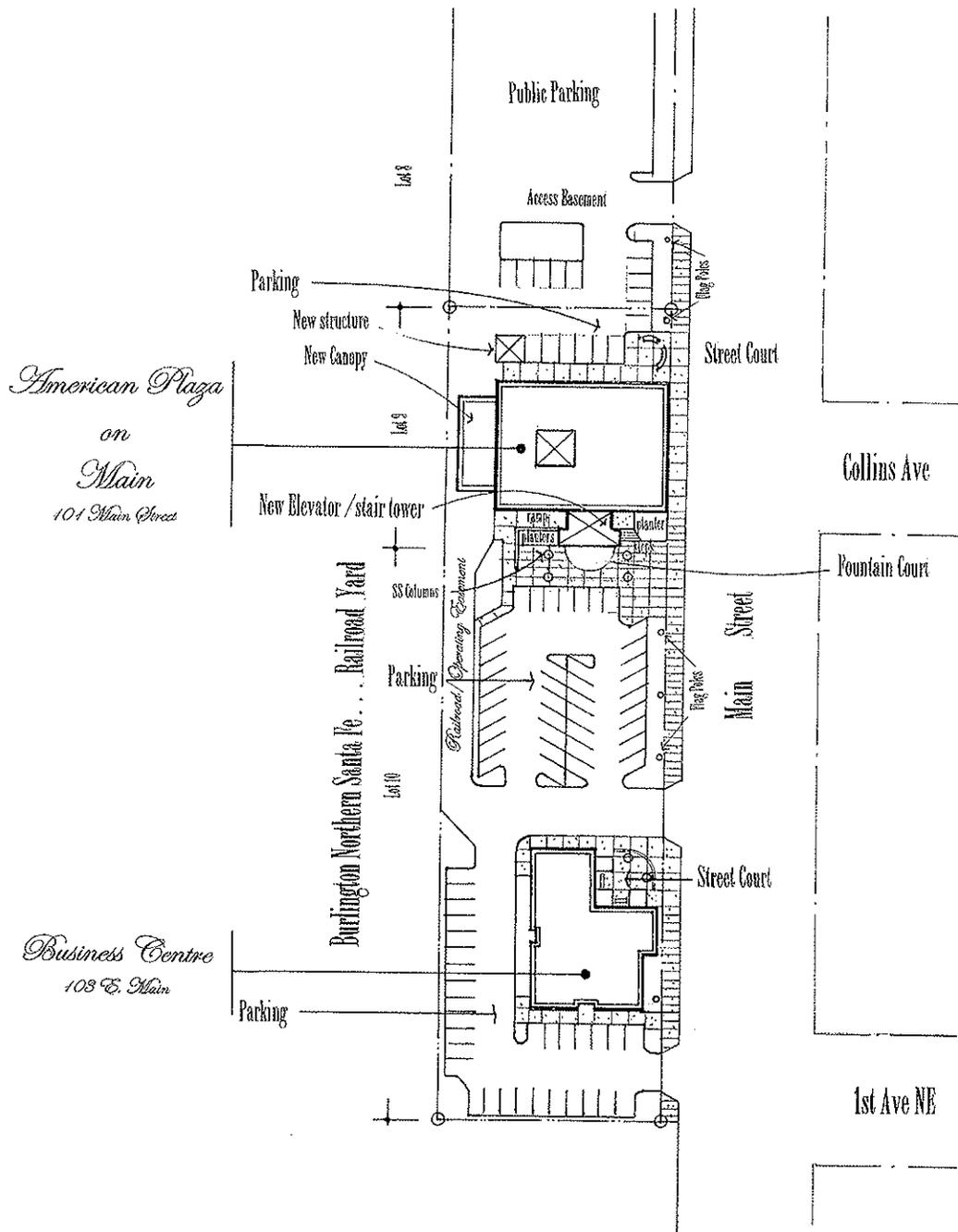
Lots 9 & 10, Block 1, Addition 01313 BNSF Commercial Park 3rd

Cost Estimates

2-13-12

Cost Estimates @ full completion Costs Stage 1 approvals

Demolition	\$40,000	\$40,000
New stair tower.....	\$360,000	\$360,000
Elevator	\$67,000	\$67,000
Awnings.....	\$15,000	\$15,000
Windows	\$63,500	\$63,000
Construction /renovation	\$1,820,000	\$837,000
(labor & materials)		
Mechanical/Electrical.....	\$675,000	\$325,000
Plumbing	\$65,000	\$24,000
Sprinkler basement	\$40,000	\$40,000
Courtyard: (walls steps planters).....	\$75,000	
Fountain	\$105,000	
Flag poles	\$22,500	
Exterior lighting.....	\$7,000	
Sculpture/ history panels	\$15,000	
Site work.....	\$30,000	
Parking / driveways	\$110,000	
Curbing	\$11,000	
Landscaping/ plantings/ bedding	\$38,000	
Hard costs.....	\$3,560,000	\$1,771,000
Contingency 2.5%.....	\$89,000	\$44,275
	Subtotal = \$3,649,000 =	\$1,815,275
Architectural fees 8 %.....	\$291,900	\$145,222
Structural fees 1%.....	\$36,490	\$36,490
Const mgt fee 4%	\$145,000	\$76,611
Development fee	\$150,000	\$78,000
	Total project cost = \$3,980,000	
	Stage 1 Renaissance Zone approved costs = \$2,151,098	



Plaza Square

on

Main

101 Main Street
Mandan, N.D.

A Redevelopment Concept

Development Team
Ali Lingang... Lorain Galpin



Scale: 1 in = 50 ft.
Jan. 3, 2012



GALPIN CO.
P.O. Box 2567
Bismarck, ND 58100
701/258-6662



Plaza Square

*101 Main Street
Mandan, N.D.*

— EAST VIEW 2-13-12 —



THE
GALPIN
COMPANY

P.O. Box 2567
Bismarck, ND 58501
(701) 258-6663



Plaza Square

101 Main Street

Mandan, N.D.

— NORTH VIEW 2.13.12 —



THE
GALDIN
COMPANY

P.O. Box 2567
Bismarck, ND 58501
(701) 253-6663



Plaza Square

*101 Main Street
Mandan, N.D.*

— WEST VIEW 2.13.12 —



THE
GALDIN
COMPANY

P.O. Box 2567
Bismarck, ND 58501
(701) 258-6663



Plaza Square

101 Main Street
Mandan, N.D.

— SOUTH VIEW 2.13.12 —

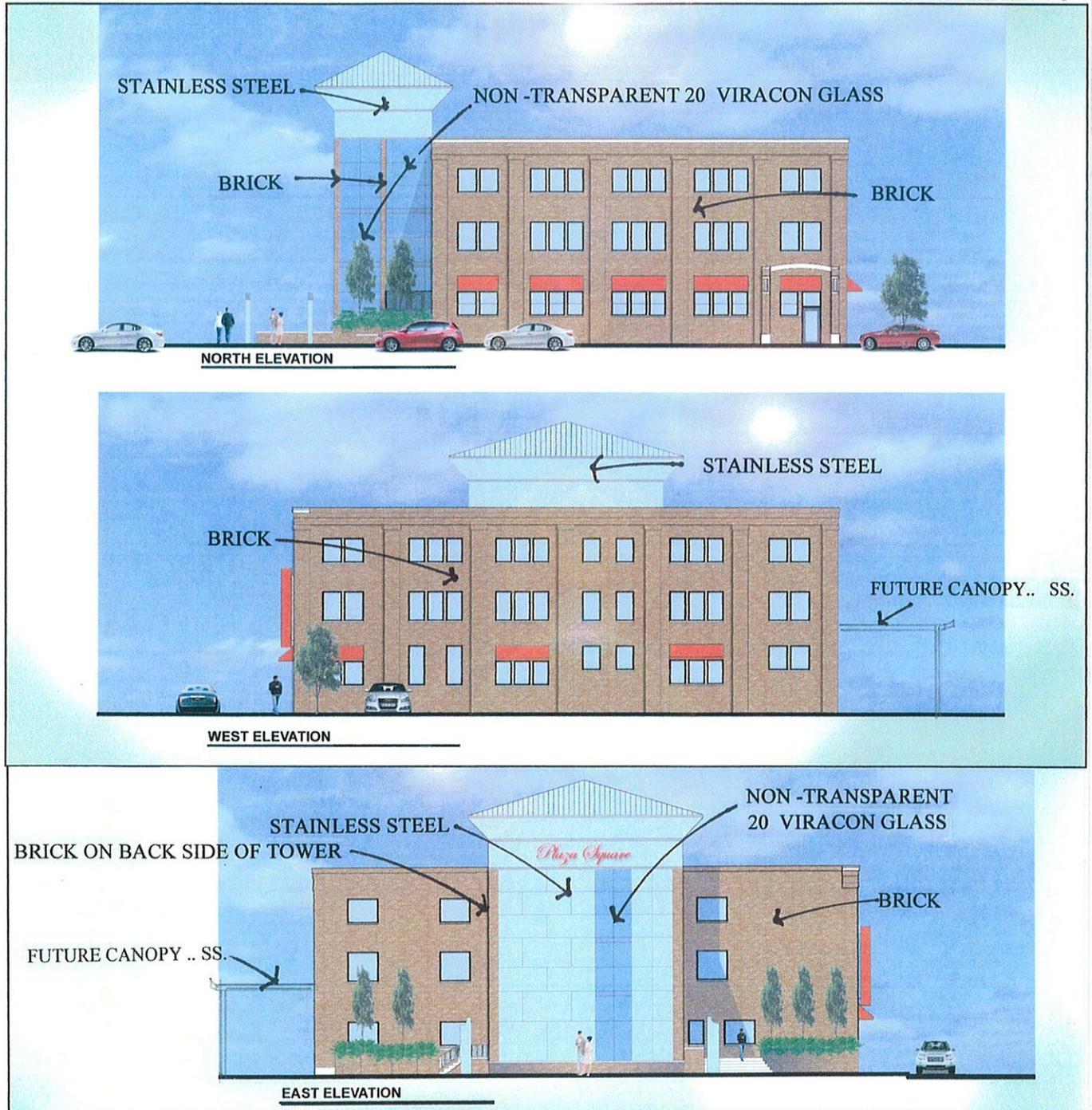
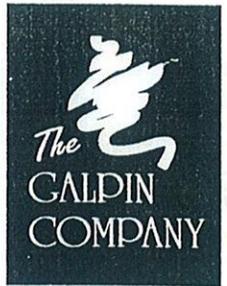


THE
GALDIN
COMPANY

P.O. Box 2567
Bismarck, ND 58501
(701) 258-6663

Plaza Square

101 E. Main Street
Mandan, N.D.



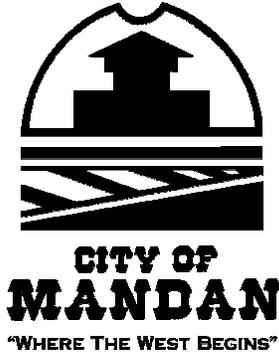
ELEVATIONS:



PROJECT NO.	
DATE	08/15/2012
DRAWN BY	SKS/SKS
CHECKED BY	
SCALE	AS SHOWN
PROJECT TITLE	AMERICAN PLAZA
PROJECT ADDRESS	101 MAIN STREET, MANDAN, ND
SHEET NO.	A1

AMERICAN PLAZA
ON
MAIN
101 MAIN STREET
MANDAN, ND





Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 17, 2012
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Ellen Huber, Business Development & Communications Director
and Karen Fleck, Oaktree Realty
SUBJECT: Listing agreement for Collins & Main property

STATEMENT/PURPOSE: To consider renewal of a real estate listing contract for city-owned properties at the corner of Collins Avenue and Main Street (100 Collins, 104 E Main, 106 E Main, 108 E Main and 116 E Main).

BACKGROUND/ALTERNATIVES: The City of Mandan entered into an agreement for the listing of these properties with Pat Maddock and Karen Fleck of Oaktree Realty effective Feb. 17, 2011. That agreement was renewed Aug. 16, 2011, effective through Feb. 17, 2012. Oaktree marketing activities have included the realty sign posted on the property, advertising on websites and in real estate magazines. Maddock and Fleck are willing to renew the agreement under the same terms as the recently expired agreement. These terms are that the City as the Seller would be required to pay a commission equal to 6% of the gross selling price. The proposed listing contract provides for a minimum commission of \$2,500 for the Collins and Main parcels.

If the properties are sold for significantly less than the listing prices by an agent representing the Buyer, any commission to the buyer's agent would be subject to consideration in a purchase agreement.

The commissions or fees for the real estate agents would be covered by the sales proceeds for the properties. Sale proceeds would go to the sales tax fund. In the event the sales prices are less than the minimum fees, similarly the budget source would be the sales tax fund.

Other alternatives:

1. Negotiating for a listing agreement to include representation by an additional commercial real estate agency.

2. Issuing a Request for Proposals (RFP) for a real estate listing agreement & representation
3. Issuing an RFP for redevelopment of the Collins & Main parcels. Some alternatives here include:
 - a) With an established deadline for responses, or
 - b) Indicating responses received after 45 days will be considered, provided certain minimum criteria are met.
 - c) To stimulate interest, could indicate willingness to sell for \$1 (or other amount) for a proposal that meets minimum specifications such as all or some combination of the following: three stories, 10,000 sf footprint, main floor commercial space of 6,000 sf, \$3 million value, construction to begin within 1 year and be completed in 2 years.
4. Maintaining a listing of city-owned properties for sale on the City website and posted at City Hall.

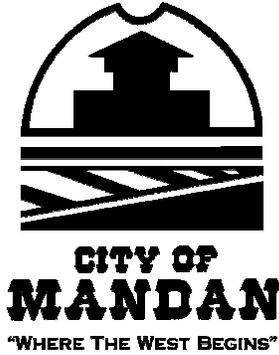
FISCAL IMPACT: See alternatives outlined above.

STAFF IMPACT: Staff efforts have included a news release, website postings, a mailing to developers, real estate agents, architects and others who work with developers, phone calls, and community tours for three interested parties to date. Activities of the business development office will continue to complement any alternative chosen as will the efforts of the Bismarck-Mandan Development Association and Retail Attractions.

LEGAL REVIEW: Attorney Brown has previously reviewed the Oaktree agreement.

RECOMMENDATION: A number of alternatives are available. Each has advantages and disadvantages. Regardless, interest in the property is likely to increase with the level of commercial activity anticipated in 2012 and if rehabilitation of nearby properties begins.

SUGGESTED MOTION:



Board of City Commissioners

Agenda Documentation

MEETING DATE: February 21, 2012
PREPARATION DATE: February 16, 2012
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Review of Liquor Licenses

STATEMENT/PURPOSE: Any modifications to the liquor license ordinances must come before the Board of City Commissioners for their consideration.

BACKGROUND/ALTERNATIVES: Discussion has been occurring over the past few years related to the number of liquor licenses authorized by ordinance. In 2003, the commission increased the number of off sale beer licenses (Class D) by two. The Board set a minimum issuance fee of \$7,500 payable at the time of issuance and required that the licenses be utilized within 9 months of issuance. Dakota Express and Unistop applied for the licenses and they were awarded.

Questions before the Board center on the following issues:

- 1) Should there be limits on the number of licenses that are made available?
 - a. If yes, what should the number of licenses be based on?

Class A licenses are currently restricted to 17 until such time the population (official census) is in excess of 25,000 people.

The office census is updated every 10 years. Due to the number of additional living units built in the past 10 years compared to the increase in population shown by the census. We believe the census number is low.

An alternative measurement could be based upon residential living units, which we track by number of water meters. December 31, 2010, we had 8,463 residential living units. 2.5 people per living unit translates to a population of 21,576. The official 2010 census shows 18,331. As of December 31, 2011 we had 8,661 living units or an increase from 2010 of 198.

If the Board determines that licenses should have limits, we would suggest that those limits be based on # of living units, which we track and are updated on a monthly basis rather than the census which is updated every 10 years.

Current city ordinances increase the number of licenses for every 2,000 or 5,000 population depending upon class. If the Board wished to increase the number of licenses a suggestion may be to increase with every 500 living units, which would be simply an arbitrary number.

If the Board determines that an increase in the number of licenses is appropriate, we would recommend that a public bid process be utilized in addition a minimum bid price be established.

- b. If no, should there be an issuance fee associated with the type of license available? Grand Forks and West Fargo do not have limits.

Grand Forks City Council can issue an unlimited number of;

- on-and-off sale alcoholic beverages
- off-sale alcoholic beverages
- off-and-on-sale beer and wine
- City also has a number of special licenses, Alerus, the Ralph, river boat etc.
- There are three types of fees in connection with the license;
 - an application fee; new is \$310, renewal is \$62
 - a license issuance fee; (can be paid in up to 4 annual installments)
 - on and off sale is \$67,145
 - off sale alcoholic beverages is \$41,320
 - on and off sale beer and wine is \$5,165 and etc.
 - an annual license fee;
 - on and off sale liquor and beer is \$3,616
 - off sale alcoholic beverages is \$3,616
 - on and off sale beer and wine is \$1.550 and etc.
- No more than two licenses per applicant.

West Fargo;

- There is no number of licenses either permitted or not. Simply not mentioned which leads one to conclude that the Commission could issue a license or deny it.
- Classes and annual fees:
 - On and off sale liquor is \$1500
 - On sale liquor is \$1100
 - Off sale liquor is \$1100

- On and off beer is \$400
- An application fee for a license is 25% of the annual fee

ATTACHMENTS: n/a

FISCAL IMPACT: n/a

STAFF IMPACT: n/a

LEGAL REVIEW: n/a

RECOMMENDATION: I would recommend the Board provide guidance as it relates to the following:

- 1) Do nothing, which keeps current limitations.
- 2) Keep limitations, however, adjust the number of licenses to ?, base them on living units rather than census information, establish a bid process if the number of licenses changes to include a minimum bid (which could be set by resolution of the Board at a later date or prior to calling for bids)
- 3) Remove limitations, and establish issuance fees similar to Grand Forks.

SUGGESTED MOTION:

ORDINANCE NO. 1110

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

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

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

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

All of Block 1; all of Lots 1-2 and part of Lots 3-4, Block 2; all of Lots 1-2 and part of Lots 3, 13-15, Block 3; all of Lots 1-2 and part of Lot 3, Block 4; part of 26th Street NW and part of 5th Avenue NW, Pioneer Industrial Park 1st Addition of Section 22, Township 139N, Range 81W, all lying within the 2 mile extraterritorial jurisdiction of the City of Mandan, Morton County, North Dakota.

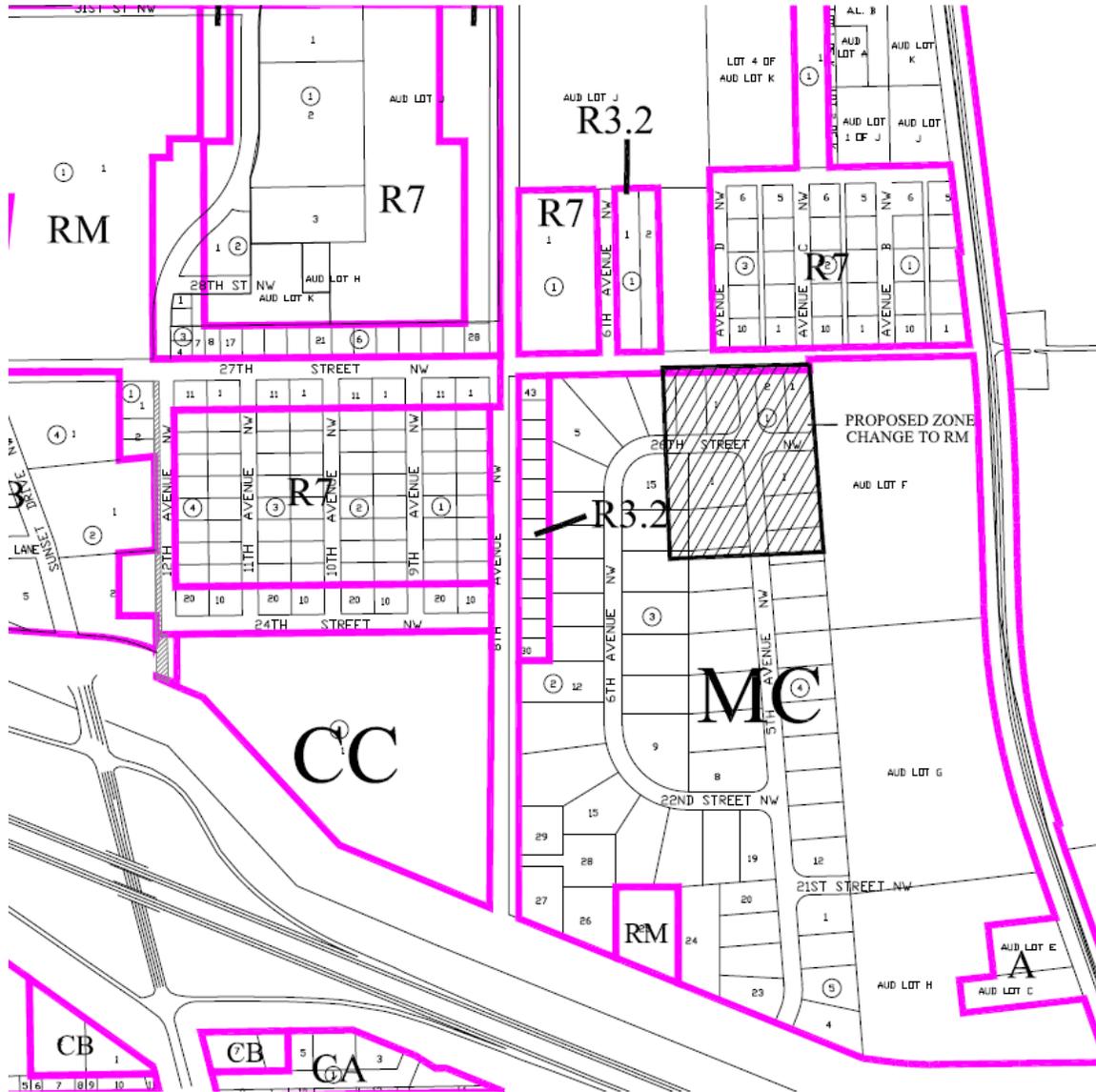
And as so amended said section is hereby reenacted. The purpose of the zone change is to build apartment buildings. The city administrator is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

President, Board of City Commissioners

Attest:

City Administrator

Public Hearing:	<u>January 23, 2012</u>
First Consideration:	<u>February 21, 2012</u>
Second Consideration and Final Passage:	<u>March 6, 2012</u>
Publication Date:	<u>March 30, 2012</u>



ORDINANCE NO. 1111

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

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

WHEREAS, the City of Mandan, North Dakota has determined it to be its interests to annex the hereinafter described property, which is contiguous to the City of Mandan, Morton County, North Dakota, but not embraced within the limits thereof, and has met all requirements as directed by Section 40-51.2-03 of the North Dakota Century Code.

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

A tract of land being a part of the NW ¼ of Section 22, Township 139N, Range 81W of the 5th Principal Meridian of the City of Mandan, Morton County, North Dakota, being more particularly described as follows:

Beginning at the northeast corner of Lot 44, Block 2, Pioneer Industrial Park 1st Addition of Morton County, North Dakota, said point also being on the south Right-of-Way line of 27th Street NW; thence North 88°50'27" East along said south Right-of-Way line for 1053.60 feet to a point on the west boundary line of Auditor's Lot "F" of the NW ¼ of Section 22, Township 139N, Range 81W; thence South 04°24'52" East along said west boundary line for 694.25 feet; thence South 87°42'57" West for 557.47 feet; thence South 02°16'51" East for 220.70 feet; thence South 89°21'20" West for 559.59 feet to a point on the east boundary line of said Lot 44; thence North 00°03'39" East along said Lot 44 for 919.92 feet to the Point of Beginning. Said tract of land containing 20.18 Acres, more or less.

Beginning at the northwest corner of the NW ¼ of Section 22, Township 139N, Range 81W; thence North 88°50'27" East along the north boundary line of said NW ¼ for 1116.49 feet to the northwest corner of Auditor's Lot "F" of said NW ¼; thence South 04°24'52" East along the west boundary line of said Auditor's Lot "F" for 734.32 feet; thence South 87°42'57" West for 557.47; thence South 02°16'51" East for 220.70 feet; thence South 89°21'20" West for 625.60 feet to a point on the west boundary line of said NW ¼; thence North 00°03'39" East along said west boundary line for 959.34 feet to the Point of Beginning. Said tract of land containing 22.60 Acres, more or less.

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

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

Attest:

James Neubauer, City Administrator

First Consideration: February 21, 2012
Second Consideration
and Final Passage: March 6, 2012
Date of Recording: _____



ORDINANCE NO. 1108

An Ordinance to Amend
Section 21-03-10 of the Mandan Code of Ordinances
Relating to Automobile Parking

Be it Ordained by the Board of City Commissioners as follows:

Section 21-03-10(1)(j)(1) of the Mandan Code of Ordinances is hereby amended to read as follows:

Section 21-03-10(1)(j)(1):

1. In a CA or CB commercial district one space for each ~~two~~ four hundred square feet of floor area on the ground floor, plus one space for each four hundred square feet of floor area in a basement ~~of~~ or any story above the ground floor.

By: _____
President, Board of City Commissioners

Attest:

City Administrator

First Consideration: February 7, 2012
Second Consideration
and Final Passage: February 21, 2012

ORDINANCE NO. 1109

An Ordinance to Create and Enact
Section 20-09-38 of the Mandan Code of Ordinances
Relating to Use of An Electronic Communication Device
By Minor Prohibited

Be it Ordained by the Board of City Commissioners as follows:

1. Section 20-09-38 of the Mandan Code of Ordinances is hereby created and enacted as follows:

Chapter 20-09. MISCELLANEOUS DRIVING RULES

Section 20-09-38. Use of an Electronic Communication Device by Minor Prohibited. An individual under eighteen years of age who has been issued a class D license, an instructional permit or a restricted license may not operate an electronic communication device to talk, listen, retrieve, compose, read, or send an electronic message while operating a motor vehicle that is in traffic, as defined by City Ordinance 21-01-05, unless the sole purpose of operating the device is to obtain emergency assistance, to prevent a crime about to be committed, or in the reasonable belief that an individual's life or safety is in danger. The penalty for a violation of this section is a fine of Twenty Dollars (\$20.00).

(Reference NDCC, § 39-08-24)

By: _____
President, Board of City Commissioners

Attest:

City Administrator

First Consideration: February 7, 2012

Second Consideration
and Final Passage: February 21, 2012

Publication Date: March 16, 2012