

AGENDA
MANDAN CITY COMMISSION
JANUARY 15, 2013
ED "BOSH" FROELICH MEETING ROOM,
MANDAN CITY HALL
5:30 P.M.
www.cityofmandan.com

-
- A. ROLL CALL:
1. Roll call of all City Commissioners and Department Heads.
- B. MINUTES:
- C. PUBLIC HEARING:
- D. BIDS:
1. Consider award of bids for replacement of outdoor warning system.
- E. CONSENT AGENDA:
1. Consider approval of monthly bills.
 2. Consider approval of the pledge of securities reports as required by NDCC 21-04.
 3. Consider authorization of advertisement for the public sale of a 1989 fire truck
 4. Consider games of chance for Marauder Boosters at Midway Lanes on January 19, 2013.
 5. Consider the annexation of a tract of land owned by Eddy Mitzel, being a portion of the SW ¼ of Section 2, Township 138N, Range 81W. (First consideration of ordinance #1141).
 6. Consider the annexation of a tract of land owned by Risto Mackovski, being Gov't Lot 2 of the NW ¼ of the NE ¼ and part of the SW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W. (First consideration of ordinance #1142)
 7. Consider approving amended Engineer's Report and authorizing a call for bids on Water & Sewer Improvement District No. 60, Project 2012-21 (34th Avenue SE & Genoa Court SE)(Resolution No. 9).
 8. Consider the following abatements:
 - i. Shirley Doll – Homestead Tax Credit Exemption
 - ii. Sharon Heinert – Homestead Tax Credit Exemption
 - iii. Joe Markel – Blind Exemption
 - iv. Gerald Serhienko – Disabled Veteran Exemption for 2011 & 2012
 - v. Maxine Nibbe – Reviewed Value – Flood Damage
 - vi. Anita Frohlich – Reviewed Value – Street Appraisal
 9. Consider approval of variance requests:
 - i. Scott Berger – 4412 Borden Harbor Dr. SE
 - ii. Scott Berger – 4502 Borden Harbor Dr. SE

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F. OLD BUSINESS:

1. Consider approving the amended Engineers Reports for Street Improvement District No. 163 Project # 2012-01, Storm Sewer Improvement District No. 32 Project # 2012-23, and Water & Sewer Improvement District No. 61 Project # 2012-24 (Sunset Drive NW)(Resolutions No. 6,7 and 8).

G. NEW BUSINESS:

1. Consider appointment to the Mandan Growth Fund.
2. Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition). (Resolutions No. 10).
3. Discussion regarding a "Public Communication" section to future City Commission Agenda's.

H. RESOLUTIONS AND ORDINANCES:

1. *Consider second consideration and final passage of Ordinance No.1138 to change street name Douglas Lane SE to Verity Lane SE. –An Ordinance changing the name of certain street or parts thereof situated within the City of Mandan, Morton County, North Dakota.*
2. *Consider second consideration and final passage of Ordinance No.1139 Zone Change for Riverwood Commercial Park 3rd Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map*
3. *Consider first consideration of Ordinance 1141, 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 S2-T138N-R81W).*
4. *Consider first consideration of Ordinance 1142, 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 S3-T138N-R81W).*
5. *Consider first consideration of Ordinance 1140, An Ordinance to Amend and Re-enact Section 12-02-04.1 (2) of the Mandan Code of Ordinances Relating to Winery or Brewery License.*
6. Consider Resolution approving Amended Engineers Report for Street Improvement District No. 163 Project # 2012-01(Sunset Drive NW).
7. Consider Resolution approving Amended Engineers Report for Storm Sewer Improvement District No. 32 Project # 2012-23(Sunset Drive NW).
8. Consider Resolution approving Amended Engineers Report for Water & Sewer Improvement District No. 61 Project # 2012-24 (Sunset Drive NW).

*Agenda
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9. Consider Resolution approving Amended Engineer's Report and Resolution Directing Advertisement for Bids for Water & Sewer Improvement District No. 60, Project 2012-21 (34th Avenue SE & Genoa Court SE)
10. Consider Resolution Creating Street Improvement District No. 177, Resolution approving Engineer's Report, Resolution approving Plans and Specifications, Resolution Determining Sufficiency of forms of Petition, Waiver and consent to Assessment for Street Improvement District No. 177(Meadow's Sixth Addition).

I. OTHER BUSINESS:

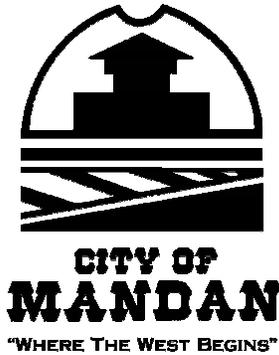
J. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. February 5, 2013
2. February 19, 2013 – 5:00 p.m.
3. March 5, 2013

K. ADJOURN

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

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Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 8, 2013
SUBMITTING DEPARTMENT: Fire
DEPARTMENT DIRECTOR: Steve Nardello, Fire Chief
PRESENTER: Steve Nardello, Fire Chief
SUBJECT: Outdoor Warning Sirens

STATEMENT/PURPOSE: To consider award of bids for replacing Outdoor Warning Sirens.

BACKGROUND/ALTERNATIVES: The Mandan City Commission approved the specifications and advertisement of bids for a new outdoor siren warning system during the November 20, 2012 meeting. Bid notice was published in the Mandan News on November 30, 2012 and December 7, 2012 with notice also published on the City of Mandan web site. Bids were opened on January 7, 2013 at 2:00 p.m. CST with a total of five bids received.

Our current outdoor warning system will no longer operate without new control units due to Federal Communication Commission mandates of narrow banding requirements. In addition, the current system does not adequately provide coverage for the entire City as our boundaries continue to expand. We received five bids from our bid advertisements with Federal Signal as the lowest bidder that meets our specifications. Federal Signal currently has over 21 cities within North Dakota, including Bismarck/Burleigh, using the same siren system submitted for our consideration.

ATTACHMENTS: Bid tabulation and proposed coverage map.

FISCAL IMPACT: The City of Mandan 2013 budget includes \$128,600.00 for a new outdoor siren warning system with the lowest bidder, meeting specifications, at \$110,216.00. There was one lower bid by \$216.00 however; the vendor did not meet specifications as it was entirely battery (DC) operated and we specified Alternating Current (AC) to install with our existing wiring and eliminate battery maintenance issues.

STAFF IMPACT: The Chief will need to spend some time with Federal Signal and their installers to coordinate project construction.

LEGAL REVIEW: City Attorney Brown has reviewed the bid specifications.

RECOMMENDATION: It is my recommendation to award the outdoor warning siren project to the lowest conforming bidder, Federal Signal Corporation.

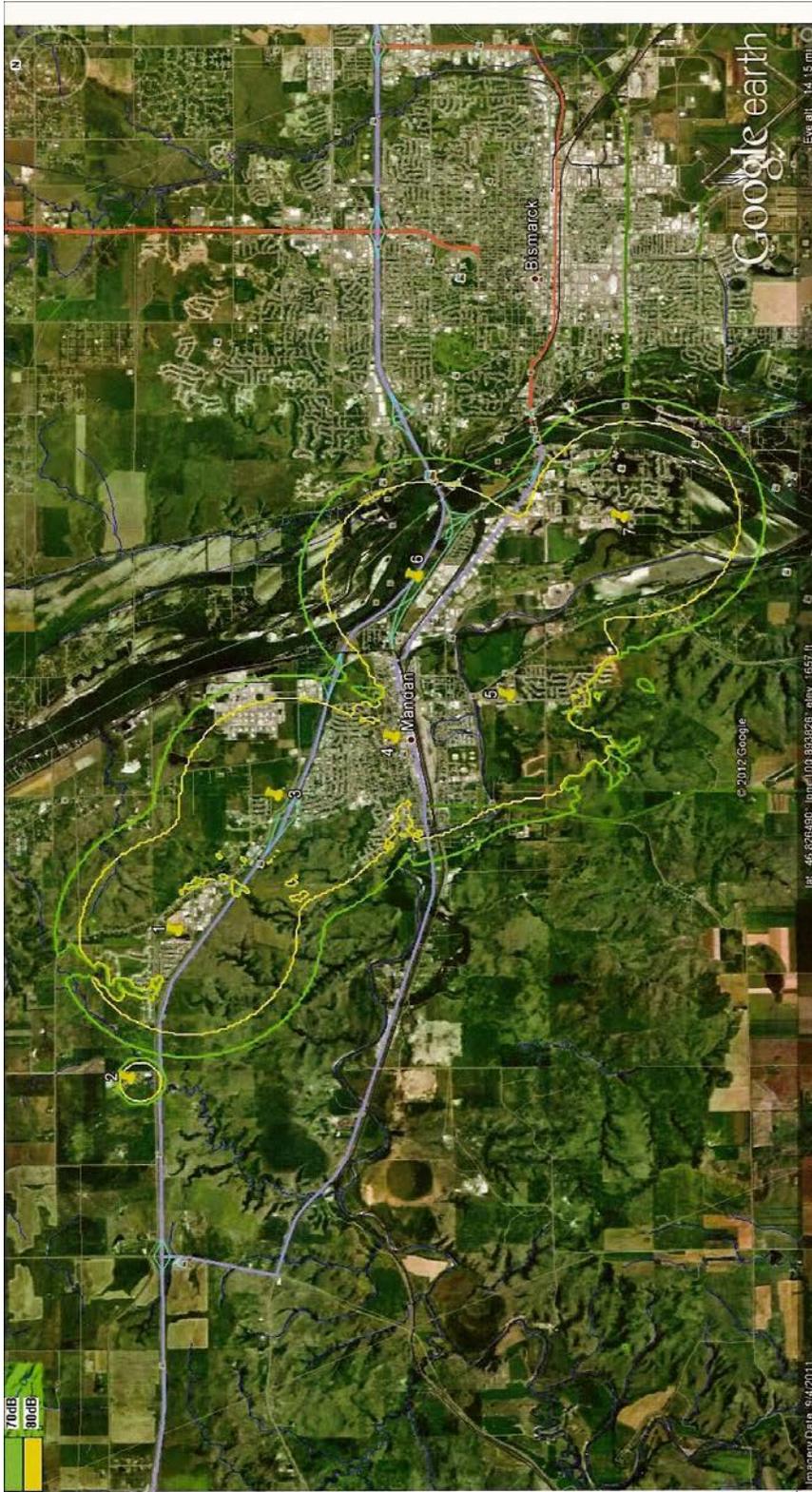
SUGGESTED MOTION: Motion to award the Mandan City outdoor warning siren system to Federal Signal Corporation for the amount of \$110,216.00.

City of Mandan
January 7, 2013
2:00 p.m.

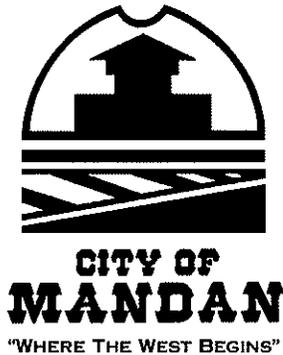
Siren Warning System
Bids

Budget **\$128,600.00**

Washington Electronics	\$109,999.58
Federal Signal.....	\$110,216.00
ATI.....	\$114,885.48
Federal Signal Alternate	\$118,407.00
Front Line Plus & Rescue.....	\$130,387.37
Jamestown Communications	\$141,096.00



City of Mandan, ND Coverage Map



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 9, 2013
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch
SUBJECT: Pledge of securities reports.

PURPOSE

The City of Mandan is required semiannually to approve pledges of securities reports.

BACKGROUND

Except for the Bank of North Dakota, financial institutions must pledge security for all public deposits at a ratio of \$1.10 for every \$1.00 above the FDIC coverage amount.

ATTACHMENTS

- Pledge of securities report from Wells Fargo Bank
- Pledge of securities report from Starion Financial

FISCAL IMPACT

None

STAFF IMPACT

None

LEGAL REVIEW

In accordance with the provisions of NDCC 21-04.

RECOMMENDATION

To approve the following pledge of securities reports:

- Wells Fargo Bank
- Starion Financial

SUGGESTED MOTION

Move to approve the following pledge of securities reports:

- Wells Fargo Bank
- Starion Financial

STAGECOACH SWEEP
WELLS FARGO BANK, N.A.
Confirmation
Repurchase Agreement

CITY OF MANDAN
205 2ND AVE NW
MANDAN ND 58554

ACCOUNT SUMMARY

Date : 12/31/2012
Account : 1390030007

ACCOUNT DETAIL

Investment : Repurchase Agreement

From Date : 12/31/2012
To Date : 01/02/2013

Rate : .02000000 %
Principal : \$ 4,970,639.77
Interest : \$ 5.52

REPURCHASE AGREEMENT DETAIL

Collateralized By : \$ 3,260,738.10
FN-30 : 986013
% Due : 5.50 %
Maturity Date : 06/01/2038

CUSIP : 31415QK21
Sequence : 123112
Price : 108.652931
Accrued Interest : \$ 14,945.05

REPURCHASE AGREEMENT DETAIL

Collateralized By : \$ 1,803,840.03
FN-15 : AK0499
% Due : 3.00 %
Maturity Date : 01/01/2027

CUSIP : 3138E4RV5
Sequence : 123112
Price : 105.628130
Accrued Interest : \$ 4,509.60

INVESTMENTS NOT FDIC INSURED

Starion FINANCIAL

109 1st St. NW Mandan, ND 58554
701-663-6434 • 701-667-1619 (fax)

FAX

To:	Greg Welch	From:	Janice Richter
Company:	City of Mandan	Pages:	4
Fax #:	701-667-3223	Date:	1-2-13
RE:	Pledge Report		

- The following is the pledge report for the month of December 2012. *This report lists all securities currently pledged for your deposit account(s).*

The pledges are reviewed and approved on a monthly basis by the Starion Financial Asset/Liability Management Committee and presented to the Board of Directors.

** If there is an increase in the balance of your account(s) prior to the month end check, please contact us, so that we may increase the amount of pledging if necessary.

If you have any questions, please feel free to contact me at 667-1620.

Thank you.

IMPORTANT: This message intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the United States Postal Service. Thank you.

2013#01#03# (A) 15:26

STARION-03#-ADMIN

FAX# 7016671619

P. 001/006

Pledges By Pledgee And Maturity



Pledged To: City of Mandan

Starion Financial - Mandan, ND

As Of 12/31/2012

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Receipt# Safekeeping Location	CUSIP	Description Maturity Prerefund	Pool/Type Coupon	Moody S&P	Original Face Pledged Percent	Pledged			
						Original Face	Par	Book Value	Market Value
WELL: Wells Fargo	431389AY1	HILL CITY SD SCH DIST-FSA 01/15/14 01/15/13 @ 100.00	3.70	Aa3 N/A	230,000.00 100.00%	230,000.00	230,000.00	230,000.00	230,473.80
WELL: Wells Fargo	952718KE3	WEST FARGO ND 05/01/13	2.50	Aa3 N/A	250,000.00 100.00%	250,000.00	250,000.00	250,406.89	251,532.50
WELL: Wells Fargo	780776ET3	ROYALTON MN ISD 485 02/01/14	4.00	N/A AA+	500,000.00 100.00%	500,000.00	500,000.00	503,152.35	518,075.00
WELL: Wells Fargo	087787JX6	BEULAH ND 05/01/14	1.00	N/A N/A	285,000.00 100.00%	285,000.00	285,000.00	285,000.00	285,726.75
WELL: Wells Fargo	97072NAJ7	WILLISTON ND SALES TAX I 05/01/15	3.00	A2 N/A	155,000.00 100.00%	155,000.00	155,000.00	155,866.43	163,315.75
WELL: Wells Fargo	091933CY5	BISMARCK ND.PK DIST 05/01/16	2.90	N/A N/A	195,000.00 100.00%	195,000.00	195,000.00	195,000.00	201,928.35
WELL: Wells Fargo	841344HY3	SOUTHEAST CASS WTR RE 05/01/16	3.20	Aa2 N/A	245,000.00 100.00%	245,000.00	245,000.00	245,000.00	246,947.75
WELL: Wells Fargo	596782RJ3	MIDDLETON WIS 09/01/17	3.00	Aa1 N/A	250,000.00 100.00%	250,000.00	250,000.00	259,607.69	271,940.00
WELL: Wells Fargo	924478BS8	VERNON COUNTY WIS-NAT 04/01/18	4.20	A1 N/A	250,000.00 100.00%	250,000.00	250,000.00	257,039.94	263,965.00
WELL: Wells Fargo	31377PLA0	MBS FNMA-382921 12/01/18	382921 7.24		1,421,500.00 100.00%	1,421,500.00	1,201,546.54	1,266,388.93	1,423,727.57
WELL: Wells Fargo	611424KD3	MONROE WIS SCH DIST 04/01/19	3.50	N/A A+	395,000.00 100.00%	395,000.00	395,000.00	402,772.67	443,719.30
WELL: Wells Fargo	091933DK4	BISMARCK ND PK DIST 05/01/20	3.00	N/A N/A	280,000.00 100.00%	280,000.00	280,000.00	280,000.00	284,200.00
WELL: Wells Fargo	3128MCU29	MBS FHLMC Gold 15 Yr 06/01/20	G14001 4.00		1,000,000.00 100.00%	1,000,000.00	439,644.15	457,496.36	471,104.29

Although the information in this report has been obtained from sources believed to be reliable, its accuracy cannot be guaranteed.

12/31/2012 9:09 AM - JHK / BISM.

Pledges By Pledgee And Maturity



Pledged To: City of Mandan

Starion Financial - Mandan, ND

As Of 12/31/2012

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Receipt# Safekeeping Location	CUSIP	Description Maturity Prerefund	Pool/Type Coupon	Moody S&P	Original Face Pledged Percent	Pledged			
						Original Face	Par	Book Value	Market Value
WELL: Wells Fargo	3128MCU29	MBS FHLMC Gold 15 Yr 06/01/20	G14001 4.00		1,050,000.00 100.00%	1,050,000.00	481,626.36	477,487.17	494,659.51
WELL: Wells Fargo	31417YQM2	MBS FNMA 10-YR 07/01/20	MA0459 4.00		1,000,000.00 100.00%	1,000,000.00	470,001.25	490,877.63	503,162.43
WELL: Wells Fargo	952753DG3	WEST FARGO ND WTR & SV 11/01/20	5.40	Aa3 N/A	235,000.00 100.00%	235,000.00	235,000.00	235,000.00	262,661.85
WELL: Wells Fargo	385443K54	GRAND FORKS ND 12/01/21	2.80	Aa2 N/A	165,000.00 100.00%	165,000.00	165,000.00	164,310.35	181,587.45
WELL: Wells Fargo	144537NV5	CARRINGTON ND 05/01/22	4.05	N/A N/A	160,000.00 100.00%	160,000.00	160,000.00	160,000.00	168,265.60
WELL: Wells Fargo	917219KN6	URBANDALE IA CMNTY SCH 06/01/22	2.25	Aa3 N/A	400,000.00 100.00%	400,000.00	400,000.00	400,000.00	412,632.00
WELL: Wells Fargo	672132AG2	OAKES ND SALES TAX 11/01/23	4.30	N/A N/A	400,000.00 100.00%	400,000.00	400,000.00	400,000.00	412,580.00
WELL: Wells Fargo	307489LR3	FARGO ND PK DIST 04/01/24	4.00	Aa1 N/A	230,000.00 100.00%	230,000.00	230,000.00	235,744.15	258,303.80
WELL: Wells Fargo	578660EW8	MAYVILLE ND 05/01/24	2.30	N/A N/A	250,000.00 100.00%	250,000.00	250,000.00	250,000.00	251,125.00
WELL: Wells Fargo	672121FS4	OAKES-ND 05/01/24	3.00	N/A N/A	275,000.00 100.00%	275,000.00	275,000.00	275,000.00	285,703.00
WELL: Wells Fargo	265867AN1	DUNSEITH ND PUBLIC SCH 08/01/25	1.50	Aa3 NR	230,000.00 100.00%	230,000.00	230,000.00	230,000.00	230,000.00
WELL: Wells Fargo	31419GSJ4	MBS FNMA 15-Yr 10/01/25	AE5920 3.50		1,725,000.00 100.00%	1,725,000.00	1,273,710.14	1,343,419.15	1,355,023.85
WELL: Wells Fargo	3138ASS78	MBS FNMA 15-Yr 09/01/26	AJ1441 3.50		1,000,000.00 100.00%	1,000,000.00	699,011.71	724,570.29	742,719.19

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12/31/2012 9:09 AM - JHK / BISM

Pledges By Pledgee And Maturity



Pledged To: City of Mandan

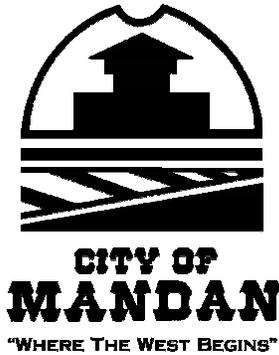
Starion Financial - Mandan, ND

As Of 12/31/2012

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Receipt# Safekeeping Location	CUSIP	Description Maturity Prerefund	Pool/Type Coupon	Moody S&P	Original Face Pledged Percent	Pledged			
						Original Face	Par	Book Value	Market Value
WELL: Wells Fargo	3138ASS94	MBS FNMA 15-Yr 09/01/26	AJ1443 4.00		1,075,000.00 100.00%	1,075,000.00	938,412.67	1,022,310.87	1,027,311.52
WELL: Wells Fargo	3138E0KF5	MBS FNMA 15-Yr 12/01/26	AJ7493 3.00		1,000,000.00 100.00%	1,000,000.00	862,717.28	900,476.74	915,256.44
WELL: Wells Fargo	31417AM30	MBS FNMA 15-Yr 12/01/26	AB3977 4.00		1,500,000.00 100.00%	1,500,000.00	1,190,001.26	1,275,122.89	1,304,110.15
WELL: Wells Fargo	3138E7TW4	MBS FNMA 15-Yr 02/01/27	AK3264 3.00		1,000,000.00 100.00%	1,000,000.00	862,223.33	896,086.78	913,385.19
WELL: Wells Fargo	3128P7QP1	MBS FHLMC 20-Yr 03/01/31	C91362 4.50		1,170,000.00 100.00%	1,170,000.00	881,915.45	954,523.05	958,936.40
WELL: Wells Fargo	36225EZC9	MBS GNMA II 1-Yr Tsy ARM 05/20/40	082538 3.50		1,300,000.00 100.00%	1,300,000.00	883,279.77	943,399.50	939,764.71
WELL: Wells Fargo	3137AMNN3	FHR 4012 JK 12/15/40	EXCH 3.50		1,000,000.00 100.00%	1,000,000.00	916,554.07	965,468.49	970,864.46
33 Securities Pledged To: 170 - City of Mandan						20,621,500.00	16,460,643.98	17,131,528.32	17,644,708.61

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Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 8, 2013
SUBMITTING DEPARTMENT: Fire
DEPARTMENT DIRECTOR: Steve Nardello, Fire Chief
PRESENTER: Steve Nardello, Fire Chief
SUBJECT: Sale of 1989 Ford Fire Truck

STATEMENT/PURPOSE: We would like to offer our 1989 Ford fire truck, being replaced with a new truck, for public sale with a 60 day advertisement period.

BACKGROUND/ALTERNATIVES: In August 2012 we held a bid opening for a new fire truck that contained provisions for a trade allowance of our 1989 Ford fire truck. The trade allowance offered was less than expected therefore we did not trade our vehicle with the purchase of a new fire truck. We would now like to advertise the 1989 fire truck for public sale.

ATTACHMENTS: None

FISCAL IMPACT: The proceeds from the sale of the truck would be placed into the fire department equipment reserve.

STAFF IMPACT: Minimal time will be spent on creating the advertisement and providing information to potential buyers.

LEGAL REVIEW: None

RECOMMENDATION: It is my recommendation to allow the advertisement for public sale of our 1989 Ford fire truck.

SUGGESTED MOTION: Motion to allow advertisement of a 1989 Ford fire truck for public sale.



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

Consent No. 4

Type: Local Permit * Charity Local Permit

Permit Number
2013-02

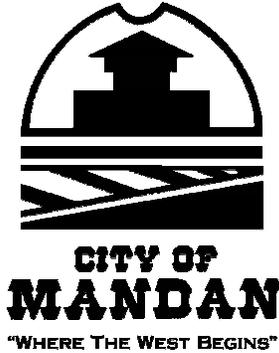
Name of Organization Marauder Boosters		Date(s) Authorized (Read instruction 2)		
Contact Person Brock Schoch	Business Phone Number (701) 226-5728	1/19/2013 to 1/19/2013		
Mailing Address Po Box 3011		City Bismarck	State ND	Zip Code 58503-0000
Site Name Midway Lanes		Site Address 3327 Memorial Highway		
City Mandan	State ND	Zip Code 58554-0000	County Morton	
Check the Game(s) Authorized: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit.				
<input type="checkbox"/> Bingo <input type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker* <input type="checkbox"/> Twenty-one* <input type="checkbox"/> Paddlewheels*				
Restriction:				
Requirement: For a "Charity Local Permit," the organization must file a "Report on a Charity Local Permit" with the city or county auditor <u>and</u> Office of Attorney General within 30 days of the event.				
Date 1/9/2013	Signature of: <input checked="" type="checkbox"/> City Auditor <input type="checkbox"/> County Auditor		Printed Name of City or County Auditor Jay Gruebele	Auditor Telephone Number (701) 667-3250

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

cut along this line

INFORMATION REQUIRED TO BE PREPRINTED ON A STANDARD RAFFLE TICKET:

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



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 9, 2013
SUBMITTING DEPARTMENT: Engineering/Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Consider the annexation of a tract of land being a part of the SW ¼ of Section 2, Township 138N, Range 81W.

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

BACKGROUND/ALTERNATIVES: Request by Eddy Mitzel. The final plat named Plainview Heights 14th Addition will be reviewed by Planning & Zoning on January 28, 2013, and will come before the City Commission on February 5, 2013.

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 annexation.

SUGGESTED MOTION: I move to approve Ordinance 1141, annexing the subject lands.

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Annexation from Eddy Mitzel, of a portion of the SW ¼ of Section 2, Township 138N, Range 81W

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ORDINANCE NO. 1141

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, Morton County, North Dakota, as follows:

WHEREAS, the City of Mandan, Morton County, 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 portion of the SW ¼ of Section 2, Township 138N, Range 81W, of the 5th Principal Meridian, City of Mandan, Morton County, North Dakota, being more particularly described as follows:

Commencing at the northwest corner of Lot 1, Block 1, Plainview Heights 12th Addition, which is the point of beginning; thence from said point of beginning along the west line of said Plainview Heights 12th Addition as follows; thence S 40°44'24" E for 209.69 feet; thence S 55° 28' 18" E for 70.46 feet; thence S 34°53'25" E for 132.56 feet; thence N 48°08'39" E for 57.43 feet to the northwest corner of Lot 7, Block 1, Plainview Heights 13th Addition and leaving west line of said Plainview Heights 12th Addition; thence along the west line of said Plainview Heights 13th Addition, S 49°19'50" E for 401.44 feet to the southwest corner of Lot 6, Block 2, Plainview Heights 13th Addition; thence S 64°58'10" W for 164.58 feet; thence S 40°40'10" W for 354.59 feet; thence S 20°43'24" W for 46.35 feet; thence N 72°49'38" W for 124.88 feet; thence N 56°13'07" W for 68.35 feet; thence N 69°54'11" W for 136.02 feet; thence N 14°21'10" W for 334.68 feet; thence N 10°35'07" E for 185.68 feet; thence N 35°30'14" E for 180.37 feet; thence N 10°56'32" E for 140.12 feet to the said point of beginning. Said tract contains 369,094 square feet or 8.473 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.

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Annexation from Eddy Mitzel, of a portion of the SW ¼ of Section 2, Township
138N, Range 81W

Page 3 of 4

By: _____

Arlyn Van Beek, President,
Board of City Commissioners

Attest:

James Neubauer, City Administrator

First Consideration: January 15, 2013

Second Consideration
and Final Passage: February 5, 2013

Date of Recording: _____

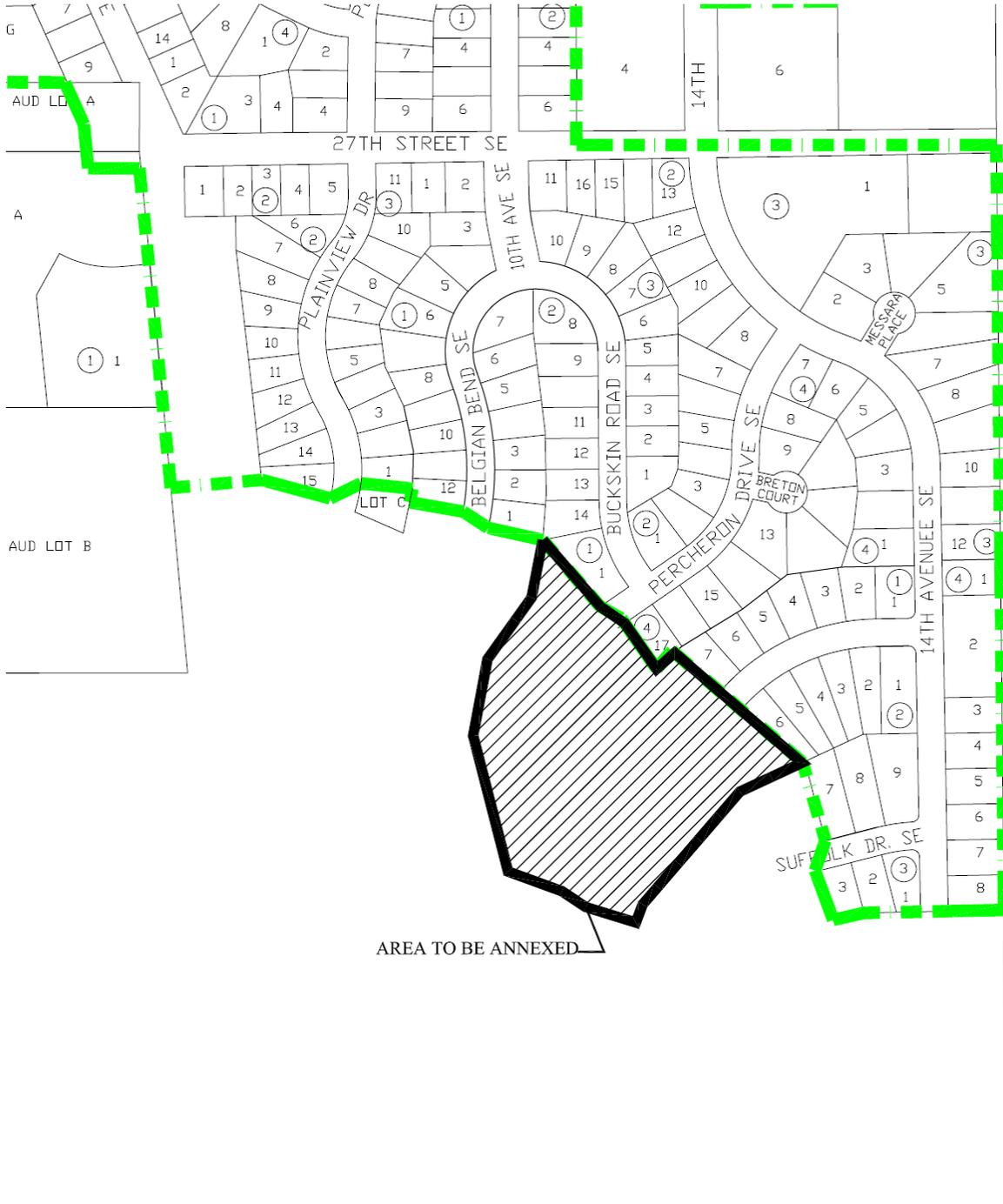
Board of City Commissioners

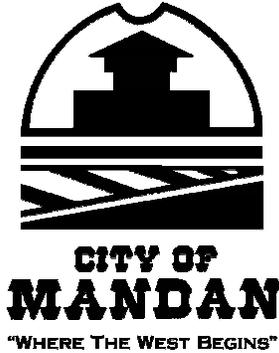
Agenda Documentation

Meeting Date: January 15, 2013

Subject: Annexation from Eddy Mitzel, of a portion of the SW ¼ of Section 2, Township 138N, Range 81W

Page 4 of 4





Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 9, 2013
SUBMITTING DEPARTMENT: Engineering/Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Consider the annexation of a tract of land being Gov't Lot 2 of the NW ¼ of the NE ¼ and part of the SW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W.

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

BACKGROUND/ALTERNATIVES: Request by Risto Mackovski. The preliminary plat named Macedonia Hills Addition will be reviewed by Planning & Zoning on January 28, 2013.

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 annexation.

SUGGESTED MOTION: I move to approve Ordinance 1142, annexing the subject lands.

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Annexation from Risto Mackovski of Gov't Lot 2 of the NW ¼ of the NE ¼ and part of the SW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W

Page 2 of 5

ORDINANCE NO. 1142

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, Morton County, North Dakota, as follows:

WHEREAS, the City of Mandan, Morton County, 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:

Government Lot 2 otherwise known as the NW ¼ of the NE ¼ and part of the SW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W of the Fifth Principal Meridian, Morton County, North Dakota that lies within the following described traverse:

Beginning at the northwest corner of Government Lot 2, thence N 88°40'26" E along the north line of Government Lot 2, a distance of 1,320.32 feet to the northeast corner of Government Lot 2; thence S 01°06'13" E along the east line of Government Lot 2, and the east line of the SW ¼ of the NE ¼, a distance of 1,303.99 feet; thence S 89°09'13" W, a distance 1,325.14 feet to the west line of the SW ¼ of the NE ¼ ; thence N 00°53'24" W along the west line of the SW ¼ of the NE ¼ and the west line of Government Lot 2, a distance of 1,292.93 feet to the point of beginning.

LESS Lot A of Government Lot 2 of Section 3, Township 138N, Range 81W of the Fifth Principal Meridian, Morton County, North Dakota, being described as follows:

Commencing at the southeast corner of said Lot 2; thence N 89°11'03" W for 818.46 feet to the point of beginning; thence from said point of N 89°11'38" W for 457.94 feet; thence N 00°06'24" E for 280.23 feet; thence S 89°58'02" E for 457.05 feet; thence S 00°03'49" E for 286.41 feet to said point of beginning, being more particularly described on plat of irregular description recorded as Doc. No. 445949.

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.

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Annexation from Risto Mackovski of Gov't Lot 2 of the NW ¼ of the NE ¼ and part of the SW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W

Page 3 of 5

By: _____
Arlyn Van Beek, President,
Board of City Commissioners

Attest:

James Neubauer, City Administrator

First Consideration: January 15, 2013

Second Consideration
and Final Passage: February 5, 2013

Date of Recording: _____

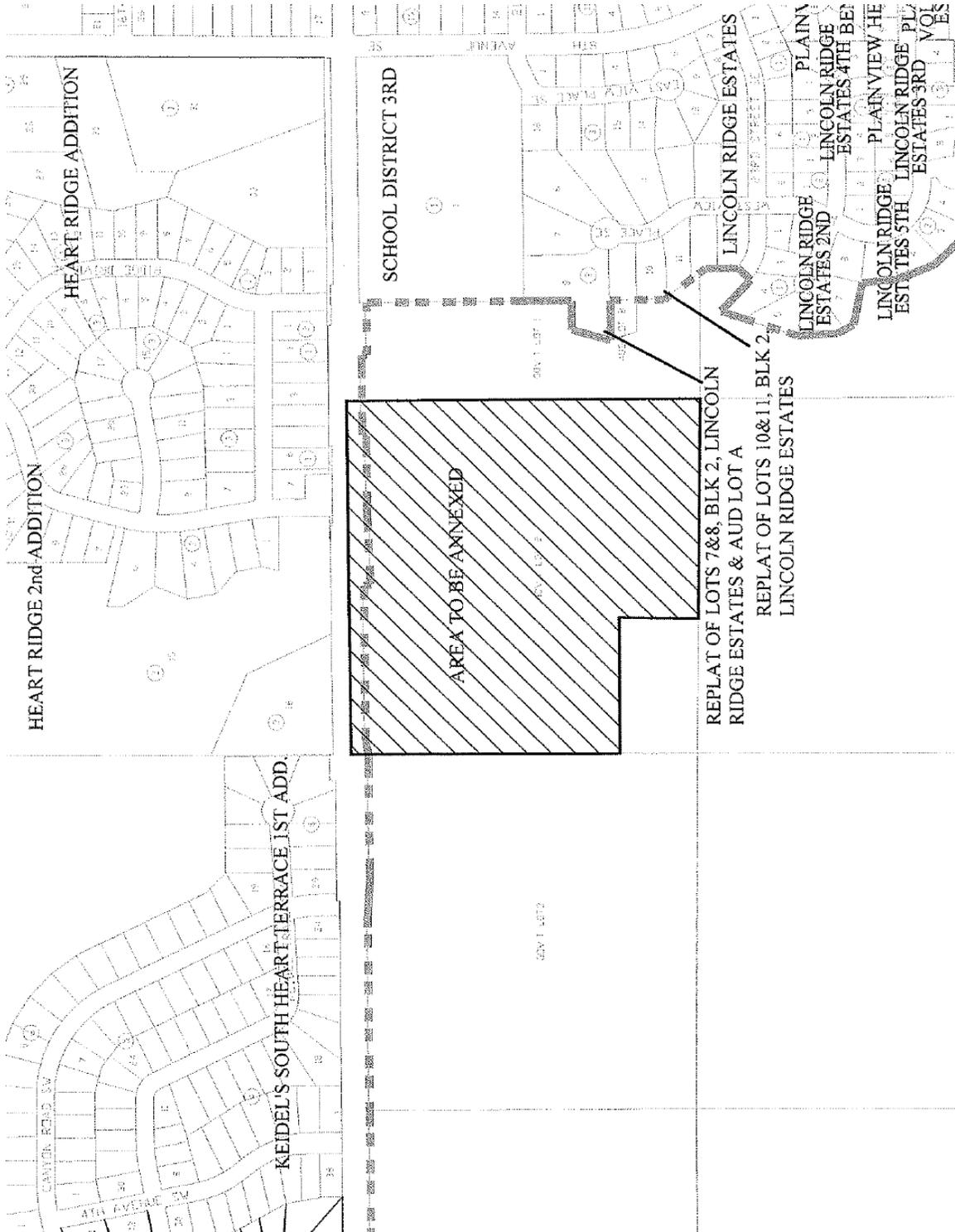
Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Annexation from Risto Mackovski of Gov't Lot 2 of the NW ¼ of the NE ¼ and part of the SW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W

Page 4 of 5



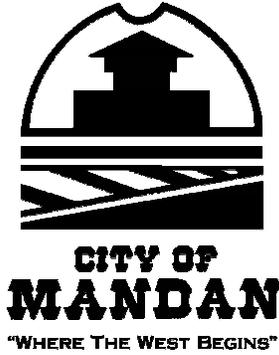
Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Annexation from Risto Mackovski of Gov't Lot 2 of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3, Township 138N, Range 81W

Page 5 of 5



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 11, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Consider approving the Amended Engineer's Report and authorize the call for bids for Water and Sewer Improvement District 60,(34th Avenue SE and Genoa Court SE) Project# 2012-21.

STATEMENT/PURPOSE: To consider approving the Amended Engineer's Report and authorize the call for bids for Water and Sewer Improvement District 60,(34th Avenue SE and Genoa Court SE) Project# 2012-21.

BACKGROUND/ALTERNATIVES:

ATTACHMENTS:

1. Resolution amending the Engineers Report
2. Engineers Amended Reports
3. Resolution Directing Advertisement for Bids

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 approving the amended Engineer's Reports and authorizing a call for bids.

SUGGESTED MOTION: I move to approve the Amended Engineer's Report and authorize the call for bids for Water and Sewer Improvement District 60,(34th Avenue SE and Genoa Court SE) Project# 2012-21.

**RESOLUTION APPROVING AMENDED ENGINEER'S REPORT
FOR THE CONSTRUCTION OF THE
IMPROVEMENT IN WATER AND SEWER IMPROVEMENT DISTRICT NO. 60**

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 Water and Sewer Improvement District No. 60 (Project # 2012-21), 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:	\$421,876.00
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 therefor:	\$147,656.60
c. Total estimated costs of the improvement:	\$569,532.60

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

Dated this 15th day of January, 2013.

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider approving the Amended Engineer's Report and authorize the call for bids for Water and Sewer Improvement District 60,(34th Avenue SE and Genoa Court SE) Project# 2012-21.

Page 3 of 8

President, Board of City Commissioners

ATTEST:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider approving the Amended Engineer's Report and authorize the call for bids for Water and Sewer Improvement District 60,(34th Avenue SE and Genoa Court SE) Project# 2012-21.

Page 4 of 8



Engineer's Opinion of Cost

1/10/2013

**34th and Genoa
Water & Sewer Improvement District No. 60
1412125**

Item No.	Description	Unit	Quantity	Engineer's Opinion	
				Unit Price	Total
1	Mobilization	LS	1	\$ 15,000.00	\$ 15,000.00
2	Contract Bond	LS	1	\$ 6,000.00	\$ 6,000.00
3	Clearing and Grubbing	LS	1	\$ 15,000.00	\$ 15,000.00
4	Standard Curb and Gutter	LF	20	\$ 30.00	\$ 600.00
5	Subcut Gravel	TON	460	\$ 32.00	\$ 14,720.00
6	8" PVC Sanitary Sewer	LF	2,189	\$ 75.00	\$ 164,175.00
7	Televise Sewer Main	LF	1,975	\$ 3.00	\$ 5,925.00
8	6" PVC Water Main	LF	88	\$ 40.00	\$ 3,520.00
9	8" PVC Water Main	LF	2,151	\$ 30.00	\$ 64,530.00
10	6" Gate Valve and Box	EA	7	\$ 1,200.00	\$ 8,400.00
11	8" Gate Valve and Box	EA	5	\$ 1,400.00	\$ 7,000.00
12	6" Hydrant	EA	7	\$ 3,500.00	\$ 24,500.00
13	Concrete Manhole W/Monolithic Base	EA	11	\$ 4,000.00	\$ 44,000.00
14	4" Sewer Service Pipe	LF	1,010	\$ 20.00	\$ 20,200.00
15	4" Sewer Pipe Bend	EA	54	\$ 50.00	\$ 2,700.00
16	1" Water Service Line	LF	827	\$ 18.00	\$ 14,886.00
17	1" Water Service Connection	EA	27	\$ 200.00	\$ 5,400.00
18	1" Curb Stop and Box	EA	27	\$ 160.00	\$ 4,320.00
19	Traffic Control	LS	1	\$ 1,000.00	\$ 1,000.00

Labor and Materials Estimate	\$ 421,876.00
Contingency (10%)	\$ 42,187.60
Design, Surveying, & Construction Observation (25%)	\$ 105,469.00
Estimated Total Cost	\$ 569,532.60

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider approving the Amended Engineer's Report and authorize the call for bids for Water and Sewer Improvement District 60,(34th Avenue SE and Genoa Court SE) Project# 2012-21.

Page 5 of 8

**RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS
FOR WATER AND SEWER IMPROVEMENT DISTRICT NO. 60
PROJECT #2012-21**

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 Water and Sewer Improvement District No. 60 (Project # 2012-21)(34th Avenue SE and Genoa Court SE) 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 6th, 2012, 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
WATER AND SEWER IMPROVEMENT DISTRICT NO. 60
(34th AVENUE SE AND GENOA COURT SE)
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 February 8, 2013, at 10:00 a.m., local time for the purpose of opening sealed bids for the furnishing of materials, labor and skill needed for the installation of new water and sewer mains, and related work in accordance with the plans and specifications for Water and Sewer Improvement District 60 (Project No. 2012-21)(34th Avenue SE and Genoa Court SE).

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider approving the Amended Engineer's Report and authorize the call for bids for Water and Sewer Improvement District 60,(34th Avenue SE and Genoa Court SE) Project# 2012-21.

Page 6 of 8

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 the City Engineer, 205 2nd Avenue Northwest, Mandan, North Dakota 58554, upon a non-refundable deposit of \$25.00.

The bid proposals must be submitted to the City Administrator by 10:00 a.m., local time, February 8, 2013 and shall be sealed and endorsed "Proposal for Water & Sewer Improvement District No. 60. (34th Avenue SE and Genoa Court)." 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 10:00 a.m., local time, on February 8, 2013. 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 48-01.2-05 (4), 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 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 48-01.2-05 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.

Work shall be completed on or before the following dates with liquidated damages assessed as follows:

All construction work on Project #2012-21 (34th Avenue SE and Genoa Court SE) is to be completed no later than June 28, 2013.

Liquidated damages of \$100.00 per day will be assessed if any completion dates are exceeded.

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider approving the Amended Engineer's Report and authorize the call for bids for Water and Sewer Improvement District 60,(34th Avenue SE and Genoa Court SE) Project# 2012-21.

Page 7 of 8

Should the contractor fail to complete all of the work in a District according to the above 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 above mentioned 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 2014 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, February 19, at 5:00 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, February 19, 2013 at 5:00 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

ATTEST:

Board of City Commissioners

Agenda Documentation

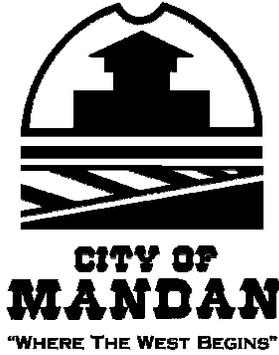
Meeting Date: January 15, 2013

Subject: Consider approving the Amended Engineer's Report and authorize the call for bids for Water and Sewer Improvement District 60,(34th Avenue SE and Genoa Court SE) Project# 2012-21.

Page 8 of 8

City Administrator

Passed: January 15, 2013



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 7, 2013
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Homestead Credit Exemption for Shirley Doll

STATEMENT/PURPOSE: To consider a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria.

BACKGROUND/ALTERNATIVES: Ms. Doll meets all qualifications according to the guidelines established by the State for a 100% exemption through the Homestead Credit program.

This parcel is also known as Lot 2, Block 1, Sharon Heights 1st Addition at 1102 Sunset Dr NW on Parcel #5720.

ATTACHMENTS: Application & Abatement.

FISCAL IMPACT: Approximately \$2013. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the requested 100% Homestead Credit exemption for the year 2012.

SUGGESTED MOTION: I recommend a motion to approve the request by Ms. Doll to receive a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria according to the guidelines established through the State.

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 DOLL SHIRLEY A

Address 1102 SUNSET DR NW

Legal Description of the property involved in this application
 LOT 2 (LESS 436 SQ FT) & 278 SQ FT LOT 1

Property ID Number

City 5720

County 65-4556000

Block: 001

SHARON HEIGHTS 1ST

Total true and full value of the property described above for the year 2012 is:		Total true and full value of the property described above for the year 2012 should be:	
Land	\$13,400	Land	\$13,400
Improvements	\$100,000	Improvements	\$100,000
Total (1)	\$113,400	Total (2)	\$113,400

The difference of \$0 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) NDCC 57-02-08 QUALIFIES FOR HOMESTEAD TAX CREDIT
 @ 100% FOR THE 2012 YEAR

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 WE ABATE THE TAXES FOR THE 2012 YEAR.

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 Shirley A Doll Date 1-7-2013



HOMESTEAD CREDIT APPLICATION FOR SENIOR CITIZENS & DISABLED PERSONS
 OFFICE OF STATE TAX COMMISSIONER
 24757 (12/2011)

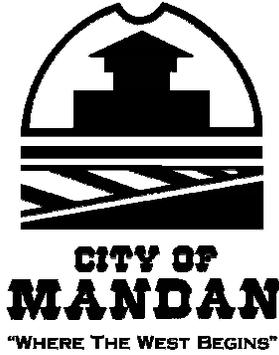
For the Year of 2012

use 2011 Income
115120

File application with the local assessor prior to February 1 of the year for which the credit is requested.

To: (Assessor)
City or Twp.:
County:

Applicant Information	
Name: <u>Shirley A Doll</u>	Date of Birth
Address: <u>1102 Sunset Ave</u>	Phone No.
Legal Description of Applicant's Homestead Property:	Parcel No:
Lot <u>2 Blk -001</u> Block <u>1</u> Addition <u>Sharon Heights Rural Addition</u> City <u>Mandan</u>	
1. Which of the following would best describe the type of ownership of the homestead property (check only one): A. Is recorded in your (and spouse's) name as owner.... <input checked="" type="checkbox"/> D. Is held under a life estate in property... <input type="checkbox"/> B. Is being purchased by you under a contract for deed.. <input type="checkbox"/> E. Is held in a revocable trust <input type="checkbox"/> C. Is held in joint tenancy with one other than spouse.... <input type="checkbox"/>	
2. Is the above-described property exempt as a farm residence? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
3. Do you have assets in excess of \$75,000 including the value of any assets gifted or otherwise divested within the last three years, and excluding the unencumbered value of your homestead up to \$100,000? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Complete Schedule A	
To Be Completed By The Assessor	
Application is: Approved <input checked="" type="checkbox"/> Denied <input type="checkbox"/> <u>100</u> % reduction allowed this applicant or a maximum of \$ _____	
Reason for denial:	
Date:	Signature of Assessor:
Schedule A	
The Following is an Accurate Account of Total Income for the Preceding Calendar Year (See the back of this application for explanation of income from all sources)	
4. Applicant's and spouse's income from Social Security benefits (exclude Medicare):	\$ _____
5. Applicant's and spouse's income from salary and wages:	\$ _____
6. Applicant's and spouse's income from interest:	\$ _____
7. Applicant's and spouse's income from all other sources:	\$ _____
8. Dependents' total income from all sources:	\$ _____
9. Total income from all sources (add lines 4, 5, 6, 7, and 8):	\$ _____
Medical expenses actually paid during the year and not paid for by insurance:	
Total amount of health and hospital insurance premiums (exclude Medicare):	\$ _____
Medicine and drugs:	\$ _____
Doctor, dentist, and hospital costs:	\$ _____
Hearing aids, eyeglasses, dentures, etc.:	\$ _____
Transportation costs for medical care: (51 cents per mile for motor vehicle effective 1/01/2011)	\$ _____
Nursing home care costs and/or home nursing care costs:	\$ _____
10. Total medical expenses:	\$ _____
11. Income from all sources excluding medical expenses (line 9 less line 10):	\$ _____
Applicant's Signature:	
I declare that this application, including Schedule A, has been examined by me and to the best of my knowledge and belief is a true and correct application. I am willing to furnish proof of age, income, and assets if requested to do so by someone authorized to administer this assessment credit. I reside on the property described in this application and I hereby claim the Homestead Credit on this property as provided for in N.D.C.C § 57-02-08.1.	
Date: <u>1-6-2013</u>	Signature of Applicant: <u>Shirley A Doll</u>



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 10, 2013
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Homestead Credit Exemption for Sharon Heinert

STATEMENT/PURPOSE: To consider a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria.

BACKGROUND/ALTERNATIVES: Ms. Heinert meets all qualifications according to the guidelines established by the State for a 100% exemption through the Homestead Credit program.

This parcel is also known as Lot 13, Block 1, Nicola's 3rd Addition at 1200 14th St. SE on Parcel #5074.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$1200. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the requested 100% Homestead Credit exemption for the year 2012.

SUGGESTED MOTION: I recommend a motion to approve the request by Ms. Heinert to receive a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria according to the guidelines established through the State.

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 HEINERT KENNETH & SHARON

Address 1200 14 ST SE

Legal Description of the property involved in this application

Lot: 0013

Block: 001

NICOLA'S 3RD

Property ID Number

City 5074

County 65-3867000

Total true and full value of the property described above for the year 2012 is:

Land	\$12,100
Improvements	\$55,400
Total (1)	\$67,500

Total true and full value of the property described above for the year 2012 should be:

Land	\$12,100
Improvements	\$55,400
Total (2)	\$67,500

The difference of \$0 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) NDCC 57-02-08 HOMESTEAD CREDIT

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 WE ABATE HER TAXES DUE TO THE QUALIFICATION OF THE HOMESTEAD TAX CREDIT FOR 2012.

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

Sharon Heinert 1-8-13

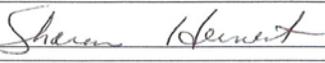
f or 2011 income tax return expires

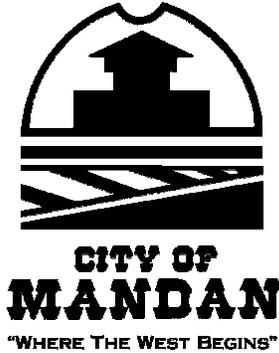
HOMESTEAD CREDIT APPLICATION FOR SENIOR CITIZENS & DISABLED PERSONS
 OFFICE OF STATE TAX COMMISSIONER
 24757 (5/2009)

For the Year of 2012

File application with the local assessor prior to February 1 of the year for which the credit is requested.

To: (Assessor)	Richard Barta
City or Town:	City of Mandan
County:	Morton County

Applicant Information				City Seq No: 05074
Name: HEINERT KENNETH & SHARON				Date of Birth:
Address: 1200 14 ST SE				Phone No:
Legal Description of Applicant's Property:				County No: 65-3867000
Lot: 0013	Block: 001	Addition: 0068	City: MANDAN	
1. Which of the following would best describe the type of ownership of the homestead property (check only one): A. Is recorded in your (and spouse's) name as owner <input checked="" type="checkbox"/> D. Is held under a life estate in property <input type="checkbox"/> B. Is being purchased by you under a contract for deed <input type="checkbox"/> E. Is held in a revocable trust <input type="checkbox"/> C. Is held in joint tenancy with one other than spouse <input type="checkbox"/>				
2. Is the above-described property exempt as a farm residence? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
3. Do you have assets in excess of \$75,000 including the value of any assets gifted or otherwise divested within the last three years, and excluding the unencumbered value of your homestead up to \$100,000? Yes <input type="checkbox"/> No <input type="checkbox"/>				
				Complete Schedule A
To Be Completed By The Assessor				
Application is: Approved <input checked="" type="checkbox"/> Denied <input type="checkbox"/> <u>100</u> % reduction allowed this applicant or a maximum of \$ _____				
Reason for Denial:				
Date: <u>1-10-13</u>		Signature of Assessor: 		
Schedule A				
The Following is an Accurate Account of Total Income for the Preceding Calendar Year (See Attachment for an explanation of income from other sources)				
4. Applicant's and spouse's income from Social Security benefits (excluding Medicare):	\$			
5. Applicant's and spouse's income from salary and wages:	\$			
6. Applicant's and spouse's income from interest:	\$			
7. Applicant's and spouse's income from other sources:	\$			
8. Dependents' total income from all sources:	\$			
9. Total income from all sources (add lines 4, 5, 6, 7 and 8):	\$			
Medical expenses actually paid during the year and not paid for by insurance:				
Total amount of health and hospital insurance premiums (exclude Medicare):	\$			
Medicine and drugs:	\$			
Doctor, dentist and hospital costs:	\$			
Hearing aids, eyeglasses, dentures, etc.:	\$			
Transportation costs for medical care: .50 Cents Per Mile	\$			
Nursing home care costs and/or home nursing care costs:	\$			
10. Total medical expenses:	\$			
11. Income from all sources excluding medical expenses (line 9 less line 10):	\$			
Applicant Signature				
I declare that this application, including Schedule A, has been examined by me and to the best of my knowledge and belief is a true and correct application. I am willing to furnish proof of age, income, and assets if requested to do so by someone authorized to administer this assessment credit. I reside on the property described in this application and I hereby claim the Homestead Credit on this property as provided for in N.D.C.C. SS 57-02-08-1.				
Date: <u>1-8-13</u>		Signature of Applicant: 		



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 9, 2013
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Richard L. Barta
PRESENTER: Richard L. Barta
SUBJECT: Blind Exemption for Joe Markel

STATEMENT/PURPOSE: To consider a blind exemption for the year 2012.

BACKGROUND/ALTERNATIVES: Joe Markel has completed the necessary paperwork and meets all criteria, according to North Dakota Century Code 57-02-08(22), to receive a blind exemption for the year 2012.

The City Computer shows the correct amount for exemption; however, the Morton County Tax Statement is incorrect. The land value should be \$18,400 and the structure value should be \$113,300 showing a true and full value of \$131,700. The structure value of \$113,300 should be fully exempt due to the qualification of the blind exemption; therefore, Mr. Markel should only be taxed on the true and full value of the land of \$18,400.

This parcel is also known as the E ½ Lot 18 & All Lot 19, Block 11, Developers West Acres 1st Addition at 3809 37th St NW on Parcel #425.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$2012 for the year 2012.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the request by Mr. Markel to receive a blind exemption for the year 2012.

SUGGESTED MOTION: I recommend a motion to approve the request by Mr. Markel to receive a blind exemption for the year 2012 by meeting all requirements according to North Dakota Century Code 57-02-08 (22)

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

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

State of North Dakota

County of Morton

Name **MARKEL JOE & MARGIE**

Address **3809 37 ST NW**

Legal Description of the property involved in this application
E 1/2 LOT 18 & ALL LOT 19

Property ID Number

City **425**

County **65-453000**

Block: 011

DEVELOPERS WEST ACRES 1ST

Total true and full value of the property described above for the year 2013 is:

Land \$18,400
 Improvements \$113,300
 Total (1) \$131,700

Total true and full value of the property described above for the year 2013 should be:

Land \$18,400
 Improvements \$113,300
 Total (2) \$131,700

The difference of \$0 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) NDCC 57-02-08 BLIND EXEMPTION

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

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

The Applicant asks that WE ABATE THE TAXES ON THE BUILDING STRUCTURE AS HE QUALIFIES FOR THE BLIND EXEMPTION

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

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

Signature of Preparer (if other than applicant) _____

Date _____

X Joe Markel
 Signature of Applicant _____

Date _____

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____ .

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____ .

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor Date

Application For Abatement
 And Settlement Of Taxes

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed
 With The County Auditor _____

Application for Property Tax Exemption

This application must be filed with the assessor every year by February 1st of the year for which the exemption is claimed, except as stated in note (7) below.

Property Numbers:	425	65-453000	Legal Description
Property Owner:	MARCEL JOE & MARGIE		Lot: Block: 011
Property Address:	3809 37 ST NW		E 1/2 LOT 18 & ALL LOT 19
Telephone Number:	663-1493		DEVELOPERS WEST ACRES 1ST

Date property was acquired: _____ Market value of property claimed exempt: \$ _____

Exemption Claimed Pursuant to One of the Following Section of the North Dakota Century Code:

- 1. N.D.C.C. § 57-02-08(7)(9), property used exclusively for public workshop or property belonging to a religious organization and used for religious purposes: Church Parsonage Other(attach explanation)
- 2. N.D.C.C. § 57-02-08(8), property owned by an institution of public charity and used for the charitable purposes for which it was organized: Public Hospital (1) Nursing Home (1) Other(attach explanation) (1)
- 3. N.D.C.C. § 57-02-08(11), property owned by nonprofit lodges, clubs, etc. and used for their meetings and ceremonies:
 - a. If licensed to sell alcoholic beverages, describe each area of the building where these beverages are sold or consumed.
 - b. If food is sold, describe each area of the building where the food is sold or consumed.
- 4. N.D.C.C. § 57-02-08(20), buildings owned and occupied as a homestead by one of the following:
 - a. Paraplegic Disabled Veteran or Veteran awarded specially adapted housing (2)(4)(5)(6)(7)
 - b. Disabled Veteran (50% or greater disability) (2)(4)(5)(7)
 - c. Permanently and Totally Disabled Person Confined to a Wheelchair (2)
- 5. N.D.C.C. § 57-02-08(22), buildings owned and occupied as a home by a blind person or spouse. (2)
- 6. N.D.C.C. § 57-02-08(26), buildings owned and occupied as a homestead by a paraplegic disabled person (2)(3)
- 7. N.D.C.C. § 57-02-08(31), group homes owned by nonprofit corporations.
- 8. N.D.C.C. § 57-55-10, mobile home is exempt or the provisions of N.D.C.C. ch. 57-55 apply.
- 9. N.D.C.C. § _____ Subsection _____

For what purpose(s) was the property used during the 12-month period prior to the year for which this exemption is claimed? (Note: Be specific. If there were several types of use, indicate such usages by square foot areas of the building and floor location. If additional space is needed, attach another sheet.)

Is any income derived from the use of any portion of this property by other individuals or groups, whether considered as rent or reimbursement for expenses or services rendered? Yes No If Yes, give details.

(1) Provide a current copy of organizational documents supporting claim (e.g., articles of incorporation and by-laws, etc.) if claiming exemption for first time upon request.
 (2) Provide an affidavit or physician's certificate if claiming exemption for first time.
 (3) Provide an annual statement that previous year's income did not exceed the amount provided in N.D.C.C. § 57-02-08.1.
 (4) Provide a copy of the DD Form 214 showing veteran's honorable discharge from active military service if claiming exemption for first time.
 (5) Provide a certificate from the Department of Veterans Affairs certifying to the percentage of disability when claiming exemption for the first time, or if the veteran receives a change in the percentage of certified rated service-connected disability.
 (6) Provide evidence from the Department of Veterans Affairs showing award of specially adapted housing if claiming exemption for this status for first time.
 (7) Exemption is automatically renewed each following year, but the veteran or veteran's unmarried surviving spouse must refile if that person sells the property or no longer claims it as a primary place of residence, or if the veteran dies or receives a change in the percentage of the certified rated service-connected disability.

I (We) make application for real property tax exemption for the year 2012 on the property described above and, in compliance with North Dakota Century Code § 57-02-14.1, certify the information is accurate to the best of my(our) knowledge and belief.

Note: N.D.C.C. § 12.1-11-02 provides that making a false statement in a governmental matter is punishable as a Class A misdemeanor.

Joe Markel _____ Date
 Applicant
Richard L. Breda / RLM _____ Date
 Assessor or Director of Tax Equalization

Application is: Approved Disapproved
 Percentage approved(4.b) _____ %

1/09/13 ASSESSING DEPARTMENT 2013 AS1015
RACHELH Legal Description Master File Inquiry SCRNO9
Sequence #: 425
Morton Tax ID: 453000
Type of Occupancy:

Class of Construction:
Quality: ...

Prop Type: 3 Acres: .31 Disaster: N (N/Y) Land-%-Struct .00 .00
Finl Appr. Date: 6/02/2010 Finl Appraiser: SUEF Assessment Year: 2013

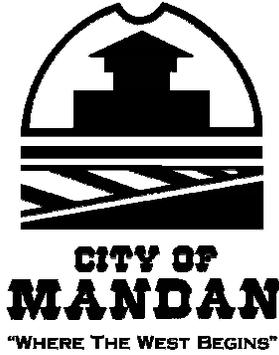
SqFt Sale Price \$0 SqFt Market Value \$66

Current Years Values
Land: \$18,400 Structures: \$113,300 Market: \$131,700
Aft Adjust: \$18,400

Previous Years Values
Land: \$18,400 Structures: \$113,300 Market: \$131,700

F2-Selection F6-Print Data Sheet F8-Tenants
F3-Exit F7-Document Mgmt System F9-M/A Calcs F12-Previous

*City of Mandan
Computer
Printout*



Consent No. 8iv

Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 9, 2013
SUBMITTING DEPARTMENT: Assessing Dept.
DEPARTMENT DIRECTOR: Richard L. Barta
PRESENTER: Richard L. Barta
SUBJECT: Disabled Veteran Exemption for Gerald Serhienko

STATEMENT/PURPOSE: To consider an 80% disabled veteran exemption for the year 2011 & 2012.

BACKGROUND/ALTERNATIVES: Mr. Serhienko meets all criteria according to North Dakota Century Code 57-02-08 (20)(b) to receive a 80% disabled veteran exemption.

This property is also known as E 102' Lot 1 & E 102' of N 15' Lot 2, Block 17, Mandan Proper (OT) Addition at 211 5th Ave NW on Parcel #3350.

ATTACHMENTS: Applications.

FISCAL IMPACT: Approximately \$1,540.00 for the year 2012 and \$1,241.00 for the year 2011. Please note that this amount is reimbursed by the State and the City is not actually losing any revenue.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval to receive an 80% disabled veteran exemption for the years 2011 & 2012.

SUGGESTED MOTION: I recommend a motion to approve the applications from Gerald Serhienko to receive a 100% disabled veteran exemption for the years 2011 & 2012 by meeting all criteria according to North Dakota Century Code 57-02-08(20)(b).

Application for Property Tax Exemption

This application must be filed with the assessor every year by February 1st of the year for which the exemption is claimed, except as stated in note (7) below.

Property Numbers: 3350 Legal Description _____
 Property Owner: Gerald A. Serhienko Lot: _____ Block: _____
 Property Address: E 102' Lot 1 + E 102' of W 15' Lot 2
 Telephone Number: (634)631 Mandan, ND

211 5 Ave. NW
Mandan, ND 58554
 Date property was acquired: 1/12/1998 Market value of property claimed exempt: \$ 130,300

Exemption Claimed Pursuant to One of the Following Section of the North Dakota Century Code:

- 1. N.D.C.C. § 57-02-08(7)(9), property used exclusively for public workshop or property belonging to a religious organization and used for religious purposes: Church Parsonage Other(attach explanation)
- 2. N.D.C.C. § 57-02-08(8), property owned by an institution of public charity and used for the charitable purposes for which it was organized: Public Hospital (1) Nursing Home (1) Other(attach explanation) (1)
- 3. N.D.C.C. § 57-02-08(11), property owned by nonprofit lodges, clubs, etc. and used for their meetings and ceremonies:
 - a. If licensed to sell alcoholic beverages, describe each area of the building where these beverages are sold or consumed.
 - b. If food is sold, describe each area of the building where the food is sold or consumed.
- 4. N.D.C.C. § 57-02-08(20), buildings owned and occupied as a homestead by one of the following:
 - a. Paraplegic Disabled Veteran or Veteran awarded specially adapted housing (2)(4)(5)(6)(7)
 - b. Disabled Veteran (50% or greater disability) (2)(4)(5)(7)
 - c. Permanently and Totally Disabled Person Confined to a Wheelchair (2)
- 5. N.D.C.C. § 57-02-08(22), buildings owned and occupied as a home by a blind person or spouse. (2)
- 6. N.D.C.C. § 57-02-08(26), buildings owned and occupied as a homestead by a paraplegic disabled person (2)(3)
- 7. N.D.C.C. § 57-02-08(31), group homes owned by nonprofit corporations.
- 8. N.D.C.C. § 57-55-10, mobile home is exempt or the provisions of N.D.C.C. ch. 57-55 apply.
- 9. N.D.C.C. § _____ Subsection _____

For what purpose(s) was the property used during the 12-month period prior to the year for which this exemption is claimed? (Note: Be specific. If there were several types of use, indicate such usages by square foot areas of the building and floor location. If additional space is needed, attach another sheet.)

Is any income derived from the use of any portion of this property by other individuals or groups, whether considered as rent or reimbursement for expenses or services rendered? Yes No If Yes, give details.

(1) Provide a current copy of organizational documents supporting claim (e.g., articles of incorporation and by-laws, etc.) if claiming exemption for first time upon request.
 (2) Provide an affidavit or physician's certificate if claiming exemption for first time.
 (3) Provide an annual statement that previous year's income did not exceed the amount provided in N.D.C.C. § 57-02-08.1.
 (4) Provide a copy of the DD Form 214 showing veteran's honorable discharge from active military service if claiming exemption for first time.
 (5) Provide a certificate from the Department of Veterans Affairs certifying to the percentage of disability when claiming exemption for the first time, or if the veteran receives a change in the percentage of certified rated service-connected disability.
 (6) Provide evidence from the Department of Veterans Affairs showing award of specially adapted housing if claiming exemption for this status for first time.
 (7) Exemption is automatically renewed each following year, but the veteran or veteran's unmarried surviving spouse must refile if that person sells the property or no longer claims it as a primary place of residence, or if the veteran dies or receives a change in the percentage of the certified rated service-connected disability.

I(We) make application for real property tax exemption for the year 2012 on the property described above and, in compliance with North Dakota Century Code § 57-02-14.1, certify the information is accurate to the best of my(our) knowledge and belief.

Note: N.D.C.C. § 12.1-11-02 provides that making a false statement in a governmental matter is punishable as a Class A misdemeanor.

Application is: Approved Disapproved
 Percentage approved(4.b) 80%

Gerald A. Serhienko Applicant Date _____
[Signature] Assessor or Director of Tax Equalization Date 1/16/2012

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 SERHIENKO GERALD A & C

Address 211 5 AVE NW

Legal Description of the property involved in this application
 E 102' LOT 1 & E 102' OF N 15' LOT 2

Property ID Number

City 3350

County 65-2428000

Block: 017

MANDAN PROPER (OT)

Total true and full value of the property described above for the year 2012 is:		Total true and full value of the property described above for the year 2012 should be:	
Land	\$22,400	Land	\$22,400
Improvements	\$107,900	Improvements	\$21,580
Total (1)	\$130,300	Total (2)	\$43,980

The difference of \$86,320 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) NDCC 57 02 08 VETERAN 50% OR GREATER

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 QUALIFIES FOR 80% DISABLED VET

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 _____

Gerald Serhienko 10-16-12
 Signature of Applicant _____ Date _____

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____ .

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____ .

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor Date

Application For Abatement
 And Settlement Of Taxes

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed
 With The County Auditor _____

Application for Property Tax Exemption

This application must be filed with the assessor every year by February 1st of the year for which the exemption is claimed, except as stated in note (7) below.

Property Numbers: 3350 Legal Description _____
 Property Owner: Gerald A. Serhienko Lot: _____ Block: _____
 Property Address: E 102' Lot 1 + E 102' of W 15' Lot 2
 Telephone Number: 663-4631 Mandan, ND

215 Ave. NW
Mandan, ND 58554

Date property was acquired: 1/12/1981 Market value of property claimed exempt: \$ 130,300

Exemption Claimed Pursuant to One of the Following Section of the North Dakota Century Code:

- 1. N.D.C.C. § 57-02-08(7)(9), property used exclusively for public workshop or property belonging to a religious organization and used for religious purposes: Church Parsonage Other(attach explanation)
- 2. N.D.C.C. § 57-02-08(8), property owned by an institution of public charity and used for the charitable purposes for which it was organized: Public Hospital (1) Nursing Home (1) Other(attach explanation) (1)
- 3. N.D.C.C. § 57-02-08(11), property owned by nonprofit lodges, clubs, etc. and used for their meetings and ceremonies:
 - a. If licensed to sell alcoholic beverages, describe each area of the building where these beverages are sold or consumed.
 - b. If food is sold, describe each area of the building where the food is sold or consumed.
- 4. N.D.C.C. § 57-02-08(20), buildings owned and occupied as a homestead by one of the following:
 - a. Paraplegic Disabled Veteran or Veteran awarded specially adapted housing (2)(4)(5)(6)(7)
 - b. Disabled Veteran (50% or greater disability) (2)(4)(5)(7)
 - c. Permanently and Totally Disabled Person Confined to a Wheelchair (2)
- 5. N.D.C.C. § 57-02-08(22), buildings owned and occupied as a home by a blind person or spouse. (2)
- 6. N.D.C.C. § 57-02-08(26), buildings owned and occupied as a homestead by a paraplegic disabled person (2)(3)
- 7. N.D.C.C. § 57-02-08(31), group homes owned by nonprofit corporations.
- 8. N.D.C.C. § 57-55-10, mobile home is exempt or the provisions of N.D.C.C. ch. 57-55 apply.
- 9. N.D.C.C. § _____ Subsection _____

For what purpose(s) was the property used during the 12-month period prior to the year for which this exemption is claimed? (Note: Be specific. If there were several types of use, indicate such usages by square foot areas of the building and floor location. If additional space is needed, attach another sheet.)

Is any income derived from the use of any portion of this property by other individuals or groups, whether considered as rent or reimbursement for expenses or services rendered? Yes No If Yes, give details.

(1) Provide a current copy of organizational documents supporting claim (e.g., articles of incorporation and by-laws, etc.) if claiming exemption for first time upon request.
 (2) Provide an affidavit or physician's certificate if claiming exemption for first time.
 (3) Provide an annual statement that previous year's income did not exceed the amount provided in N.D.C.C. § 57-02-08.1.
 (4) Provide a copy of the DD Form 214 showing veteran's honorable discharge from active military service if claiming exemption for first time.
 (5) Provide a certificate from the Department of Veterans Affairs certifying to the percentage of disability when claiming exemption for the first time, or if the veteran receives a change in the percentage of certified rated service-connected disability.
 (6) Provide evidence from the Department of Veterans Affairs showing award of specially adapted housing if claiming exemption for this status for first time.
 (7) Exemption is automatically renewed each following year, but the veteran or veteran's unmarried surviving spouse must refile if that person sells the property or no longer claims it as a primary place of residence, or if the veteran dies or receives a change in the percentage of the certified rated service-connected disability.

I (We) make application for real property tax exemption for the year 2011 on the property described above and, in compliance with North Dakota Century Code § 57-02-14.1, certify the information is accurate to the best of my(our) knowledge and belief.

Note: N.D.C.C. § 12.1-11-02 provides that making a false statement in a governmental matter is punishable as a Class A misdemeanor.

Gerald A. Serhienko Applicant Date _____
[Signature] Assessor or Director of Tax Equalization Date 10/04/2012

Application is: Approved Disapproved
 Percentage approved(4.b) 80 %

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 SERHIENKO GERALD A & C

Address 211 5 AVE NW

Legal Description of the property involved in this application
 E 102' LOT 1 & E 102' OF N 15' LOT 2

Property ID Number

City 3350

County 65-2428000

Block: 017

MANDAN PROPER (OT)

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	\$21,700	Land	\$21,700
Improvements	\$85,400	Improvements	\$17,080
Total (1)	\$107,100	Total (2)	\$38,780

The difference of \$68,320 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) NDCC 57 02 08 DISABLED VET 50% OR GREATER

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 QUALIFIES FOR 80% DISABLED VET

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 _____

Gerald Serhienko
 Signature of Applicant

10-16-12
 Date

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____.

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.
Approve/Rejected

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____.

 County Auditor

 Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor

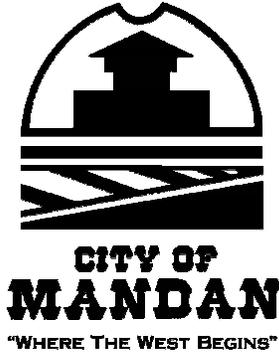
 Date

**Application For Abatement
 And Settlement Of Taxes**

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed With The County Auditor _____



Consent No. 8v

Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: December 18, 2012
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Abatement for Maxine Nibbe

STATEMENT/PURPOSE: Ms. Nibbe has requested to lower her 2012 true and full value from \$348,400 to \$334,900 due to the discount that should have been given for flood damage.

BACKGROUND/ALTERNATIVES: This property is also known as Parcel 8719, on Lot 2, Block 1, Mitzel's 1st Addition. Our city computer shows the discount given for flood; however, the county tax statement does not reflect this discount.

ATTACHMENTS: Abatement application, screenshots of statement and city computer.

FISCAL IMPACT: Approximately \$240.00

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to approve reducing Ms. Nibbe's 2012 true and full value from \$348,400 to \$334,900 due to flood discount of home structure.

SUGGESTED MOTION: A motion to approve a reduction for Ms. Nibbe from \$348,400 to \$334,900 for the year 2012.

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 NIBBE MAXINE K

Address 3040 NORTHSHORE LOOP SE

Legal Description of the property involved in this application

Lot: 2

Block: 1

MITZEL'S 1ST

Property ID Number

City 8719

County 65-3772870

Total true and full value of the property described above for the year 2012 is:

Land	\$40,600
Improvements	\$307,800
Total (1)	\$348,400

Total true and full value of the property described above for the year 2012 should be:

Land	\$40,600
Improvements	\$294,300
Total (2)	\$334,900

The difference of \$13,500 true and full value between (1) and (2) above is due to the following reason(s):

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

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 we abate the difference in values. We reduced value on structure, correct in our computer, but statement didn't reflect it.

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 _____

Maxine K. Nibbe
 Signature of Applicant

12/31/12
 Date

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____ .

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ Approve/Rejected _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____ .

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid(if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor Date

**Application For Abatement
 And Settlement Of Taxes**

Name of Applicant _____

County Auditor's File No. _____

Date Application Was Filed With The County Auditor _____

Board of City Commissioners
 Agenda Documentation
 Meeting Date: January 15, 2013
 Subject: Abatement for Maxine Nibbe
 Page 4 of 4

1/10/13
 AS1057

Mandan Assessing Dept
 Property Data Sheet

Page 1

NIBBE MAXINE K
 3040 NORTSHORE LOOP SE
 MANDAN ND 58554

City Parcel No. 08719
 County No. 65-003772870
 Assessment Year 2012

Property Address: 3040 NORTSHORE LOOP SE

MISSOURI RIVER FLOOD
 Property Type: RESIDENTIAL

Legal Description

Lot 2 Block 1 Addition 0153 MITZEL'S 1ST

Total Property - Land

Area Factor 130 > \$300,000-WATER AREAS
 Zoning RM
 Lot Width 60 Ft
 Lot Depth 246 Ft
 Lot Sq Ft 11170 SqFt
 Irregular Shape Yes
 Alley No
 Cul-De-Sac No
 Corner No
 Utilities Yes
 Underground Util Yes
 Street Hard Surface
 Sidewalk No
 Location Water Frontage
 Flood Plain Degree
 Acres .26
 Lot Sale Price 0
 Lot Sale Date

Interior Finish Painted
 Fireplace 1 Fireplace
 Quality: Excellent
 Floors Plywood
 Floor Covering Carpet
 Apartment None

Garage

Attached 3 Stall with 996 SqFt
 Quality Average/Good

Additional Data

Electronics No
 Home Theater No
 Smart Home No
 Swimming Pool No
 Sump Pump No

Additional Area

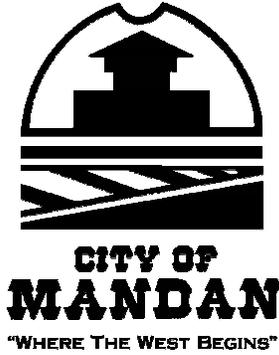
Deck 334 SqFt

Building Data

Year Built 1990
 Effective Year 1990
 Basement Walls Poured Concrete
 Condition Very Good
 Quality Very Good
 Construction Type Concrete Block
 Stories Two Story
 Roof Cover Asphalt/Compound
 Roof Type Gable
 Heating Fuel Gas
 Heating Type High Efficiency
 Air Conditioning Central
 Flr Tot Rms Bed Bath
 02 3 3 2.00 1142 SqFt
 01 5 0 .50 1156 SqFt
 BF 4 2 1.00 1120/1120 SqFt
 Quality Average/Good
 Tot Finished Area 3418 SqFt
 Exterior Walls Brick Veneer/Wood
 Basement Full
 Dining Room Area Dining Area
 Kitchen Cabinets Custom Hardwood
 Built-Ins Yes
 Interior Walls Sheetrock

Other Area

Listing Date 01/03/1995
 Listing Price 199900
 Review Date 05/25/1995 JONB
 Final App. Date 12/09/2009 JONB
 2012 Mrkt Value 348400 Land 40600
 Bldg 307800
 Reduced Market 334900 -13500
 2011 Mrkt Value 337100 Land 39500
 Bldg 297600
 2012 Est Tax Amount 5944.91
 Selling Price Includes Special Assessments
 Current Sale Price 204800
 Current Sale Date 05/16/1995
 Previous Sale Price 174942
 Previous Sale Date 02/12/1991
 Data Sheet Printed By: RACHELH



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 9, 2013
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Reduction in structure value for Anita Frohlich

STATEMENT/PURPOSE: To consider a reduction in the structure value for the 2012 year for Anita Frohlich's property, due to assessment that was made as a street appraisal and final review.

BACKGROUND/ALTERNATIVES: This parcel is also known as Parcel #3869, Block 57, Mandan Proper (OT).

Reason for abatement: To lower the structure value for the 2012 year from \$103,900 to \$79,100. After the final walk through of Ms. Frohlich's property to determine accuracy of our data and conducting a market analysis, I have arrived at a true and full value of \$90,400 for the 2012 year rather than \$115,200, a difference in true and full value of \$24,800.

ATTACHMENTS: Application for 2012, market analysis and data sheet.

FISCAL IMPACT: Approximately \$441.00

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to approve to lower the true and full value for the 2012 year to \$90,400 for Ms. Frohlich's property.

SUGGESTED MOTION: A motion to approve a reduction for Ms. Frohlich's property in the 2012 year with a true and full value to \$90,400.

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 FROHLICH ANITA

Address 502 5 AVE NW

Legal Description of the property involved in this application
 S 20' LOT 4 & N 40' LOT 5 (LESS W 20')

Property ID Number

City 3869

County 65-2938000

Block: 057

MANDAN PROPER (OT)

Total true and full value of the property described above for the year 2012 is:		Total true and full value of the property described above for the year 2012 should be:	
Land	\$11,300	Land	\$11,300
Improvements	\$103,900	Improvements	\$79,100
Total (1)	\$115,200	Total (2)	\$90,400

The difference of \$24,800 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) WAS STREET APPRAISAL; COMPLETE RE-ASSESSMENT ON 11-07-2012

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 CORRECTIONS BE MADE TO REFLECT ACCURATE ASSESSMENT OF PROPERTY

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 _____
 * Anita D. Frohlich _____ 1-9-13
 Signature of Applicant _____ Date _____

Recommendation of the Governing Body of the City or Township

Recommendation of the governing board of Mandan City Commissioners

On _____ the governing board of this municipality, after examination of this application and the facts, passed a resolution recommending to the Board of County Commissioners that the application be _____

Dated this _____ day of _____, _____

 City Auditor or Township Clerk

Action by the Board of County Commissioners

Application was _____ by action of _____ County Board of Commissioners.

Based upon an examination of the facts and the provisions of North Dakota Century Code § 57-23-04, we approve this application. The taxable valuation is reduced from \$ _____ to \$ _____ and the taxes are reduced accordingly. The taxes, if paid, will be refunded to the extent of \$ _____. The Board accepts \$ _____ in full settlement of taxes for the tax year _____.

We reject this application for the following reason(s): _____

Dated _____, _____

 County Auditor Chairperson

Certification of County Auditor

I certify that the Board of County Commissioners took the action stated above and the records of my office and the office of the County Treasurer show the following facts as to the assessment and the payment of taxes on the property described in this application.

Year	Taxable Value	Tax	Date Paid (if paid)	Payment Made Under Written Protest? yes / no

I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

Year	Reduction in Taxable Valuation	Reduction in Taxes

 County Auditor Date

Application For Abatement
 And Settlement Of Taxes

Name of Applicant _____
 County Auditor's File No. _____
 Date Application Was Filed With The County Auditor _____

Board of City Commissioners
 Agenda Documentation
 Meeting Date: January 15, 2013
 Subject: Reduction in structure value for Anita Frohlich
 Page 4 of 5

1/10/13
 AS1057

Mandan Assessing Dept
 Property Data Sheet

Page 1

FROHLICH ANITA
 502 5 AVE NW
 MANDAN ND 58554

City Parcel No. 03869
 County No. 65-002938000
 Assessment Year 2012

Property Address: 502 5 AVE NW

Property Type: RESIDENTIAL

Legal Description
 S 20' LOT 4 & N 40' LOT 5 (LESS W 20')

Lot Block 057 Addition 0021 MANDAN PROPER (OT)

Total Property - Land

Area Factor 54 AF 50-BUILT IN 40'S
 Zoning RM
 Lot Width 60 Ft
 Lot Depth 120 Ft
 Lot Sq Ft 7200 SqFt
 Irregular Shape No
 Alley Yes
 Cul-De-Sac No
 Corner No
 Utilities Yes
 Underground Util No
 Street Hard Surface
 Sidewalk Yes
 Location Inland
 Flood Plain Degree
 Acres .17
 Lot Sale Price 0
 Lot Sale Date

Interior Walls Combination
 Interior Finish Combination
 Fireplace 1 Fireplace
 Quality: Poor
 Floors Softwood
 Floor Covering Linoleum
 Carpet
 Apartment None

Garage

Additional Data

Electronics No
 Home Theater No
 Smart Home No
 Swimming Pool No
 Sump Pump No

Additional Area

Deck 182 SqFt

Building Data

Year Built 1946
 Effective Year 1946
 Basement Walls Poured Concrete
 Condition Average/Good
 Quality Average/Good
 Construction Type 2x4 Construction
 Stories One Story
 Roof Cover Asphalt/Compound
 Roof Type Gable
 Heating Fuel Gas
 Heating Type High Efficiency
 Air Conditioning Central
 Flr Tot Rms Bed Bath
 01 5 2 1.00 1034 SqFt
 BF 4 2 1.00 983/983 SqFt
 Quality Average
 Tot Finished Area 2017 SqFt
 Exterior Walls Wood Siding
 Basement Full
 Dining Room Area Formal
 Kitchen Cabinets Softwood
 Built-Ins Yes

Other Area

Listing Date
 Listing Price 0
 Review Date 06/06/1978 SAM
Final App. Date 11/07/2012 SHIRLEYS

2012 Mrkt Value 115200 Land 11300
 Bldg 103900

2011 Mrkt Value 89600 Land 11100
 Bldg 78500

2012 Est Tax Amount 2044.88

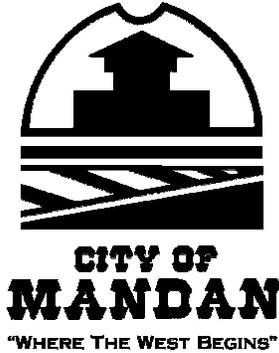
Selling Price Includes Special Assessments

Current Sale Price 0
 Current Sale Date

Previous Sale Price 0

Previous Sale Date

Data Sheet Printed By: RACHELH



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 7, 2013
SUBMITTING DEPARTMENT: Assessing Dept.
DEPARTMENT DIRECTOR: Richard Barta
PRESENTER: Richard Barta
SUBJECT: Variance Request for Scott Berger at 4412 Borden Harbor Dr. SE, Mandan, ND

STATEMENT/PURPOSE: To consider variance request to change back north setback from 20' to 15'.

BACKGROUND/ALTERNATIVES: Due to wanting to build a covered patio, this would go into the 20' setback; therefore, would like to change the back (north) setback from 20' to 15'.

ATTACHMENTS: Variance Request Application and Plat Map.

FISCAL IMPACT: \$0

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the builder request to change the setback of Lot 1, Block 2, of Lakewood Harbor 2nd Addition.

SUGGESTED MOTION: I recommend the approval of the setback on the back northwest to 15' rather than 20'. This will not interfere with the neighbors and back easements.

CITY OF MANDAN VARIANCE APPLICATION

- 1. Type of Variance (Ordinance) set back requirements - Backyard
- 2. Brief Description of Request Would like to change the Back (North) set back from 20' to 15'
- 3. Legal Description Lot 7, Block 2 of Lakewood Harbor 2nd
- 4. Property Address 4412 Borden Harbor Dr. SE
- 4. Name of Owner(s) Scott D + Lorrie E Berger
- Mailing Address P.O. Box 9, Mandan 58554
- Phone(Home) 701-403-7030 (Business) 701-220-4027
- 5. Zoning District _____
- 6. Comments Would like to change from 20' to 15' for rear set back. I want a covered patio and this would go into 20'

I understand the regulations of the Mandan Ordinance as they pertain to this request. _____

Scott D Berger
Signature of Applicant

1-3-13
Date

FOR OFFICE USE ONLY

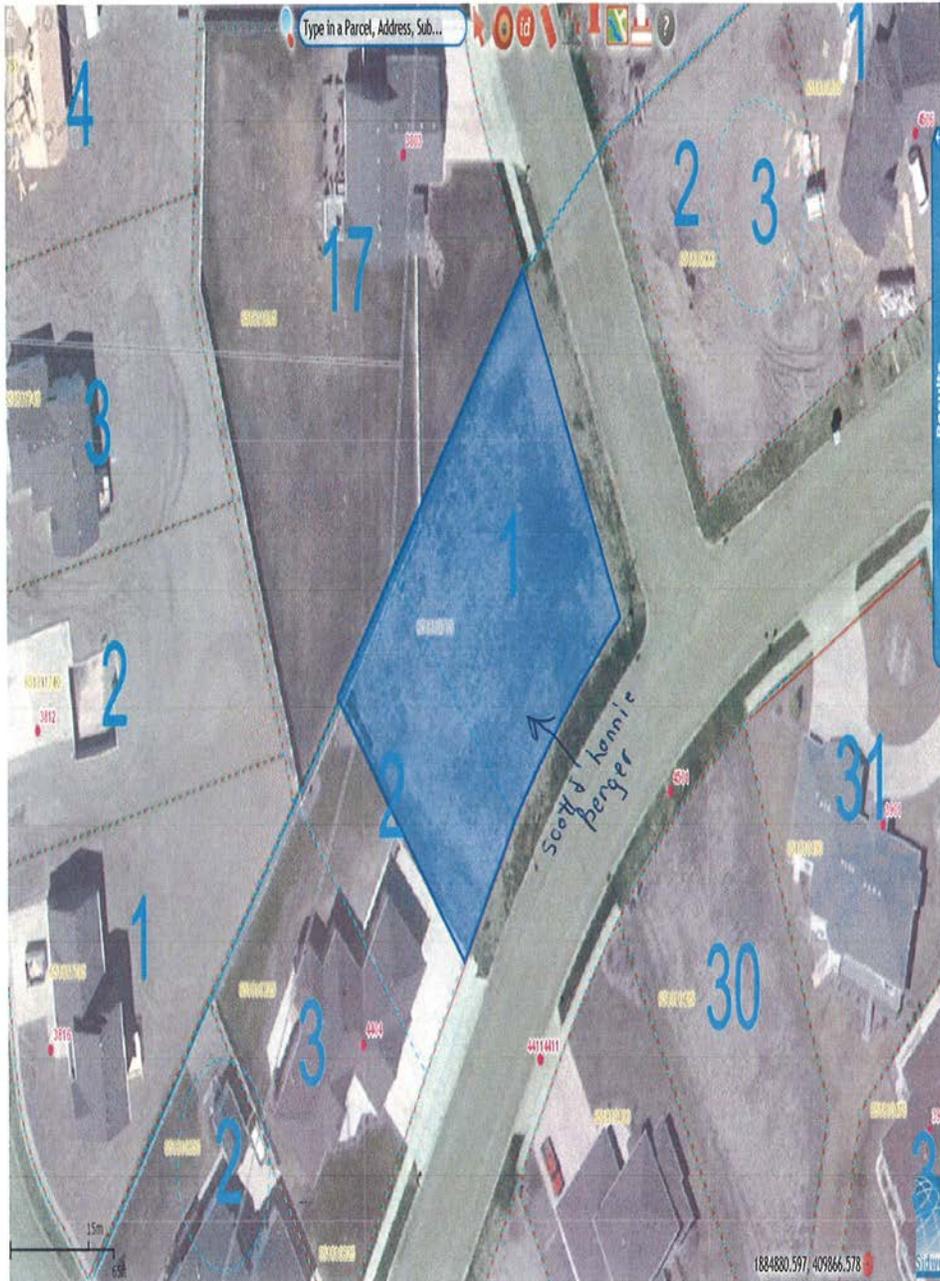
Date of Variance Hearing _____

Denied _____ Approved _____ Approved Conditionally _____

Variance Conditions _____

Building Official

Date



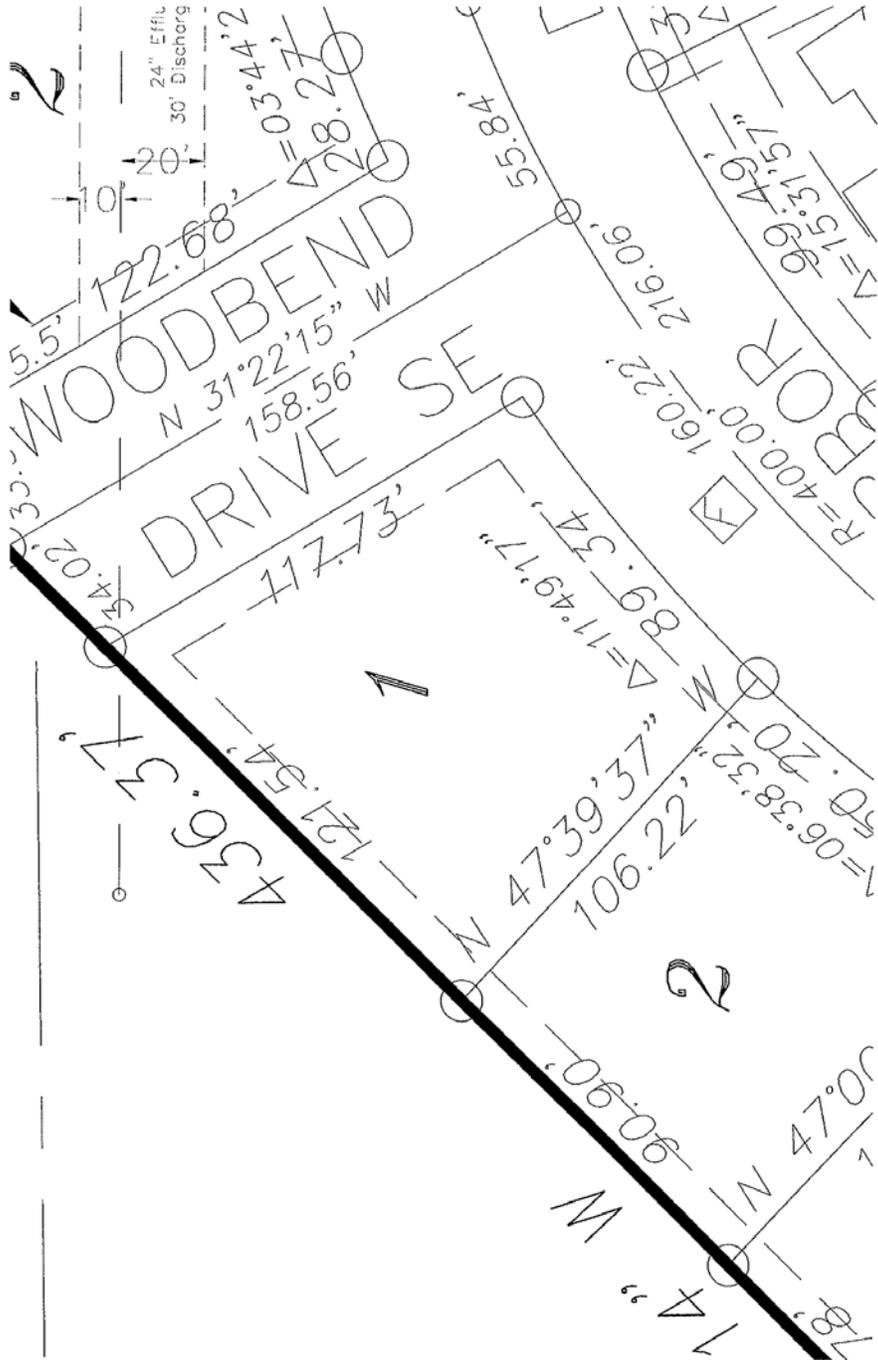
Board of City Commissioners

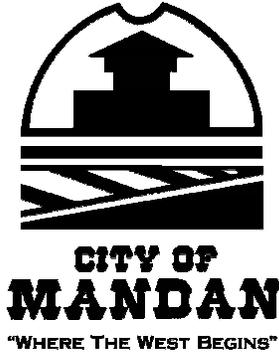
Agenda Documentation

Meeting Date: January 15, 2013

Subject: Variance Request for Scott Berger at 4412 Borden Harbor Dr. SE, Mandan, ND

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Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 7, 2013
SUBMITTING DEPARTMENT: Assessing Dept.
DEPARTMENT DIRECTOR: Richard Barta
PRESENTER: Richard Barta
SUBJECT: Variance Request for Scott Berger at 4502 Borden Harbor Dr. SE, Mandan, ND

STATEMENT/PURPOSE: To consider variance request to change back northwest setback from 20' to 15'.

BACKGROUND/ALTERNATIVES: Due to the 30' discharge easement, the ability to put a house on lot is restricted, it will be necessary that an variance be granted to allow a structure to be built on this property.

ATTACHMENTS: Variance Request Application and Plat Map.

FISCAL IMPACT: \$0

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the builder request to change the setback of Lot 2, Block 3, of Lakewood Harbor 2nd Addition.

SUGGESTION MOTION: I recommend the approval of the setback on the back northwest to 15' rather than 20'. I feel there is a need for this allowance for the lot to be buildable.

CITY OF MANDAN VARIANCE APPLICATION

1. Type of Variance (Ordinance) Set back requirement
2. Brief Description of Request Would like to change the
Back North west set back from 30' to 15' (15')
3. Legal Description lot 2 Block 3 Lake wood
Harbor Dr. SE Mandan
4. Property Address 4502 Borden Harbor Dr SE
4. Name of Owner(s) Erick + Rhonda Schantz
Mailing Address 2604 10th ave NW mandan ND 58554
Phone(Home) 701-471-2709 (Business) 701-471-2709
5. Zoning District _____
6. Comments Due to the 30' discharge
easement the ability to put a house
on lot is restricted. would like ~~to~~ set back ~~to~~ ^{15'} ~~possibilities~~

I understand the regulations of the Mandan _____
Ordinance as they pertain to this request.

[Signature]
Signature of Applicant

3 Jan 2012
Date

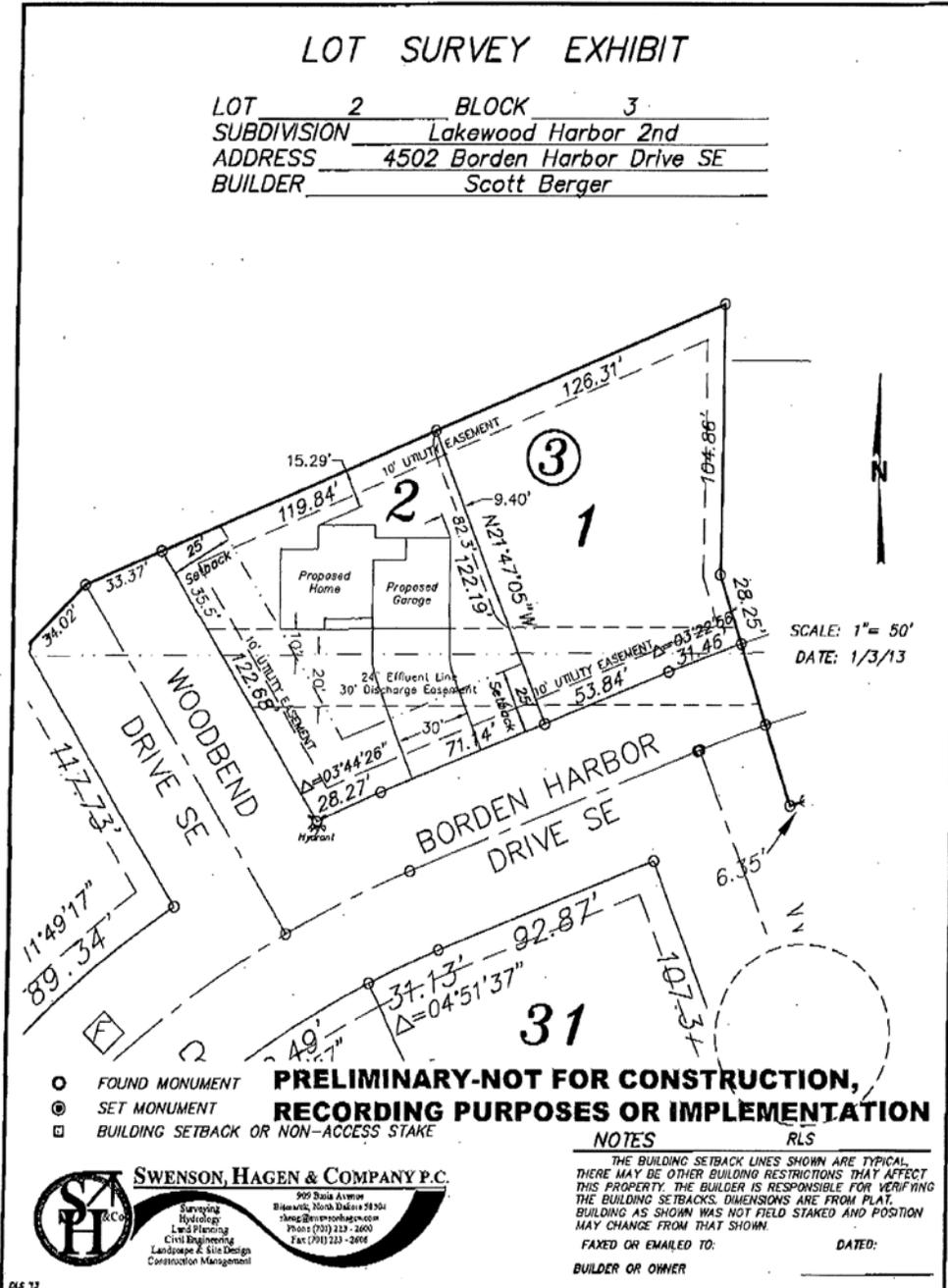
FOR OFFICE USE ONLY

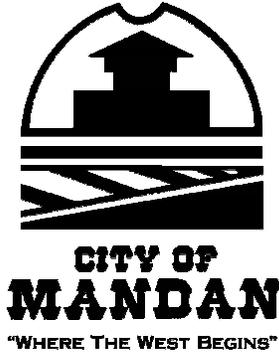
Date of Variance Hearing _____
Denied___ Approved___ Approved Conditionally___
Variance Conditions _____

Building Official Date

Jan. 3. 2013 7:29AM

No. 4148 P. 2





Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 10, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Consider approving the Amended Engineers Reports for Street Improvement District 163 Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

STATEMENT/PURPOSE: To consider approving the amended Engineers Reports for Street Improvement District 163 Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

BACKGROUND/ALTERNATIVES:

1. The Cost Participation, Construction, and Maintenance Agreement from NDDOT approved by the Board of City Commissioners on October 16, 2012.
2. The Board of City Commissioners approved the Resolutions creating the Districts, Resolution declaring the necessity of the improvements, Resolutions approving the Engineer's Report and authorizing the preparation of the detailed plans and specifications, Resolutions approving the plans and specifications, Reports for the feasibility and evaluation of the improvements, and the District maps on November 6, 2012.
3. Letters were sent out to the property owners on November 16, 2012 for the Street Improvement District 163, November 16, 2012 for the Storm Sewer District 32 and on November 29, 2012 for the Water and Sewer Improvement District 61.
4. NDDOT received the bids on November 16, 2012.
5. The Street and Storm Sewer combined Bid was 21% under the Engineer's Estimate, the Water and Sanitary Sewer Bid was 48% over the Engineer's Estimate, and the total Bid for all the work was 8% under the Engineer's Estimate. There are 3 separate Special Assessment Districts (Street, Storm Sewer, and Water and Sanitary Sewer). According to NDCC 40-22-29: Before adopting or rejecting any bid filed under the provisions of this chapter, the governing body shall require the engineer for the municipality to make a careful and detailed

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider the Amended Engineers Reports for Street Improvement District 163 Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

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statement of the estimated cost of the work for which proposals were advertised under section 40-22-19. The governing body may not award the contract to any bidder if the engineer's estimate prepared pursuant to this section exceeds the engineer's estimate of the cost of the work prepared pursuant to subsection 1 of section 40-22-10 by forty percent or more. As a result, the Bid for the Water and Sanitary Sewer portion of this Project exceeded this statutory limitation by 8% (48% vs. 40%).

6. The Public Hearing to determine the sufficiency of protests for the Street Project was held on December 18, 2012. The Board of City Commissioners approved the Resolution determining the insufficiency of protests.
7. Meeting with City officials, City Attorney, and representatives with the NDDOT was held on December 20, 2012 to discuss the Bids.
8. The Board of City Commissioners rejected the Bid on January 8, 2013.
9. City staff recommended amending the Engineer's Estimates and then rebid the project.
10. NDDOT's proposed timeline for a March 2013 Bid opening

Timeline/Date Description

January 4---- NDDOT will notify the low bid contractor of the non-award of the project.
January 7-14 ----NDDOT will de-obligate the money for the project in the November bid opening.
January 8-22 ----The City and consultant will need to submit a new cost estimate to be incorporated into the plans and NDDOT will rebuild the bidder's proposal.
January 23-30 ----FHWA review of plans and proposal and authorize funding.
February 1-March 1 ----NDDOT will re-advertise the plans on the website.
March 15 ----NDDOT will bid the project.

ATTACHMENTS: 1. Resolutions amending the Engineers Report
 2. Engineers Amended Reports

FISCAL IMPACT:

STAFF IMPACT:

LEGAL REVIEW: Reviewed by City Attorney.

RECOMMENDATION: This office supports approving the amended Engineer's Reports.

SUGGESTED MOTION: I move to approve the amended Engineer's Reports for Street Improvement District 163 Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

**RESOLUTION APPROVING AMENDED ENGINEER'S REPORT
FOR THE CONSTRUCTION OF THE
IMPROVEMENT IN STREET IMPROVEMENT DISTRICT NO. 163**

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. 163 (Project # 2012-01), 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:	\$3,038,139.00
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 therefor:	\$1,063,349.00
c. Total estimated costs of the improvement:	\$4,101,488.00

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider the Amended Engineers Reports for Street Improvement District 163

Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and

Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

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

Dated this 15th day of January, 2013.

President, Board of City Commissioners

ATTEST:

City Administrator

**RESOLUTION APPROVING AMENDED ENGINEER'S REPORT
FOR THE CONSTRUCTION OF THE
IMPROVEMENT IN STORM SEWER IMPROVEMENT DISTRICT NO. 32**

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 Storm Sewer Improvement District No. 32 (Project # 2012-23), 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:	\$742,121.00
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 therefor:	\$259,742.00
c. Total estimated costs of the improvement:	\$1,001,863.00

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

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider the Amended Engineers Reports for Street Improvement District 163

Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and

Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

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Dated this 15th day of January, 2013.

President, Board of City Commissioners

ATTEST:

City Administrator

**RESOLUTION APPROVING AMENDED ENGINEER'S REPORT
FOR THE CONSTRUCTION OF THE
IMPROVEMENT IN WATER AND SEWER IMPROVEMENT DISTRICT NO. 61**

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 Water and Sewer Improvement District No. 61 (Project # 2012-24), 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:	\$1,280,627.00
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 therefor:	\$448,220.00
c. Total estimated costs of the improvement:	\$1,728,847.00

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

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider the Amended Engineers Reports for Street Improvement District 163

Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and

Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

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Dated this 15th day of January, 2013.

President, Board of City Commissioners

ATTEST:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider the Amended Engineers Reports for Street Improvement District 163

Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and

Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

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Engineer's Opinion of
 Probable Cost for Street Improvements
 Sunset Drive NW Reconstruction
 Project: SU-1-988(033)044 Part: 1 of 3
 January 7th, 2013

Item No.	SPEC	CODE	ITEM DESCRIPTION	UNIT	Quantity		UNIT PRICE	Participating	Non-Participating
					PARTICIPATING	NON-PARTICIPATING		Amount	Amount
1	103	0100	CONTRACT BOND	LSUM	0.66	0.00	\$50,000.00	\$33,000.00	
2	201	0330	CLEARING & GRUBBING	LSUM	1	0	\$18,500.00	\$18,500.00	
3	201	0380	REMOVAL OF TREES 18IN	EA	3	0	\$1,500.00	\$4,500.00	
4	202	0112	REMOVAL OF CONCRETE	SY	4,723	0	\$14.75	\$69,664.25	
5	202	0119	SAW CONCRETE	LF	1,137	0	\$10.00	\$11,370.00	
6	202	0130	REMOVAL OF CURB & GUTTER	LF	7,653	0	\$7.00	\$53,571.00	
7	202	0132	REMOVAL OF BITUMINOUS SURFACING	SY	16,744	0	\$6.50	\$108,836.00	
8	202	0153	SAW BITUMINOUS SURFACING-FULL DEPTH	LF	527	0	\$7.50	\$3,952.50	
9	203	0101	COMMON EXCAVATION-TYPE A	CY	8,038	0	\$7.50	\$60,285.00	
10	203	0109	TOPSOIL	CY	1,110	0	\$20.00	\$22,200.00	
11	203	0113	COMMON EXCAVATION-WASTE	CY	6,568	0	\$12.00	\$78,816.00	
12	216	0100	WATER	M GAL	91	0	\$22.00	\$2,002.00	
13	230	0301	SUBGRADE PREPARATION-TYPE A	MILE	0.63	0	\$60,000.00	\$37,800.00	
14	302	0100	SALVAGED BASE COURSE	TON	8,363	0	\$25.00	\$209,075.00	
15	401	0150	SS1H OR CSS1H OR MS1 EMULSIFIED ASPHALT	GAL	70	0	\$5.00	\$350.00	
16	405	0100	PREPARE STOCKPILE SITE	LSUM	1	0	\$4,700.00	\$4,700.00	
17	408	0185	HOT BITUMINOUS PAVEMENT CL 29	TON	304	0	\$180.00	\$54,720.00	
18	550	0300	BIN NON-REINF CONCRETE PVMT CL AE-DOWELED	SY	16,157	0	\$70.30	\$1,135,837.10	
19	602	1125	CLASS AE-3 CONCRETE STAIRWAY	CY	5	0	\$1,000.00	\$5,000.00	
20	702	0100	MOBILIZATION	LSUM	0.66	0.00	\$275,000.00	\$181,500.00	
21	704	1000	TRAFFIC CONTROL SIGNS	UNIT	2,083	0	\$3.41	\$7,103.03	
22	704	1052	TYPE III BARRICADE	EA	41	0	\$120.00	\$4,920.00	
23	706	0300	FIELD LABORATORY-TYPE C	EA	0.80	0	\$12,000.00	\$9,600.00	
24	706	0400	FIELD OFFICE	EA	0.60	0	\$12,000.00	\$7,200.00	
25	708	1322	SILT FENCE UNSUPPORTED	LF	650	0	\$5.69	\$3,698.50	
26	708	1430	FIBER ROLLS 12IN	LF	1,690	0	\$6.26	\$10,579.40	
27	708	2130	SEEDING-TYPE A-CL I	ACRE	1.60	0.00	\$5,500.00	\$8,800.00	
28	722	6240	ADJUST UTILITY APPURTENANCE	EA	21	0	\$550.00	\$11,550.00	
29	748	0140	CURB & GUTTER-TYPE I	LF	7,581	0	\$25.00	\$189,525.00	
30	750	0115	SIDEWALK CONCRETE 4IN	SY	3,747	0	\$55.00	\$206,085.00	
31	750	1010	DRIVEWAY CONCRETE-HIGH EARLY STRENGTH	SY	1,712	0	\$62.00	\$106,144.00	
32	750	2115	DETECTABLE WARNING PANELS	SF	240	0	\$60.00	\$14,400.00	
33	752	0911	TEMPORARY SAFETY FENCE	LF	2,000	0	\$5.00	\$10,000.00	
34	752	0922	FENCE REMOVE AND RESET	LF	125	0	\$35.00	\$4,375.00	
35	754	0117	FLAT SHEET FOR SIGNS-TYPE 3A REFL SHEETING	SF	225	0	\$18.20	\$4,095.00	
36	754	0206	STEEL GALV POSTS-TELESCOPING PERFORATED TUBE	LF	332	0	\$22.50	\$7,470.00	
37	762	0122	PREFORMED PATTERNED PVMT MK-MESSAGE (GROOVED)	SF	16	0	\$30.00	\$480.00	
38	762	1305	PREFORMED PATTERNED PVMT MK 4IN LINE-GROOVED	LF	5,745	0	\$5.00	\$28,725.00	

Engineer's Opinion of
Probable Cost for Street Improvements
Sunset Drive NW Reconstruction
Project: SU-1-988(033)044 Part: 1 of 3
January 7th, 2013

Item No.	SPEC	CODE	ITEM DESCRIPTION	UNIT	Quantity		UNIT PRICE	Participating	Non-Participating
					PARTICIPATING	NON-PARTICIPATING		Amount	Amount
39	762	1309	PREFORMED PATTERNED PVMT MK 8IN LINE-GROOVED	LF	37	0	\$10.00	\$370.00	
40	762	1325	PREFORMED PATTERNED PVMT MK 24IN LINE-GROOVED	LF	271	0	\$35.00	\$9,485.00	
41	770	0001	LIGHTING SYSTEM	EA	1	0	\$250,000.00	\$250,000.00	
42	970	0070	STONE MULCH	SF	1,820	0	\$10.00	\$18,200.00	
43	970	0075	WOOD MULCH	SF	564	0	\$5.00	\$2,820.00	
44	970	0300	BENCH	EA	2	0	\$3,000.00	\$6,000.00	
45	970	0365	SHELTER	EA	1	0	\$15,000.00	\$15,000.00	
46	970	1020	REPLANT SHRUBS	EA	2	0	\$360.00	\$720.00	
47	970	2330	BUR OAK	EA	4	0	\$725.00	\$2,900.00	
48	970	3600	BLACK HILLS SPRUCE	EA	3	0	\$575.00	\$1,725.00	
49	970	6016	DAYLILIES-CONTAINER	EA	12	0	\$35.00	\$420.00	
50	970	7050	KARL FOERSTER	EA	2	0	\$35.00	\$70.00	
Total Base Bid =								\$3,038,138.78	\$0.00

Improvements Total= \$3,038,138.78

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider the Amended Engineers Reports for Street Improvement District 163

Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and

Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

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Engineer's Opinion of
 Probable Cost for Storm Sewer Improvements
 Sunset Drive NW Reconstruction
 Project: SU-1-988(033)044 Part: 3 of 3
 January 7th, 2013

Item No.	SPEC	CODE	ITEM DESCRIPTION	UNIT	Quantity		UNIT PRICE	Participating Amount	Non-Participating Amount
					PARTICIPATING	NON-PARTICIPATING			
1	103	0100	CONTRACT BOND	LSUM	0.14	0	\$50,000.00	\$7,000.00	
2	202	0174	REMOVAL OF PIPE ALL TYPES AND SIZES	LF	765	0	\$18.00	\$13,770.00	
3	202	0210	REMOVAL OF MANHOLES	EA	1	0	\$820.00	\$820.00	
4	216	0100	WATER	M GAL	13	0	\$22.00	\$286.00	
5	702	0100	MOBILIZATION	L SUM	0.14	0	\$275,000.00	\$38,500.00	
6	706	0300	FIELD LABORATORY-TYPE C	EA	0.10	0	\$12,000.00	\$1,200.00	
7	706	0400	FIELD OFFICE	EA	0.20	0	\$12,000.00	\$2,400.00	
8	708	1531	INLET PROTECTION-FIBER ROLL 12IN	EA	17	0	\$250.00	\$4,250.00	
9	722	0100	MANHOLE 48IN	EA	5	0	\$4,000.00	\$20,000.00	
10	722	0110	MANHOLE 60IN	EA	2	0	\$6,000.00	\$12,000.00	
11	722	0120	MANHOLE 72IN	EA	1	0	\$7,200.00	\$7,200.00	
12	722	0130	MANHOLE 84IN	EA	2	0	\$8,500.00	\$17,000.00	
13	722	0140	MANHOLE 96IN	EA	5	0	\$13,000.00	\$65,000.00	
14	722	3510	INLET-TYPE 2	EA	7	0	\$3,500.00	\$24,500.00	
15	722	3520	INLET-TYPE 2 DOUBLE	EA	11	0	\$6,000.00	\$66,000.00	
16	722	3541	INLET SHALLOW-TYPE 2 DOUBLE	EA	3	0	\$4,500.00	\$13,500.00	
Total Base Bid =								\$293,426.00	\$0.00

Option 1: REINFORCED CONCRETE PIPE

Item No.	SPEC	CODE	ITEM DESCRIPTION	UNIT	Quantity		UNIT PRICE	Participating Amount	Non-Participating Amount
					PARTICIPATING	NON-PARTICIPATING			
17	714	4101	PIPE CONDUIT 18IN-STORM DRAIN	LF	1,550	0	\$81.50	\$126,325.00	
18	714	4107	PIPE CONDUIT 24IN-STORM DRAIN	LF	1,138	0	\$125.00	\$142,250.00	
19	714	4112	PIPE CONDUIT 30IN-STORM DRAIN	LF	1,284	0	\$130.00	\$166,920.00	
20	714	4126	PIPE CONDUIT 48IN-STORM DRAIN	LF	48	0	\$275.00	\$13,200.00	
Option 1 Total =								\$448,695.00	\$0.00

Option 2: FLEXIBLE PIPE (See Section 51 for allowable materials)

Item No.	SPEC	CODE	ITEM DESCRIPTION	UNIT	Quantity		UNIT PRICE	Participating Amount	Non-Participating Amount
					PARTICIPATING	NON-PARTICIPATING			
21	714	4101	PIPE CONDUIT 18IN-STORM DRAIN	LF	1,550	0	\$75.00	\$116,250.00	
22	714	4107	PIPE CONDUIT 24IN-STORM DRAIN	LF	1,138	0	\$85.00	\$96,730.00	
23	714	4112	PIPE CONDUIT 30IN-STORM DRAIN	LF	1,284	0	\$110.00	\$141,240.00	
24	714	4126	PIPE CONDUIT 48IN-STORM DRAIN	LF	48	0	\$200.00	\$9,600.00	
Option 2 Total =								\$363,820.00	\$0.00

Base Bid Total =	\$293,426.00	\$0.00
Option 1 Total =	\$448,695.00	
Option 2 Total =	\$363,820.00	
Improvements Total =	\$742,121.00	

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Consider the Amended Engineers Reports for Street Improvement District 163

Project # 2012-01, Water and Sewer Improvement District 61 Project# 2012-24 and

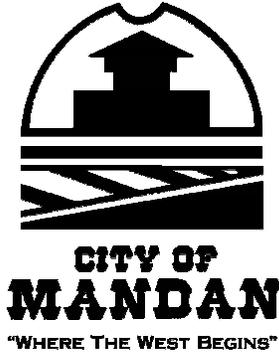
Storm Sewer District 32 Project 2012-23. (Sunset Drive NW).

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Engineer's Opinion of
 Probable Cost for Water and Sanitary Sewer Improvements
 Sunset Drive NW Reconstruction
 Project: SU-1-988(033)044 Part: 2 of 3
 January 7th, 2013

Item No.	SPEC	CODE	ITEM DESCRIPTION	UNIT	Quantity		UNIT PRICE	Participating	Non-Participating
					PARTICIPATING	NON-PARTICIPATING		Amount	Amount
1	103	0100	CONTRACT BOND	LSUM	0	0.20	\$50,000.00		\$10,000.00
2	202	0174	REMOVAL OF PIPE ALL TYPES AND SIZES	LF	0	2,394	\$18.00		\$43,092.00
3	202	0210	REMOVAL OF MANHOLES	EA	0	7	\$820.00		\$5,740.00
4	216	0100	WATER	M GAL	0	26	\$22.00		\$572.00
5	702	0100	MOBILIZATION	LSUM	0	0.2	\$275,000.00		\$55,000.00
6	706	0300	FIELD LABORATORY-TYPE C	EA	0.00	0.10	\$12,000.00		\$1,200.00
7	706	0400	FIELD OFFICE	EA	0.00	0.20	\$12,000.00		\$2,400.00
8	714	7040	SANITARY SEWER SERVICE CONNECTION	EA	0	99	\$800.00		\$47,200.00
9	722	0300	MANHOLE SANITARY	EA	0	13	\$7,200.00		\$93,600.00
10	722	3291	ABANDON SANITARY SEWER MANHOLE	EA	0	7	\$1,000.00		\$7,000.00
11	724	0300	GATE VALVE & BOX 6IN	EA	0	4	\$1,800.00		\$7,200.00
12	724	0314	GATE VALVE & BOX 12IN	EA	0	8	\$3,500.00		\$28,000.00
13	724	0411	6IN HYDRANT	EA	0	4	\$5,100.00		\$20,400.00
14	724	0430	REMOVE HYDRANT	EA	0	5	\$800.00		\$4,000.00
15	724	0610	WATER SERVICE LINE 1IN COPPER	LF	0	2,059	\$61.00		\$125,599.00
16	724	0810	WATERMAIN 6IN PVC	LF	0	18	\$100.00		\$1,800.00
17	724	0850	WATERMAIN 12IN PVC	LF	0	2,559	\$120.00		\$307,080.00
18	724	0891	WATERMAIN MODIFICATIONS	LSUM	0	1	\$33,000.00		\$33,000.00
19	724	0905	CURB STOP & BOX 1IN	EA	0	53	\$550.00		\$29,150.00
20	724	0940	RELOCATE CURB STOP & BOX	EA	0	3	\$850.00		\$2,550.00
21	724	0955	WATER SERVICE CONNECTION 1IN	EA	0	55	\$650.00		\$35,750.00
22	724	1100	SANITARY SEWER 4IN	LF	0	2,173	\$50.00		\$108,650.00
23	724	1110	6IN SANITARY SEWER PIPE	LF	0	81	\$80.00		\$6,480.00
24	724	1121	18IN SANITARY SEWER PIPE	LF	0	3,317	\$92.00		\$305,164.00
Total Base Bid =								50.00	\$1,280,627.00

Improvements Total= \$1,280,627.00



Board of City Commissioners

Agenda Documentation

MEETING DATE:	January 15, 2013
PREPARATION DATE:	January 10, 2013
SUBMITTING DEPARTMENT:	Administration
DEPARTMENT DIRECTOR:	Jim Neubauer, City Administrator
PRESENTER:	Jim Neubauer, City Administrator
SUBJECT:	Mandan Growth Fund Recommendation –Appointment

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

BACKGROUND/ALTERNATIVES: The MGF had four positions that terms expired on December 31, 2012. Three of the four members have expressed an interest in serving another term. Those wishing to continue their service on the MGF are Tim Spilman, Dennis Friesz and Michael J.B. Schaff. Jay Simes served two terms on the MGF and we express our thanks to him.

The MGF met on January 10, 2013 to consider an appointment to the MGF. An announcement was made in November 2012 asking that parties express their interest by December 13, 2012. Five individuals submitted letters of interest, Don Boehm, Amber Larson, Kevin Ressler, Kevin Vannett and Doug Zinke.

The MGF is recommending that Don Boehm be appointed for a three year term. Don is the Supervisor of Multistate Tax for Basin Electric Power Cooperative. He is a lifelong resident of Mandan with his father, Constatine Boehm the former owner of Conniee's Exxon in downtown Mandan.

The MGF expressed their appreciation to the other candidates and encouraged them to express interest in December 2013 as there will be several appointments that expire at that time.

ATTACHMENTS:

- Current listing of MGF Members
- Resume's and letters of interest will be provided upon request.

FISCAL IMPACT: n/a

STAFF IMPACT: n/a

Board of City Commissioners

Agenda Documentation

Meeting Date: January 15, 2013

Subject: Mandan Growth Fund Recommendation – Appointment to the MGF

Page 2 of 3

LEGAL REVIEW: n/a

RECOMMENDATION: The MGF recommends appointing Don Boehm to the MGF for term ending December 31, 2015 and to reappoint Tim Spilman, Dennis Friesz and Michael J.B. Schaff to three year terms.

SUGGESTED MOTION: I move to appoint Don Boehm to the MGF for term ending December 31, 2015 and to reappoint Tim Spilman, Dennis Friesz and Michael J.B. Schaff to three year terms.

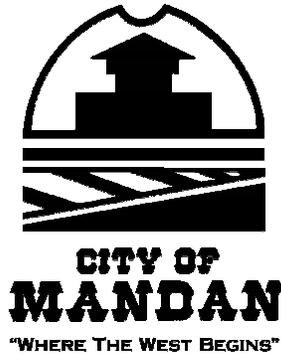
Board of City Commissioners
 Agenda Documentation
 Meeting Date: January 15, 2013
 Subject: Mandan Growth Fund Recommendation – Appointment to the MGF
 Page 3 of 3

<i>Committee Member</i>		<i>Term Began</i>	<i>Term Ends</i>
Dennis Friesz 801 23rd St SE Mandan, ND 58554	(H) 663-2199 (C) 226-8569 (Fax) 663-2199 dmfriesz@midco.net	1 st Term: January 1, 1998 2 nd Term: January 1, 2001 3 rd Term: January 1, 2004 4 th Term: January 1, 2007 5 th Term: January 1, 2010	December 31, 2000 December 31, 2003 December 31, 2006 December 31, 2009 December 31, 2012
Timothy Spilman Chairman 2601 Hwy 1806 South Mandan, ND 58554	(W) 667-9378 (H) 663-4948 tspilman@bis.midco.net tspilman@keitu.com	1 st Term: April 7, 1998 2 nd Term: January 1, 2001 3 rd Term: January 1, 2004 4 th Term: January 1, 2007 5 th Term: January 1, 2010	December 31, 2000 December 31, 2003 December 31, 2006 December 31, 2009 December 31, 2012
Michael J.B. Schaff Schaff Tax & Financial Services, Inc. Mandan, ND 58554	(W) 667-5294 (C) 226-7882 (Fax) 667-5295 mschaff@woodburyfinancial.net	1 st Term: February 16, 2010	December 31, 2012
Todd Steinwand Wells Fargo Mandan, ND 58554	(W) 222-5136 (Fax) 222-5551 todd.j.steinwand@wellsfargo.com	1 st Term: April 14, 1999 2 nd Term: January 1, 2002 3 rd Term: January 1, 2005 4 th Term: January 1, 2008 5 th Term: January 1, 2011	December 31, 2001 December 31, 2004 December 31, 2007 December 31, 2010 December 31, 2013
Jeff Erickson Security First Bank 614 W Main Mandan, ND 58554	W 667-7000 jeff@securityfirstbank.com	1 st Term: January 1, 2009 2 nd Term: January 1, 2012	December 31, 2011 December 31, 2014
Jay Simes 500 West Main Street Mandan, ND 58554	(W) 663-5870 (Fax) 663-5870 jsimes@mideo.net	1st Term: February, 2007 2nd Term: January 1, 2010	December 31, 2009 December 31, 2012
Mark Weide Bank of North Dakota 1200 Memorial Highway Bismarck ND 58504	(W) 328-5790 (Fax) 328-5731 markweide@nd.gov	1 st Term, January 17, 2012	Pervious Terms December 31, 2014
Rick Horn Morton County Housing Corp 1500 3 rd Ave NW Mandan, ND 58554	(W) 663-7494 (Fax) 663-7495 Rick4hjlmgmt@aol.com	1 st Term: January 1, 2009 2 nd Term: January 1, 2012	December 31, 2011 December 31, 2014
Annette Behm-Caldwell Open Road Honda 4120 Memorial Highway Mandan, ND 58554	(w) 663-4023 Sales@OpenRoad-Honda.com	1 st Term: February 19, 2008 2 nd Term: January 1, 2009 3 rd Term: January 1, 2012	December 31, 2008 December 31, 2011 December 31, 2014

In general representatives from Downtown, Memorial Highway, Northeast (Industrial Park) and Financial Institutions should be represented.

----- *Liaisons (non voting)* -----

Mike Braun City Commissioner, City of Mandan 3804 Old Red Trail NW Mandan, ND 58554 (W) 391-3667 mbraun@cityofmandan.com	Russ Staiger, BMDA 400 E Broadway Avenue PO Box 2615 Bismarck, ND 58502 (W) 222-5530 (Fax) 222-3843 rstaiger@bmda.org	Greg Welch, CPA Finance Director City of Mandan 205 2nd Ave NW Mandan, ND 58554 (W) 667-3213 (Fax) 667-3223 gwelch@cityofmandan.com	Jim Neubauer City Administrator City of Mandan 205 2nd Ave NW Mandan, ND 58554 (W) 667-3215 (Fax) 667-3223 jneubauer@cityofmandan.com
	Malcolm Brown City Attorney 209 E Broadway Ave P. O Box 2692 Bismarck, ND 58501 (W) 224-8825 mhblaw@btinet.net	Ellen Huber Business Development Director City of Mandan 205 2nd Avenue NW Mandan, ND 58554 Phone 701-667-3215 Fax 701-667-3223 ehuber@cityofmandan.com	Brent Ekstrom LCRDC, Director of Commercial Lending 200 1st Avenue NW Mandan, ND 58554 Phone (701) 667-7624 bekstrom@lewisandclardrc.org



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 10, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

STATEMENT/PURPOSE: To consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

BACKGROUND/ALTERNATIVES: The developer is requesting that the City allow the special assessment of street costs to the benefitting properties in Meadows Sixth Addition. There are 15 lots that would be benefitting from this.

ATTACHMENTS:

1. Resolution creating district
2. Engineer's Report & Resolution approving Engineer's Report
3. Resolution of plans and specs
4. Resolution determining sufficiency of petition
5. Feasibility Report
6. District Map

FISCAL IMPACT: Based on the estimate of cost included with your documentation, the cost of the project would be \$297,303.44, engineering and administration will add \$83,244.96, bringing the total to \$1,102,485.31. These costs would be entirely special assessed to the 15 single family residential lots. The costs per lot are approximately \$25,369.89.

STAFF IMPACT: Minimal

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

Board of City Commissioners

Agenda Documentation

Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

Page 2 of 12

RECOMMENDATION: This office supports moving forward with the project.

SUGGESTED MOTION: I move to approve the creation of, approve the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, and feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

Board of City Commissioners

Agenda Documentation

Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

Page 3 of 12

**RESOLUTION CREATING
STREET IMPROVEMENT DISTRICT NO. 177**

Project No. 2012-22

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

1. There is hereby created Street Improvement District No. 177 (the "District")(Project# 2012-22) of the City of Mandan for the purpose of making an improvement project of the type specified in Section 40-22-01(2), N.D.C.C., to improve those parts of the municipal street system listed below. The improvement to said streets within this improvement district shall include, but not be limited to, and 34th Avenue NW, and includes street construction, installation of curb and gutter, asphalt street, storm sewer, street lights, chip seal and related work.

2. Consultation with respect thereto having been had with the City Engineer, as to the property to be benefitted by said improvement project and the most practical size, form and location of said District, said District shall include all the lots, tracts and parcels of land lying within the City of Mandan and its additions within the following boundary lines: namely:

The following lots and blocks are included in said District:

All lots & blocks, Meadows Sixth Addition

The legal description of the district boundary is as follows:

An unplatted portion of auditor's lot 3 of the southwest quarter of section 8, township 139 north, range 81 west of the principal meridian, City of Mandan, Morton County, North Dakota, more particularly described as follows:

Commencing at the west quarter corner of said section 8; thence along the north line of the southwest quarter, N 89°28'10" e for 1571.63 feet; thence s 00°31'50" e for 555.02' to a point on the southeasterly line of meadows fourth addition, which is the point of beginning; thence from said point of beginning, s 58°34'49" E for 125.00 feet; thence N 74°07'30" E for 97.31 feet; thence s 58°34'49" E for 133.95 feet; thence s 31°25'11" W for 95.00 feet; thence s 23°03'22" W for 80.00 feet; thence s 03°27'04" W for 409.20 feet; thence s 19°41'17" W for 98.75 feet to the northeast corner of lot 1, block 3, meadows 2nd addition; thence along the north line of said meadows 2nd addition as follows: N 73°47'38" W for 125.73 feet; thence N 43°42'13" W for 77.17 feet; thence N 76°05'14"

Board of City Commissioners

Agenda Documentation

Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

Page 4 of 12

W for 105.50 feet to the northwest corner of lot 1, block 4, meadows 4th addition; thence along the east line of meadows 4th addition as follows: N 03°58'59" E for 193.97 feet; thence N 04°33'59" W for 265.10 feet, thence N 26°55'59" E for 88.19 feet; thence N 31°25'11" E for 131.07 feet to the said point of beginning.

Said tract contains 217,926 square feet or 5.003 acres more or less.

3. Pursuant to section 40-22-10 of the North Dakota Century Code, the City Engineer is hereby authorized and directed to prepare a report as to the general nature, purpose and feasibility of the proposed improvement and an estimate of the probable cost of the improvement.

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

President, Board of City Commissioners

ATTEST:

City Administrator

Date of Passage: January 15th, 2013

**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. 177**

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. 177 (Project # 2012-22), 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:	\$297,303.44
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 therefor:	83,244.96
c. Total estimated costs of the improvement:	\$380,548.40

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

Board of City Commissioners

Agenda Documentation

Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

Page 6 of 12

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

Dated this 15th day of January, 2013.

President, Board of City Commissioners

ATTEST:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

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Project Name
Street Improvement District
Opinion of Probable Cost
January 9th, 2013

Item No.	Spec. No.	Item	Unit	Quantity	Unit Price	Total Amount
1	125	MOBILIZATION	LS	1	\$ 5,000.00	\$ 5,000.00
2	SP	CONTRACT BOND	LS	1	\$ 3,750.00	\$ 3,750.00
3	204	SUBGRADE PREPARATION	SY	5,056	\$ 2.00	\$ 10,111.11
4	300	CLASS 5 GRAVEL BASE	TON	1,053	\$ 25.00	\$ 26,331.02
5	400	2.5" AC BASE COURSE (CLASS 29)	TON	596	\$ 90.00	\$ 53,680.56
6	400	2.0" AC SURFACE COURSE (CLASS 29)	TON	477	\$ 90.00	\$ 42,944.44
7	400	PG 58-28 ASPHALT CEMENT (6.0%)	TON	64	\$ 675.00	\$ 43,481.25
8	400	TACK COAT	GAL	1,460	\$ 7.50	\$ 10,950.83
9	403	SEAL COAT	GAL	429	\$ 3.50	\$ 1,503.06
10	403	COVER AGGREGATE	TON	39	\$ 55.00	\$ 2,125.75
11	403	BLOTTER SAND	TON	4	\$ 15.00	\$ 64.42
12	600	CONCRETE CURB & GUTTER	LF	1,882	\$ 18.00	\$ 33,876.00
13	1100	STREET NAME POST WITH 2 SIGNS	EA	2	\$ 375.00	\$ 750.00
14	1001	STREET LIGHTS	EA	8	\$ 3,500.00	\$ 28,000.00
15	1200	TOP SOIL - streets	CY	224	\$ 15.00	\$ 3,359.44
16	1201	SEEDING - streets	SY	1,344	\$ 10.00	\$ 13,437.78
17	1201	MULCH - streets	SY	1,344	\$ 10.00	\$ 13,437.78
18	403	STREET SWEEPING	LS	1	\$ 3,500.00	\$ 3,500.00
19	1211	TRAFFIC CONTROL	LS	1	\$ 1,000.00	\$ 1,000.00
TOTAL ESTIMATED CONSTRUCTION COST						\$ 297,303.44
Contingency				10%		\$ 29,730.34
Design, Surveying & Construction Observation (18%)				18%		\$ 53,514.62
ESTIMATED TOTAL COST						\$ 380,548.40

NOTES:

1. All quantities were measured from Grading, Water, Sewer Plans prepared in July of 2012
2. Subgrade preparation was based on a measurement from 1-foot behind curb to 1-foot behind curb.
3. Class 5 Gravel Base is estimated at 1.875 Tons per Cubic Yard, 1' behind curb
4. AC pavement units were estimated using two tons per cubic yard and a 4" Depth
5. Asphalt cement units were estimated at 6.0% of the AC tonnage.
6. Tack coat units were estimated using a 0.1 gallon to SY conversion
7. Seal Coat units were estimated using 0.34 gallon to SY conversion
8. Cover aggregate units were estimated using a 18 pounds per SY conversion
9. Blotter sand units were estimated using a 2 pounds per SY conversion

In providing an estimate of probable construction cost, the Client understands that the Consultant has no Control over the cost or availability of labor, equipment or materials, or over market conditions or the contractor's method of pricing, and that the Consultant's estimates of probable construction bids or the negotiated cost of the Work will not vary from the Consultant's estimate of probable construction cost. The Client assumes all liability if using this Probable Construction Cost for determining project feasibility or securing project funding/financing.

Cost per Lot \$25,369.89
Cost per LF \$260.35

Board of City Commissioners

Agenda Documentation

Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

Page 8 of 12

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
FOR STREET IMPROVEMENT DISTRICT NO. 177
PROJECT # 2012-22**

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

Pursuant to the requirement of section 40-22-11 of the North Dakota Century Code, the Plans and Specifications for the improvement project in Street Improvement District No. 177 (Project # 2012-22) of said City be and the same are hereby approved, ratified and confirmed as the plans and specifications in accordance with which said improvement project will be constructed, except as modified by this Board in accordance with law, and the City Administrator shall file the same in his office, open for public inspection.

Dated this 15th day of January, 2013.

President, Board of City Commissioners

ATTEST:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

Page 9 of 12

**RESOLUTION DETERMINING SUFFICIENCY OF FORMS OF PETITION,
WAIVER AND CONSENT TO ASSESSMENT FOR STREET IMPROVEMENT
DISTRICT NO. 177**

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

1. The City having received and filed executed written forms of Petition, Waiver and Consent to Assessment executed by Leroy Mitzel, Mandan Public Schools and Edgewood Properties, LLLP, the owners of a majority of property area, for the improvement in and for Street Improvement District No. 177, Project No. 2012-22 ("the District"), and true and correct copies of said executed forms being attached hereto, it is hereby determined that said forms are signed by the owners of a majority of the area of property included within the District.

2. This Board is authorized to cause the improvement in and for the District to be made, and to levy and collect assessments therefore.

Dated this 15th day of January, 2013

President, Board of City Commissioners

ATTEST:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

Page 10 of 12

PETITION FOR PERMANENT STREET, SIGNAGE & LIGHTING IMPROVEMENTS

Date: August 14, 2012

To the Honorable Board of City Commissioners
Mandan, North Dakota

Commissioners:

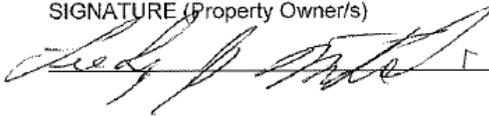
The undersigned owners of the property liable to be assessed for the improvement respectfully petition your Honorable Board to have permanent streets, signs and street lighting improvements completed on the following City right-of-ways (see attached maps):

(Serving Meadows 6th Addition – as generally shown on the attached exhibit)

34th Avenue NW
48th Street NE

SIGNATURE (Property Owner/s)

PROPERTY DESCRIPTION



Lots 1, Block 1; Lots 1, Block 2

Lots 1-7, Block 3; Lot 1-6 Block4

Board of City Commissioners

Agenda Documentation

Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

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FEASIBILITY AND EVALUATION OF IMPROVEMENTS FOR STREET IMPROVEMENT DISTRICT #177, PROJECT #2012-22

1.) General Nature of Project

The District has been created to allow for new street extension 34th Avenue NW and extension of 48th Street NW. Installation of new curb & gutter, asphalt street, storm sewer, street lights & chip seal will take place with this project.

2.) Location of Proposed Construction

The proposed construction will take place on 34th Avenue NW north of its current terminus and on 48th Street NW east of its current terminus.

3.) Environmental Impact

It is anticipated that there will be some dirt, noise and pollutants during the construction period as a result of the use of the necessary equipment. There will also be some surplus or waste construction materials that will need to be disposed of by the contractor at his or her expense. The contractors will be responsible for leaving the area in an attractive and neat condition. Sensitivity to contaminants from construction will be addressed with the contractor of the job as part of the storm water management permitting procedures.

4.) Feasibility of Project

In the opinion of the undersigned this project is feasible and needed throughout the indicated area as new development spreads in this area.

5.) Estimates of Costs

Attached is a map showing the area and district boundary. The construction costs are estimated at \$297,303.44. Other costs of making the improvement including necessary and reasonable change orders; engineering, fiscal agents' and attorneys' fees; publication of legal notices printing of warrants; and all expenses incurred in the making of the improvement and levy of assessments therefore are estimated at \$83,244.96. The total cost for the improvement is estimated at \$380,548.40.

Dated this 11th day of January, 2013.


DAVID J. THOMPSON, P.E.
REGISTERED PROFESSIONAL ENGINEER
No. 2671
NORTH DAKOTA

Board of City Commissioners

Agenda Documentation

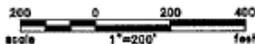
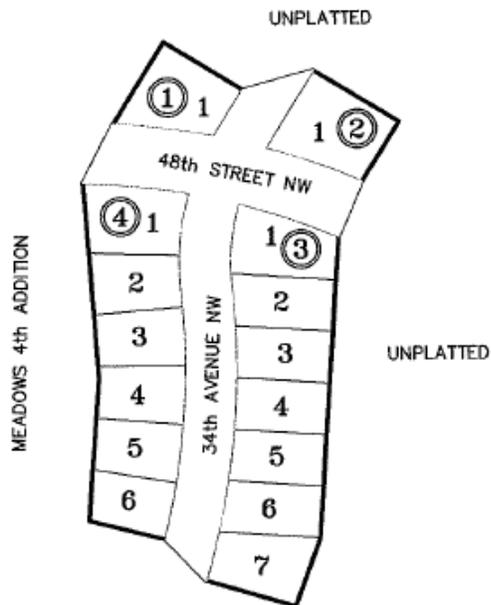
Meeting Date: September 18, 2012

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve the sufficiency of petition, feasibility report for Street Improvement District No. 177, Project No. 2012-22 (Meadows Sixth Addition).

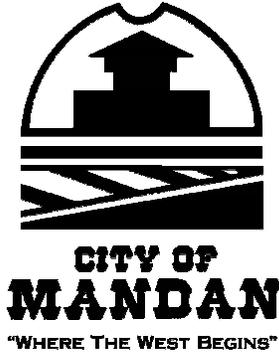
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SPECIAL ASSESSMENT DISTRICT MEADOWS 6TH ADDITION CITY OF MANDAN STREET IMPROVEMENT EXHIBIT

BENEFITTING PROPERTIES:
BLOCKS 1-4 OF MEADOWS 6TH ADDITION



**Kadrmas
Lee &
Jackson**
Engineers Surveyors
Planners



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 15, 2013
PREPARATION DATE: January 11, 2013
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Public Communications

STATEMENT/PURPOSE: To consider adding a “Public Communications” portion on the each City Commission agenda.

BACKGROUND/ALTERNATIVES: There are instances where members of the public are in the audience and unsure when and how they may communicate with the Board. Having a section of the agenda designated for public communications may help alleviate that issue. The Mandan Public Schools Board of Education allows for “Public Communication” at the beginning of each meeting, along with a statement printed on each agenda public communication. In discussions with their Superintendent, this has worked very well.

I would suggest the initial portion of the City Commission Agenda look as follows:

- A. Roll Call:
- B. Approval of Agenda:
- C. Public Communications:
- D. Minutes:
- E. Public Hearing:
- F. Bids:
- G. Consent Agenda:
- H. Old Business:
- I. New Business:
- J. Resolutions and Ordinances:
- K. Other Business:
- L. Future Meeting Dates for Board of City Commissioners:
- M. Adjourn:

Two other items I would suggest the Board consider would be adding a statement on the printed agenda similar language to that utilized by the School Board regarding public

communication, and the adoption of a policy regarding public communication that we would add to our website. A sample of both are attached for your consideration.

This would not include comments when the Commission is required to have a “Public Hearing”.

ATTACHMENTS: Public Communication statement
Mandan Public School Board, Public Communication Policy

FISCAL IMPACT: n/a

STAFF IMPACT: n/a

LEGAL REVIEW: City Attorney Brown has reviewed.

RECOMMENDATION: I recommend the City Commission add a public communication section to each commission meeting agenda, include a public communication statement on each printed agenda and develop a public communication policy.

SUGGESTED MOTION: I move the City Commission add a public communication section to each commission meeting agenda, include a public communication statement on each printed agenda and develop a public communication policy.

Public Communication

A scheduled time for public participation has been placed on the agenda at MPS Board of Education general meetings. The Board desires to hear the viewpoints of citizens throughout the district. Individuals wishing to address the Board are requested to make arrangements with the Board President or the Superintendent prior to the meeting. Comments should be made to the Board and not to individuals in the audience and be related to school operations and programs. The Board will not hear personal complaints against any person connected with the school district. Comments must address topics that are on the agenda. If a citizen would like to add a topic to the school board agenda, arrangements must be made in advance with the Superintendent or School Board President. The Board reserves the right to eliminate or restrict the time allowed for public participation. The Board requests that comments are limited to five (5) minutes or less. Groups of individuals addressing a common concern are asked to designate a spokesperson.

Policy

Public Participation at Board Meetings:

Meetings of the Board are conducted for the purpose of carrying on the business of the schools, and therefore are not public meetings but meetings held in public. Although there is no legal requirement that the public be given an opportunity to speak at board meetings, it will be the policy of this board to afford that opportunity in accordance with the following procedures:

Public Participation

Only items on the published board agenda will be discussed at any meeting of the Board, unless the Superintendent or a board member requests an addition to the agenda of a regular meeting and the board members present approve in accordance with board policy. Members of the public who wish to make formal presentations before the Board shall make request in advance in accordance with the board's agenda setting policy.

The Board may allot a time for public comment on the agenda items. When the Board agrees to do this, no individual may speak more than once. When public comment has been permitted, the speaker should:

1. Stand during the appropriate period and be recognized by the President.
2. State name, address and identify which agenda item they are speaking to for the minutes.
3. Limit comments to no more than five minutes.

Groups will be urged to designate a spokesperson. When there is a large number of speakers to be heard or if pressure of business or other circumstances dictate, the Chairman may decide to shorten the length of time allowed each speaker and/or limit the total time to be devoted to public comment.

Complaints

The Board has adopted policies governing patron complaints. The public is required to seek redress through these policies. The public will be prevented from commenting on a topic if it is:

1. Governed by a district complaint policy and the complainant has not followed the procedure contained in policy and/or the policy prohibits the public from bringing the complaint before the Board.
2. Concerns a topic that is prohibited by law from disclosure to the public (e.g., student's educational record).

Conduct and Remarks Out of Order

Undue interruption or other interference with the orderly conduct of board business cannot be allowed. Defamatory or abusive remarks are always out of order. The presiding officer may terminate the speaker's privilege of address if, after being called to order, s/he persists in improper conduct or remarks.

Questions and Comments by Board and District Administrator

The Chairman or an appropriate member of the administration will answer all pertinent questions verbally or in writing at a later time. There will be no dialogue between board members and the public at board meetings except to clarify the nature of questions or comments.

Discussion of a Motion

When a motion is before the Board, discussion will be limited to board members and the Superintendent except as the Chairman requests information.

ORDINANCE NO. 1138

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

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

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

Douglas Lane SE as platted in Lakewood 1st Addition Replat of part of Lot 2, Block 1, in Section 6, Township 138N, Range 80W, in the City of Mandan, Morton County, North Dakota is hereby changed to "Verity Lane SE".

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

President, Board of City Commissioners

Attest:

City Administrator

Publication Dates:	<u>December 14th & 21st, 2012</u>
Public Hearing:	<u>January 8, 2013</u>
First Reading:	<u>January 8, 2013</u>
Second Reading:	<u>January 15, 2013</u>
Publication Date:	<u>February 15, 2013</u>
Recording Date:	_____

ORDINANCE NO. 1139

AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF ORDINANCE 1088 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, Morton County, North Dakota shall be excluded from the MB (Heavy Industrial/Heavy Commercial) and shall be included in the MA (Light Non-Nuisance Industrial/Heavy Commercial) zoning namely,

All of Riverwood Commercial Park 3rd Addition and Lot 3, Block 2, of Riverwood Commercial Park 1st Addition of Section 21, Township 139N, Range 81W, City of Mandan, Morton County, North Dakota

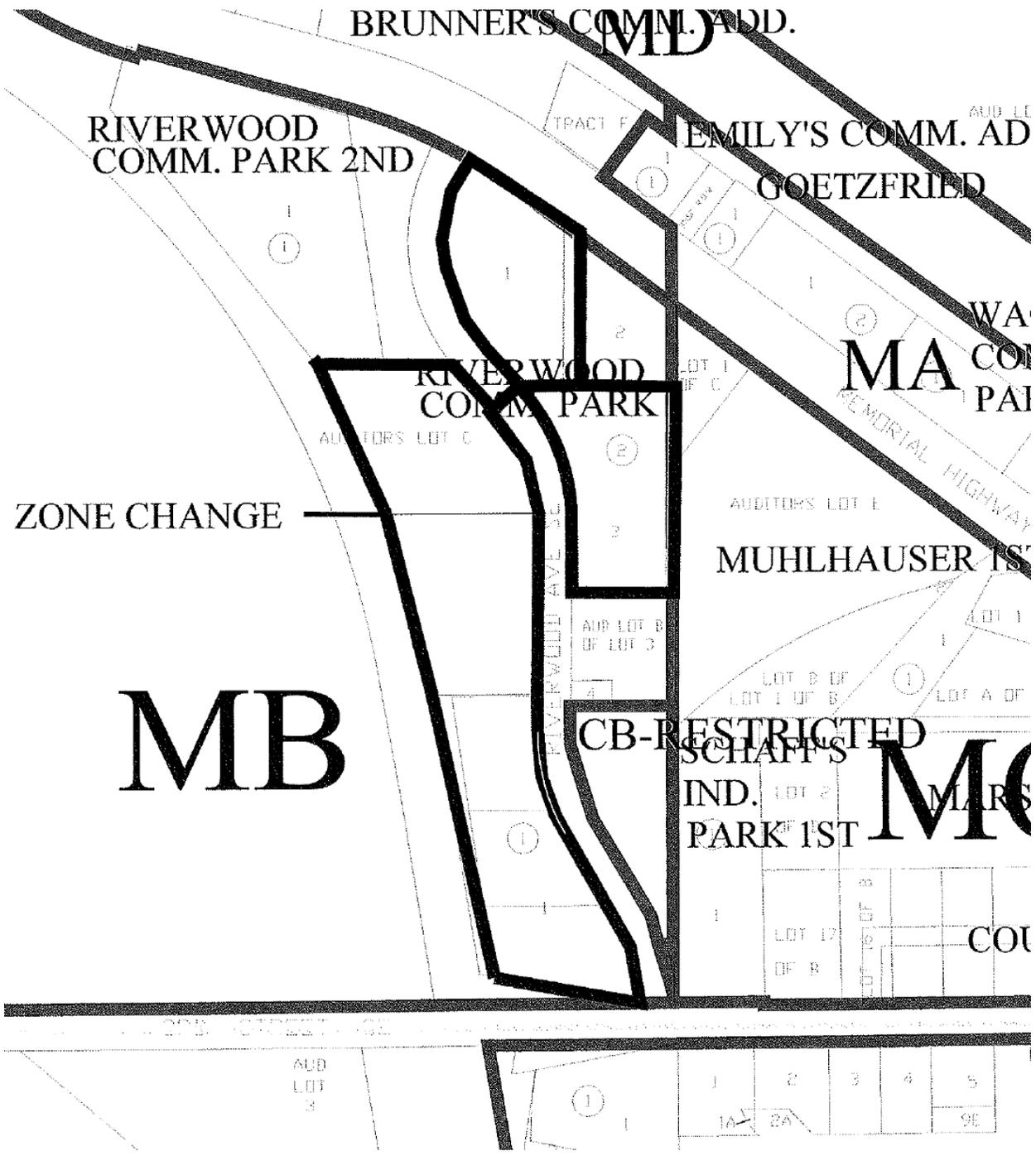
and as so amended said section is hereby reenacted. The city administrator is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

President, Board of City Commissioners

Attest:

City Administrator

Public Hearing:	<u>December 19, 2012</u>
First Consideration:	<u>January 8, 2013</u>
Second Consideration and Final Reading:	<u>January 15, 2013</u>
Publication Date:	<u>February 15, 2013</u>
Recording Date:	_____



BRUNNER'S COMM. ADD.

RIVERWOOD
COMM. PARK 2ND

EMILY'S COMM. AD
GOETZFRIED

RIVERWOOD
COMM. PARK

MA
MEMORIAL HIGHWAY

ZONE CHANGE

MUHLHAUSER IS

MB

CB-RESTRICTED

SCHAFF'S
IND. LOT 2
PARK 1ST
MC

228 STREET

AUD
LOT
3

LOT 12
OF B

COU

1	2	3	4	5
1A	2A			9E

ORDINANCE NO. 1141

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, Morton County, North Dakota, as follows:

WHEREAS, the City of Mandan, Morton County, 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 portion of the SW ¼ of Section 2, Township 138N, Range 81W, of the 5th Principal Meridian, City of Mandan, Morton County, North Dakota, being more particularly described as follows:

Commencing at the northwest corner of Lot 1, Block 1, Plainview Heights 12th Addition, which is the point of beginning; thence from said point of beginning along the west line of said Plainview Heights 12th Addition as follows; thence S 40°44'24" E for 209.69 feet; thence S 55° 28' 18" E for 70.46 feet; thence S 34°53'25" E for 132.56 feet; thence N 48°08'39" E for 57.43 feet to the northwest corner of Lot 7, Block 1, Plainview Heights 13th Addition and leaving west line of said Plainview Heights 12th Addition; thence along the west line of said Plainview Heights 13th Addition, S 49°19'50" E for 401.44 feet to the southwest corner of Lot 6, Block 2, Plainview Heights 13th Addition; thence S 64°58'10" W for 164.58 feet; thence S 40°40'10" W for 354.59 feet; thence S 20°43'24" W for 46.35 feet; thence N 72°49'38" W for 124.88 feet; thence N 56°13'07" W for 68.35 feet; thence N 69°54'11" W for 136.02 feet; thence N 14°21'10" W for 334.68 feet; thence N 10°35'07" E for 185.68 feet; thence N 35°30'14" E for 180.37 feet; thence N 10°56'32" E for 140.12 feet to the said point of beginning. Said tract contains 369,094 square feet or 8.473 acres more or less.

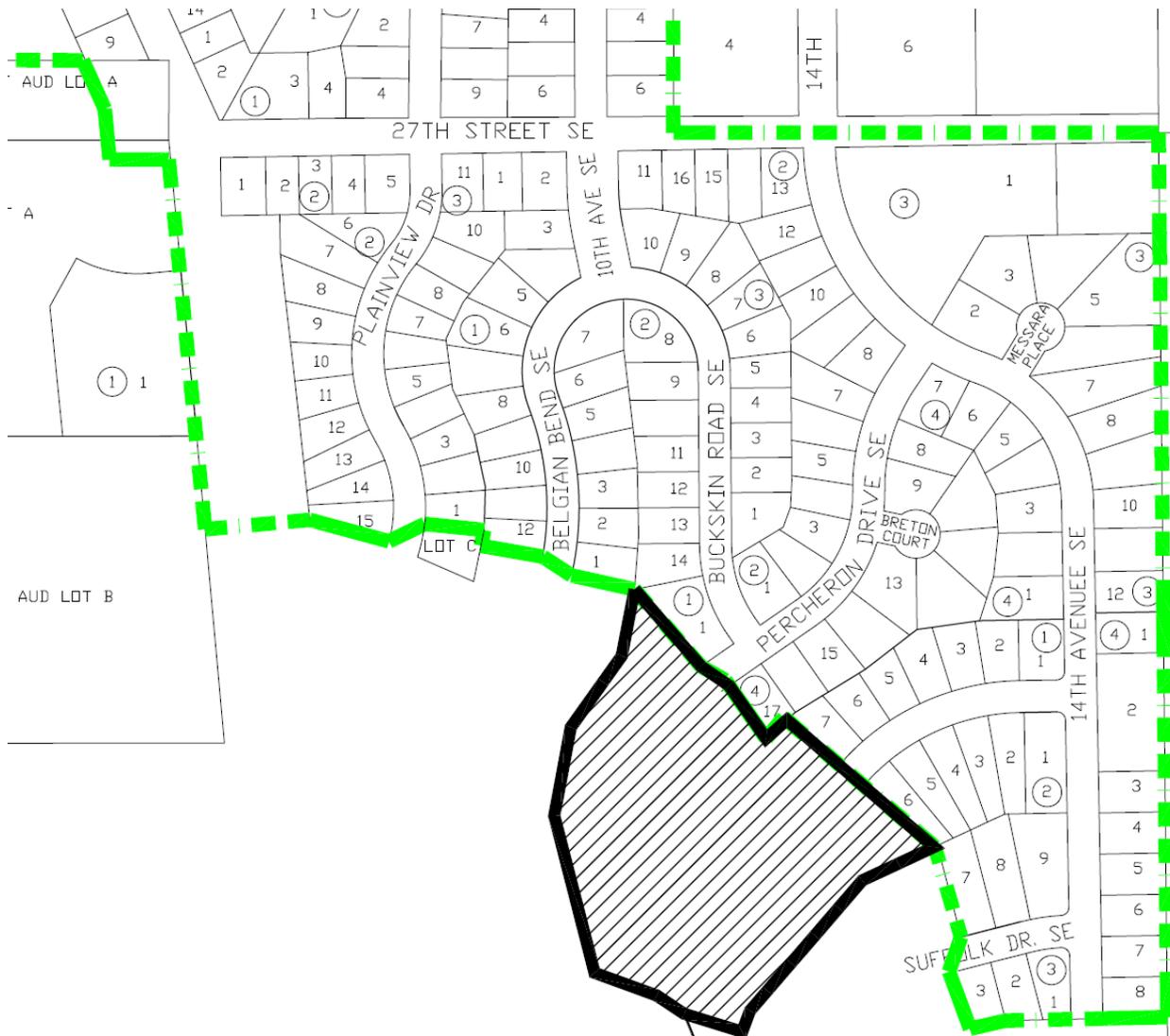
SECTION 2. Corporate Boundary Extended. Upon the taking effect of this Ordinance, the corporate limits and boundary lines of the City of Mandan shall thereafter include said lands.

By: _____
Arlyn Van Beek, President,
Board of City Commissioners

Attest:

James Neubauer, City Administrator

First Consideration: January 15, 2013
Second Consideration
and Final Passage: February 5, 2013
Date of Recording: _____



AREA TO BE ANNEXED

ORDINANCE NO. 1142

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, Morton County, North Dakota, as follows:

WHEREAS, the City of Mandan, Morton County, 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:

Government Lot 2 otherwise known as the NW ¼ of the NE ¼ and part of the SW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W of the Fifth Principal Meridian, Morton County, North Dakota that lies within the following described traverse:

Beginning at the northwest corner of Government Lot 2, thence N 88°40'26" E along the north line of Government Lot 2, a distance of 1,320.32 feet to the northeast corner of Government Lot 2; thence S 01°06'13" E along the east line of Government Lot 2, and the east line of the SW ¼ of the NE ¼, a distance of 1,303.99 feet; thence S 89°09'13" W, a distance 1,325.14 feet to the west line of the SW ¼ of the NE ¼ ; thence N 00°53'24" W along the west line of the SW ¼ of the NE ¼ and the west line of Government Lot 2, a distance of 1,292.93 feet to the point of beginning.

LESS Lot A of Government Lot 2 of Section 3, Township 138N, Range 81W of the Fifth Principal Meridian, Morton County, North Dakota, being described as follows:

Commencing at the southeast corner of said Lot 2; thence N 89°11'03" W for 818.46 feet to the point of beginning; thence from said point of N 89°11'38" W for 457.94 feet; thence N 00°06'24" E for 280.23 feet; thence S 89°58'02" E for 457.05 feet; thence S 00°03'49" E for 286.41 feet to said point of beginning, being more particularly described on plat of irregular description recorded as Doc. No. 445949.

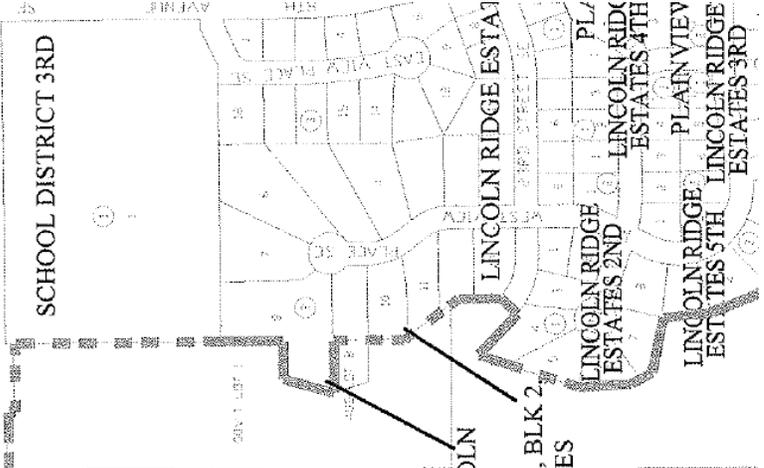
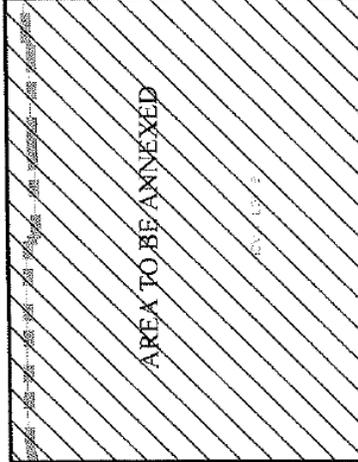
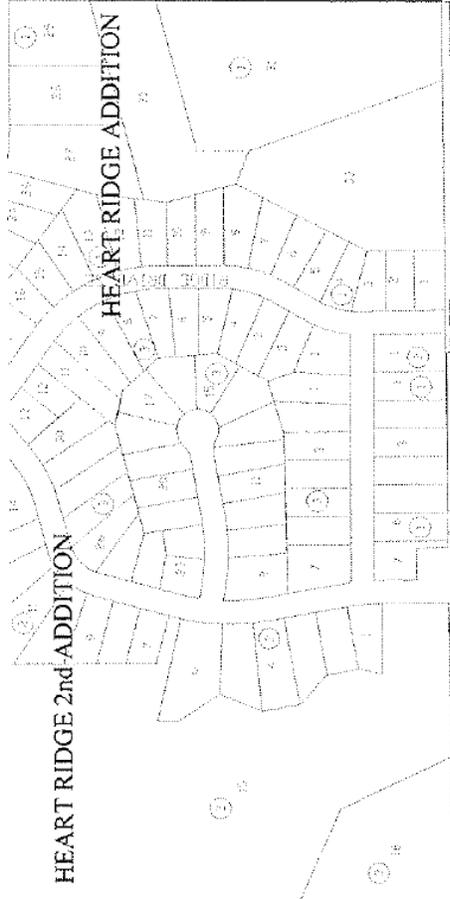
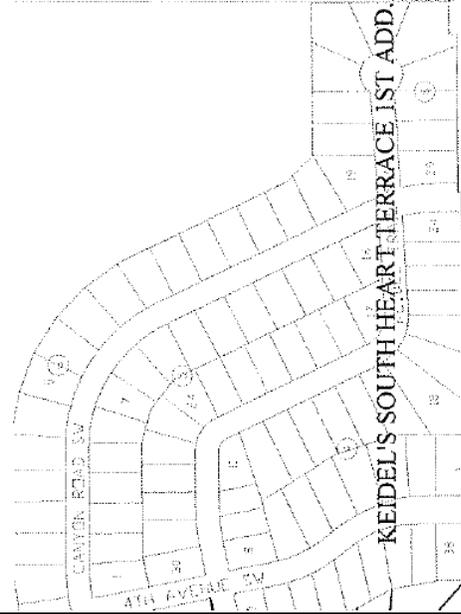
SECTION 2. Corporate Boundary Extended. Upon the taking effect of this Ordinance, the corporate limits and boundary lines of the City of Mandan shall thereafter include said lands.

By: _____
Arlyn Van Beek, President,
Board of City Commissioners

Attest:

James Neubauer, City Administrator

First Consideration: January 15, 2013
Second Consideration
and Final Passage: February 5, 2013
Date of Recording: _____



REPLAT OF LOTS 7&8, BLK 2, LINCOLN RIDGE ESTATES & AUD LOT A
 REPLAT OF LOTS 10&11, BLK 2, LINCOLN RIDGE ESTATES

ORDINANCE NO. 1140

An Ordinance to Amend and Re-enact
Section 12-02-04.1 (2) of the Mandan Code of Ordinances
Relating to Winery or Brewery License

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

Section 12-02-04.1 (2) of the Mandan Code of Ordinances is hereby amended and re-enacted to read as follows:

Section 12-02-04.1. Class WB.

(2) A Class WB license will authorize the licensee to sell, on the winery or brewery premises, wine or beer produced by that winery or brewery on the premises at on-sale or off-sale, in retail lots, and not for resale, in total quantities not in excess of 10,000 ~~gallons~~ barrels in a calendar year. In the absence of another appropriate license, sales or delivery of on-sale or off-sale wine ~~beer~~ or any other alcoholic beverage produced off the premises shall not be permitted. Licenses under this section entitle the licensee to sell beer manufactured on the premises for off-premises consumption, in brewery-sealed containers of not less than one-half gallon [1.89 liters] and not more than three gallons [11.36 liters].

By: _____
President, Board of City Commissioners

Attest:

City Administrator

First Consideration: _____
Second Consideration _____
and Final Passage: _____