



AGENDA
MANDAN CITY COMMISSION
JANUARY 17, 2012
ED "BOSH" FROEHLICH MEETING ROOM
***5:00 P.M. (SPECIAL TIME)**
www.cityofmandan.com

-
- A. ROLL CALL:
1. Roll call of all City Commissioners and Department Heads.
- B. MINUTES:
1. Consider approval of the minutes from the January 3, 2012 Board of City Commission meeting.
- C. PUBLIC HEARING:
- D. BIDS:
- 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 the designation of depositories for the City's public funds as required by NDCC 21-04.
- F. OLD BUSINESS:
1. Consider the abatement request by Mr. Wayne Papke for a reduction in property value at 1612 River Dr. NE on Lot 5, Block 1, Riverbend 1st Addition, parcel 5558.
- G. NEW BUSINESS:
1. Consider Growth Fund Committee recommendations
 - i. Retail incentive application for Brea women's clothing boutique, 906 Second Street NW
 - ii. Appointment of committee members
 2. Consider new Liquor License for Jerry Stryker at 1005 E Main Street formerly Kupper Chevrolet on Main Street.
 3. Consider approval of the project scoping worksheet and enter into a future Cost Participation and Maintenance Agreement with the NDDOT for the maintenance of Memorial Highway.
- H. RESOLUTIONS & ORDINANCES:
1. *Consider first consideration of Ordinance 1107 to amend Ordinance 1013 Relating to Downtown Core & Fringe Districts - An Ordinance to Amend Sections 21-04-17.1 and 21-04-17.2 of Ordinance 1013 of the Mandan Code of Ordinances relating to Establishment of Downtown Core and Fringe Districts.*

*Agenda
Mandan City Commission
January 17, 2012
Page 2 of 2*

I. OTHER BUSINESS:

J. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. February 7, 2012
2. February 21, 2012 – 5 p.m. start time
3. March 6, 2012

K. ADJOURN

The Mandan City Commission met in regular session at 5:00 p.m. on January 3, 2012 in the Ed “Bosh” Froehlich Room at City Hall. Commissioners present were Helbling, Tibke, Rohr, Frank, and Jackson. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, and Engineering Project Manager Bechtel. Absent: City Assessor Barta.

MINUTES: *Consider approval of the minutes for December 20, 2011, regular meeting.* Commissioner Jackson moved to approve the minutes of December 20, 2011. Commissioner Frank seconded the motion. The motion received unanimous approval of the members present. The motion passed.

PUBLIC HEARING:

BIDS:

CONSENT AGENDA:

1. *Consider re-appointments to Renaissance Zone Committee.* The Board approved of the re-appointments to Renaissance Zone Committee.
2. *Consider approval of the final plat of Ramblewood 12th Addition.* The Board approved of the final plat of Ramblewood 12th Addition.
3. *Consider approval of abatement for City Owned Properties.* The Board approved of the abatement for City Owned Properties.

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

OLD BUSINESS:

NEW BUSINESS:

1. *Consider agreement with Community Works ND for redevelopment of former junior high school property.* Business Development and Communications Director Huber reviewed with the Board the consideration for consenting to a Letter of Understanding (LOU) between the Mandan Public School District, Metro Plains and CommunityWorks North Dakota. The School District and the City of Mandan entered into a Joint Powers Agreement dated March 2, 2010, to provide for the development and renewal of real property owned by the School District, pursuant to North Dakota Century Code Chapter 40-58 and the Urban Renewal Plan of Mandan, North Dakota, dated August 1984, as amended. It is the purpose of this LOU to begin the development and renewal process of the real property now owned by the School District. The LOU establishes expectations for the redevelopment of the former junior high school, establishing June 30, 2012, as the deadline for securing written commitments for financing. Mr. Rob Knoll with CommunityWorks North Dakota was present to answer any questions regarding the project. The agreement has been reviewed by City Attorney

Brown and it is recommended for approval by the City of Mandan. This agreement represents a timeline for moving forward with the purchase and closure of the property.

Commissioner Frank motioned to approve consent by the City of Mandan to the Letter of Understanding between Mandan Public School District, Metro Plains and CommunityWorks North Dakota. Commissioner Jackson seconded the motion.

Commissioner Jackson asked Business Development and Communications Director Huber, for clarification, that there were no other inquiries into the property besides this one to the committee that originally made the recommendation. Huber replied that that was correct.

Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Yes. The motion passed.

2. *Consider letter of support to N.D. Housing Finance Agency for junior high redevelopment project.* Business Development and Communications Director Huber indicated that this matter is closely related to New Business No. 1 previously discussed. Huber stated that this is a request to consider a letter of support for a CommunityWorks North Dakota application to the ND Housing Finance Agency for tax credits for affordable housing regarding the former junior high school property. Pursuant to the provisions for the Housing Incentive Fund established by the 2011 legislature to assist communities across North Dakota to help build affordable housing. Application requirements include site control and financial projections and capital needs assessments. Huber recommended that the City Commission approve the letter of support for CommunityWorks North Dakota in its application for this funding.

Commissioner Jackson moved to approve the letter of support for CommunityWorks North Dakota application for the Housing Incentive Fund. Commissioner Frank seconded the motion.

Commissioner Frank asked Rob Knoll of CommunityWorks North Dakota, if he was aware of any availability to participate for Mandan residents through this program for affordable housing. Business Development and Communications Director Huber replied that Mr. Knoll explained that it is a slightly different program through the ND Housing & Finance Agency than the Housing Incentive Fund. Rob Knoll clarified that this is an application for the Federal Low Income Housing Tax Credit Program that is being submitted, not the Housing Incentive Fund. He stated they may submit an application to the Housing Incentive Fund in the future indicating that he is conducting further research into that program. He replied that this program is for North Dakota residents to invest in properties in certain communities in the state for housing. He commented that there have been some major corporations who have contributed to this program in order to get it off the ground and that the ND legislature also has set aside a fund for this new program.

Knoll explained that the Low Income Housing Tax Credit Program goes back to the President Reagan years when many of the HUD programs went away and encouraged private investors to invest in affordable housing. In summary, it is a program designed for investors to invest in these properties and in return they receive a tax credit incentive wherein it brings outside investors into the City of Mandan.

Commissioner Jackson moved to amend the motion for approval of the letter of support for CommunityWorks North Dakota's application for the Low Income Housing Tax Credit Program. Commissioner Frank seconded the motion. The motion received unanimous approval of the members present.

Mayor Helbling directed attention back to the original motion for a vote regarding the letter of support that was made by Commissioner Jackson, seconded by Commissioner Frank. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Yes. The motion passed.

3. *Consider a request for proposal for development of city-owned parcels in NW Mandan.* Business Development and Communications Director Huber presented a request for consideration for making city-owned parcels located in northwest Mandan available to the public for development via a request for proposals. The first property is located at 1403 27th Street Northwest and contains 3.10 acres and the second property is City Parcel #2698AA and contains 18.22 acres. Huber stated that the rationale for offering these proposals is that it is on a site that could bring retail and restaurant business to the City and that it would offer employment to area residents.

Huber provided an RFP that outlined criteria for evaluation of the proposals including the proposed purchase price, intended uses, immediacy of development schedule, amount of investment, developer experience and relationship with potential retail, restaurant and hospitality users. Huber recommended that the proposals be due on February 17, 2012. Huber noted that the larger parcel has approximately \$430,000 in special assessments due on it. The RFP has been reviewed by City Attorney Brown.

Commissioner Jackson commented that the RFP allows the City Commission to reject any and all proposals. Huber replied that is correct. She stated that there are a number of factors in favor of selling the properties now including inquiries from national companies. Commissioner Jackson asked if she would explain again about the process for sending RFP's out. Huber clarified that the process includes public notices in the newspaper; providing a regional press release; providing details on the City of Mandan website; and advertising in the commercial property sections. Huber mentioned that she is finalizing the Mandan Messenger newsletter that goes in the monthly utility billing statements. She is also planning on doing a mailing to entities such as contractors and also to those investors who might have potentially interested parties. The Bismarck-Mandan Development Association, (BMDA), will be contacted for assistance as well as the national recruiting firm that the City has been working with over the last several months.

Mayor Helbling commented that with regard to the larger parcel of land, there has been contact with the School District on behalf of the middle school. However, they indicated it wasn't what they were looking for.

Commissioner Frank mentioned she has discussed this matter previously with Huber and stated that she is comfortable moving ahead with this matter. Commissioner Frank asked whether there will be any need to review zone changes. She also commented that currently there are no land valuations; however that information will be attached to the parcels.

Commissioner Frank motioned to approve the request for proposal for development of city-owned parcels in NW Mandan. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Yes. The motion passed.

4. *Consider letter of support to ND Housing Finance Agency for Summit Housing Group.* City Administrator Neubauer presented a request for a letter of support for the Summit Housing Group application to the ND Housing Finance Agency for low income housing tax credits for the development of housing in the Shoal Loop area. Harlan Wells from Summit Housing Group was present to answer questions on this project. Mr. Wells stated that the funding comes from out of state investors and the project cost is about \$8.5 million with \$5.7 million from outside investors. He mentioned that a request will be forthcoming for the 2-5 year tax abatement from the City. The current request is for a letter of support from the City for this project. He indicated that they do not sell to not-for-profits. He stated that it will be a mix of 1's, 2's and 3's, not just 2's and 3's; and they are not sure if it will be 2 or 3 stories, depending on the final construction costs. There will be a 4-income bracketing 30%, 40%, 50%, and 60%. It is anticipated that the lowest priced units will be as low as \$323 for a 1-bedroom and up to \$428 for a 3-bedroom, after what's called a "utility allowance". The rents will go as high in the 60% units as \$725 - \$985 after utility allowances, but there's a big spread in between. Each of the units will have a carport attached to it. Wells indicated this is not a final approval but rather a request for a letter of support stating that all the details will have to be worked out before the project is finalized.

Commissioner Jackson moved to approve the letter of support for the Low Income Housing Tax Credit Program for Summit Housing Group. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes; Commissioner Jackson: Yes. The motion passed.

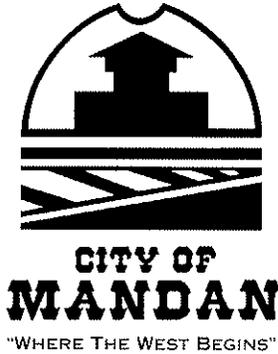
RESOLUTIONS & ORDINANCES:

OTHER BUSINESS:

There being no further actions to come before the Board of City Commissioners, Commissioner Frank moved to adjourn the meeting at 5:23 p.m. Commissioner Tibke seconded the motion. The motion received unanimous approval of the members present.

James Neubauer,
City Administrator

Timothy A. Helbling,
President, Board of City
Commissioners



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 17, 2012
PREPARATION DATE: January 11, 2012
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 : 12/30/2011
Account : 1390030007

ACCOUNT DETAIL

Investment : Repurchase Agreement

From Date : 12/30/2011
To Date : 01/03/2012

Rate : .05000000 %
Principal : \$ 713,073.93
Interest : \$ 3.96

REPURCHASE AGREEMENT DETAIL

Collateralized By : \$ 757,192.00
FH-30 : 1B8614
% Due : 2.68 %
Maturity Date : 09/01/2041
CUSIP : 3128UG6A0
Sequence : 123011
Price : 103.367482
Accrued Interest : \$ 1,691.06

INVESTMENTS NOT FDIC INSURED



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:	01/04/12
RE:	Pledge Report		

• The following is the pledge report for December 2011. *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 or Mary Erman, Chief Operating Officer at 667-1670.

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.

Pledges By Pledgee And Maturity



Pledged To: City of Mandan

Starion Financial - Mandan, ND

As Of 12/31/2011

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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	397370VB2	GRANITE FALLS MINN		2.00	N/A N/A	400,000.00 100.00%	400,000.00	400,000.00	400,000.00	400,272.00
WELL: Wells Fargo	0806356D2	BELOIT WIS-XLCA INSD		3.75	N/A A+	250,000.00 100.00%	250,000.00	250,000.00	250,436.85	252,230.00
WELL: Wells Fargo	372082FG7	GENEVA ILL PK DIST-AMBA		3.40	N/A AA+	350,000.00 100.00%	350,000.00	350,000.00	350,000.00	359,100.00
WELL: Wells Fargo	431389AY1	HILL CITY SD SCH DIST-AGI		3.70	Aa3 N/A	230,000.00 100.00%	230,000.00	230,000.00	230,000.00	236,568.80
WELL: Wells Fargo	087787JX6	BEULAH ND		1.00	N/A N/A	285,000.00 100.00%	285,000.00	285,000.00	285,000.00	283,865.70
WELL: Wells Fargo	97072NAJ7	WILLISTON ND SALES TAX I		3.00	A2 N/A	155,000.00 100.00%	155,000.00	155,000.00	156,222.62	164,856.45
WELL: Wells Fargo	091933CY6	BISMARCK ND PK DIST		2.90	N/A N/A	195,000.00 100.00%	195,000.00	195,000.00	195,000.00	203,254.35
WELL: Wells Fargo	841344HY3	SOUTHEAST CASS WTR RE		3.20	Aa2 N/A	245,000.00 100.00%	245,000.00	245,000.00	245,000.00	251,891.85
WELL: Wells Fargo	596782RJ3	MIDDLETON WIS		3.00	Aa1 N/A	250,000.00 100.00%	250,000.00	250,000.00	261,546.85	276,012.50
WELL: Wells Fargo	924478BS8	VERNON COUNTY WIS-NAT		4.20	A1 N/A	250,000.00 100.00%	250,000.00	250,000.00	260,029.53	265,290.00
WELL: Wells Fargo	31377PLA0	MBS FNMA-382921		382921 7.24		1,421,500.00 100.00%	1,421,500.00	1,229,303.87	1,307,143.87	1,456,417.76
WELL: Wells Fargo	091933DK4	BISMARCK ND PK DIST		3.00	N/A N/A	280,000.00 100.00%	280,000.00	280,000.00	280,000.00	285,160.40
WELL: Wells Fargo	31417YQM2	MBS FNMA 10-YR		MA0459 4.00		1,000,000.00 100.00%	1,000,000.00	681,736.13	716,466.40	722,763.01

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

1/3/2012 7:57 AM - JHK/BISj#

Pledges By Pledgee And Maturity



Pledged To: City of Mandan

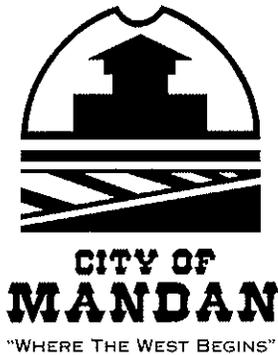
Starion Financial - Mandan, ND

As Of 12/31/2011

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Receipt# Safekeeping Location	CUSIP	Description Maturity	Preferund	Pool/Type Coupon	Moody S&P	Original Face Pledged Percent	Pledged			
							Original Face	Par	Book Value	Market Value
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	252,820.05
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	164,243.54	181,665.00
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	170,417.60
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	414,880.00
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	236,552.97	257,192.90
WELL: Wells Fargo	31398VL87	FHR 3656 EA 05/15/24		EXCH 4.00		1,000,000.00 100.00%	1,000,000.00	567,356.74	585,141.42	592,178.60
WELL: Wells Fargo	31417VPZ0	MBS FNMA 15-Yr AC8539 12/01/24		AC8539 4.00	N/A N/A	1,300,000.00 100.00%	1,300,000.00	752,967.68	778,217.90	794,862.80
WELL: Wells Fargo	31294MBC4	MBS FHLMC Gold 15 Yr 10/01/25		E02735 3.50		1,000,000.00 100.00%	1,000,000.00	740,577.57	769,647.57	772,711.23
WELL: Wells Fargo	31410FYY5	MBS FNMA Conv 11/01/25		888227 5.00		1,700,000.00 100.00%	1,700,000.00	597,041.51	638,911.54	645,921.30
WELL: Wells Fargo	3138ASS78	MBS FNMA 15-Yr 09/01/26		AJ1441 3.50		1,000,000.00 100.00%	1,000,000.00	973,602.98	1,011,921.03	1,019,703.08
23 Securities Pledged To: 170 - City of Mandan							12,501,500.00	9,622,586.48	9,916,481.89	10,260,035.38

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1/3/2012 7:57 AM - JHK / BISM



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 17, 2012
PREPARATION DATE: January 11, 2012
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch
SUBJECT: Designation of depositories for the City's public funds.

PURPOSE

The City of Mandan is required in January of each even-number year to designate depositories and receive proposals for deposit of public funds.

BACKGROUND

The City has the option to include additional depositories contingent upon prior approval by the Board of City Commissioners.

ATTACHMENTS

None

FISCAL IMPACT

None

STAFF IMPACT

None

LEGAL REVIEW

In accordance with the provisions of NDCC 21-04.

RECOMMENDATION

To designate the following as depositories for the City's public funds:

- Wells Fargo Bank
- Starion Financial

Board of City Commissioners

Agenda Documentation

Meeting Date: January 17, 2012

Subject: Designation of depositories for the City's public funds.

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SUGGESTED MOTION

Move to approve the following as depositories for the City's public funds:

- Wells Fargo Bank
- Starion Financial



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 17, 2012
PREPARATION DATE: January 12, 2012
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Wayne Papke Abatement

STATEMENT/PURPOSE: The Board of City Commissioners receives requests for abatements and in turn makes a recommendation which is then subject consideration by the Morton County Commission.

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

Mr. Papke is requesting the 2011 true and full value of his residence be lowered from \$277,600 to \$252,659 due to flood damage. According to Mr. Papke, the cost to cure (repair) is \$24,941 and this is how he arrived at this amount

I have run a market analysis which has compared home sales of similar to that of Mr. Papke and find the following:

According to a more current Market Analysis report, the value showed a slight increase.

ATTACHMENTS: Data Sheet and Market Analysis report.

FISCAL IMPACT: Approximately \$459.00.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to deny the request by Mr. Papke to lower the 2011 true and full value from \$277,600 to \$252,659 due to flood damage. This recommendation is due to the fact that the cost to cure does not equal the amount of reduction.

SUGGESTED MOTION: A motion to deny the request by Mr. Papke to lower the 2011 true and full value from \$277,600 to \$252,659 and to retain the current value of \$277,600.

1/06/12 AS1057	Mandan Assessing Dept Property Data Sheet	Page 1
PAPKE WAYNE 1612 RIVER DR NE MANDAN ND 58554		City Parcel No. 05558 County No. 65-004288000 Assessment Year 2011
Property Address: 1612 RIVER DR NE		
Legal Description		
Lot 0005 Block 001 Addition 0037 RIVERBEND 1ST		Property Type: RESIDENTIAL
=====		
Total Property - Land		
Area Factor	130 > \$300,000-WATER AREAS	Interior Walls Sheetrock
Zoning	R7	Interior Finish Painted
Lot Width	94 Ft	Fireplace 1 Fireplace
Lot Depth	239 Ft	Quality: Average
Lot Sq Ft	23708 SqFt	Floors Plywood
Irregular Shape	No	Floor Covering Carpet
Alley		Apartment None
Corner		-----
Utilities		Garage
Underground Util		Attached 3 Stall with 975 SqFt
Street	Hard Surface	Quality Fair
Sidewalk	Yes	-----
Location	Water Frontage	Additional Data
Flood Plain Degree		Electronics No
Acres	.54	Home Theater No
Lot Sale Price	30000	Smart Home No
Lot Sale Date	11/16/1984	Swimming Pool No
		Sump Pump No

Building Data		Additional Area
Year Built	1994	Deck 524 SqFt
Effective Year	1994	-----
Basement Walls	Poured Concrete	Other Area
Condition	Average/Good	-----
Quality	Average/Good	Listing Date
Construction Type	2x6 Construction	Listing Price 0
Stories	Two Story	Review Date 08/15/2011 RLB
Roof Cover	Asphalt/Compound	Final App. Date 10/26/2009 RLB
Roof Type	Gable	
Heating Fuel	Gas	2011 Mrkt Value 277600 Land 77700
Heating Type	High Efficiency	Bldg 199900
Air Conditioning	Central	
Flr Rooms/Tot	Bed Bath	2010 Mrkt Value 266400 Land 75000
02 2 2	1.00 1200 SqFt	Bldg 191400
01 3 0	1.00 1032 SqFt	
BF 0 0	.00 1032/100 SqFt	2011 Est Tax Amount 5039.02
Quality	Fair	
Tot Finished Area	2332 SqFt	Selling Price Includes Special Assessments
Exterior Walls	Metal Siding	Current Sale Price 0
Basement	Full	Current Sale Date
Dining Room Area	Formal	
Kitchen Cabinets	Custom Hardwood	Previous Sale Price 0
Built-Ins	Yes	Previous Sale Date



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 17, 2012
PREPARATION DATE: January 10, 2012
SUBMITTING DEPARTMENT: Business Development & Communications Department
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Ellen Huber, Business Development & Communications Director
SUBJECT: Growth Fund Committee recommendation on retail incentive for Brea

STATEMENT/PURPOSE: To consider a Growth Fund Committee recommendation regarding A Retail and Restaurant Incentive Program stipend for Brea at 906 Second Street NW.

BACKGROUND/ALTERNATIVES: The Mandan Growth Fund Committee met Jan. 5, 2012. Among agenda items was an application from Eve Kostecky for a retail incentive of \$5 per square foot. Kostecky plans to open a women’s clothing boutique in 1,650 square feet of a building that she and her husband recently purchased. They plan to utilize the majority of space in the building for their personal residence.

The estimated store opening is March 2012. Business hours initially will be Thursdays from 10 to 7 p.m. and Saturdays from 10 to 3 p.m. with opportunities for private parties or appointments. The business will have two part-time employees, Kostecky, and the owner of Baby Mod Boutique, who will work the store in return for store space. As a start-up business, Kostecky worked with the Small Business Development Center on financial projections.

Use of public incentives is among criteria considered by the MGF Committee. Kostecky is not planning to seek any other incentives. The building is no longer eligible for the Storefront Improvement Program as it previously received funding as Stepping Stones Children’s Academy. Other than a business sign, those exterior improvements remain. The building is located outside of the Renaissance Zone and the applicant is self-financing the start-up of the new business.

The rating system for the Retail and Restaurant Incentive Program has 13 different criteria. The average rating by the six MGF members present at the meeting was a 3.50

on a scale of 1 to 5 with 5 being the highest. This score warrants an incentive at three-fourths of the maximum \$5-per-square-foot-rate, equal to \$3.75 psf.

ATTACHMENTS: Abbreviated version of application. Full application available upon request.

FISCAL IMPACT: The recommended \$6,187.50 would be set aside for payment in 12 equal installments following each month of operations. It comes from the Growth Fund (generated by sales tax), specifically the \$40,000 budgeted for the Retail and Restaurant Incentive Program in 2012.

STAFF IMPACT: Some monitoring and reporting is necessary.

LEGAL REVIEW: The building has an automatic door installed for the area to be used as the retail store.

RECOMMENDATION: The Mandan Growth Fund Committee unanimously voted to recommend an incentive of \$3.75 per square foot totaling \$6,187.50 in assistance over the first 12 months of operation.

SUGGESTED MOTION: I move to approve \$6,187.50 as an incentive for Brea women's clothing boutique, payable in 12 equal monthly installments following each month of operations.



CITY OF
MANDAN
"WHERE THE WEST BEGINS"

Retail & Restaurant Incentive Program APPLICATION & CHECKLIST

Business Name Brea

Address of Proposed Downtown Business 906 2ND ST. NW

Applicant's Mailing Address 906 2ND ST. NW City MANDAN State ND Zip 58554

Applicant's Phone 701-426-6170 Email eve.kostecky@eyesonparkway.com

Use: (Circle)

Retail Square Feet 1,650 Restaurant Square Feet _____

AMOUNT OF ASSISTANCE REQUESTED PER SQUARE FOOT \$ 5 (\$ 8,250 TOTAL)

Approximate cost to open the business: \$ 51,200

Personal Investment \$ 13,800 (Equity)

Bank or other financial commitment \$ 37,400 Other: _____

Building Acquisition or Construction Cost \$ 37,400

Building Rehabilitation \$ 3,300 Lease Term _____

Monthly Rent/Lease Per Square Foot \$ _____ Landlord Match _____

Proposed Opening Date of the Business MARCH 1ST 2012

Description of the Business Including Products and Services Being Offered WOMEN'S

APPAREL, ACCESSORIES + SHOES -

Number of New Jobs 1 Expected daily traffic 20 Estimated Opening Date MARCH 1 2012

Weekly hours of operation 13(+) - DEPENDING ON PRIVATE PARTIES/ADPTS.

Certification and Authorization

I / We certify that all information set forth in this application is a true representation of the facts pertaining to the proposed business for the purpose of obtaining funding under the City of Mandan Retail & Restaurant Incentive Program. I / We understand and acknowledge that any willful misrepresentation of the information contained in this application could result in disqualification from the program, requiring any funds already disbursed to be repaid in full to the City of Mandan.

The undersigned specifically authorizes the City of Mandan Business Development Office or its representatives to conduct a background check on the applicant, including the checking of references and the verification of any information on the application.

I understand that personal and/or business information may be requested pursuant to this applicant for an incentive and I hereby give my consent for such information to be provided to the City of Mandan Business Development Office, the Mandan Growth Fund Committee or its representatives. I also understand that the Mandan Growth Fund Committee and the Mandan City Commission retain the decision as to whether this incentive application is approved, disapproved, or modified. It is my right to accept or decline the incentive amount and terms approved by the program.

The applicant further certifies that he/she has read and understands the City of Mandan Retail & Restaurant Incentive Program Guidelines. If a determination is made by City of Mandan staff that program funds have not been used for eligible program activities, the Applicant agrees that the proceeds shall be returned, in full, to the City of Mandan and acknowledges that, with respect to such proceeds so returned, he/she shall have no further interest, right, or claim. It is understood that all funding commitments are contingent upon the availability of program funds.

Release of information

The applicant hereby authorizes any third party to release to the City of Mandan Business Development Office without limit, any and all financial information regarding the applicant that is requested by the City of Mandan Business Development Office, its representatives or employees. Further, the applicant hereby authorizes release of said records and information by the City of Mandan Business Development Office to a third party, as deemed necessary by the City of Mandan Business Development Office, its representatives or employees.

All owners, officers or partners must sign this application.

Signatures:

Applicant/Business Owner:  Date: 12/28/11

(if different from applicant)

Property Owner:  Date: 12/28/11

Submit application form and all supporting documents to:

City of Mandan
Business Development Office
205 Second Avenue NW
Mandan, ND 58554

For more information, call City of Mandan Business Development Office; phone 701-667-3485.

Business Plan

Brea
906 2nd St. NW
Mandan, ND 58554
Telephone: 667-2762 (Brea)

Owners: Dave Albrecht
Eve Kostelecky-Albrecht

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2. General Business Description
3. Products
4. Marketing Plan
5. Operational Plan
6. Financial Plan

Proposal for 906 2nd St. NW, Mandan:

Our intent when we purchased the building was to create our personal residence on the east side of the building and open a women's clothing boutique on the west side. We will need to remodel the boutique space to be more compatible with a clothing store.

General Company Description

Our Mission Statement for Brea:

Provide the residents of Mandan an inviting, modern, women's clothing store at an affordable price.

Company Goals and Objectives:

The goal for the retail store is to be one of the leaders in women's fashion in the Mandan/Bismarck area, catering to a wide range of ages. The boutique will provide one of a kind fashion pieces at an affordable price. We will listen to our customer's needs in order to provide for the demands of apparel in the region. Our excellence in providing customer service will keep our patrons satisfied and returning. Sales will routinely be evaluated to ensure that we are catering to our target market. This will help us meet the needs of the women in our community on a continual basis and provide persistent great product selection.

Business Philosophy:

A successful business is one that is a leader in customer service and providing for the needs of the community. Once these traits are displayed, a loyal customer base is developed and in the case of the retail business, growth is imminent.

The industry of fashion and apparel is such an exciting one, as it is comprised of many facets. It is one of the few industries that cross Americans' minds on a daily basis. No matter what age, one of the greatest ways for a woman to start her day is to find the perfect ensemble of apparel, accessories and shoes to make her look perfect and feel on top of the fashion world. When we look good, we feel good. As we take that one last glance in the full length mirror before walking out the front door, the feeling of "gosh darnit, I look good" is worth a million bucks! It makes women more confident in the work place, around their peers and in the general public. Fashion is an ever changing industry and the female population in Mandan deserves a store to satisfy their needs by filling the gap with affordable fashion.

According to the *Community Profile Magazine*, a survey conducted in 2008 concluded that residents view the addition of more retail shopping as the most desirable improvement for Mandan. More specifically, a clothing/shoe retail store ranked in the top five as to the type of

retail sought after. The *2009 GAP ANALYSIS* identified an opportunity in retail sales of \$11,914,808 for clothing and accessories. The demand is obviously present.

The research from the *Community Profile* also highlights that residents love a great bargain (Top retail preference is general discount merchandisers). The boutique's inventory will be affordable yet offer the latest in trends found on the East and West coasts. As the percent of professional women continues to rise, so does the demand for affordable women's clothing.

The building location is relatively easy to find using high traffic streets, Main St. and 6th Ave., as reference points. These streets are main arteries in the city and will be useful for those unfamiliar with the area. We can also use Roosevelt Elementary as a landmark, more so for Mandan Residents. A boutique is typically a destination, therefore not being on the high traffic streets adds to the uniqueness of the store.

We will have a clearly visible sign next to the front door. The building is in a residential neighborhood, so we anticipate that once patrons make it to 2nd St., it should be obvious that they have found the store once they see not only the sign, but a 13 car parking lot as well.

The parking lot was one of the key factors in making us believe that this was the perfect building to allow us to have the clothing store. We had previously looked at a building on Main St. and one area of concern was the lack of parking available for customers. With this location we have the benefit of being in close proximity to the high traffic streets plus ample parking.

Our clothing store will be one of a kind in Mandan and Bismarck. There are competitors in Bismarck, but our boutique will offer a different experience: affordable, one of a kind pieces in a comfortable, clean atmosphere with a modern twist. In Mandan, the only other stores that sell women's clothing are thrift stores, dollar stores and Hallmark. The inventory we will offer will be on a completely different spectrum.

Because we would be locally owned, we feel our community will give us more of an opportunity to prove our worth. Residents are loyal to natives of the area. Another area that we will rise above and beyond to give us the competitive edge, is that all parties representing the store will be well educated in the importance of excellent customer service and provide the highest standard of care in not only our product, but care of patrons as well.

Our Team's Experience:

The husband and wife combo has the skill set necessary in running a successful business. David is currently a major asset to his family business, Action Cleaning Service, which has been servicing the Bismarck-Mandan area for 35 years. They have been loyal to the community of Mandan since being born and raised here. He attended school at Lewis and Clark, than the junior high until eventually graduating from Mandan High. He assists in running their business in Mandan, along with owning and managing several rental properties here. Now we find ourselves deepening our roots in Mandan by starting our own family here. Dave earned his Business Administration degree with an emphasis in accounting from NDSU. Since than he has

accumulated over five years of financial experience working in the banking industry. The Albrecht family has extensive connections in Mandan and are well known in the community. They will establish an excellent referral base with the nature of their involvement in the area.

Eve's family moved from Bismarck to Mandan when she was in junior high. The only time she left, was to pursue graduate school out of state, she even attended the University of Mary for her undergraduate studies. She earned her optometry degree from Southern California College of Optometry and decided to move back to Mandan as professional opportunity and family ties brought her back to the area. California was where she developed her passion for fashion and first encountered one of a kind boutique clothing stores that ours will be modeled after. Currently she is an optometrist and part owner of Eyes on Parkway/John Bitz optical and has learned very valuable lessons in opening and running a new business. She has gained experience in the retail industry as the sale of glasses is the largest factor in operating a financially successful optometry clinic. As an owner, her responsibilities have included accounting, marketing, and social networking for the clinics. Eve has arranged for the businesses to partake in several community oriented events such as chamber mixers, public speaking engagements, and she was a co-organizer of a runway fashion show in conjunction with a previous high-end retail clothing store. She has also collaborated with members and business owners in the community who have been able to display their works of art in Eyes on Parkway as a way to promote their product. It is also a great way for Eyes on Parkway to support local businesses and artists.

We have a similar plan for Brea to help out another small business in Mandan run by a family member of ours. Baby Mod Boutique is an infant clothing and accessory line that has been displayed at several statewide vendor shows. We believe this union will add to the dynamic of the store, broadening our target market in Mandan. It's also a great opportunity for us to give another small business in Mandan a chance to thrive.

Eve thoroughly enjoys fashion and has dreamed about opening a store of her own where she can hand-pick inventory and products based on the latest trends from Cali to NY. In her profession, she has ample opportunity to advertise for the store, free of charge. This is another opportunity as well to get Bismarck residents across the bridge to see what the women's clothing boutique has to offer. We believe we have a great rapport with the community and would represent Mandan and this store in a positive way. We have all the pieces necessary to make this venue work successfully.

Products:

The boutique will provide a wide range of apparel, from business casual to weekend warrior. The inventory will include a range of pants and tops, as well as a well rounded selection of shoes and accessories including hats, handbags, and jewelry. We will provide apparel that not only the 35 year old business woman can purchase but also the college student looking for that perfect top for her first date with Mr. Right. We have researched several online wholesalers and have found many that look promising and have also ordered trials of product to determine the quality, accuracy and timeliness delivered. The ability to purchase wholesale clothing online is the most convenient option for buying and makes restocking quick and easy. We have also found there are some wholesalers that allow single purchases verses bulk, allowing us to carry unique pieces. We plan to attend showcases across the country as often as possible to keep up to date with current trends.

We will carry about 300 articles of clothing in the store as well as stock an additional 300 pieces which will allow us to constantly replace product that has been sold. Our main focus will be clothing, but shoes and accessories are must to complete an outfit. We will therefore keep a more limited selection in these areas, but have the necessary components to complement the clothing. Price point will range from \$10-\$70 for clothing and \$3-\$30 for accessories.

Baby Mod Boutique will also be displayed at the store. About a thousand pieces will be on hand and the same in stock. This entity will be managed and maintained completely separate from Brea.

Marketing Plan:

Mandan residents thought that the most important change Mandan can make to satisfy the community's needs is to add more retail shopping and a clothing/shoe store ranked 5th as to the type of desired retail. It is evident there is a need for a clothing/accessory store as there was a gap of nearly 12 million dollars between supply and demand. In Mandan, slightly over 50 percent of the population are female. Of that 50 percent, a little over half are in the age range of our target market according to the US census bureau. The demand is obviously present as there are no women's apparel stores in Mandan offering the same type, style and amount of product as Brea. Upon observation, women are usually the decision makers in the family as to how money is spent on apparel. Eve sees it daily as most men say "I can't order glasses until I get the boss's opinion" referring to their significant other. Therefore, our target market is women ages 15-54, not only for purchasing items for themselves but for the family as well.

Referrals:

Word of mouth is going to be the most crucial means of advertising. The opportunity to spread the word at Eyes on Parkway and John Bitz Optical is vast. Having the fashion connection with glasses, allows us to introduce the store in casual conversation. People wearing and desiring fashionable eyewear usually have a wardrobe to support them. We also have several family and friends in the Bismarck/Mandan area willing to spread the word to their workplaces of which include schools, banks, clinics, hospitals etc..

One incredible benefit to having two stores in one location is that the customer who came because they specifically heard about Baby Mod Boutique will automatically be exposed to Brea. As we advertise individually, we both benefit from the other's effort. Our markets are intertwined yet different, allowing us to reach an extremely broad range of the female population.

Social Media:

Our marketable population, teens to middle aged females, are also very internet/computer savvy and resources such as Facebook will be a great way to advertise for free, reaching several hundred people in a matter of seconds.

Website:

We are currently working with a webpage designer in developing our website. It will be a great resource for those unfamiliar with the city of Mandan as a map and directions will be available. It will also have store details such as hours of operations, special promotions, contact information, pictures of the store and products, etc..

Grand Opening:

As we prepare for a grand opening aimed for early March, we may potentially use the local

newspaper, but handing and mailing out invitations/postcards will be our main focus, as well as Facebook and our website. We will especially try to reach businesses in the Mandan community by personally delivering invitations. TV and radio ads are quite costly, so initially we may avoid these, but we've already been in contact with local reporters about opening the store and they have requested we keep them posted as our opening day approaches.

Signage:

Mann Signs is working on Brea's outdoor sign to be mounted on the brick next to the entrance of the store. Signage can often times be one of the main forces in driving customers into the store. Come spring, we will be working with a landscape architect in designing a monument style sign near the entrance of the parking lot.

Email lists:

Another great free marketing tool is emailing. Email is a great way to inform patrons of new shipments of product, special in store promotions we have running and future events taking place.

Operational Plan:

Hours:

Initially the store will be open Thursday from 10am-7pm and Saturday from 10am-3pm. We will also offer private parties or have the option to set up appointments if patrons are unable to visit the store during hours of operation. Upon observation of similar sized stores offering unique products in Bismarck, it appears that opening only a few days a week and even a month appears to be successful. Some people may deem it more as a destination and a must see if it's more exclusive. As the need increases, we are willing to open the store more days and hours of the week.

Inventory:

Inventory control should be relatively easy since the amount of stock is selective. Currently we are researching software that will allow for easy control and access to inventory numbers. For now we will rely on online suppliers and wholesale groups to maintain our supply. We foresee quick delivery once clothing is ordered online allowing us to order product as frequent or infrequent as needed. This will keep a very constant number of pieces on display and allow us to keep our costs from fluctuating too extremely. We plan to have a nice buffer of inventory in the upper floor of the store allowing us to keep a well stocked show room. Once we can determine a more accurate demand level, we will be able to calculate how much inventory we need to stock to be prepared to keep our shelves at max capacity. As far as quality control goes, since we will be doing all the buying ourselves, it will be monitored extremely close.

Layout:

For the floor plan, it is a smaller space, but we are going to make it welcoming and not overwhelming. Clothes will be hung around the periphery of the store and we will also have a few displays in the center. There is a smaller room that will host our shoes and larger accessories. There will be two dressing rooms located near the middle of the store, in view at all times. There is one public restroom in the store. We will also have some office and storage space out of view from the customers in the upper floor which is where the business side of Brea will take place.

Employees:

Cassia, Baby Mod Boutique's owner, and Eve will be the only employees at this time. If the demand is there, as we expand our hours, we will need to hire more employees. We have an agreement between us that Cassia's time working will be in exchange for her using space to display and sell her product at Brea.

Financial Plan:

Startup Expenses:

Purchase Price.....\$110,000(total building cost) x 34%= \$37,400

Renovation/Start-up costs:

Initial Inventory.....	\$6000
POS.....	2500
Computer.....	1500
Signage.....	1000
Ceiling tiles to be removed and replaced.....	600
Displays/shelves.....	500
Bathroom improvements.....	200
Lighting.....	800
Dressing room build out.....	200
Mirrors.....	500

Total Start-up cost:\$51,200

We do have a loan against the building, but have no intentions of taking out any additional loans for the start-up expenses.

Foreseeable Average Monthly Expenses:

Advertising.....	\$150
Utilities.....	110
Car/travel expenses.....	100
Phone/Internet.....	80
Insurance.....	77
Credit card fees.....	40
Real Estate taxes.....	30
Office Expenses.....	15
Depreciation.....	202

Total.....\$804

Monthly revenue:

We have initially estimated that our monthly revenue will be about \$2,000, therefore COGS will be about \$1,000. If the average price of clothing is about \$40, this means we will have to sell 50 articles a month or 6 articles/day of operation.

For the months July, August and September, we anticipated slightly higher revenue secondary to the start of the summer fashion season and back to school. People are on a quest at this time for a change in wardrobe. We also figured revenue would be higher in December and January due to the start of the winter season, as well as Christmas.

Attached is the proforma for the first 2 years of operation.

Mandan Growth Fund - Retail & Restaurant Incentive Program
Application Evaluation - Tabulation Form

Criteria	GF Member 1	GF Member 2	GF Member 3	GF Member 4	GF Member 5	GF Member 6	GF Member 7	GF Member 8	GF Member 9	Average
1. Fills gap	5	4	5	5	4	4	XXX	XXX	XXX	4.5
2. Needed by other businesses	1	3	4	3	3	3	XXX	XXX	XXX	2.833333333
3. Tax potential	1	1	5	3	3	3	XXX	XXX	XXX	2.666666667
4. Jobs	1	1	3	2	1	1	XXX	XXX	XXX	1.5
5. Incentive use	5	5	5	5	5	5	XXX	XXX	XXX	5
6. Customer base	5	3	4	4	4	2	XXX	XXX	XXX	3.666666667
7. Hours	1	1	2	2	2	1	XXX	XXX	XXX	1.5
8. Qualifications	5	3	4	5	4	4	XXX	XXX	XXX	4.166666667
9. Potential viability	4	4	5	4	4	3	XXX	XXX	XXX	4
10. Curb appeal	5	3	4	3	3	4	XXX	XXX	XXX	3.666666667
11. Investment	5	3	4	5	3	2	XXX	XXX	XXX	3.666666667
12. Business plann	4	4	4	5	4	4	XXX	XXX	XXX	4.166666667
13. Financial history	4	4	4	5	4	4	XXX	XXX	XXX	4.166666667
Total	46	39	53	51	44	40	0	0	0	45.5

Avg score 3.5

3.75
\$6,187.50



Board of City Commissioners

Agenda Documentation

MEETING DATE:	January 17, 2012
PREPARATION DATE:	January 12, 2012
SUBMITTING DEPARTMENT:	Administration
DEPARTMENT DIRECTOR:	Jim Neubauer, City Administrator
PRESENTER:	Jim Neubauer, City Administrator
SUBJECT:	Mandan Growth Fund Recommendation –Appointment

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

BACKGROUND/ALTERNATIVES: The MGF met on January 5, 2012 to consider an appointment to the MGF. An announcement was made in December 2011 seeking a member with a background in banking. The announcement asked that parties express their interest by December 30, 2011. Three individuals submitted letters of interest, Cody Schulz, Business Manager/Disaster Finance Officer, North Dakota Department of Emergency Services, Mark Weide, Special Asset Manager, Bank of North Dakota and Doug Zinke, Business Banking Officer, Starion Financial. All three reside in Mandan.

The MGF is recommending that Mark Weide be appointed for a three year term due to his past 8-10 years experience serving on the committee and his 33 years of business banking experience.

The MGF expressed their appreciation to the other candidates and encouraged them to express interest in December 2012 as there will be four 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

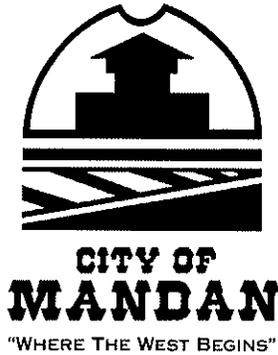
LEGAL REVIEW: n/a

RECOMMENDATION: The MGF recommends appointing Mark Weide to the MGF for term ending December 31, 2014.

SUGGESTED MOTION: I move to appoint Mark Weide to the MGF for term ending December 31, 2014.

Board of City Commissioners
 Agenda Documentation
 Meeting Date: January 17, 2012
 Subject: Mandan Growth Fund Recommendation – Appointment to the MGF
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<i>Committee Member</i>		<i>Term Began</i>	<i>Term Ends</i>
Dennis Friesz 801 23rd St SE Mandan, ND 58554	(H) 663-2199 (C) 226-8569 (Fax) 663-2199 songman@btinet.net	1 st Term: January 1, 1998 2 nd Term: January 1, 2001 3 rd Term: January 1, 2004 4 th Term: January 1, 2007 5 th Term: January 1, 2010	December 31, 2000 December 31, 2003 December 31, 2006 December 31, 2009 December 31, 2012
Timothy Spilman Chairman 2601 Hwy 1806 South Mandan, ND 58554	(W) 667-9378 (H) 663-4948 tspilman@bis.midco.net tspilman@keitu.com	1 st Term: April 7, 1998 2 nd Term: January 1, 2001 3 rd Term: January 1, 2004 4 th Term: January 1, 2007 5 th Term: January 1, 2010	December 31, 2000 December 31, 2003 December 31, 2006 December 31, 2009 December 31, 2012
Michael J.B. Schaff Schaff Tax & Financial Services, Inc. Mandan, ND 58554	(W) 667-5294 (C) 226-7882 (Fax) 667-5295 mschaff@woodburyfinancial.net	1 st Term: February 16, 2010	December 31, 2012
Todd Steinwand Wells Fargo Mandan, ND 58554	(W) 222-5136 (Fax) 222-5551 todd.j.steinwand@wellsfargo.com	1 st Term: April 14, 1999 2 nd Term: January 1, 2002 3 rd Term: January 1, 2005 4 th Term: January 1, 2008 5 th Term: January 1, 2011	December 31, 2001 December 31, 2004 December 31, 2007 December 31, 2010 December 31, 2013
Jeff Erickson Security First Bank 614 W Main Mandan, ND 58554	W 667-7000 jeff@securityfirstbank.com	1 st Term: January 1, 2009 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@midco.net	1 st Term: February, 2007 2 nd Term: January 1, 2010	December 31, 2009 December 31, 2012
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.			
<i>----- Liaisons (non voting) -----</i>			
Tim Helbling, Mayor, City of Mandan 904 23rd Street SE Mandan, ND 58554 (W) 667-7460 corralrv@midco.net	Russ Staiger, BMDA 400 E Broadway Avenue PO Box 2615 Bismarck, ND 58502 (W) 222-5530 (Fax) 222-3843 rstaiger@bmda.org	Greg Welch, CPA Finance Director City of Mandan 205 2nd Ave NW Mandan, ND 58554 (W) 667-3213 (Fax) 667-3223 gwelch@cityofmandan.com	Jim Neubauer City Administrator City of Mandan 205 2nd Ave NW Mandan, ND 58554 (W) 667-3215 (Fax) 667-3223 jneubauer@cityofmandan.com
	Malcolm Brown City Attorney 209 E Broadway Ave P. O Box 2692 Bismarck, ND 58501 (W) 224-8825 mhblaw@btinet.net	Ellen Huber Business Development Director City of Mandan 205 2nd Avenue NW Mandan, ND 58554 Phone 701-667-3215 Fax 701-667-3223 ehuber@cityofmandan.com	Brent Ekstrom LCRDC, Director of Commercial Lending 200 1st Avenue NW Mandan, ND 58554 Phone (701) 667-7624 bekstrom@lewisandclardrdc.org



New Business #2

Board of City Commissioners

Agenda Documentation

MEETING DATE: January 17, 2012
PREPARATION DATE: January 9, 2012
SUBMITTING DEPARTMENT: City Administrator
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER:
SUBJECT: Individual liquor License Application

STATEMENT/PURPOSE: New liquor licenses must be approved by the Board of City Commissioners at all times of new application.

BACKGROUND/ALTERNATIVES: Application and fees have been received and a background check as been run.

ATTACHMENTS: Liquor License application.

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval contingent upon the establishment meeting all Fire Code, Health & Safety Code, Building Inspections and all property taxes paid.

SUGGESTED MOTION: I move to approve the Liquor License application for Jerry Stryker at 1005 East Main Street formerly Kupper Chevrolet on Main. Contingent upon the establishment meeting all Fire Codes, Health & Safety Code, Building Inspection Codes and all property taxes and fees are paid.



Individual or Partnership Liquor License Application

1. Type of License:

Liquor On-Sale Off-Sale Class: (A) B C D E F WB MP DY (circle one)
Beer On-Sale Off-Sale Class: (A) B C D E F WB MP DY (circle one)

2. Duration of License: Annual: (July 1, 2012 to June 30, 2013)
Part of Year: From JAN, 2012 to JULY, 2012.

3. Are you applying for an Individual _____ or Partnership

4. If business is owned by an individual, give name, address, and date of birth of Owner: _____

5. If business is owned by a partnership give the name of the partnership and the names, addresses, and dates of birth of each member of the partnership. Jerry D Stryker
Shawna L Stryker 11-15-63 4390 Caughran Camp Verde AZ
Will be moving to Mandan ND Area 86322

6. Name of individual who is to be in charge of the day to day operations and management of the licensed premises and will be responsible for complying with the municipal ordinances and state laws covering the operation of the premises:

Name: Jerry D Stryker Address: 4390 Caughran
City: Camp Verde State: AZ Age: 48 DOB: _____ Citizenship: USA

If naturalized, give date and place of naturalization: _____

List all other places of residence within the last 5 years: 4895 N Caughran Caughran
Camp Verde AZ 86322

7. Description of Licensed Premises: Address: 1005 E main st. Mandan ND

Legal Description: (Lot & Block): BE-47869 58554
(also submit on an attached page a diagram of the physical layout of the licensed premises including, at a minimum: doors, storage areas, & areas where liquor/beer is purchased and consumed.)

8. Ownership/Lease: If a licensed premise is owned by Applicant, provide date of purchase. _____
(if licensed premise is under a contract for deed or leased, attach copy of executed and dated contract or lease.)

9. If application is being sought by anyone other than the owner of the premise, attach a copy of the building lease.

10. Does Applicant certify that all property taxes have been paid to date on the licensed premises?
Yes No _____ (if property taxes are not paid, this application WILL NOT BE PROCESSED).

11. Have any of the individuals in answer to Questions 3, 4, and 5 ever engaged in the sale or distribution of alcoholic beverages (as an owner, manager, or employee) at a location other than in the City of Mandan at any time prior to this

Board of City Commissioners
Agenda Documentation
Meeting Date: June 15, 2010
Subject: Annual Liquor License Renewals
Page 3 of 8

application Yes: No: _____ (if yes, explain in detail on separate page, location, type of business, and dates of license or employment).

12. Have any of the individuals identified in answer to Questions 3, 4, and 5 ever had a license of any kind (including alcoholic beverage license, other business license or motor vehicle license) suspended, revoked or non-renewed by any political subdivision, state or federal agency. Yes _____ No (if Yes, explain in detail on a separate page, listing the name of the individual, the time and place of cancellation, the authority which cancelled the license of any kind, including alcoholic beverage license, other business license, or motor vehicle license, and the reason for such cancellation.

13. Have any of the individuals identified in answer to Questions 3, 4, and 5 ever been convicted of a violation of any law of the United States, or of any state or political subdivision, other than minor traffic violations, (including reckless driving or driving under the influence). Yes _____ No (if yes, explain the violation in detail on a separate page, giving the date(s), place(s), and crime for which convicted (both felonies & misdemeanors), the amount of fines and terms of sentence and the court in which convicted).

14. Do any of the individuals named in answer to question 3, 4 or 5 have any interest whatsoever in any other liquor establishment, either wholesale or retail, within or outside the state of North Dakota. (Include a right of inheritance by law or by will). Yes _____ No If yes, please explain in detail on a separate page.

15. Does anyone other than the individual or Partnership applying for this alcoholic beverage license or the business owning the premises have any right, estate, or interest in the lease hold, building, or furniture, fixtures or equipment, in the premises for which the license is requested? Yes _____ No (if yes, explain in detail on a separate page, giving the names and addresses of any such person(s) and a statement of their interest in the premises, furniture, fixtures or equipment in the premises).

16. Does the individual or Partnership applying for this alcoholic beverage license have any agreement, contract, understanding or intention to have any agreement, contract or understanding, with any person, partnership, or corporation to obtain for any other person, partnership or corporation, or to transfer to any other person, partnership or corporation the license for which this application is made or to obtain for any other person, partnership or corporation, for any other purpose other than for the specified use of the applicant. Yes _____ No: (if yes, explain in detail on a separate page, the name and address of such person, partnership or corporation and the conditions of agreement, contract or understanding.)

17. List the occupations and employers of each of the individuals listed in answer to Questions 3, 4 and 5 during the last ten (10) years. (On a separate sheet of paper if necessary).

18. Does the individual or Partnership applying for this license, engage in any business other than that for which the license is sought or intending to engage in any business other than for the sale of alcoholic beverages under the license for which this application is made. Yes _____ No (if yes, explain, in detail on a separate page giving the type of business and identification of any and all owners.)

19. List the names, addresses of at least 3 business references. James Harrison
835 Miners View Dr. Cottonwood AZ 86326
Janie Ferguson 8079 Derby Dr. Camp Verde AZ 86322
Barbara Vogt 1405 E Diamond Back Dr. Cottonwood AZ 86326

20. Does the building or structure in which the business is to be conducted meet all applicable state and local building, health and zoning regulations and requirements? Yes No _____ Applicant must attach certifications of compliance from each state and/or local agency or department responsible for building, health and zoning regulations.)

21. List all the names of individuals who are authorized to make purchases for the business at which the license is to be used and located. (Note: The individuals must submit their names, current address and social security numbers on the forms which will protect their rights of privacy, but allow the appropriate police department background checks to be done. If not attached, the application will be deemed incomplete.)

Jerry D Stryker
Shawn L Stryker

74390 Caughran Rd
Camp Verde AZ 86322

22. List the names of all individuals who are authorized to sign checks used to pay the payroll and expenses of the business at which the license is to be used. (Note: These individuals must submit their names, current address and social security numbers on the forms which will protect their rights of privacy, but allow the appropriate police department background checks to be done. If not attached, the application will be deemed incomplete.)

Jerry D Stryker
4390 Caughran Rd
Camp Verde Az. 86322

Shawn L Stryker
4390 Caughran Rd
Camp Verde Az 86322

#11) Jerry Stryker was employed by Canyon Distributing a wholesale beer distributor. I started off as a employee and worked up to a sales manager. I worked for Canyon from 1998-2005. Questions can be directed to Adrien Median

Employment history:

Shawn L Stryker

Chase Bank
Banker
July 6 2009 to current

Bank of America
Banker
July 1990 to April 2009

Jerry D Stryker

Waste Management
1985-1992

Safeway
Oct 1992 - Oct 1998

NameBrands (sold to Canyon)
1998-2005

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1985-1992

Safeway
Oct 1992 - Oct 1998

NameBrands (sold to Canyon)
1998-2005

Self-Employed
Reilly Distributor
2005-2006

Self-Employed
Taxidermist
2006-current



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 17, 2012
PREPARATION DATE: January 12, 2012
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider approval of the project scoping worksheet and enter into a future Cost Participation and Maintenance Agreement with the NDDOT for the maintenance of Memorial Highway.

STATEMENT/PURPOSE: To enter into an agreement to provide City funds as part of this maintenance project.

BACKGROUND/ALTERNATIVES: A slurry seal, much the same as was put on the local portions of I-94, Expressway and Highway 1806 North will be installed on Memorial Highway. The project is a DOT project that will take along the entire portion (asphalt) of Memorial Highway which is approximately 2.18 miles. The City of Mandan would be responsible for 10% of the cost of the construction which amounts to approximately \$38,000.

ATTACHMENTS: 1.) Copy of the project scoping worksheet

FISCAL IMPACT: The City of Mandan would look to draw upon the City Sales Tax dollars to fund this agreement amount. Greg Welch indicated that funding was available for this project.

STAFF IMPACT: Minimal

LEGAL REVIEW: Agenda documents have been forwarded to the City Attorney

RECOMMENDATION: I recommend approving entering into the agreement.

SUGGESTED MOTION: I move to approve the project scoping worksheet and entering into a future cost participation and maintenance agreement with the NDDOT for the maintenance of Memorial Highway.

Board of City Commissioners

Agenda Documentation

Meeting Date: January 17, 2011

Subject: Consider approval of the project scoping worksheet and enter into a future Cost Participation and Maintenance Agreement with the NDDOT for the maintenance of Memorial Highway.

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PROJECT SCOPING WORKSHEET

DATE: 1/6/2012

PRIORITY# 1

City: Mandan

Street: Memorial Highway "The Strip"

County: Morton

Length: 2.184 Miles

Proposed Improvement: Preventive Maintenance – Micro Surfacing Seal Coat

Cost Estimates Breakdown (in \$1,000)							
Alternate	PE	R/W	Utility	Constr.	Bridges	Misc.	Total
							\$385

Present Road: Surface Width? 68'

Surface Type? HBP

On Street Parking Allowed? No

Present: (No) One Side Both Sides Angle Parallel

Proposed: (No) One Side Both Sides Angle Parallel

Proposed Improvements

ADT Present: 11,225 Yr: 2009 Travel Way Width : 60'

ADT Design: _____ Design year _____ No. of Lanes: 5

Design Speed: _____ Roadway Width: 68'

Maximum Curve: _____ Min. R/W Width: _____

Maximum Grade: _____

Right of Way

Will Additional ROW or easement be acquired? None ROW acquisition by: City DOT

Has any ROW easements been acquired since 7-1-72: _____ ROW Condemnation by: City DOT

Est. No. of occupied family dwelling to be displaced? _____

Est. No. business to be displaced? _____

Board of City Commissioners

Agenda Documentation

Meeting Date: January 17, 2011

Subject: Consider approval of the project scoping worksheet and enter into a future Cost Participation and Maintenance Agreement with the NDDOT for the maintenance of Memorial Highway.

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Impacts	
Will there be any additional Impacts (Cultural and Environmental Resources):	<u>No</u>
Will there be any impacts to 4(f) or 6(f) properties:	<u>No</u>
Airports:	<u>No</u>
Public Hearings:	<u>NA</u>
Environmental Classification (Cat-Ex, EA, EIS):	<u>Cat-Ex</u>
Transportation Enhancements:	<u>NA</u>
Intermodal:	<u>NA</u>
Pedestrian Needs:	<u>NA</u>

Railroads Crossings						
RR Name	No. Xings	No. Tracks and Type of Crossing	Daily Train Movements	Train Speed	Present Protection	Proposed Protection

Purpose and Need Statement For Regional Projects

For regional projects the cities, *in cooperation with NDDOT district offices*, will be asked to submit a Purpose and Need Statement for each regional project proposed.

The Purpose and Need Statement should be approximately two pages in length which address the following issues:

1. When was the current street section built. Has there been any additional maintenance to the street section.
 2. How many driving lanes and turning lanes does the street section currently have and what is the widths of the driving and turning lanes.
 3. What is the condition of the pavement section.
 - A. If the pavement section is asphalt, is there any alligator cracking, longitudinal cracking, transverse cracking, raveling, bituminous patching or rutting.
 - B. If the pavement section is concrete, is there any broken slabs, faulting, bituminous patching, joint spalling, transverse cracking, or longitudinal cracking.
 4. How are the existing geometrics of the roadway?
 5. Are there any access points to adjoining properties that present a special concern?
-

Board of City Commissioners

Agenda Documentation

Meeting Date: January 17, 2011

Subject: Consider approval of the project scoping worksheet and enter into a future Cost Participation and Maintenance Agreement with the NDDOT for the maintenance of Memorial Highway.

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6. Are there any existing sidewalks or shared use path in place?
7. What is the condition of the existing storm sewer? Will any additional storm sewer work need to be done along with this project?
8. What is the condition of the city's water and sewer line? Will any work have to be done to the city's water and sewer lines along with this project?
9. Describe the existing lighting system currently in place? What type of standards and luminaires are currently being used?
10. What intersections currently have traffic signals? Are there any locations that have a high accident rate? Are additional turning lanes needed?

Remarks:

A Preventive Maintenance – Micro Surfacing project is proposed to protect the pavement structure, improve skid resistance and slow the rate of pavement deterioration caused by the environment and daily wear and tear of traffic. The roadway was overlaid with HBP in 2009. No other improvements are proposed with this project. The Funding for this project will be 80% Federal, 10% State and 10% City. (Estimated cost share \$308,000 Federal, \$38,500 State, and \$38,000 City)

City Engineer: _____ Date: _____

District Engineer: _____ Date: _____

Note: Please attach a map showing location and extent of the project.



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 17, 2012
PREPARATION DATE: January 11, 2012
SUBMITTING DEPARTMENT: Assessing/Bldg Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Leonard Bullinger/MARC President
SUBJECT: Ordinance 1107 to Amend Ordinance 1013
Relating to Downtown Core & Fringe Districts

STATEMENT/PURPOSE: Consider the Mandan Architectural Review Commission (MARC) changes to the existing Downtown Core District boundary line in Ordinance 1013.

BACKGROUND/ALTERNATIVES: Due to the lack of historical architectural elements on the structures located on the Blocks of 1 and 2, Mandan Proper, it has been determined that these properties should be removed from the Core District and placed in the Fringe District.

ATTACHMENTS: Ordinance 1107 and updated boundary map.

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: Malcolm Brown, Mandan City Attorney, has reviewed the documentation and given his approval.

RECOMMENDATION: I recommend a motion to approve Ordinance 1107 to remove Blocks 1 and 2, Mandan Proper, from the Downtown Core District and place them in the Fringe District due to the architectural elements of the existing structures.

SUGGESTED MOTION: A motion to approve the requested boundary change in Ordinance 1107 to reflect Blocks 1 and 2, Mandan Proper, be removed from the Downtown Core District and placed in the Fringe District.

ORDINANCE NO. 1107

An Ordinance to Amend Sections 21-04-17.1 and 21-04-17.2 of Ordinance 1013 of the Mandan Code of Ordinances relating to Establishment of Downtown Core and Fringe Districts.

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

SECTION 1. AMENDMENT to Section 21-04-17.1 of the Mandan Code of Ordinances is hereby amended and reenacted to read as follows:

The following described property shall be included in the Downtown Core District:

In Mandan Proper Subdivision:

All of Blocks ~~1-4~~ 3-14 & 18-22; Lots 5-12, Block 23; Lots 1-6, Block 36; Lots 7-12, Block 35.

SECTION 2. AMENDMENT to Section 21-04-17.2 of the Mandan Code of Ordinances is hereby amended and reenacted to read as follows:

The following described property shall be included in the Downtown Fringe District:

In Mandan Proper Subdivision:

All of Blocks 1 & 2, 15-16, 24-34, 37-58; Lots 1-3 & 10-12, Block 17;

SECTION 3. EFFECTIVE DATE. The provisions of this ordinance shall be in full force and effect from and after the date of publication of a notice of adoption.

Dated this _____ day of _____, 2012

President, Board of City Commissioners

ATTEST:

City Administrator

First Consideration: _____
Second Consideration: _____
Final Passage: _____
Date of Publication: _____



*Blocks 1 + 2 / Remove From
Mandan Proper / Core Dist.*