

AGENDA
MANDAN CITY COMMISSION
MAY 21, 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. APPROVAL OF AGENDA:
- C. PUBLIC COMMUNICATIONS:
- D. MINUTES:
1. Consider approval of the minutes from the May 7, 2013 Board of City Commission meeting.
- E. PUBLIC HEARING:
1. Consider the annexation of Auditor's Lot B in Government Lot 1 in the NE ¼ of Section 3, Township 138 North, Range 81 West. (First consideration of ordinance #1150)(See *Ordinances No. 4*).
 2. Consider a change of zoning of Lots 6-8 and part of Lot 5, Block 1 and Lots 4-9 and part of Lots 3 & 10, Block 2 of Meadow Ridge 3rd Addition in Section 22, Township 139N, Range 81W from R3.2 (Two-Family Residential) and MC (Light Non-Nuisance Industrial/Heavy Commercial) to RM (Multi-Family Residential). (First consideration of ordinance #1151)(See *Ordinances No. 5*).
 3. Consider a change of zoning for Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition in Section 16, Township 139 North, Range 81 West from R7(Single-Family Residential) and R3.2(Two-Family Residential) to RM (Multi-Family Residential). (First consideration of ordinance #1152)(See *Ordinances No. 6*).
 4. Public Hearing to consider a five-year tax exemption for Bayside, LLC. (See *New Business No. 1*.)
 5. Public Hearing to consider a two-year tax exemption for Zueger Properties, Goldstar Properties, Verity Homes.
- F. BIDS:
1. Consider Awarding bid for 1981 Brush Truck to Dakota Speedway for \$3,500.
- G. CONSENT AGENDA:
1. Consider approval of monthly bills.

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2. Consider approval of the following site authorizations for the Fort Abraham Lincoln Foundation from July 1, 2013 through June 30, 2014:
 - i. West Side Bar and Grill/Mulligans
 - ii. Midway Lanes
 - iii. Broken Oar
 - iv. Lonesome Dove
 - v. Seven Seas
 3. Consider proclaiming May 18, 2013 as “STRIDES: Lions Walk for Diabetes Awareness Day.
 4. Consider the following abatements/exemptions:
 - i. Homestead Credit – Kurt Pflieger
 - ii. Veteran Exemption – Sylvester Foote
 5. Consider approval of the following site authorizations for the Cystic Fibrosis Association of ND from July 1, 2013 through June 30, 2014:
 - i. Stage Stop
 - ii. Colonial Lounge
 6. Consider approval of site authorization for Horse Race ND at Dean’s Steakhouse from July 1, 2013 through June 30, 2014.
 7. Consider approval of site authorization for Mandan Baseball Club at Captain Freddy’s Riverside Restaurant & Bar from July 1, 2013 through June 30, 2014.
 8. Consider approval of the following site authorizations for the Mandan Hockey Club, Inc. from July 1, 2013 through June 30, 2014:
 - i. The Silver Dollar
 - ii. Old Town Tavern
 - iii. The Ridge Motel Corp.
 - iv. Vicky’s Sports Bar
- H. OLD BUSINESS:
1. Consider Growth Fund Committee recommendation regarding application for property tax incentive by Prairie View Properties, LLC (Little Caesar’s Pizza), 310 6th Avenue SE.
 2. Discussion on Sidewalk Project 2013-03.
- I. NEW BUSINESS:
1. Consider Growth Fund Committee recommendation regarding application for property tax incentive by Bayside, LLC, for a gas station/convenience store at 2721 46th Avenue SE
 2. Consider appointments to the Community Beautification Committee.
 3. Consider bond refinancing for the Mandan Municipal Airport Authority.
 4. Consider resolution regarding north annexation

5. Consider the creation of, approval of the feasibility report for, approve the plans and specifications, approve engineer's report, direct advertisement for bids and approve sufficiency of petition for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition). (See Resolution No. 7).
6. Consider identifying and prioritizing future street maintenance projects within the City of Mandan.

J. RESOLUTIONS AND ORDINANCES:

1. *Consider second consideration and final passage of Ordinance No. 1147, 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 Section 2, Township 138 North, Range 81 West).*
2. *Consider second consideration and final passage of Ordinance No. 1148 Zone Change for a part of Government Lot 1 and the NE ¼ of the NE ¼ of Section 3, Township 138N, Range 81W (proposed Lincoln Ridge Estates 6th 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 second consideration and final passage of Ordinance No. 1149 Zone Change for Government Lot 2, less Outlot A and the NW ¼ of the NE ¼ in Section 3, Township 138 North, Range 81 West (Macedonia Hills Masterplan) – An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map.*
4. *Consider first consideration of Ordinance No. 1150, 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 Section 3, Township 138 North, Range 81 West).*
5. Consider first consideration of Ordinance No. 1151 Zone Change for parts of Meadow Ridge 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.
6. Consider first consideration of Ordinance No. 1152 Zone Change for School District 5th Addition – An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map.
7. Consider the Resolutions creating district, approving engineer's report, determining sufficiency of protest, approving the plans and specifications and directing advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

K. OTHER BUSINESS:

- L. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:
1. June 4, 2013
 2. June 18, 2013
 3. July 2, 2013
- M. ADJOURN

Public Communication

A scheduled time for public participation has been placed on the agenda at Mandan City Commission meetings. The Board desires to hear the viewpoints of citizens throughout the City. Individuals wishing to address the Board are encouraged to make arrangements with the Board President or the City Administrator prior to the meeting. Comments should be made to the Board and not to individuals in the audience and be related to City operations and programs. The Board will not hear personal complaints against any person connected with the City. If a citizen would like to add a topic to the agenda, arrangements must be made in advance with the City Administrator or 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 three (3) minutes or less. Groups of individuals addressing a common concern are asked to designate a spokesperson.

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.

The Mandan City Commission met in regular session at 5:30 p.m. on May 7, 2013 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Van Beek, Rohr, Frank and Braun. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Attorney Brown, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, Engineering Project Manager Fettig, and Building Official Lalim. Absent: Commissioner Tibke, City Administrator Neubauer.

B. APPROVAL OF AGENDA: Commissioner Frank motioned to approve the Agenda as presented. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present. The motion passed.

C. PUBLIC COMMUNICATIONS:

Jim Davis came forward to comment on Ordinance 1146, the Proposed Unit Development. He stated that it has been two years since this matter was discussed and it is the request of the homeowners in that area that saturation does not take place across the street from their property (Lot 30 and Lot 31, Heart Ridge Addition). He indicated that he has concerns for the amount of traffic that will be utilizing that small area. In particular, the traffic that flows through the trailer court which includes cement trucks working in the area. He stated the property owners in that area are not opposed to new development but the City needs to look at the infrastructure. His concern is two-fold. One concern is controversy with one of the property owners they are at odds with regarding what is going in there and what the majority of the property owners want to see on the land use. The other concern is about the areas in that area that could be developed in the same way.

Nancy Eisenbarth came forward and stated she recently purchased a bar and grill at Ft. Rice. She stated her concern is all the junk around her property. She inquired what could be done to remedy the problem. Mayor Van Beek stated Ft. Rice would be in the jurisdiction of Morton County, not the City of Mandan.

D. MINUTES:

1. *Consider approval of the following minutes from the Board of City Commission meeting held on April 16, 2013 Regular Board Meeting and April 16, 2013, Working Session.* Commissioner Frank moved to approve the minutes from the Board of City Commission meeting held on April 16, 2013 Regular Board Meeting and April 16, 2013, Working Session. Commissioner Braun seconded the motion. The motion received unanimous approval of the members present. The motion passed.

E. PUBLIC HEARING:

1. *Consider the annexation of a tract of land owned by Ardys Bahm Couch, being a part of Government Lot 1 and the SE 1/2 of the NE 1/4 of the NE 1/4 of Section 3, Township 138N, Range 81W. (Proposed Lincoln Ridge Estates 6th Addition). (First consideration of ordinance #1147) (See Ordinances No. 3).* Engineering Project Manager Fettig provided a map of the area to be annexed. She stated that it is the owner of the property who is requesting to have it annexed.

Mayor Van Beek announced this is a public hearing for consideration of a tract of land owned by Ardys Bahm Couch to be annexed to the City of Mandan. He invited anyone for or against the request to come forward. A second announcement was made to come forward to speak for or against the annexation request. Hearing none, this portion of the public hearing was closed.

2. *Consider approval of a zone change for part of Government Lot 1 and the SE ½ of the NE ¼ of the NE ¼ of Section 3, Township 138N, Range 81W. (Proposed Lincoln Ridge Estates 6th Addition). (First consideration of ordinance #1148)(See Ordinances No. 4).* Engineering Project Manager Fettig stated this is a request from the property owner Ardys Bahm Couch and the developer Steve Thilmony to change the zoning to R3.2 for Lots 1-21, Block 1 and R7 for Lots 22-30, Block 1. The Planning and Zoning Committee voted unanimously to approve the zone change.

Mayor Van Beek announced this is a public hearing for consideration of a zone change for part of Government Lot 1, SE ½ of NE ¼ of NE ¼ Section 3, Township 138N, Range 81W. He invited anyone for or against the request to come forward. A second announcement was made to come forward to speak for or against the zone change. Hearing none, this portion of the public hearing was closed.

3. *Consider approval of a zone change for Government Lot 2, less Outlot A and the NW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W (Macedonia Hills Masterplan). (First consideration of ordinance #1149) (See Ordinances No. 5)* Engineering Project Manager Fettig stated this request for zone change came from the owner Risto Mackovski from A (Agriculture) to R3.2 (two-family residential) and RM (Multi-Family Residential). The Planning and Zoning Committee voted unanimously to approve the zone change with restrictions. The RM (Multi-Family Residential) would be restricted to no more than a four-plex per lot and no more than two stories tall.

Mayor Van Beek announced this is a public hearing for consideration for a zone change for Government Lot 2. He invited anyone for or against the request for zone change to come forward. A second announcement was made to come forward to speak for or against the zone change request. Hearing none, this portion of the public hearing was closed.

4. *Public Hearing to consider a 5-Year Property Tax exemption for Prairie View Properties, LLP, with Little Caesar's Pizza franchise. (See New Business No. 2.)* Doug Lalim, Assessing Department Building Official, presented a proposal for a 5-year tax exemption to Prairie View Properties for a Little Caesar's Pizza franchise. Notifications were posted as required and no competitors have submitted a written protest. Morton County, the Mandan School District, and the Park District were all notified of the request. No opposition was received from those entities. Mr. Randy Rhone, Prairie View Properties provided an overview of the building to be constructed. He stated that the business will generate revenue for the City of Mandan. He anticipates employing approximately 17 part-time and about 3 full-time employees. Rhone

explained that the fast-food market has lower profit margins so a tax exemption is critical to building this facility.

Mayor Van Beek announced this is a public hearing for consideration of a 5-year tax exemption for Prairie View Properties for a Little Caesar's Pizza franchise. He invited anyone for or against the tax exemption request to come forward. A second announcement was made to come forward to speak for or against the project. Hearing none, this portion of the public hearing was closed.

F. BIDS:

1. *Consider award of bid for 2013 Annual Sidewalk Project (Project No. 2013-03).* Engineering Project Manager Fettig reviewed with the Board the only bid that was received for this project on April 1, 2013. That bid came in 50% higher than the engineer's estimate. According to State code that bid had to be rejected. It was put out for bid again under two separate contracts – Part A for new construction and Part B was to remove and replace existing sidewalks and aprons. Bids were then received on May 13, 2013. On Part A, (new construction), there were no bids. On Part B there was one bid received for the repairs from Alliance Concrete in the amount of \$79,195. The engineer's estimate for Part B was \$58,135. Fettig recommended awarding the bid to Alliance Concrete for Part B in the amount of \$79,195. Fettig stated that in reviewing the work carried over from last year there were 50 residents that signed up since the beginning of the year. In addition there are 45 new construction projects and 10 needing repair. She asked if the property owners should be notified that there are no contractors available to do the work this year. Fettig stated that priority for these projects lie with new construction jobs because that is where the majority of the calls are coming from. Fettig said another approach to take would be to re-bid the new construction projects but keep the quantities down. Commissioner Rohr suggested consideration be given to informing the developer to put in the sidewalks/aprons for the homeowner, thus it would not have to be special assessed by the City.

Commissioner Frank moved to approve the bid award that was opened on May 13, 2013, to Alliance Concrete for \$79,195.00 for Part B (remove and replace) for 2013 Annual Sidewalk Project (Project No. 2013-03). Commissioner Braun seconded the motion.

Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Absent; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Consider award of bid for Millennium Trail resurfacing. (See Resolution No. 6)* Engineering Project Manager Fettig reviewed with the Board the bids for this project received from the NDDOT on April 19, 2013. The low bid for asphalt paving and associated work of the existing trail was submitted by Northern Improvement Company in the amount of \$244,619.70. Federal funds for this project are \$129,949.00. The balance of the project cost of \$119,570.70 is the City of Mandan's share and that amount will be reimbursed by the Park District through a special assessment. Fettig recommended accepting the bid from Northern Improvement.

Commissioner Frank moved to approve awarding the bid for Millennium Trail resurfacing to Northern Improvement Company in the amount of \$244,619.70 for project TEU-1-988(035)046, PCN 19984 contingent upon approval by the Mandan Park District Board. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

G. CONSENT AGENDA

1. *Pulled for reading (Proclamation)*
2. *Pulled for discussion.*
3. *Consider for approval the final plat of Macedonia Hills 1st Addition.*
4. *Consider for approval the final plat of Meadow Ridge 3rd Addition.*
5. *Consider for approval the final plat of Mule Ridge Addition.*
6. *Consider for approval the final plat of Big Sky Estates 4th Addition.*
7. *Consider for approval the final plat of Big Sky Estates 5th Addition.*
8. *Consider for approval the final Replat of Lot 2B, 3A1, 3A2, & 3B, Block 2, Lakewood Commercial Park Addition.*
9. *Consider for approval the final Replat of Lot 10B, Block 2, Lakewood 6th Addition.*
10. *Consider Approval of the Police Department Making Grant Application With The Office Of Community Oriented Policing Services, COPS.*
11. *Consider Approval for Out of State Travel for the Police Department to attend training in St. Paul, MN.*
12. *Consider approval of beer garden street dance application for Buggies-n-Blues, All Class Reunion, Wild West Grill Fest and Oktoberfest all for Mandan Progress Organization.*
13. *Consider approval of beer garden street dance application for Silver Dollar Bar for June 7 – 8 and July 2 -3.*
14. *Consider approving amended Engineer's Report and authorizing a call for bids on Street Improvement District No. 176, Project 2012-20 (Lakewood 6th and 7th)(See Resolution No. 7).*
15. *Consider the following abatements/exemptions: (i) Street Appraisal – Dewitz (ii) Street Appraisal – Wentz (iii) Flood Discount – Reid.*

Commissioner Rohr moved to approve the Consent Agenda Items No. 3 through No. 15 as presented. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

Commissioner Frank requested Item No. 1 is removed for discussion.

1. *Consider proclamation designating May 25, 2013 as National Missing Children's Day in the City of Mandan.* Commissioner Frank stated the reason for removing this item from the Agenda is because it is a Proclamation. Mayor Van Beek read the Proclamation. Commissioner Frank moved to approve Consent Item No. 1 designating May 25, 2013 as National Missing Children's Day in the City of Mandan. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes;

Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

Commissioner Rohr requested Item No. 2 be removed for discussion.

2. *Consider for approval the final plat of Lincoln Ridge Estates 6th Addition.* Engineering Project Manager Fettig stated that the Engineering Office recommends moving ahead with this plat contingent on the matter of the three lots (Lots 25, 26, 27-Block 1) that are land-locked on the plat. The contingency of these lots need to be addressed to the Engineering Office whether they are going to be going to the property in Lincoln Ridge Estate first or if they are going to be part of the lots down below. Steve Thilmony, the developer on the project came forward and stated that he is the developer of the Lincoln Ridge 6th and that he submitted a letter to the City of Mandan on May 6, 2013 as follows: That he agrees to sell Lots 25, 26, 27 to the residents of Lincoln Ridge 1st. If an agreement cannot be worked out the said lots will be added to Lot 24 and Lot 28 of Lincoln Ridge 6th. The lots will not be stand-alone lots.

City Attorney Brown suggested that if the Commission is going to approve the plat that the Mayor defers signing it until May 21, 2013, which will allow Thilmony additional time to work with the property owners on this matter.

Commissioner Rohr motioned to approve the final plat of Lincoln Ridge Estates 6th Addition deferring the signing of it until the next City Commission meeting on May 21, 2013. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

H. OLD BUSINESS:

I. NEW BUSINESS:

1. *Consider funding requests from the Mandan Progress Organization Funding Committee.* Del Wetsch, Executive Director of the Mandan Progress Organization, reviewed the 17 requests from various organizations for funding requests. The applications were reviewed and accepted by the MPO Board of Directors who recommends the City Commission approve the requests.

Commissioner Frank moved to approve the funding allocations from the Mandan Progress Organization Funding Committee as presented. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Consider Growth Fund Committee recommendation regarding application for property tax incentive by Prairie View Properties, LLC (Little Caesar's Pizza), 310 6th Avenue SE.* Commissioner Rohr commented that the Commission has approved a plan with tier levels and it appears this request fits into Tier 1 as a possibility rather than Tier 2.

Business Development and Communications Director Huber provided the following information from the Mandan Growth Fund (MGF) Committee's discussion on this matter. In summary, based on the application from Prairie View Properties, the MGF determined the project meets the requirements of the Property Tax Policy for a Tier 2 exemption based on two qualifying criteria: (1) Job creations and (2) Sales tax revenue. Huber provided details as to how the criteria are met for both items. The total value of the exemption rate recommended by MGF is 100%, 100%, 75%, 50%, and 25% over a 5-year period for a total of \$29,550 during that period. Huber stated that this project also qualifies for filling a market gap explaining that this is for projects where validated market demand exceeds supply. Huber recommended entering into the standard claw-back agreement with the owner. The MGF committee recommended that if it is determined that this request is not granted a Tier 2 exemption that a Tier 1 be given. Huber noted that the MGF determined that granting this exemption would not be a substantial detriment to the existing businesses of this nature in the community.

Commissioner Rohr motioned to approve the application for property tax incentive by Prairie View Properties, LLC (Little Caesar's Pizza) at a Tier 1 Level for two years at 100%. Commissioner Frank seconded the motion. Commissioner Frank commented that when reviewing what eating places would be considered she noted that sit-down type facilities were favored more than fast food. She also pointed out possible concerns that might arise if sit-down style, full service restaurants subsequently come forward with similar exemption requests that qualify for both Tier I and Tier II levels and how this Board might have to handle those requests. Another concern she brought forward had to do with competition in this matter is not just limited to five pizza competitors but other fast food places located in Mandan as well.

Commissioner Braun commented that he is a member of the Growth Fund Committee and indicated that due diligence has been done on their part. He stated that he is in favor of following their recommendation to approve the exemption for Little Caesar's.

Mayor Van Beek commented that, as stated by Business Development Director Huber, no protests were received from other competitors. This matter was before the Board of Commissioners in 2011 and they (Prairie View Properties) was granted a 100% exemption for 5 years at that time. He stated he feels they qualify for Tier 2 as has been recommended by the Growth Fund Committee. Commissioner Rohr commented that he appreciates the work done by the Growth Fund Committee but he feels the Commission should be allowed independent thinking when it comes to decision making in circumstances such as these

Commissioner Braun motioned to amend the original motion to maintain the exemption as a Tier 2 Level. There was no second to the Amended Motion. The amended motion died for lack of a second.

Mayor Van Beek called for a roll call vote on the first motion to approve the application for property tax incentive by Prairie View Properties, LLC (Little Caesar's Pizza), a Tier 1 Level for two years at 100%: Roll call vote: Commissioner Rohr: Yes;

Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: No; Commissioner Van Beek: No. The vote tied. The motion failed.

Commissioner Braun motioned to put this matter on the Agenda for the next meeting under Old Business for discussion once again. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

3. *Consider entering into contract with Wenck Associates for a detailed Engineering Study for 8th Ave NW.* Director of Public Works Wright presented a proposal to enter into a contract with Wenck Associates that will include a detailed engineering study for the extension of 8th Avenue NW from Old Red Trail to the north where new development is being considered Option 2 of the proposed contracted. It will be an hourly cost not to exceed \$25,426. Wright confirmed with Finance Director Welch that the General Fund will support this project. Wright recommended entering into the contract with Wenck Associates, Option No. 2.

Commissioner Rohr motioned to approve entering into a contract with Wenck Associates for a detailed Engineering Study for 8th Ave NW. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

J. RESOLUTIONS AND ORDINANCES:

1. *Consider second consideration and final passage of Ordinance No. 1146. – An ordinance to create and enact Chapter 21-13 of the Mandan Code of Ordinances relating to Planned Unit Developments.* Commissioner Frank moved to approve the second consideration and final passage of Ordinance No. 1146. – An ordinance to create and enact Chapter 21-13 of the Mandan Code of Ordinances relating to Planned Unit Developments. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Consider second consideration and final passage of Ordinance No. 1145 – An Ordinance to Repeal Section 04-06-10(5) of the Mandan Code of Ordinances Relating to Salary Increases Due to Change in Status.* Finance Director Welch stated that this matter was brought before this Board at the April 16, 2013 meeting for first introduction. This would be replacing the existing promotional policy with the attached policy included in packet documentation. Commissioner Frank moved to approve the second consideration and final passage of Ordinance No. 1145 – An Ordinance to Repeal Section 04-06-10(5) of the Mandan Code of Ordinances Relating to Salary Increases Due to Change in Status. Commissioner Rohr seconded the motion. Commissioner Braun commented that there is work in progress to revise the current payroll system. When that process is completed it will be brought before this Board outlining the improvements that are made to the payroll system. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent;

Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes.
The motion passed.

3. *Consider first consideration of Ordinance No. 1147, 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).*

Commissioner Frank moved to approve the first consideration of Ordinance No. 1147, 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). Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

4. *Consider first consideration of Ordinance No.1148 Zone Change for a part of Government Lot 1 and the NE ¼ of the NE ¼ of Section 3, Township 138N, Range 81W (proposed Lincoln Ridge Estates 6th Addition)– An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map.*

Commissioner Frank moved to approve the first consideration of Ordinance No.1148 Zone Change for a part of Government Lot 1 and the NE ¼ of the NE ¼ of Section 3, Township 138N, Range 81W (proposed Lincoln Ridge Estates 6th Addition)– An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

5. *Consider first consideration of Ordinance No.1149 Zone Change for Government Lot 2, less Outlot A and the NW ¼ of the NE ¼ in Section 3, Township 1389N, Range 81W (Macedonia Hills Masterplan) – An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map.*

Commissioner Rohr moved to approve the first consideration of Ordinance No.1149 Zone Change for Government Lot 2, less Outlot A and the NW ¼ of the NE ¼ in Section 3, Township 1389N, Range 81W (Macedonia Hills Masterplan) – An ordinance to amend and reenact section 21-03-02 of the Mandan Code of Ordinances relating to District Boundaries and Zoning Map. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

6. *Consider Resolution of Concurrence to award Project TEU-1-988(035)046, PCN 19984 -Mandan Millennium Trail to the low bidder.* Commissioner Rohr moved to approve the Resolution of Concurrence to award Project TEU-1-988(035)046, PCN 19984 -Mandan Millennium Trail to the low bidder.

Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

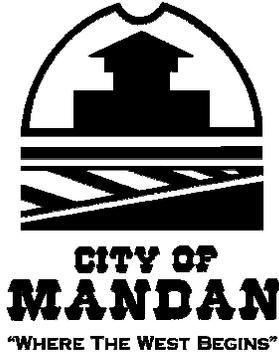
7. *Consider Resolution approving Amended Engineer's Report and Resolution Directing Advertisement for Bids for Street Improvement District No. 176, Project 2012-20 (Lakewood 6th and 7th).* Commissioner Frank moved to approve the Resolution approving Amended Engineer's Report and Resolution Directing Advertisement for Bids for Street Improvement District No. 176, Project 2012-20 (Lakewood 6th and 7th). Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Absent; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

K. OTHER BUSINESS

There being no further actions to come before the Board of City Commissioners, Commissioner Frank moved to adjourn the meeting at 7:00 p.m. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present. The motion passed.

James Neubauer,
City Administrator

Arlyn Van Beek,
President, Board of City
Commissioners



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 14, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Engineering & Planning
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Consider the annexation of Auditor's Lot B in Government Lot 1 in the NE ¼ of Section 3, Township 138 North, Range 81 West.

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

BACKGROUND/ALTERNATIVES: Request by Joseph Cicha to annex Auditor's Lot B in Government Lot 1 in the NE ¼ of Section 3, Township 138 North, Range 81 West. With the annexation that was done of the Lincoln Ridge Estates 6th Addition this small parcel was the remaining area that was not annexed.

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 No. 1150, annexing Auditor's Lot B in Government Lot 1 in the NE ¼ of Section 3, Township 138 North, Range 81 West.

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the annexation of Auditor's Lot B in Government Lot 1 in the NE ¼ of Section 3, Township 138 North, Range 81 West.

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ORDINANCE NO. 1150

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 tract of land being Auditor's Lot B in Government Lot 1, in 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 Lincoln Ridge Estates to the City of Mandan, North Dakota; thence South 01°03'13" East along the west boundary line of said Lincoln Ridge Estates a distance of 314.00 feet to the true point of beginning, said point being the northwest corner of Lot 9, Block 2 of said Lincoln Ridge Estates, said point also being the southeast corner of Auditor's Lot "A" of Government Lot 1, Section 3, Township 138N, Range 81W; thence continuing South 01°03'13" East along the west boundary line of said Lot 9 a distance of 100.00 feet to the southwest corner of said Lot 9; thence South 88°57'41" West a distance of 110.00 feet; thence North 22°51'11" West a distance of 107.71 feet to the southwest corner of said Auditor's Lot "A"; thence North 88°57'41" East along the south boundary line of said Auditor's Lot "A" a distance of 150.00 feet to the true point of beginning. Said tract of land containing 13,000 sq. ft. (0.30 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: May 21, 2013

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

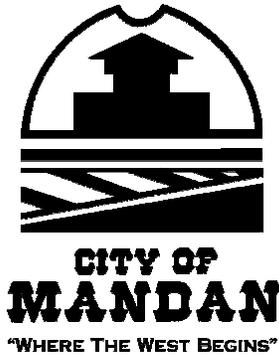
Subject: Consider the annexation of Auditor's Lot B in Government Lot 1 in the NE ¼ of Section 3, Township 138 North, Range 81 West.

Page 3 of 4

Second Consideration

and Final Passage: June 4, 2013

Date of Recording: _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 14, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Consider a change of zoning for Lots 6-8 and part of Lot 5, Block 1 and Lots 4-9 and part of Lots 3 & 10, Block 2 of Meadow Ridge 3rd Addition

STATEMENT/PURPOSE: Request to change the zoning of Lots 6-8 and part of Lot 5, Block 1 and Lots 4-9 and part of Lots 3 & 10, Block 2 of Meadow Ridge 3rd Addition in Section 22, Township 139N, Range 81W to RM (Multi-Family Residential).

BACKGROUND/ALTERNATIVES: Request by owner Harmon Properties. The Planning & Zoning Commission voted to approve the zone change on April 22, 2013 with 8 ayes and 1 nay.

ATTACHMENTS: 1. Office Report
2. Map
3. Ordinance

FISCAL IMPACT: Minimal

STAFF IMPACT: Minimal

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

SUGGESTED MOTION To approve the zone change for Lots 6-8 and part of Lot 5, Block 1 and Lots 4-9 and part of Lots 3 & 10, Block 2 of Meadow Ridge 3rd Addition to RM(Multi-Family Residential).

MANDAN PLANNING OFFICE REPORT
May 16, 2013

Applicant(s): Harmony Properties, LLC

Owner(s): same

Requested Action: Zone Change Approval

Name of Subdivision: Meadow Ridge 3rd Addition

Legal Description: Lots 6-8 and part of Lot 5, Block 1 and Lots 4-9 and part of
Lots 3 & 10, Block 2 of Meadow Ridge 3rd Addition in Section
22, Township 139N, Range 81W

Located: southeast corner of 27th Street NW and 8th Avenue NW

Parcel Acreage: 9.59

Existing Land Use: vacant

Proposed Land Use: single, two-family and multi-family residential

Adjacent Land Use: vacant, single-family, two-family and multi-family residential

Existing Zoning: R3.2 (Two-Family Residential) and MC (Light Non-Nuisance
Industrial/Heavy Commercial)

Proposed Zoning: RM (Multi-Family Residential)

Adjacent Zoning: R7 (Single Family Residential), R3.2 (Two-Family
Residential), RM (Multi-Family Residential), CC (Heavy
Commercial) and MC (Light Non-Nuisance Industrial/Heavy
Commercial)

Fee(s) Required: \$250.00 Date Received: April 3, 2013

Adjacent Property Owner Notification: May 8, 2013

Dates of Legal Notices: May 3 & 10, 2013

Recommendations: The Planning Office recommends approval.

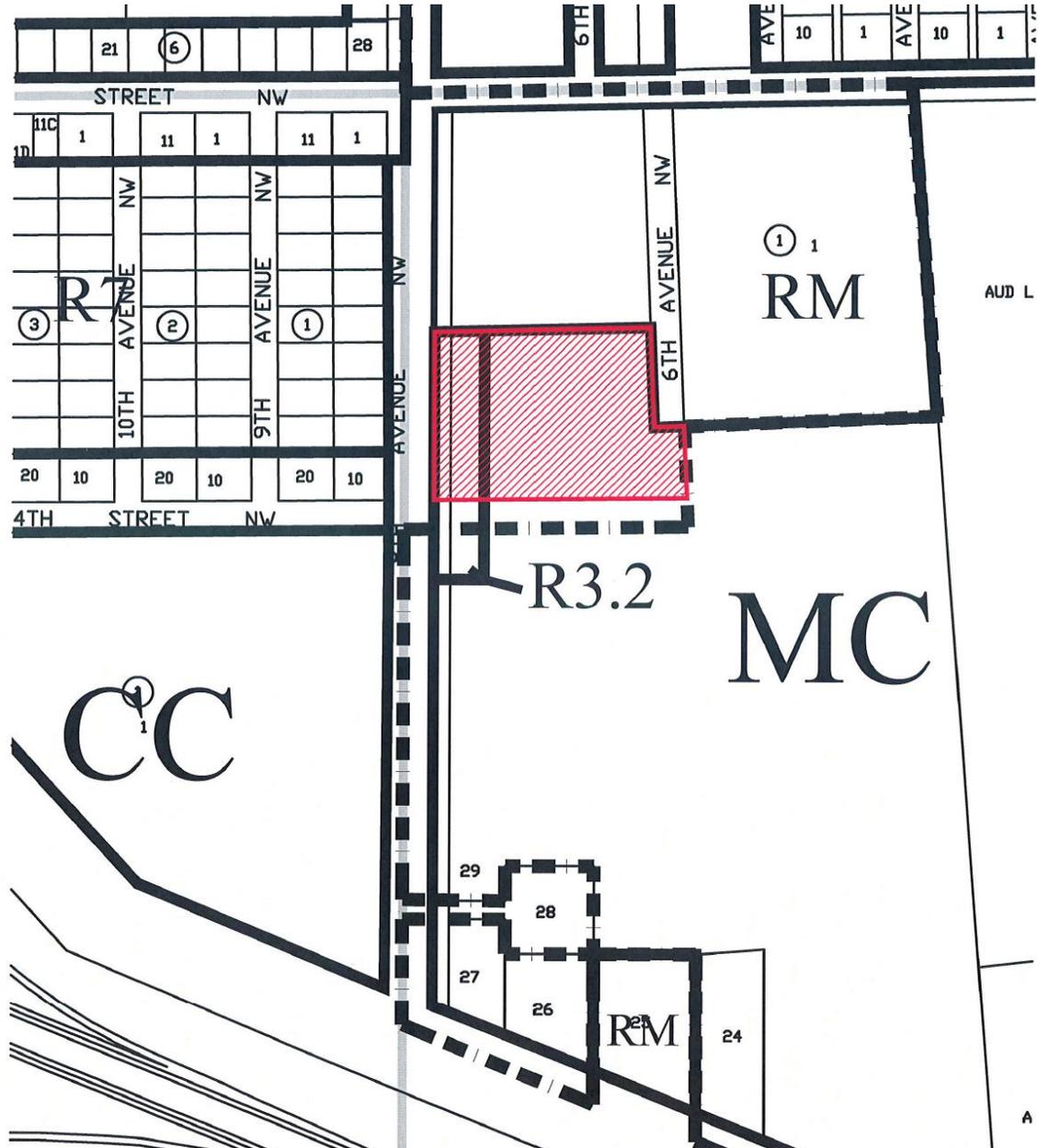
Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Lots 6-8 and part of Lot 5, Block 1 and Lots 4-9 and part of Lots 3 & 10, Block 2 of Meadow Ridge 3rd Addition

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Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Lots 6-8 and part of Lot 5, Block 1 and Lots 4-9 and part of Lots 3 & 10,
Block 2 of Meadow Ridge 3rd Addition

Page 4 of 4

ORDINANCE NO. 1151

**AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE
MANDAN MUNICIPAL CODE 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 Municipal Code is
amended to read as follows:

The following described property located within the City of Mandan shall be
excluded from the R3.2 (Two-Family Residential) zoning and MC (Light Non-Nuisance
Industrial/Heavy Commercial) and shall be included in the RM (Multi-Family
Residential) namely,

Lots 6-8 and part of Lot 5, Block 1 and Lots 4-9 and part of Lots 3 & 10,
Block 2 of Meadow Ridge 3rd Addition in Section 22, Township 139N,
Range 81W Meadow Ridge 3rd Addition in Section 22, Township 139N,
Range 81W .

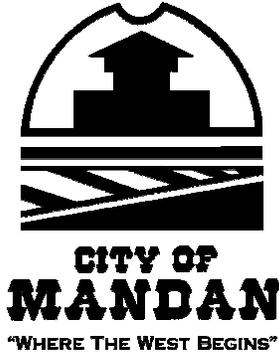
and as so amended said section is hereby reenacted. The city administrator is authorized
and directed to make the necessary changes upon the official zoning map of the city in
accordance with this section.

President, Board of City Commissioners

Attest:

City Administrator

Public Hearing:	<u>April 22, 2013</u>
First Consideration:	<u>May 21, 2013</u>
Second Consideration and Final Reading:	<u>June 4, 2013</u>
Publication Date:	_____
Recording Date:	_____



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 14, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Kim Fettig, Project Manager
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Consider a change of zoning for parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition in Section 16, Township 139 North, Range 81 West from R7(Single-Family Residential) and R3.2(Two-Family Residential) to RM (Multi-Family Residential).

STATEMENT/PURPOSE: Request to change the zoning of parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition in Section 16, Township 139 North, Range 81 West from R7(Single-Family Residential) and R3.2(Two-Family Residential) to RM (Multi-Family Residential).

BACKGROUND/ALTERNATIVES: Request by Mandan School District to change the zoning of parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition in Section 16, Township 139 North, Range 81 West from R7(Single-Family Residential) and R3.2(Two-Family Residential) to RM (Multi-Family Residential). The remaining parts of the School property is already RM zoning. This would be cleaning up the area to be all the same zoning. The Planning & Zoning Commission voted 8 ayes and 1 nay to approve the zone change on April 22, 2013.

ATTACHMENTS:

1. Office Report
2. Map
3. Ordinance

FISCAL IMPACT: Minimal

STAFF IMPACT: Minimal

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

RECOMMENDATION: Our office recommends approving the zone change.

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider a change of zoning for parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition from R7(Single-Family Residential) and R3.2(Two-Family Residential) to RM (Multi-Family Residential).

Page 2 of 5

SUGGESTED MOTION: I move to approve the zone change for Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition in Section 16, Township 139 North, Range 81 West from R7(Single-Family Residential) and R3.2(Two-Family Residential) to RM (Multi-Family Residential).

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider a change of zoning for parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition from R7(Single-Family Residential) and R3.2(Two-Family Residential) to RM (Multi-Family Residential).

Page 3 of 5

MANDAN PLANNING OFFICE REPORT

May 16, 2013

Applicant(s): Mandan School District

Owner(s): same

Requested Action: Zone Change Approval

Name of Subdivision: School District 5th

Legal Description: parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition in Section 16, Township 139N, Range 81W

Located: 27th Street NW

Parcel Acreage:

Existing Land Use: Mandan Middle School

Proposed Land Use: same

Adjacent Land Use: vacant and residential

Existing Zoning: R3.2 (Two-Family Residential) and RM (Multi-Family Residential)

Proposed Zoning: RM (Multi-Family Residential)

Adjacent Zoning: R7 (Single-Family Residential), R3.2 (Two-Family Residential) and RM (Multi-Family Residential)

Fee(s) Required: waived Date Received: March 18, 2013

Adjacent Property Owner Notification: April 9, 2013

Dates of Legal Notices: April 5 & 12, 2013

Recommendations: The Planning Office recommends approval.

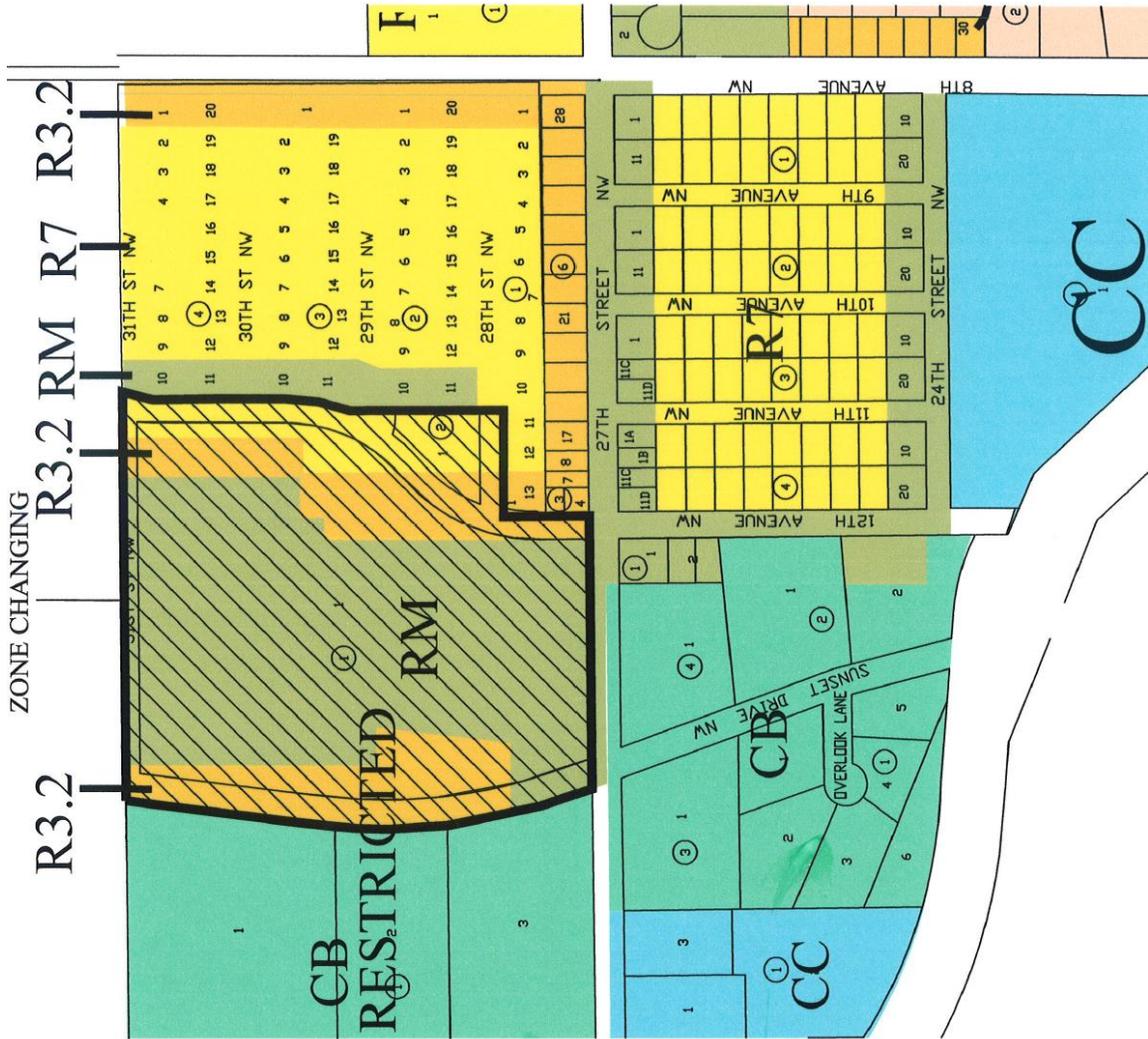
Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider a change of zoning for parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition from R7(Single-Family Residential) and R3.2(Two-Family Residential) to RM (Multi-Family Residential).

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Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider a change of zoning for parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition from R7(Single-Family Residential) and R3.2(Two-Family Residential) to RM (Multi-Family Residential).

Page 5 of 5

ORDINANCE NO. 1152

AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE MANDAN MUNICIPAL CODE 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 Municipal Code is amended to read as follows:

The following described property located within the City of Mandan shall be excluded from the R7 (Single-Family Residential) and R3.2 (Two-Family Residential) zoning and shall be included in the RM (Multi-Family Residential) namely,

Parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition in Section 16, Township 139N, Range 81W

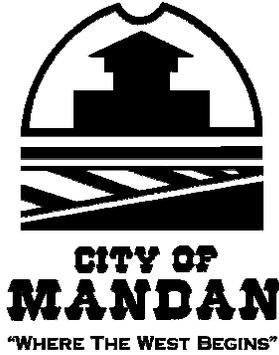
and as so amended said section is hereby reenacted. The city administrator is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

President, Board of City Commissioners

Attest:

City Administrator

Public Hearing:	<u>April 22, 213</u>
First Consideration:	<u>May 21, 2013</u>
Second Consideration and Final Reading:	<u>June 4, 2013</u>
Publication Date:	_____
Recording Date:	_____



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: April 25, 2013
SUBMITTING DEPARTMENT: Assessing Dept.
DEPARTMENT DIRECTOR: Doug Lalim, Building Official/Assessor
PRESENTER: Doug Lalim, Building Official/Assessor
SUBJECT: Property Tax Incentives for New or Expanding Businesses for Bayside, LLC

STATEMENT/PURPOSE: To consider a five year tax exemption for construction of a new commercial structure pursuant to North Dakota Century Code 40-57.1.

BACKGROUND/ALTERNATIVES: Mr. Otto is asking for an exemption for the construction of a new convenience store with gas station, car wash, liquor store and coffee shop. The Notice to Competitors was published in the April 26th and May 3rd of the Mandan News and no competitors have submitted a written protest. Notices were also sent via email to Morton County, Mandan School District and Mandan Park District on April 25, 2013.

SHORT DESCRIPTION OF PROJECT: Mr. Otto is proposing a new building structure. The proposed building will have a total of 4,500 square feet.

OF JOBS TO BE CREATED: 10+ full-time

This parcel is also known as Parcel #9604 AA at 2721 46th Ave. SE, S 150' of E 200' of Lot 1, Block 1, Lakewood 1st Addition.

ATTACHMENTS: Application

FISCAL IMPACT: \$18,617.00 per year

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Bayside, LLC

Page 2 of 10

RECOMMENDATION: Approval of a Property Tax Incentive for New or Expanding Businesses for Bayside, LLC in accordance with the recommendation from the Mandan Growth Fund Committee with conditions of the tier 2 exemption for five years due to number of jobs created meeting all criteria under the City of Mandan's Commercial Property Tax Exemption Policy and Guidelines and also under State Statute. The tier 2 level of exemption is 100% years 1-2, 75% year 3, 50% year 4 and 25% year 5.

SUGGESTED MOTION: A motion to approve a Property Tax Incentive for New or Expanding Businesses for Bayside, LLC in accordance with the recommendation from the Mandan Growth Fund Committee with the conditions of an exemption for five years; tier 2 level, due to the number of jobs created meeting all criteria under the City of Mandan's Commercial Property Tax Exemption Policy and Guidelines and also under State Statute. The tier 2 level of exemption is 100% years 1-2, 75% year 3, 50% year 4 and 25% year 5.

Application For Property Tax Incentives For New or Expanding Businesses

Pursuant to N.D.C.C. Chapter 40-57.1

Project Operator's Application To Mandan
City or County

File with the City Auditor for a project located within a city; County Auditor for locations outside of city limits.

A representative of each affected school district and township is included as a non-voting member in the negotiations and deliberation of this application.

This application is a public record

Identification Of Project Operator

1. Name of project operator Bayside, LLC

2. Address of project 2771 46th Ave SE Mandan
City Mandan County Morton

3. Mailing address of project operator 450 17th St W
City Dickinson State ND Zip 58601

4. Type of ownership of project
 Partnership Subchapter S corporation Individual proprietorship
 Corporation Cooperative Limited liability company

5. Federal Identification No. or Social Security No. _____

6. North Dakota Sales and Use Tax Permit No. pending

7. If a corporation, specify the state and date of incorporation _____

8. Name and title of individual to contact Tony M. Otto
Mailing address 3071 Bayshore Bend SE
City, State, Zip Mandan ND Phone No. _____

Project Operator's Application For Tax Incentives

9. Indicate the tax incentives applied for and terms. Be specific.

Property Tax Exemption **Payments In Lieu of Taxes**

Tier 5 Number of years _____ Beginning year _____ Ending year
Tier 2 Percent of exemption _____ Amount of annual payments (attach schedule if payments will vary)

10. Which of the following would better describe the project for which this application is being made:
 New business project Expansion of an existing business project

Description of Project Property

11. Legal description of project real property
Lot 1 Block 1 Lakewood Harbor 1st Addt

12. Will the project property be owned or leased by the project operator? Owned Leased
If the answer to 12 is leased, will the benefit of any incentive granted accrue to the project operator?
 Yes No
If the property will be leased, attach a copy of the lease or other agreement establishing the project operator's benefits.

13. Will the project be located in a new structure or an existing facility? New construction Existing facility
If existing facility, when was it constructed? _____
If new construction, complete the following:
a. Estimated date of commencement of construction of the project covered by this application 6-15-13
b. Description of project to be constructed including size, type and quality of construction
New construction of 4500 sqft Convenience store,
to be assembled panels, consisting of EIFS & stone exterior, 60x80
(b) Pump station canopy and car wash (combination wash)
c. Projected number of construction employees during the project construction _____

14. Approximate date of commencement of operations for this project _____

<p>15. Estimated market value of the property used for this project:</p> <p>a. Land.....\$ <u>840,000</u></p> <p>b. Existing buildings and structures for which an exemption is claimed.....\$ <u>Ø</u></p> <p>c. Newly constructed buildings and structures when completed\$ <u>945,000</u></p> <p>d. Total.....\$ <u>1,785,000</u></p> <p>e. Machinery and equipment\$ <u>350,000</u></p>	<p>16. Estimate taxable valuation of the property eligible for exemption by multiplying the market values by 5 percent:</p> <p>a. Land (not eligible)..... <u> </u></p> <p>b. Eligible existing buildings and structures.....\$ <u>Ø</u></p> <p>c. Newly constructed buildings and structures when completed.....\$ <u>47,250</u> <u>945,000</u></p> <p>d. Total taxable valuation of property eligible for exemption (Add lines b and c).....\$ <u>47,250</u> <u>945,000</u></p> <p>e. Enter the consolidated mill rate for the appropriate taxing district <u>.394</u></p> <p>f. Annual amount of the tax exemption (Line d multiplied by line e).....\$ <u>18,161.7</u> <u>372,330</u></p>
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Description of Project Business

Note: "project" means a newly established business or the expansion portion of an existing business. Do not include any established part of an existing business.

17. Type of business to be engaged in: Ag processing Manufacturing Retailing
 Wholesaling Warehousing Services

18. Describe in detail the activities to be engaged in by the project operator, including a description of any products to be manufactured, produced, assembled or stored (attach additional sheets if necessary).

Gas Station, Convenience Store, Carwash, Liquor
store, Coffee Shop

19. Indicate the type of machinery and equipment that will be installed

Gas pumps, Car Wash, Coffee Serving Eq.

20. Projected annual revenue, expense, and net income of the project for each year for the first five years.

Year	1	2	3	4	5
Annual revenue	6,034,271	6,382,917	6,751,394	7,141,400	7,427,056
Annual expense	6,033,424	6,366,315	6,719,004	7,090,291	7,363,439
Net income	1,347	16,602	32,390	51,109	64,617

21. Projected annual average number of persons to be employed by the project at the project location for each year for the first five years and the estimated annual payroll.

Year	1	2	3	4	5
No. of Employees	(1) 10	10	10	10	10
	(2) 6	6	6	6	6
Estimated payroll	(1) 309,000	309,000	330,000	339,000	340,000
	(2) 60,000	65,000	70,000	75,000	80,000

(1) - full time
 (2) - part time

Previous Business Activity

22. Is the project operator succeeding someone else in this or a similar business? Yes No

23. Has the project operator conducted this business at this or any other location either in or outside of the state?

Yes No

24. Has the project operator or any officers of the project received any prior property tax incentives? Yes No

If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).

Gas VP LLC DBA, DJ's Tesoro, Dickinson

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Bayside, LLC

Page 6 of 10

Business Competition

25. Is any similar business being conducted by other operators in the municipality? Yes No

If YES, give name and location of competing business or businesses

Any Convenience Store within 5 mile
Radius

Property Tax Liability Disclosure Statement

26. Does the project operator own real property in North Dakota which has delinquent property tax levied against it? Yes No

27. Does the project operator own a greater than 50% interest in a business that has delinquent property tax levied against any of its North Dakota real property? Yes No

If the answer to 26 or 27 is Yes, list and explain

Use Only When Reapplying

28. The project operator is reapplying for property tax incentives for the following reason(s):

- To present additional facts or circumstances which were not presented at the time of the original application
- To request continuation of the present property tax incentives because the project has:
 - moved to a new location
 - had a change in project operation or additional capital investment of more than twenty percent
 - had a change in project operators
- To request an additional annual exemption for the year of _____ on structures owned by a governmental entity and leased to the project operator. (See N.D.C.C. § 40-57.1-04.1)

Notice to Competitors of Hearing

Prior to the hearing, the applicant must present to the governing body of the county or city a copy of the affidavit of publication giving notice to competitors unless the municipality has otherwise determined there are no competitors.

I, Tony Michael Otto, do hereby certify that the answers to the above questions and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.

Tony Michael Otto Signature 4-17-13 Date

In compliance with the Federal Privacy Act of 1974, Public Law 93-579, the disclosure of the individual's social security number on this form is mandatory pursuant to North Dakota Century Code §§ 40-57.1-03 and 40-57.1-07. An individual's social security number is used as an identification number by the Office of State Tax Commissioner for file control purposes and record keeping.

Certification of Governing Body (To be completed by the Auditor of the City or County)

The municipality shall, after granting any property tax incentives, certify the findings to the State Tax Commissioner and Director of Tax Equalization by submitting a copy of the project operator's application with the attachments. The governing body, on the ___ day of _____, 20___, granted the following:

- Property Tax Exemption**
 - _____ Number of years
 - _____ Percent of exemption
- Payments in lieu of taxes**
 - _____ Beginning year _____ Ending year
 - _____ Amount of annual payments (Attach schedule if payments will vary)

Auditor

**APPLICATION FOR PROPERTY TAX INCENTIVES
FOR NEW OR EXPANDING BUSINESSES**

City of Mandan Supplemental Application — Adopted Dec. 18, 2012

Name of project operator Bayside LLC

Address of project 2721 46th Ave SE

Based on the City of Mandan's commercial property tax exemption policy and guidelines (see separate document), please indicate the level of exemption being sought.

Level of Exemption

- Tier 1 — 100% exemption for 2 years
- Tier 2 — 100% exemption years 1-2, 75% year 3, 50% year 4, and 25% year 5
- Tier 3 — 100% exemption for 5 years

Please indicate all significant public benefits to be provided by the subject project. These are the factors that should serve as the basis for your request. Please check all that apply and please be sure that you provide justification for each claimed benefit through information provided in the "Application for Property Tax Incentives For New and Expanding Businesses" and through this supplemental form. Attach additional sheets and information as needed. If a question is not applicable to the subject project, please indicate such with an "n/a" in the blank.

Public Benefits

- Creation and retention of job opportunities within the community (factors to be considered include numbers of jobs, average wages and benefits)
- Increased local use taxes (sales, hotel and restaurant, or occupancy)
- Filling a gap in the community or region's retail market profile (based on Nielsen Claritas or other published market data) *services lack within 2 mile radius*
- Diversification of economic base
- Ability of the project to attract people from other communities (typically for destination purchases for services)
- Synergies with existing businesses in the community (Examples: enhancing an industry sector important to the local economy, filling a gap in the supply chain for a core industry or business sector, providing a product or service needed by other businesses in the region)
- Growth potential of company and industry and potential spin-off benefits
- Adding value to local resources
- Making use of an underutilized asset (either facilities or land)

APPLICATION FOR PROPERTY TAX INCENTIVES FOR NEW OR EXPANDING BUSINESSES
City of Mandan Supplemental Application
Page 2 of 4

Project Development

Please describe the overall impact of the expansion, relocation, additional location or new business on the City of Mandan and the surrounding economic base. Please note any necessary investment beyond the building in site or infrastructure improvements.

This project will keep a large amount of consumer traffic from crossing the expressway bridge to go to convenience stores. The local traffic needs to travel 2.4 miles to get to a store right now.

Current assessed land value per square foot: \$12.00

Cost of land (if purchased as part of this project) per square foot: \$12.00

Estimated added land value (per square foot): _____

Estimated annual end-of-the year inventory: \$130,000

Sites being considered: N/A

Is this business relocating from another North Dakota site? NO

If yes ...

Where is the business relocating from? _____

Please explain the reason for the relocation including details of any expansion in square footage, employment, products or service offerings: _____

Employment

Total number of permanent employees in full-time equivalents: 10+

Total number of permanent employees estimated to live within 50 miles of proposed site: 100%

Hourly wage range by key positions or categories of positions Manager, Bookkeeper
Cashier, Barista, Maintenance, Hourly From \$8 to \$16/hr

Please describe the benefits offered to employees (retirement, health insurance, dental, etc.) and the eligibility requirements for participation. Indicate value of benefits on an hourly basis.

N/A

APPLICATION FOR PROPERTY TAX INCENTIVES FOR NEW OR EXPANDING BUSINESSES
City of Mandan Supplemental Application
Page 3 of 4

Impact on Local Use Taxes

Estimated value of annual purchases for project location 5,440,703

Percentage of purchases for project location subject to local sales or use tax 100%

Estimated value of annual sales to be generated from project location 6,021,344

Percentage of sales subject to local sales or use tax 100%

Market Context (for retail-oriented businesses only)

General retail category (check category that best applies)

- Motor Vehicle & Parts Dealers
- Furniture & Home Furnishing Stores
- Electronics & Appliance Stores
- Building Materials & Garden Equipment
- Food and Beverage Stores
- Health & Personal Care Stores
- Gas Stations
- Clothing & Accessories
- Sporting Goods, Hobby, Book, Music Stores
- General Merchandise Stores
- Foodservice and Drinking Places
- Miscellaneous (please indicate) _____

Please use Nielsen Claritas, ESRI or Buxton market analyses as references for the following:

Estimated consumer expenditures in city or county 35,946,784

Estimated retail sales in city of county 44,046,683

Estimated surplus or gap (8,099,899)

Importance of Incentive (use a separate sheet as needed)

Please describe why an incentive is necessary for the success of this project and how the improvements will benefit the property at the conclusion of the abatement.

The Convenience Store industry is a tight Margin industry. Until the project is paid off, any small savings will be necessary to aid in the success of the operations.

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Bayside, LLC

Page 10 of 10

APPLICATION FOR PROPERTY TAX INCENTIVES FOR NEW OR EXPANDING BUSINESSES
City of Mandan Supplemental Application
Page 4 of 4

Future Expansion Plans (use a separate sheet as needed)

Please describe any plans for future expansion beyond the initial development. Describe investments and employment associated with those plans on a year-to-year basis.

None

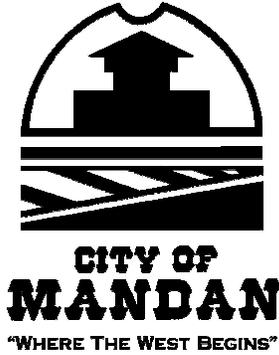
I *Tory M. Offo* do hereby certify that the answers to the questions above and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.

I further agree that I have read the requirement for installation of an automatic door per Mandan Municipal Code 14-02-15 if the building project that is subject of this application is approved for a property tax exemption and if the building is used for a purpose described in the following sections of 21-03-07 of the Mandan Municipal Code: Retail Group A; Retail Group B; Service Group A; Office Bank Group; Commercial Recreation Group; Health Medical Group and Education Group.

Tory M. Offo
Signature

Title

4-15-13
Date



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: April 25, 2013
SUBMITTING DEPARTMENT: Assessing Dept.
DEPARTMENT DIRECTOR: Doug Lalim, Building Official/Assessor
PRESENTER: Doug Lalim, Building Official/Assessor
SUBJECT: Property Tax Incentives for New or Expanding Businesses for Zueger Properties, Goldstar Properties, Verity Homes

STATEMENT/PURPOSE: To consider a two year tax exemption for construction of a new apartment building pursuant to North Dakota Century Code 40-57.1.

BACKGROUND/ALTERNATIVES: Mr. Zueger is asking for an exemption for the construction of a new 30-unit apartment building with underground parking, three story; units to be 1, 2, and 3-bedroom. There will also be additional garages to be constructed. The Notice to Competitors was published in the April 26th and May 3rd of the Mandan News and no competitors have submitted a written protest. Notices were also sent via email to Morton County, Mandan School District and Mandan Park District on April 25, 2013.

SHORT DESCRIPTION OF PROJECT: Mr. Zueger is proposing a new 30-unit apartment building with underground parking and additional garages. The proposed apartment building area will have 13,618 square feet and 2,178 square feet for garages.

OF JOBS TO BE CREATED: 2.5

This parcel is also known as Parcel #10020 at 2003 Marina Rd. SE, Lot 1, Block 2, Bridgeview Bay 1st Addition.

ATTACHMENTS: Application

FISCAL IMPACT: \$53,190.00 per year

STAFF IMPACT: N/A

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Zueger Properties, Goldstar Properties, Verity Homes

Page 2 of 12

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of a Property Tax Incentive for New or Expanding Businesses for Zueger Properties, Goldstar Properties, and Verity Homes in accordance with the recommendation from the Mandan Growth Fund Committee with conditions of the tier 1 exemption for two years due to number of jobs created meeting all criteria under the City of Mandan's Commercial Property Tax Exemption Policy and Guidelines and also under State Statute. The tier 1 level of exemption is 100% years 1-2.

SUGGESTED MOTION: A motion to approve a Property Tax Incentive for New or Expanding Businesses for Zueger Properties, Goldstar Properties, and Verity Homes in accordance with the recommendation from the Mandan Growth Fund Committee with the conditions of an exemption for two years; tier 1 level, due to the number of jobs created meeting all criteria under the City of Mandan's Commercial Property Tax Exemption Policy and Guidelines and also under State Statute. The tier 1 level of exemption is 100% years 1-2.

**Application For Property Tax Incentives For
New or Expanding Businesses**

Pursuant to N.D.C.C. Chapter 40-57.1

Project Operator's Application To Mandan
City or County

File with the City Auditor for a project located within a city; County Auditor for locations outside of city limits.

A representative of each affected school district and township is included as a non-voting member in the negotiations and deliberation of this application.

This application is a public record

Identification Of Project Operator

1.	Name of project operator	<u>Zueger Properties, Goldstar Properties, Verity Homes</u>
2.	Address of project	<u>2003 Marina Road, SE</u>
	City	<u>Mandan</u> County <u>Morton</u>
3.	Mailing address of project operator	<u>4816 Harbor Trail SE</u>
	City	<u>Mandan</u> State <u>ND</u> Zip <u>58554</u>
4.	Type of ownership of project	
	<input type="checkbox"/> Partnership	<input type="checkbox"/> Subchapter S corporation
	<input type="checkbox"/> Corporation	<input type="checkbox"/> Cooperative
		<input checked="" type="checkbox"/> Limited liability company
5.	Federal Identification No. or Social Security No.	<u>N/A</u>
6.	North Dakota Sales and Use Tax Permit No.	<u>N/A</u>
7.	If a corporation, specify the state and date of incorporation	<u>ND</u>
8.	Name and title of individual to contact	<u>Jeff Zueger</u>
	Mailing address	<u>4816 Harbor Trail SE</u>
	City, State, Zip	<u>Mandan, ND 58554</u> Phone No. _____

Project Operator's Application For Tax Incentives

9.	Indicate the tax incentives applied for and terms. Be specific.	
	<input checked="" type="checkbox"/> Property Tax Exemption	<input type="checkbox"/> Payments In Lieu of Taxes
	<u>2</u> Number of years	Beginning year _____ Ending year _____
	<u>100</u> Percent of exemption	Amount of annual payments (attach schedule if payments will vary)
10.	Which of the following would better describe the project for which this application is being made:	
	<input checked="" type="checkbox"/> New business project	<input type="checkbox"/> Expansion of a existing business project

Description of Project Property

11. Legal description of project real property
Lot 1 Block Z Bridgeview Bay Addition

12. Will the project property be owned or leased by the project operator? Owned Leased
If the answer to 12 is leased, will the benefit of any incentive granted accrue to the project operator?
 Yes No
If the property will be leased, attach a copy of the lease or other agreement establishing the project operator's benefits.

13. Will the project be located in a new structure or an existing facility? New construction Existing facility
If existing facility, when was it constructed? _____
If new construction, complete the following:
a. Estimated date of commencement of construction of the project covered by this application July 1, 2013
b. Description of project to be constructed including size, type and quality of construction
30 Unit Apartment Building with underground parking, three story, units to be 1, 2, and 3 bedroom. Additional garages to be constructed.
c. Projected number of construction employees during the project construction 12

14. Approximate date of commencement of operations for this project November 2013

<p>15. Estimated market value of the property used for this project:</p> <p>a. Land.....\$ <u>300,000</u></p> <p>b. Existing buildings and structures for which an exemption is claimed.....\$ <u>0</u></p> <p>c. Newly constructed buildings and structures when completed.....\$ <u>2,700,000</u></p> <p>d. Total.....\$ <u>3,000,000</u></p> <p>e. Machinery and equipment.....\$ <u>0</u></p>	<p>16. Estimate taxable valuation of the property eligible for exemption by multiplying the market values by 5 percent:</p> <p>a. Land (not eligible)..... <u> </u></p> <p>b. Eligible existing buildings and structures.....\$ <u>0</u></p> <p>c. Newly constructed buildings and structures when completed.....\$ <u>135,000</u></p> <p>d. Total taxable valuation of property eligible for exemption (Add lines b and c).....\$ <u>135,000</u></p> <p>e. Enter the consolidated mill rate for the appropriate taxing district..... <u>.394</u> <u>0.403</u></p> <p>f. Annual amount of the tax exemption (Line d multiplied by line e).....\$ <u>53,190</u> <u>54,405</u></p>
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Description of Project Business

Note: "project" means a newly established business or the expansion portion of an existing business. Do not include any established part of an existing business.

17. Type of business to be engaged in: Ag processing Manufacturing Retailing
 Wholesaling Warehousing Services

18. Describe in detail the activities to be engaged in by the project operator, including a description of any products to be manufactured, produced, assembled or stored (attach additional sheets if necessary).

Operations of a 30 unit apartment rental building

19. Indicate the type of machinery and equipment that will be installed

N/A

20. Projected annual revenue, expense, and net income of the project for each year for the first five years.

Year	<u>See Attachment A</u>				
Annual revenue					
Annual expense					
Net income					

21. Projected annual average number of persons to be employed by the project at the project location for each year for the first five years and the estimated annual payroll.

Year	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
No. of Employees ⁽¹⁾	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>
⁽²⁾	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
Estimated payroll ⁽¹⁾	<u>40,000</u>	<u>40,000</u>	<u>40,000</u>	<u>40,000</u>	<u>40,000</u>
⁽²⁾	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>

(1) - full time
 (2) - part time

Previous Business Activity

22. Is the project operator succeeding someone else in this or a similar business? Yes No

23. Has the project operator conducted this business at this or any other location either in or outside of the state?

Yes No

24. Has the project operator or any officers of the project received any prior property tax incentives? Yes No

If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).

No special exemptions, only standard residential property exemptions

Business Competition

25. Is any similar business being conducted by other operators in the municipality? Yes No

If YES, give name and location of competing business or businesses

Lakewood area subdivision apartment buildings

Property Tax Liability Disclosure Statement

26. Does the project operator own real property in North Dakota which has delinquent property tax levied against it? Yes No

27. Does the project operator own a greater than 50% interest in a business that has delinquent property tax levied against any of its North Dakota real property? Yes No

If the answer to 26 or 27 is Yes, list and explain

Use Only When Reapplying

28. The project operator is reapplying for property tax incentives for the following reason(s):

To present additional facts or circumstances which were not presented at the time of the original application

To request continuation of the present property tax incentives because the project has:

- moved to a new location
- had a change in project operation or additional capital investment of more than twenty percent
- had a change in project operators

To request an additional annual exemption for the year of _____ on structures owned by a governmental entity and leased to the project operator. (See N.D.C.C. § 40-57.1-04.1)

Notice to Competitors of Hearing

Prior to the hearing, the applicant must present to the governing body of the county or city a copy of the affidavit of publication giving notice to competitors unless the municipality has otherwise determined there are no competitors.

I, Jeff Zueger, do hereby certify that the answers to the above questions and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.

[Signature] Signature Partner Title 4-17-13 Date

In compliance with the Federal Privacy Act of 1974, Public Law 93-579, the disclosure of the individual's social security number on this form is mandatory pursuant to North Dakota Century Code §§ 40-57.1-03 and 40-57.1-07. An individual's social security number is used as an identification number by the Office of State Tax Commissioner for file control purposes and record keeping.

Certification of Governing Body (To be completed by the Auditor of the City or County)

The municipality shall, after granting any property tax incentives, certify the findings to the State Tax Commissioner and Director of Tax Equalization by submitting a copy of the project operator's application with the attachments. The governing body, on the _____ day of _____, 20____, granted the following:

Property Tax Exemption **Payments in lieu of taxes**

_____ Number of years _____ Beginning year _____ Ending year

_____ Percent of exemption _____ Amount of annual payments (Attach schedule if payments will vary)

Auditor

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Zueger Properties,
Goldstar Properties, Verity Homes

Page 7 of 12

Attachment A

Revenues

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Rental Income 90% occ	\$ 356,400.00	\$ 363,528.00	\$ 370,798.56	\$ 378,214.53	\$ 385,778.82

Expenses

Insurance	\$ 12,000.00	\$ 12,240.00	\$ 12,484.80	\$ 12,734.50	\$ 12,989.19
Water and Garbage	\$ 18,000.00	\$ 18,360.00	\$ 18,727.20	\$ 19,101.74	\$ 19,483.78
Utilities	\$ 12,000.00	\$ 12,240.00	\$ 12,484.80	\$ 12,734.50	\$ 12,989.19
Maintenance	\$ 20,000.00	\$ 20,400.00	\$ 20,808.00	\$ 21,224.16	\$ 21,648.64
Property Taxes	\$ 57,000.00	\$ 58,140.00	\$ 59,302.80	\$ 60,488.86	\$ 61,698.63
Special Assessment	\$ 4,100.00	\$ 4,100.00	\$ 4,100.00	\$ 4,100.00	\$ 4,100.00
Management 5%	\$ 19,800.00	\$ 20,196.00	\$ 20,599.92	\$ 21,011.92	\$ 21,432.16

Total Expenses	\$ 142,900.00	\$ 145,676.00	\$ 148,507.52	\$ 151,395.67	\$ 154,341.58
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Other Expenses

Principal & Interest	\$ 182,203.02	\$ 182,203.02	\$ 182,203.02	\$ 182,203.02	\$ 182,203.02
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Net Income

	\$ 31,296.98	\$ 35,648.98	\$ 40,088.02	\$ 44,615.84	\$ 49,234.22
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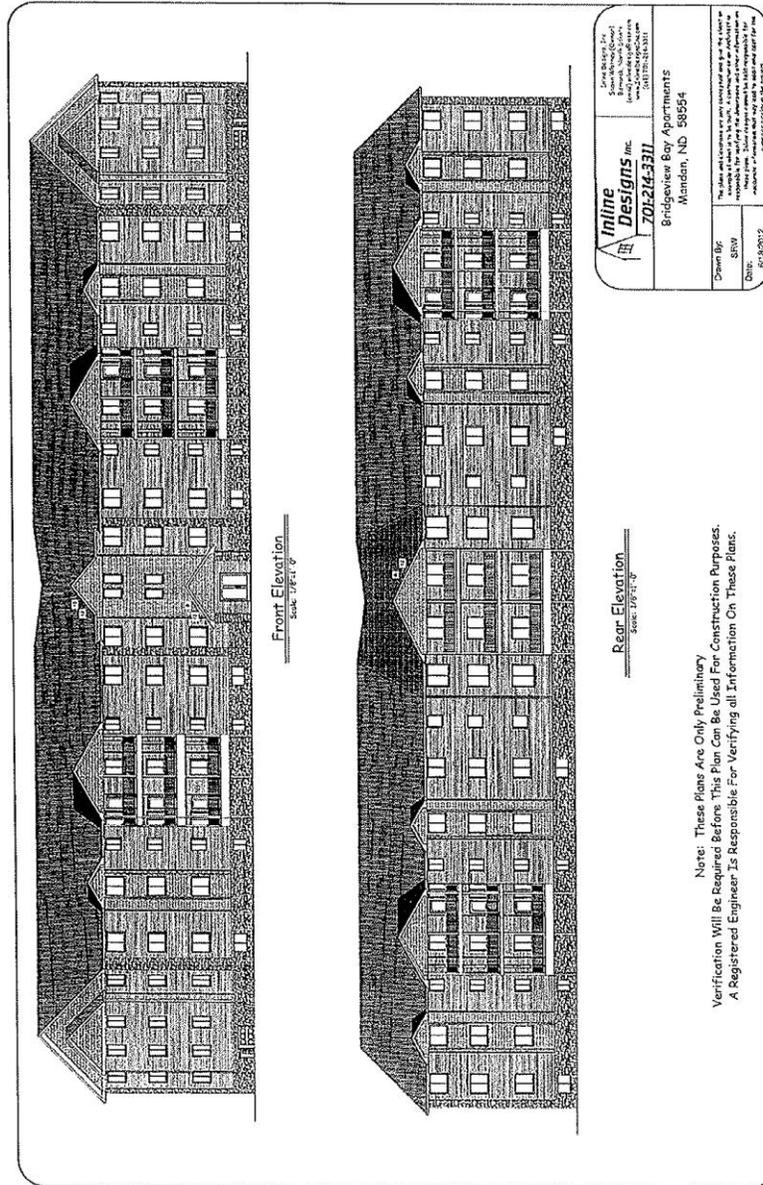
Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Zueger Properties,
Goldstar Properties, Verity Homes

Page 8 of 12



Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Zueger Properties,
Goldstar Properties, Verity Homes

Page 9 of 12

**APPLICATION FOR PROPERTY TAX INCENTIVES
FOR NEW OR EXPANDING BUSINESSES**

City of Mandan Supplemental Application — Adopted Dec. 18, 2012

Name of project operator Zueger Properties, Goldstar Properties, Verity Homes

Address of project 2003 Marine Road SE, Mandan, ND

Based on the City of Mandan's commercial property tax exemption policy and guidelines (see separate document), please indicate the level of exemption being sought.

Level of Exemption

- Tier 1 — 100% exemption for 2 years
- Tier 2 — 100% exemption years 1-2, 75% year 3, 50% year 4, and 25% year 5
- Tier 3 — 100% exemption for 5 years

Please indicate all significant public benefits to be provided by the subject project. These are the factors that should serve as the basis for your request. Please check all that apply and please be sure that you provide justification for each claimed benefit through information provided in the "Application for Property Tax Incentives For New and Expanding Businesses" and through this supplemental form. Attach additional sheets and information as needed. If a question is not applicable to the subject project, please indicate such with an "n/a" in the blank.

Public Benefits

- Creation and retention of job opportunities within the community (factors to be considered include numbers of jobs, average wages and benefits)
- Increased local use taxes (sales, hotel and restaurant, or occupancy)
- Filling a gap in the community or region's retail market profile (based on Nielsen Claritas or other published market data)
- Diversification of economic base
- Ability of the project to attract people from other communities (typically for destination purchases for services)
- Synergies with existing businesses in the community (Examples: enhancing an industry sector important to the local economy, filling a gap in the supply chain for a core industry or business sector, providing a product or service needed by other businesses in the region)
- Growth potential of company and industry and potential spin-off benefits
- Adding value to local resources
- Making use of an underutilized asset (either facilities or land)

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Zueger Properties, Goldstar Properties, Verity Homes

Page 10 of 12

APPLICATION FOR PROPERTY TAX INCENTIVES FOR NEW OR EXPANDING BUSINESSES
City of Mandan Supplemental Application
Page 2 of 4

Project Development

Please describe the overall impact of the expansion, relocation, additional location or new business on the City of Mandan and the surrounding economic base. Please note any necessary investment beyond the building in site or infrastructure improvements.

This building will bring an additional 30 families to the community. The building will generate property taxes after the exemption. The building will create jobs to operate and maintain. The families will spend money in the community.

Current assessed land value per square foot: _____

Cost of land (if purchased as part of this project) per square foot: \$ 6.50

Estimated added land value (per square foot): _____

Estimated annual end-of-the year inventory: _____

Sites being considered: North Bismarck and this location

Is this business relocating from another North Dakota site? No

If yes ...

Where is the business relocating from? _____

Please explain the reason for the relocation including details of any expansion in square footage, employment, products or service offerings: _____

Employment

Total number of permanent employees in full-time equivalents: 2.5

Total number of permanent employees estimated to live within 50 miles of proposed site: 2.5

Hourly wage range by key positions or categories of positions \$20,000 per year

annual salary for 2.5 employees

Please describe the benefits offered to employees (retirement, health insurance, dental, etc.) and the eligibility requirements for participation. Indicate value of benefits on an hourly basis.

Subcontracted

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Zueger Properties, Goldstar Properties, Verity Homes

Page 11 of 12

APPLICATION FOR PROPERTY TAX INCENTIVES FOR NEW OR EXPANDING BUSINESSES
City of Mandan Supplemental Application
Page 3 of 4

Impact on Local Use Taxes

Estimated value of annual purchases for project location \$10,000

Percentage of purchases for project location subject to local sales or use tax 10,000

Estimated value of annual sales to be generated from project location —

Percentage of sales subject to local sales or use tax —

Market Context (for retail-oriented businesses only)

General retail category (check category that best applies)

- Motor Vehicle & Parts Dealers
- Furniture & Home Furnishing Stores
- Electronics & Appliance Stores
- Building Materials & Garden Equipment
- Food and Beverage Stores
- Health & Personal Care Stores
- Gas Stations
- Clothing & Accessories
- Sporting Goods, Hobby, Book, Music Stores
- General Merchandise Stores
- Foodservice and Drinking Places
- Miscellaneous (please indicate) _____

Please use Nielsen Claritas, ESRI or Buxton market analyses as references for the following:

Estimated consumer expenditures in city or county _____

Estimated retail sales in city or county _____

Estimated surplus or gap _____

Importance of Incentive (use a separate sheet as needed)

Please describe why an incentive is necessary for the success of this project and how the improvements will benefit the property at the conclusion of the abatement.

The project is making rental assumptions that can vary with market demands. The project bears a large interest payment in the early years of operations. The property tax exemption will allow the business an opportunity to pay down debt, build some initial working capital and withstand any market challenges.

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Zueger Properties,
Goldstar Properties, Verity Homes

Page 12 of 12

APPLICATION FOR PROPERTY TAX INCENTIVES FOR NEW OR EXPANDING BUSINESSES
City of Mandan Supplemental Application
Page 4 of 4

Future Expansion Plans (use a separate sheet as needed)

Please describe any plans for future expansion beyond the initial development. Describe investments and employment associated with those plans on a year-to-year basis.

N / A

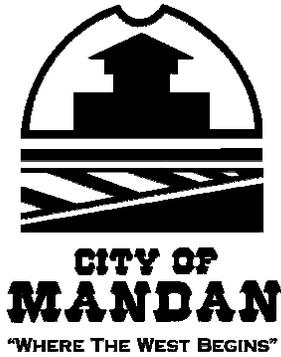
I Jeff Zueger do hereby certify that the answers to the questions above and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.

I further agree that I have read the requirement for installation of an automatic door per Mandan Municipal Code 14-02-15 if the building project that is subject of this application is approved for a property tax exemption and if the building is used for a purpose described in the following sections of 21-03-07 of the Mandan Municipal Code: Retail Group A; Retail Group B; Service Group A; Office Bank Group; Commercial Recreation Group; Health Medical Group and Education Group.


Signature

Partner
Title

4-17-13
Date



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 15, 2013
SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Jeff Wright
PRESENTER: Jeff Wright, Director of Public Works
SUBJECT: Award bid for 1981 Brush Truck to Dakota Speedway for \$3,500.

STATEMENT/PURPOSE: Award bid for Brush truck to Dakota Speedway.

BACKGROUND/ALTERNATIVES: The Brush truck was advertised in the paper and on BisManOnline with a minimum acceptable bid of \$2,500. We received one bid from Dakota Speedway for \$3,500. We feel the bid is an acceptable bid for the truck and the Speedway did express interest in the truck.

ATTACHMENTS: Picture

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Recommend awarding bid for the 1981 Brush truck to Dakota Speedway for \$3,500.

SUGGESTED MOTION: Move to award bid for the 1981 Brush truck to Dakota Speedway for \$3,500.

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Award bid for 1981 Brush Truck to Dakota Speedway for \$3,500.

Page 2 of 2





GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
 SFN 17996 (02-2011)

Consent No. 2i

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Fort Abraham Lincoln Foundation is hereby authorized to conduct games of chance under the license granted by the Attorney General of the State of North Dakota at the following location; West side Bar and Grill/ Mulligans the address of which is:

501 Burlington Street Mandan 58554 Morton
 (Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required):
Whole bar area excluding the bathrooms

Number of twenty-one tables (required) (if zero, enter "0") : 2

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)

1. Days of week of gaming operations _____

2. Hours of gaming _____

3. List each specific game type prohibited _____

 Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:
 Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 **OR** 800-326-9240



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
 SFN 17996 (02-2011)

Consent No. 2ii

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Fort Abraham Lincoln Foundation is hereby authorized to conduct games of
 (Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
 location: Midway Lanes the address of which is:

3327 Memorial Hwy Mandan 58554 Morton
 (Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required):
Whole bar area excluding the bathrooms

Number of twenty-one tables (required) (if zero, enter "0") : 2

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)

1. Days of week of gaming operations _____

2. Hours of gaming _____

3. List each specific game type prohibited _____

 Attorney General Date Signature of City/County Auditor Date
 PRINT Name / Official Position of person signing above

INSTRUCTIONS:

1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
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RETURN ALL DOCUMENTS TO:

Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 **OR** 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G- _____ (____) _____

Site Owner (Lessor) Midway Lanes, Inc.		Site Name King Pin/ B52		Site Phone Number (701) 663-0277
Site Address 3327 Memorial Highway		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period 7/1/2013 to 6/30/2014		Monthly Rent Amount
Organization (Lessee) Fort Abraham Lincoln Foundation				
1. Is Bingo going to be conducted at this site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
2. Is a raffle drawing going to be conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
3. Is Prize Boards involving a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Twenty-One conducted at this site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				
Number of Tables with wagers over \$5 <u>3</u> X Rent per Table \$ <u>300</u>		\$ <u>600</u>		
5. Is Paddlewheels conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
Number of Tables _____ X Rent per Table \$ _____				
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ <u>175</u>
If "Yes," skip questions 7 & 8.				
7. Is Pull Tabs involving only a jar bar conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
8. Is Pull Tabs involving only a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$

Total Monthly Rent
\$ 775

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>James B. Mollen</i>	Title President	Date 5-10-13
Signature of Lessee (top Executive Official) <i>Tracy Felt</i>	Title President	Date 5-10-13

(over)



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Fort Abraham Lincoln Foundation is hereby authorized to conduct games of
(Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: Broken Oar the address of which is:

4724 Pintail Loop Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required):
Whole bar area excluding the bathrooms

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
- 2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 **OR** 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY	
SITE LICENSE NO.	
G- _____	(____) _____

Site Owner (Lessor) B And B Inc.		Site Name Broken Oar		Site Phone Number (701) 667-2159
Site Address 4724 Pintail Loop		City Mandan	State ND	Zip Code 58554
Organization (Lessee) Fort Abraham Lincoln Foundation		Rental Period 7/1/2013 to 6/30/2014		County Morton
1. Is Bingo going to be conducted at this site? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts. <input type="checkbox"/> No <input type="checkbox"/> Yes				
2. Is a raffle drawing going to be conducted at this site? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
3. Is Prize Boards involving a dispensing device conducted at this site? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____ <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				\$
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300.00</u>				\$ 300.00
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____ <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8. <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				\$ 200.00
7. Is Pull Tabs involving only a jar bar conducted at this site? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$ 0.00
8. Is Pull Tabs involving only a dispensing device conducted at this site? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
TERMS OF RENTAL AGREEMENT:				Total Monthly Rent \$ 500.00

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Steen Kell</i>	Title Manager/owner	Date 4/17/13
Signature of Lessee (Top Executive Official) <i>Tracy Pitt</i>	Title President	Date 4-12-13

Consent No. 2iv



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Fort Abraham Lincoln Foundation is hereby authorized to conduct games of
(Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: Lonesome Dove the address of which is:

3929 Memorial Hwy Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 8/30/14

Specific location where games of chance will be conducted and played at the site (required):
Whole bar area excluding the bathrooms

Number of twenty-one tables (required) (if zero, enter "0") : 3

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
- 2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 **OR** 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G- _____ (_____) _____

Site Owner (Lessor) Lonesome Dove Inc.		Site Name Lonesome Dove		Site Phone Number (701) 663-2793
Site Address 3929 Memorial Highway		City Mandan	State ND	Zip Code 58554
Organization (Lessee) Fort Abraham Lincoln Foundation		Rental Period 7/1/2013 to 6/30/2014		County Morton
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				Monthly Rent Amount
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
2. Is a raffle drawing going to be conducted at this site?				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
3. Is Prize Boards involving a dispensing device conducted at this site?				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				\$
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				\$ 900.00
Number of Tables with wagers over \$5 <u>3</u> X Rent per Table \$ <u>300.00</u>				
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.				\$ 175.00
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				\$
7. Is Pull Tabs involving only a jar bar conducted at this site?				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
8. Is Pull Tabs involving only a dispensing device conducted at this site?				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
TERMS OF RENTAL AGREEMENT:				Total Monthly Rent \$ 1,075.00

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>[Signature]</i>	Title <i>Pres.</i>	Date 3-20-13
Signature of Lessee (Top Executive Official) <i>[Signature]</i>	Title <i>President</i>	Date 3-7-13



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17998 (02-2011)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Fort Abraham Lincoln Foundation is hereby authorized to conduct games of
(Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: Seven Seas the address of which is:

2611 Old Red Trail Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required):
Whole bar area excluding the bathrooms

Number of twenty-one tables (required) (if zero, enter "0") : 2

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

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- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

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Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 **OR** 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G- _____ (____)

Site Owner (Lessor) Best Western Seven Seas		Site Name Montanna Mikes		Site Phone Number (701) 663-7401
Site Address 2611 Old Red Trail		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period 7/1/2013 to 6/30/2014		Monthly Rent Amount
Organization (Lessee) Fort Abraham Lincoln Foundation				
1. Is Bingo going to be conducted at this site?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$	
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.	<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$	
2. Is a raffle drawing going to be conducted at this site?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$	
3. Is Prize Boards involving a dispensing device conducted at this site?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$	
4. Is Twenty-One conducted at this site?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$	
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____			\$	
Number of Tables with wagers over \$5 <u>2</u> X Rent per Table \$ <u>75.00</u>			\$ 150.00	
5. Is Paddlewheels conducted at this site?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$	
Number of Tables _____ X Rent per Table \$ _____			\$	
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$	
7. Is Pull Tabs involving only a jar bar conducted at this site?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 100.00	
8. Is Pull Tabs involving only a dispensing device conducted at this site?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$	
TERMS OF RENTAL AGREEMENT:				Total Monthly Rent \$ 250.00

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor 	Title GM	Date 4/26/13
Signature of Lessee (Top Executive Official) 	Title President	Date 4-22-13



CITY OF MANDAN

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

CITY DEPARTMENTS

ADMINISTRATION	667-3215
ASSESSING/BUILDING INSPECTION	667-3230
BUSINESS DEVELOPMENT	667-3485
CEMETERY	667-6044
ENGINEER/PLANNING & ZONING	667-3225
FINANCE	667-3213
FIRE	667-3288
HUMAN RESOURCES	667-3217
LANDFILL	667-0184
MUNICIPAL COURT	667-3270
POLICE	667-3455
PUBLIC WORKS	667-3240
WASTEWATER TREATMENT	667-3278
SPECIAL ASSESSMENTS	667-3271
UTILITY BILLING	667-3219
WATER TREATMENT	667-3275

PROCLAMATION

Mandan Dacotah Lions Club STRIDES: Lions Walk for Diabetes Awareness Saturday, May 18, 2013

WHEREAS, the **Mandan Dacotah** Lions Club is working to increase diabetes awareness, by sponsoring “STRIDES: Lions Walk for Diabetes Awareness” on **Saturday, May 18**; and

WHEREAS, the **Mandan Dacotah** Lions Club, through “STRIDES” is participating in an international activity with Lions clubs throughout the world; and

WHEREAS, the **Mandan Dacotah** Lions Club is keeping with the challenge Helen Keller issued to the association in 1925, to become “knights of the blind in the crusade against darkness;” and

WHEREAS, the **Mandan Dacotah** Lions Club, established in **2004**, is composed of men and women volunteers who dedicate their time to the betterment of our community and aiding those in need; and

WHEREAS, the **Mandan Dacotah** Lions Club is a member of Lions Clubs International, the world’s largest service club organization with 1.35 million members in 45,000 clubs in 205 countries and geographical areas:

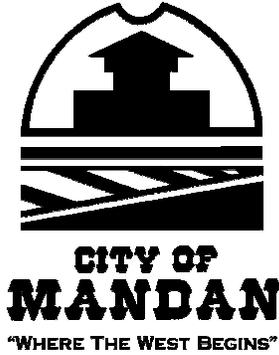
NOW THEREFORE, I, **Mayor Arlyn Van Beek**, of the **City of Mandan, USA**, in recognition of this important event sponsored by the **Mandan Dacotah** Lions Club, do hereby proclaim **Saturday, May 18, 2013** as “STRIDES: Lions Walk for Diabetes Awareness Day.”

Signed this 21st day of May, in the year 2013.

Arlyn Van Beek, President
Board of City Commissioners

Attest:

James Neubauer, City Administrator



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 9, 2013
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Doug Lalim, Building Official/Assessor
PRESENTER: Doug Lalim, Building Official/Assessor
SUBJECT: Homestead Credit Exemption for Kurt Pflieger

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

BACKGROUND/ALTERNATIVES: Kurt Pflieger 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 1, Block 1, Twin City Estates 2nd Addition at 106 A Schlosser Ave SE on Parcel #10933.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$1912. 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 Kurt Pflieger to receive a 100% Homestead Credit exemption for the year 2012 due to meeting all criteria according to the guidelines established through the State.



HOMESTEAD CREDIT APPLICATION FOR SENIOR CITIZENS & DISABLED PERSONS
 OFFICE OF STATE TAX COMMISSIONER
 24757 (1/2013)

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)
City or Twp.: <u>Mandan</u>
County: <u>Morton</u>

Applicant Information	
Name: <u>Kurt Pflieger</u>	Date of Birth:
Address: <u>106 1/2 Schlosser Ave</u>	Phone No.:
Legal Description of Applicant's Homestead Property: <u>Twin City Estates 2nd</u>	Parcel No: <u>65-5263800</u>
Lot: <u>1</u> Block: <u>1</u> Addition:	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 type="checkbox"/> No <input checked="" 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>5-8-13</u>	Signature of Assessor: <u>[Signature]</u>
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 through April 16, 2012 and 55.5 cents per mile beginning April 17, 2012)	\$ _____
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. § 57-02-08.1.	
Date: <u>5-8-13</u>	Signature of Applicant: <u>[Signature]</u>

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

Property ID Number

Name PFLEGER KURT D

City 10933

Address 106 A SCHLOSSER AVE SE

County 65-5263800

Legal Description of the property involved in this application

Lot: 1

Block: 1

TWIN CITY ESTATES 2ND

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

Land \$39,800
 Improvements \$60,500
 Total (1) \$100,300

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

Land \$39,800
 Improvements \$60,500
 Total (2) \$100,300

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): _____

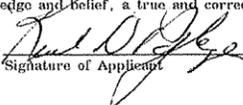
The Applicant asks that WE ABATE HIS TAXES FOR 2012 DUE TO THE QUALIFICATION OF THE HOMESTEAD CREDIT @ 100%.

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 5-21-13

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
------	---------------	-----	---------------------	---

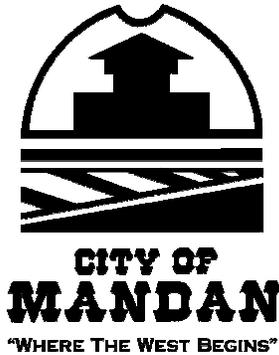
I further certify that the taxable valuation and the taxes ordered abated or refunded by the Board of Commissioners are as follows:

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 _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 8, 2013
SUBMITTING DEPARTMENT: Assessing Dept
DEPARTMENT DIRECTOR: Doug Lalim, Building Official/Assessor
PRESENTER: Richard L Barta, Building Official/Assessor
SUBJECT: Disabled Veteran Exemption for Sylvester Foote

STATEMENT/PURPOSE: To consider a 100% disabled veteran exemption for the year 2012.

BACKGROUND/ALTERNATIVES: Mr. Foote meets all criteria according to North Dakota Century Code 57-02-08 (20)(b) to receive a 100% disabled veteran exemption. Mr. Sylvester Foote received a 90% veteran's exemption for 2012; however, he was to receive 100% veteran's exemption instead.

This property is also known as Lot 1, Block 1, Plainview Hts. 1st Addition at 1309 19th St. SE on Parcel #5333.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$183 for the year 2012. 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 a 100% disabled veteran exemption for the year 2012.

SUGGESTED MOTION: I recommend a motion to approve the application from Mr. Foote to receive a 100% disabled veteran exemption for the year 2012 by meeting all criteria according to North Dakota Century Code 57-02-08(20)(b).

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Disabled Veteran Exemption for Sylvester Foote

Page 2 of 4

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 FOOTE SYLVESTER & EVELYN

Address 1309 19 ST SE

Legal Description of the property involved in this application

Lot: 0001

Block: 001

PLAINVIEW HTS 1ST

Property ID Number

City 5333

County 65-4068000

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

Land	\$15,500
Improvements	\$175,400
Total (1)	\$190,900

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

Land	\$15,500
Improvements	\$175,400
Total (2)	\$190,900

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) VETERAN EXEMPTION @ 100% FOR 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 WE ABATE THE DIFFERENCE FROM 90% TO 100% VETERAN EXEMPTION DUE TO QUALIFICATION IN 2012 @ 100%.

100% Veteran Exemption effective 9-30-11 per Veteran Affairs Letter

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

Sylvester Foote *05/20/13*

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: 5333 65-4068000 Legal Description
Property Owner: FOOTE SYLVESTER & EVELYN Lot: 0001 Block: 001
Property Address: 1309 19 ST SE PLAINVIEW HTS 1ST
Telephone Number:

Date property was acquired: 8/20/2004 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...
2. N.D.C.C. § 57-02-08(8), property owned by an institution of public charity and used for the charitable purposes...
3. N.D.C.C. § 57-02-08(11), property owned by nonprofit lodges, clubs, etc. and used for their meetings and ceremonies...
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...
b. Disabled Veteran (50% or greater disability)...
c. Permanently and Totally Disabled Person Confined to a Wheelchair...
5. N.D.C.C. § 57-02-08(22), buildings owned and occupied as a home by a blind person or spouse.
6. N.D.C.C. § 57-02-08(26), buildings owned and occupied as a homestead by a paraplegic disabled person.
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 X 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.

Sylvester A. Foote 04/17/2012
Applicant Date
Richard Z Banta
Assessor or Director of Tax Equalization Date

Application is: Approved X Disapproved

Percentage approved(4. b) 90% to 100% eff 9-30-11

Consent No. 5i



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

G - _____ (_____)
Site License Number
(Attorney General Use Only)

Cystic Fibrosis Association of North Dakota is hereby authorized to conduct games of
(Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: Stage Stop the address of which is:

601 6th Avenue SE Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required):
Entire bar area, excluding restrooms.

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
- 2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 **OR** 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G- _____ (____) _____

Site Owner (Lessor) Stage Stop Liquors, Inc.		Site Name Stage Stop		Site Phone Number (701) 663-7768
Site Address 601 6th Avenue Se	City Mandan	State ND	Zip Code 58554	County Morton
Organization (Lessee) Cystic Fibrosis Association Of North Dakota	Rental Period 7/1/2013	to 6/30/2014		Monthly Rent Amount
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
2. Is a raffle drawing going to be conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
3. Is Prize Boards involving a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300.00</u>				\$ 300.00
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
7. Is Pull Tabs involving only a jar bar conducted at this site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 175.00
8. Is Pull Tabs involving only a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$

Total Monthly Rent \$ 475.00

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>[Signature]</i>	Title Attorney General	Date 3-22-13
Signature of Lessee (Not Executive Official) <i>[Signature]</i>	Title President	Date 3-22-13



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Cystic Fibrosis Association of North Dakota is hereby authorized to conduct games of chance under the license granted by the Attorney General of the State of North Dakota at the following location: Colonial Lounge the address of which is:

4631 Memorial Hwy Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required):
Entire bar area, excluding restrooms.

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
- 2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 **OR** 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G-_____ (_____)__

Site Owner (Lessor) Colonial Lounge Inc.		Site Name Colonial Lounge		Site Phone Number (701) 663-0355
Site Address 4631 Memorial Hwy	City Mandan	State ND	Zip Code 58554	County Morton
Organization (Lessee) Cystic Fibrosis Association Of North Dakota	Rental Period 7/1/2013	to 6/30/2014		Monthly Rent Amount
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is a raffle drawing going to be conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
3. Is Prize Boards involving a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300.00</u>				\$ 300.00
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 200.00
7. Is Pull Tabs involving only a jar bar conducted at this site?		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$
8. Is Pull Tabs involving only a dispensing device conducted at this site?		<input type="checkbox"/> No	<input type="checkbox"/> Yes	\$

Total Monthly Rent
\$ 500.00

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Donna M. Bauer</i>	Title Owner	Date 3-22-2013
Signature of Lessee (Top Executive Official) <i>[Signature]</i>	Title President	Date 3-22-13

(over)



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
 SFN 17996 (02-2011)

Consent No. 6

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Horse Race North Dakota is hereby authorized to conduct games of chance under the license granted by the Attorney General of the State of North Dakota at the following location: Dean's Steakhouse the address of which is:

2815 Memorial Highway Mandan 58554 Morton
 (Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required): Eastern most wall across from southern most end of bar in bar area.

Number of twenty-one tables (required) (if zero, enter "0") : 0

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)

1. Days of week of gaming operations _____

2. Hours of gaming _____

3. List each specific game type prohibited _____

 Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:
 Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G- _____ (____) _____

Site Owner (Lessor) Dean's Steakhouse Llc		Site Name Dean's Steakhouse		Site Phone Number (701) 751-4567
Site Address 2815 Memorial Highway		City Mandan	State ND	Zip Code 58554
Organization (Lessee) Horse Race North Dakota		Referral Period 7/1/2013 to 6/30/2014		County Morton
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes				
2. Is a raffle drawing going to be conducted at this site?				\$
3. Is Prize Boards involving a dispensing device conducted at this site?				\$
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ <input checked="" type="checkbox"/> Rent per Table \$ _____				\$
Number of Tables with wagers over \$5 _____ <input checked="" type="checkbox"/> Rent per Table \$ _____				\$
5. Is Paddlewheels conducted at this site? Number of Tables _____ <input checked="" type="checkbox"/> Rent per Table \$ _____				\$
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.				\$
7. Is Pull Tabs involving only a jar bar conducted at this site?				\$
8. Is Pull Tabs involving only a dispensing device conducted at this site?				\$ 150.00
TERMS OF RENTAL AGREEMENT:				Total Monthly Rent \$ 150.00

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Dean Weber</i>	Title <i>President</i>	Date <i>4-1-13</i>
Signature of Lessee (Top Executive Official) <i>Louise Moeckel</i>	Title <i>PRESIDENT HRND</i>	Date <i>4/30/13</i>

(over)

Consent No. 7



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

G - _____ (_____)
Site License Number
(Attorney General Use Only)

Mandan Baseball Club, Inc. is hereby authorized to conduct games of
(Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: Captain Freddy's Riverside Restaurant & Bar the address of which is:
2500 Pirates Loop Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required): Twenty-One table is
located on the southeastern most wall. Dispensing Devices are located on eastern most wall. Games will be played
in bar and patio area, excluding the restrooms.

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a copy of the Site Authorization for your files.
- 2. City/County Auditors - Return the original Site Authorization form to the Organization.
- 3. Organizations - Send the original, signed, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G- _____ (_____) _____

Site Owner (Lessor) Captain Freddy's, Inc.		Site Name Captain Freddy's		Site Phone Number (701) 751-3348
Site Address 2500 Pirates Loop		City Mandan	State ND	Zip Code 58554
Organization (Lessee) Mandan Baseball Club, Inc.		Rental Period 7/1/2013 to 6/30/2014		County Morton
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				Monthly Rent Amount
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
<input type="checkbox"/> No <input type="checkbox"/> Yes				\$
2. Is a raffle drawing going to be conducted at this site?				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
3. Is Prize Boards involving a dispensing device conducted at this site?				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 <u>1</u> X Rent per Table \$ <u>200.00</u>				\$ 200.00
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				\$
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.				\$ 200.00
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				\$
7. Is Pull Tabs involving only a jar bar conducted at this site?				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
8. Is Pull Tabs involving only a dispensing device conducted at this site?				\$
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes				\$
TERMS OF RENTAL AGREEMENT:				Total Monthly Rent \$ 400.00

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>[Signature]</i>	Title <i>Manager</i>	Date <i>4/22/13</i>
Signature of Lessee (Top Executive Official) <i>[Signature]</i>	Title <i>President</i>	Date <i>4-25-13</i>

(over)



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Mandan Hockey Club, Inc. is hereby authorized to conduct games of
(Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: The Silver Dollar the address of which is:

200 E. Main Street Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required): Bar Area

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
- 2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G - _____ (____) _____

Site Owner (Lessor) Luke Berger		Site Name The Silver Dollar		Site Phone Number (701) 663-5428
Site Address 200 W Main Street		City Mandan	State ND	Zip Code 58554
Organization (Lessee) Mandan Hockey Club, Inc.		Rental Period 7/1/2013	to 6/30/2013	
1. Is Bingo going to be conducted at this site?				\$
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				
2. Is a raffle drawing going to be conducted at this site?				\$
3. Is Prize Boards involving a dispensing device conducted at this site?				\$
4. Is Twenty-One conducted at this site?				\$
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300.00</u>				\$ 300.00
5. Is Paddlewheels conducted at this site?				\$
Number of Tables _____ X Rent per Table \$ _____				
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.				\$ 200.00
7. Is Pull Tabs involving only a jar bar conducted at this site?				\$
8. Is Pull Tabs involving only a dispensing device conducted at this site?				\$
				Total Monthly Rent \$ 500.00

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor 	Title	Date
Signature of Lessee (Top Executive Official) 	Title President	Date 5-4-13

(over)



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

G- _____ (_____) _____
Site License Number
(Attorney General Use Only)

Mandan Hockey Club, Inc. is hereby authorized to conduct games of
(Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: Old Town Tavern the address of which is:

109 1st Avenue NW Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required): Bar Area

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
- 2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G- _____ (____) _____

Site Owner (Lessor) Old Town Tavern		Site Name Old Town Tavern		Site Phone Number (701) 663-2840
Site Address 109 1st Avenue Nw		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period 7/1/2013 to 6/30/2013		Monthly Rent Amount
Organization (Lessee) Mandan Hockey Club, Inc.				
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
2. Is a raffle drawing going to be conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
3. Is Prize Boards involving a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300.00</u>				\$ 300.00
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 200.00
7. Is Pull Tabs involving only a jar bar conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
8. Is Pull Tabs involving only a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
TERMS OF RENTAL AGREEMENT:				Total Monthly Rent \$ 500.00

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Laura L. Thompson</i>	Title Manager	Date 3-25-13
Signature of Lessee (Top Executive Official) <i>[Signature]</i>	Title President	Date 5-4-13

(over)

Consent No. 8iii



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

G - _____ (_____) _____
Site License Number
(Attorney General Use Only)

Mandan Hockey Club, Inc. is hereby authorized to conduct games of
(Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: The Ridge Motel Corp the address of which is:
2630 Old Red Trail Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required): Bar Area

Number of twenty-one tables (required) (if zero, enter "0") : 2

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
- 2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G- _____ (_____) _____

Site Owner (Lessor) The Ridge Motel Corp.		Site Name The Ridge		Site Phone Number (701) 663-8686
Site Address 2630 Old Red Trail		City Mandan	State ND	Zip Code 58554
Organization (Lessee) Mandan Hockey Club, Inc.		Rental Period 7/1/2013 to 6/30/2013		Monthly Rent Amount
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
2. Is a raffle drawing going to be conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
3. Is Prize Boards involving a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 <u>2</u> X Rent per Table \$ <u>300.00</u>				\$ 600.00
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
7. Is Pull Tabs involving only a jar bar conducted at this site?		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 175.00
8. Is Pull Tabs involving only a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
TERMS OF RENTAL AGREEMENT:				Total Monthly Rent \$ 775.00

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Carol Luppert</i>	Title <i>The Ridge Motel Owner</i>	Date
Signature of Lessee (Top Executive Official) <i>[Signature]</i>	Title <i>President</i>	Date <i>5-4-13</i>

(over)



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
 SFN 17996 (02-2011)

Consent No. 8v

G - _____ (_____) _____
 Site License Number
 (Attorney General Use Only)

Mandan Hockey Club, Inc. is hereby authorized to conduct games of
 (Full, Legal Name of Gaming Organization)

chance under the license granted by the Attorney General of the State of North Dakota at the following
 location: Vicky's Sports Bar the address of which is:

106 2nd Avenue NW Mandan 58554 Morton
 (Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/13 Ending 6/30/14

Specific location where games of chance will be conducted and played at the site (required): Bar Area

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)

1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

 Attorney General

 Date

 Signature of City/County Auditor

 Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

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 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 06-2010)

STATE USE ONLY
SITE LICENSE NO. G- _____ (____) _____

Site Owner (Lessor) Vicky's Sports Bar		Site Name Vicky's Bar		Site Phone Number (701) 663-4877
Site Address 106 2nd Avenue Nw		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period 7/1/2013 to 6/30/2013		Monthly Rent Amount
Organization (Lessee) Mandan Hockey Club, Inc.				
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
2. Is a raffle drawing going to be conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
3. Is Prize Boards involving a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300.00</u>				\$ 300.00
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
6. Is Pull Tabs involving both a jar bar and dispensing device conducted at this site? If "Yes," skip questions 7 & 8.		<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	\$ 200.00
7. Is Pull Tabs involving only a jar bar conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
8. Is Pull Tabs involving only a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	\$
TERMS OF RENTAL AGREEMENT:				Total Monthly Rent \$ 500.00

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's oncall or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

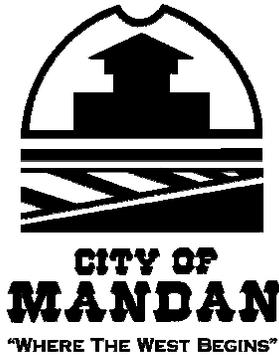
The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor 	Title President	Date 5-4-13
Signature of Lessee (Top Executive Official) 	Title owner	Date 4-1-13

(over)



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 7, 2013–May 21, 2013
PREPARATION DATE: May 2, 2013
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Business Development & Communications Director Ellen Huber and/or a MGF Member
SUBJECT: Growth Fund Committee Recommendation on an application for commercial property tax exemption

STATEMENT/PURPOSE: To consider a recommendation from the Mandan Growth Fund Committee regarding an application for property tax exemption for a new business.

BACKGROUND/ALTERNATIVES: The Mandan Growth Fund Committee at a meeting held April 24, 2013, reviewed and considered an application by Prairie View Properties, LLC for 310 6th Avenue SE. The applicant's request is for a tier 2 exemption of 100% in years 1-2, 75% in year 3, 50% in year 4 and 25% in year 5. The new building is to be 3,650 sf for a Little Caesar's Pizza franchise. Construction cost is estimated at \$600,000.

It appears the project will meet requirements in the property tax exemption policy for a tier 2 exemption based on two different qualifying criteria:

- **Jobs creation** — The project is to create 3 full-time and 17 part-time jobs in its first year. Most part-time workers will be putting in 25 to 37 hours weekly. The tier 2 minimum requirement is 3 FTEs plus an additional FTE for each \$100,000 in structural value subject to exemption. With a \$600,000 project, the minimum needed FTEs is 9 (3 + 6). The estimated FTE equivalent for the project is at least 11.5.
- **Sales tax generation** — Estimated annual sales are \$800,000, which should generate \$16,000 for the Visitors Fund via the 2% local restaurant and lodging tax. Projects generating \$10,000 to \$100,000 in local use taxes are to be considered for a tier 2 exemption.

Other criteria:

- Filling a market gap — This is for projects where validated market demand exceeds supply. Randy Rhone of Prairie View Properties is also the local franchisee for Little Caesars Pizza, which provides hot and ready take-out food including chicken wings. Nielsen Claritas estimates 2013 Morton County demand (consumer expenditures) for limited service eating places at \$19.1 million and supply (retail sales) at only \$7.1 million, meaning there is an opportunity gap or leakage from Morton County of nearly \$12 million in expenditures annually.
 - Annual sales — Estimated annual sales are \$800,000. Projects filling a gap that generate \$500,000 to \$1 million in annual sales meet Tier 1 criteria.
 - Targeted business — a fast food restaurant (counter or drive-up service) is at the tier 1 level for the first to build since the policy became effective in 2013.

In summary, the project meets two of the tier 2 criteria as well as a tier 1 criteria.

The franchise fast food or limited service restaurant to open in Mandan and remain open is Papa Murphy's Pizza, which has been open roughly 10 years. As a Mandan resident, Rhone indicates possibilities for locating staff in Mandan to provide bookkeeping or other services for all of his franchise locations.

ATTACHMENTS: See application provided for Public Hearing.

FISCAL IMPACT: With a proposed building cost of \$600,000, the estimated annual property taxes are \$11,820. This is tax revenue that the city currently does not receive as the building does not exist today. The land, which remains taxed, will increase in taxable value once developed.

The total value of the exemption rate as recommended by the MGF (100%, 100%, 75%, 50%, 25%) is \$29,550 over the course of five years.

STAFF IMPACT: Minimal.

LEGAL REVIEW: Attorney Brown has reviewed all information.

RECOMMENDATION: The MGF voted to recommend approval of a property tax exemption for Prairie View Properties at 310 6th Avenue SE for years 1-2 at 100% and years 3, 4 and 5 at 75%, 50% and 25%, respectively.

The exemption would be subject to a clawback or business incentive agreement requiring fulfillment of at least one of the tier 2 criteria by the first anniversary of occupancy. If a tier 2 criteria is not met, but the project meets a tier 1 criteria, the exemption could be scaled back accordingly.

Board of City Commissioners

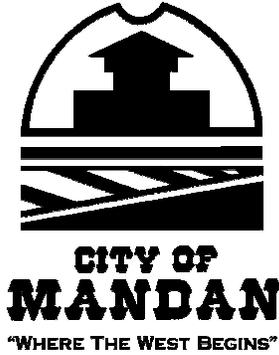
Agenda Documentation

Meeting Date: May 7, 2013

Subject: Growth Fund Committee Recommendation on Application for Tax Exemption

Page 3 of 3

SUGGESTED MOTION: I move to approve a property tax exemption for Prairie View Properties at 310 6th Avenue SE for years 1-2 at 100% and years 3, 4 and 5 at 75%, 50% and 25%, respectively, with the exemption being subject to a clawback agreement.



Board of City Commissioners

Agenda Documentation

MEETING DATE: ~~May 7, 2013~~ May 21, 2013
PREPARATION DATE: April 8, 2013
SUBMITTING DEPARTMENT: Assessing Dept.
DEPARTMENT DIRECTOR: Doug Lalim
PRESENTER: Doug Lalim
SUBJECT: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

STATEMENT/PURPOSE: To consider a five year tax exemption for construction of a new commercial structure pursuant to North Dakota Century Code 40-57.1. (See New Business No. 2)

BACKGROUND/ALTERNATIVES: Mr. Rhone is asking for an exemption for the construction of a new wood framed building that will carry a Little Caesar's Pizza franchise. Mr. Rhone received prior property tax approval in 2011 for this project but never used any incentives because the 2011 flood changed their plans. The Notice to Competitors was published in the April 12th and April 19th of the Mandan News and no competitors have submitted a written protest. Notices were also sent via email to Morton County, Mandan School District and Mandan Park District on April 5, 2013.

SHORT DESCRIPTION OF PROJECT: Mr. Rhone is proposing a new building structure. The proposed building will be 50' x 75' or a total of 3,650 square feet.

OF JOBS TO BE CREATED: 20; 3 full-time and 17 part-time.

This parcel is also known as Parcel # 8136 A at 310 6th Ave. SE, S 150' of W 200' of Lot 2, Block 1, Fischer's Addition.

ATTACHMENTS: Application

FISCAL IMPACT: \$11,820.00 per year

STAFF IMPACT: N/A

Board of City Commissioners

Agenda Documentation

Meeting Date: ~~May 7, 2013~~ May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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LEGAL REVIEW: N/A

RECOMMENDATION: Approval of a Property Tax Incentive for New or Expanding Businesses for Prairie View Properties, LLP in accordance with the recommendation from the Mandan Growth Fund Committee with conditions of the tier 2 exemption for five years due to number of jobs created meeting all criteria under the City of Mandan's Commercial Property Tax Exemption Policy and Guidelines and also under State Statute. The tier 2 level of exemption is 100% years 1-2, 75% year 3, 50% year 4 and 25% year 5 subject to a clawback agreement.

SUGGESTED MOTION: A motion to approve a Property Tax Incentive for New or Expanding Businesses for Prairie View Properties, LLP in accordance with the recommendation from the Mandan Growth Fund Committee with the conditions of an exemption for five years; tier 2 level, due to the number of jobs created meeting all criteria under the City of Mandan's Commercial Property Tax Exemption Policy and Guidelines and also under State Statute. The tier 2 level of exemption is 100% years 1-2, 75% year 3, 50% year 4 and 25% year 5 with the exemption being subject to a clawback agreement.

**Application For Property Tax Incentives For
New or Expanding Businesses**

Pursuant to N.D.C.C. Chapter 40-57.1

Project Operator's Application To Mandan
City or County

File with the City Auditor for a project located within a city; County Auditor for locations outside of city limits.

A representative of each affected school district and township is included as a non-voting member in the negotiations and deliberation of this application.

This application is a public record

Identification Of Project Operator

1.	Name of project operator	<u>Prairie View Properties LLP</u>	
2.	Address of project	<u>310 6th Ave SE</u>	
	City	<u>Mandan</u> County <u>Morton</u>	
3.	Mailing address of project operator	<u>PO Box 113</u>	
	City	<u>Mandan</u> State <u>ND</u> Zip <u>58554</u>	
4.	Type of ownership of project		
	<input type="checkbox"/> Partnership	<input type="checkbox"/> Subchapter S corporation	<input type="checkbox"/> Individual proprietorship
	<input type="checkbox"/> Corporation	<input type="checkbox"/> Cooperative	<input checked="" type="checkbox"/> Limited liability company
5.	Federal Identification No. or Social Security No.	_____	
6.	North Dakota Sales and Use Tax Permit No.	_____	
7.	If a corporation, specify the state and date of incorporation	_____	
8.	Name and title of individual to contact	<u>Randy Rhone</u>	
	Mailing address	<u>3001 Plainview Dr SE</u>	
	City, State, Zip	<u>Mandan, ND 58554</u> Phone No. _____	

Project Operator's Application For Tax Incentives

9.	Indicate the tax incentives applied for and terms. Be specific.	
	<input checked="" type="checkbox"/> Property Tax Exemption	<input type="checkbox"/> Payments In Lieu of Taxes
	<u>5</u> Number of years	_____ Beginning year _____ Ending year
	<u>Tier 2</u> Percent of exemption	_____ Amount of annual payments (attach schedule if payments will vary)
10.	Which of the following would better describe the project for which this application is being made:	
	<input checked="" type="checkbox"/> New business project	<input type="checkbox"/> Expansion of a existing business project

Board of City Commissioners

Agenda Documentation

Meeting Date: ~~May 7, 2013~~ May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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Description of Project Property

<p>11. Legal description of project real property <u>The southerly 150' of the Westerly 200' of Lot 2, Block 1, Fischer's First Addition to the City of Mandan;</u> <u>65-1064100</u></p>	
<p>12. Will the project property be owned or leased by the project operator? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased</p> <p>If the answer to 12 is leased, will the benefit of any incentive granted accrue to the project operator? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If the property will be leased, attach a copy of the lease or other agreement establishing the project operator's benefits.</p>	
<p>13. Will the project be located in a new structure or an existing facility? <input checked="" type="checkbox"/> New construction <input type="checkbox"/> Existing facility</p> <p>If existing facility, when was it constructed? _____</p> <p>If new construction, complete the following:</p> <p>a. Estimated date of commencement of construction of the project covered by this application <u>May 15, 2013</u></p> <p>b. Description of project to be constructed including size, type and quality of construction <u>50'X75'- 3650 sq ft Wood Framed Building w/ Dryvit, Brick, and Metal Exterior</u></p> <p>c. Projected number of construction employees during the project construction <u>25</u></p>	
<p>14. Approximate date of commencement of operations for this project <u>Sept 1, 2013</u></p>	
<p>15. Estimated market value of the property used <u>for this project</u>:</p> <p>a. Land..... \$ <u>150000</u></p> <p>b. Existing buildings and structures for which an exemption is claimed..... \$ _____</p> <p>c. Newly constructed buildings and structures when completed \$ <u>600000</u></p> <p>d. Total \$ <u>750000</u></p> <p>e. Machinery and equipment \$ <u>150000</u></p>	<p>16. Estimate taxable valuation of the property eligible for exemption by multiplying the market values by 5 percent:</p> <p>a. Land (not eligible) </p> <p>b. Eligible existing buildings and structures..... \$ _____</p> <p>c. Newly constructed buildings and structures when completed..... \$ <u>30000</u></p> <p>d. Total taxable valuation of property eligible for exemption (Add lines b and c)..... \$ <u>30000</u></p> <p>e. Enter the consolidated mill rate for the appropriate taxing district <u>0.39</u></p> <p>f. Annual amount of the tax exemption (Line d multiplied by line e) \$ <u>11,820.00</u></p>

Board of City Commissioners

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Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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Description of Project Business

Note: "project" means a newly established business or the expansion portion of an existing business. Do not include any established part of an existing business.

17. Type of business to be engaged in: Ag processing Manufacturing Retailing
 Wholesaling Warehousing Services

18. Describe in detail the activities to be engaged in by the project operator, including a description of any products to be manufactured, produced, assembled or stored (attach additional sheets if necessary).
Little Caesars Pizza will occupy the building.

19. Indicate the type of machinery and equipment that will be installed
Ovens, Coolers, Dough Making Equipment

20. Projected annual revenue, expense, and net income of the project for each year for the first five years.

Year	1	2	3	4	5
Annual revenue	<u>800000</u>	<u>900000</u>	<u>1000000</u>	<u>1100000</u>	<u>1150000</u>
Annual expense	<u>760000</u>	<u>855000</u>	<u>950000</u>	<u>1045000</u>	<u>1092500</u>
Net income	<u>40000</u>	<u>45000</u>	<u>50000</u>	<u>55000</u>	<u>57500</u>

21. Projected annual average number of persons to be employed by the project at the project location for each year for the first five years and the estimated annual payroll.

Year	1	2	3	4	5
No. of Employees	⁽¹⁾ <u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>
	⁽²⁾ <u>17</u>	<u>18</u>	<u>19</u>	<u>19</u>	<u>19</u>
Estimated payroll	⁽¹⁾ <u>90000</u>	<u>90000</u>	<u>90000</u>	<u>90000</u>	<u>90000</u>
	⁽²⁾ <u>230000</u>	<u>270000</u>	<u>290000</u>	<u>350000</u>	<u>370000</u>

(1) - full time
(2) - part time

Previous Business Activity

22. Is the project operator succeeding someone else in this or a similar business? Yes No

23. Has the project operator conducted this business at this or any other location either in or outside of the state?
 Yes No

24. Has the project operator or any officers of the project received any prior property tax incentives? Yes No
If the answer to 22, 23, or 24 is yes, give details including locations, dates, and name of former business (attach additional sheets if necessary).
Received Prior Property Tax Approval in 2011 for this project but never used any incentives because the 2011 flood changed plans

Board of City Commissioners

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Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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**Notice To Competitors Of Hearing On Application
For Property Tax Incentives**

Notice is hereby given that the _____
(City or county governing body)

of _____, North Dakota, will meet at _____
(City or county) (Time)

on _____ at _____ to consider the application of
(Date) (Location)

(Project operator name and address)

for property tax relief on the project which the applicant will use in the operation of

(Type of business)

at _____
(Address)

(Legal description)

Any competitor of that applicant may appear and be heard by the _____
(City or county governing body)

at the time and place designated herein. A competitor may provide written comments to the governing body before the scheduled hearing.

This notice is given by the above-named applicant pursuant to the provisions of North Dakota Century Code § 40-57.1-03

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Business Competition

25. Is any similar business being conducted by other operators in the municipality? Yes No

If YES, give name and location of competing business or businesses

Pizza Hut, Pizza Ranch, A&B Pizza, Dominos, Papa Murphys

Property Tax Liability Disclosure Statement

26. Does the project operator own real property in North Dakota which has delinquent property tax levied against it? Yes No

27. Does the project operator own a greater than 50% interest in a business that has delinquent property tax levied against any of its North Dakota real property? Yes No

If the answer to 26 or 27 is Yes, list and explain

Use Only When Reapplying

28. The project operator is reapplying for property tax incentives for the following reason(s):

To present additional facts or circumstances which were not presented at the time of the original application

To request continuation of the present property tax incentives because the project has:

- moved to a new location
- had a change in project operation or additional capital investment of more than twenty percent
- had a change in project operators

To request an additional annual exemption for the year of _____ on structures owned by a governmental entity and leased to the project operator. (See N.D.C.C. § 40-57.1-04.1)

Notice to Competitors of Hearing

Prior to the hearing, the applicant must present to the governing body of the county or city a copy of the affidavit of publication giving notice to competitors unless the municipality has otherwise determined there are no competitors.

I, Randy Rhone, do hereby certify that the answers to the above questions and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.

 Managing Partner 4/1/13
Signature Title Date

In compliance with the Federal Privacy Act of 1974, Public Law 93-579, the disclosure of the individual's social security number on this form is mandatory pursuant to North Dakota Century Code §§ 40-57.1-03 and 40-57.1-07. An individual's social security number is used as an identification number by the Office of State Tax Commissioner for file control purposes and record keeping.

Certification of Governing Body (To be completed by the Auditor of the City or County)

The municipality shall, after granting any property tax incentives, certify the findings to the State Tax Commissioner and Director of Tax Equalization by submitting a copy of the project operator's application with the attachments. The governing body, on the _____ day of _____, 20____, granted the following:

- Property Tax Exemption** **Payments in lieu of taxes**
- _____ Number of years _____ Beginning year _____ Ending year
- _____ Percent of exemption _____ Amount of annual payments (Attach schedule if payments will vary)

Auditor

Board of City Commissioners

Agenda Documentation

Meeting Date: ~~May 7, 2013~~ May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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**APPLICATION FOR PROPERTY TAX INCENTIVES
FOR NEW OR EXPANDING BUSINESSES**

City of Mandan Supplemental Application — Adopted Dec. 18, 2012

Name of project operator Prairie View Properties LLP
Address of project 310 6th Ave SE Mandan ND 58554

Based on the City of Mandan's commercial property tax exemption policy and guidelines (see separate document), please indicate the level of exemption being sought.

Level of Exemption

- Tier 1 — 100% exemption for 2 years
 Tier 2 — 100% exemption years 1-2, 75% year 3, 50% year 4, and 25% year 5
 Tier 3 — 100% exemption for 5 years

Please indicate all significant public benefits to be provided by the subject project. These are the factors that should serve as the basis for your request. Please check all that apply and please be sure that you provide justification for each claimed benefit through information provided in the "Application for Property Tax Incentives For New and Expanding Businesses" and through this supplemental form. Attach additional sheets and information as needed. If a question is not applicable to the subject project, please indicate such with an "n/a" in the blank.

Public Benefits

- Creation and retention of job opportunities within the community (factors to be considered include numbers of jobs, average wages and benefits)
 Increased local use taxes (sales, hotel and restaurant, or occupancy)
 Filling a gap in the community or region's retail market profile (based on Nielsen Claritas or other published market data)
 Diversification of economic base
 Ability of the project to attract people from other communities (typically for destination purchases for services)
 Synergies with existing businesses in the community (Examples: enhancing an industry sector important to the local economy, filling a gap in the supply chain for a core industry or business sector, providing a product or service needed by other businesses in the region)
 Growth potential of company and industry and potential spin-off benefits
 Adding value to local resources
 Making use of an underutilized asset (either facilities or land)
-

Board of City Commissioners

Agenda Documentation

Meeting Date: ~~May 7, 2013~~ May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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APPLICATION FOR PROPERTY TAX INCENTIVES FOR NEW OR EXPANDING BUSINESSES
City of Mandan Supplemental Application
Page 2 of 4

Project Development

Please describe the overall impact of the expansion, relocation, additional location or new business on the City of Mandan and the surrounding economic base. Please note any necessary investment beyond the building in site or infrastructure improvements.

Current Residents of Mandan & surrounding areas that frequent our Bismarcks Little Caesars have been requesting for the last 5 years have been requesting us to build a store in Mandan. They are requesting this because they are tired of the inconvenience of driving to Bismarck.

Little Caesars in Mandan will create more jobs and keep our residents from driving to Bismarck to work. Little Caesars will also increase tax revenue for the city and create a new fast food outlet which hasn't happened in years.

Current assessed land value per square foot: 0.56/sq ft

Cost of land (if purchased as part of this project) per square foot: \$1.67/sq ft

Estimated added land value (per square foot): _____

Estimated annual end-of-the year inventory: N/A

Sites being considered: 310 6th Ave SE

Is this business relocating from another North Dakota site? NO

If yes ...

Where is the business relocating from? _____

Please explain the reason for the relocation including details of any expansion in square footage, employment, products or service offerings: _____

Employment

Total number of permanent employees in full-time equivalents: 3 Full Time, 17 Part Time

Total number of permanent employees estimated to live within 50 miles of proposed site: ALL

Hourly wage range by key positions or categories of positions \$14 Full Time

\$7-\$9 part time

Please describe the benefits offered to employees (retirement, health insurance, dental, etc.) and the eligibility requirements for participation. Indicate value of benefits on an hourly basis.

FT= health insurance, paid vacation, \$2/hr value of benefits

Board of City Commissioners

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Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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APPLICATION FOR PROPERTY TAX INCENTIVES FOR NEW OR EXPANDING BUSINESSES
City of Mandan Supplemental Application
Page 3 of 4

Impact on Local Use Taxes

Estimated value of annual purchases for project location \$320,000
Percentage of purchases for project location subject to local sales or use tax 0% (resale)
Estimated value of annual sales to be generated from project location \$800,000
Percentage of sales subject to local sales or use tax 2% or \$16,000

Market Context (for retail-oriented businesses only)

General retail category (check category that best applies)

- Motor Vehicle & Parts Dealers
- Furniture & Home Furnishing Stores
- Electronics & Appliance Stores
- Building Materials & Garden Equipment
- Food and Beverage Stores
- Health & Personal Care Stores
- Gas Stations
- Clothing & Accessories
- Sporting Goods, Hobby, Book, Music Stores
- General Merchandise Stores
- Foodservice and Drinking Places
- Miscellaneous (please indicate) _____

Please use Nielsen Claritas, ESRI or Buxton market analyses as references for the following:

Estimated consumer expenditures in city or county 19.1 million
Estimated retail sales in city of county 7.1 million
Estimated surplus or gap 11.9 million

Importance of Incentive (use a separate sheet as needed)

Please describe why an incentive is necessary for the success of this project and how the improvements will benefit the property at the conclusion of the abatement.

The cost of land & construction is currently very high. Startup cost, equipment, and payroll also require a large amount of capital. There is a huge amount of risk involved in bringing a value orientated food concept into a smaller community. (Buildout cost no cheaper in a small city & also don't have population to drive sales) Profit Margins are very slim in Fast Food.

The improvements to this property (raw land) will benefit Mandan for many decades by creating jobs, property tax revenue, add fast food to south Mandan, & also help increase surrounding property values by adding a much needed service to Mandan.

Board of City Commissioners

Agenda Documentation

Meeting Date: ~~May 7, 2013~~ May 21, 2013

Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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APPLICATION FOR PROPERTY TAX INCENTIVES FOR NEW OR EXPANDING BUSINESSES
City of Mandan Supplemental Application
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Future Expansion Plans (use a separate sheet as needed)

Please describe any plans for future expansion beyond the initial development. Describe investments and employment associated with those plans on a year-to-year basis.

I, Randy Rhone do hereby certify that the answers to the questions above and all of the information contained in this application, including attachments hereto, are true and correct to the best of my knowledge and belief and that no relevant fact pertaining to the ownership or operation of the project has been omitted.

I further agree that I have read the requirement for installation of an automatic door per Mandan Municipal Code 14-02-15 if the building project that is subject of this application is approved for a property tax exemption and if the building is used for a purpose described in the following sections of 21-03-07 of the Mandan Municipal Code: Retail Group A; Retail Group B; Service Group A; Office Bank Group; Commercial Recreation Group; Health Medical Group and Education Group.


Signature

managing partner
Title

4/1/13
Date

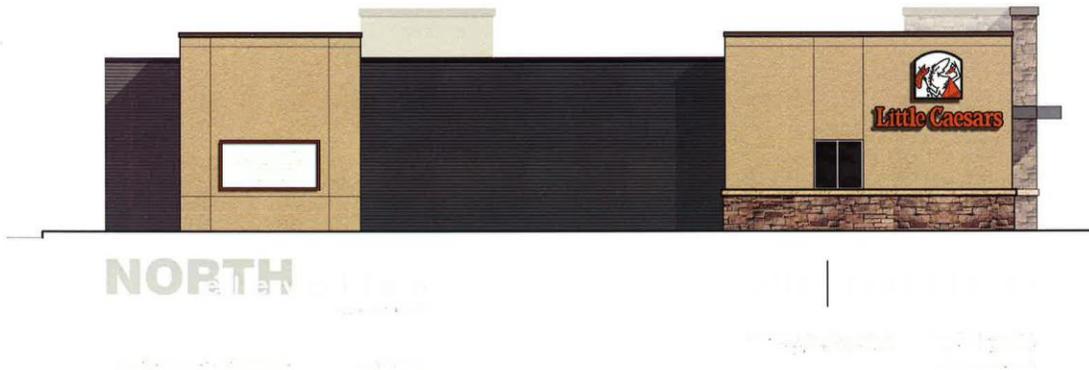
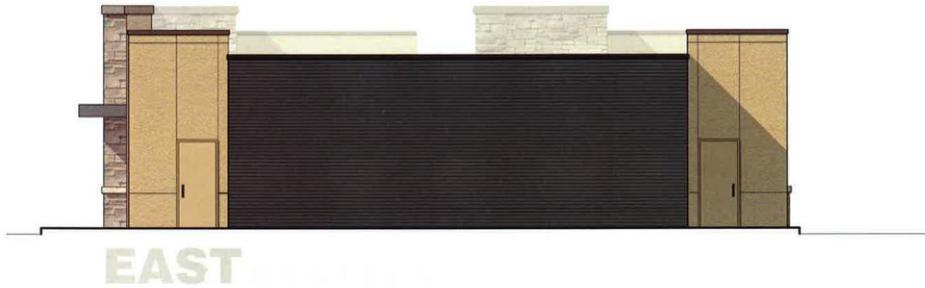
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Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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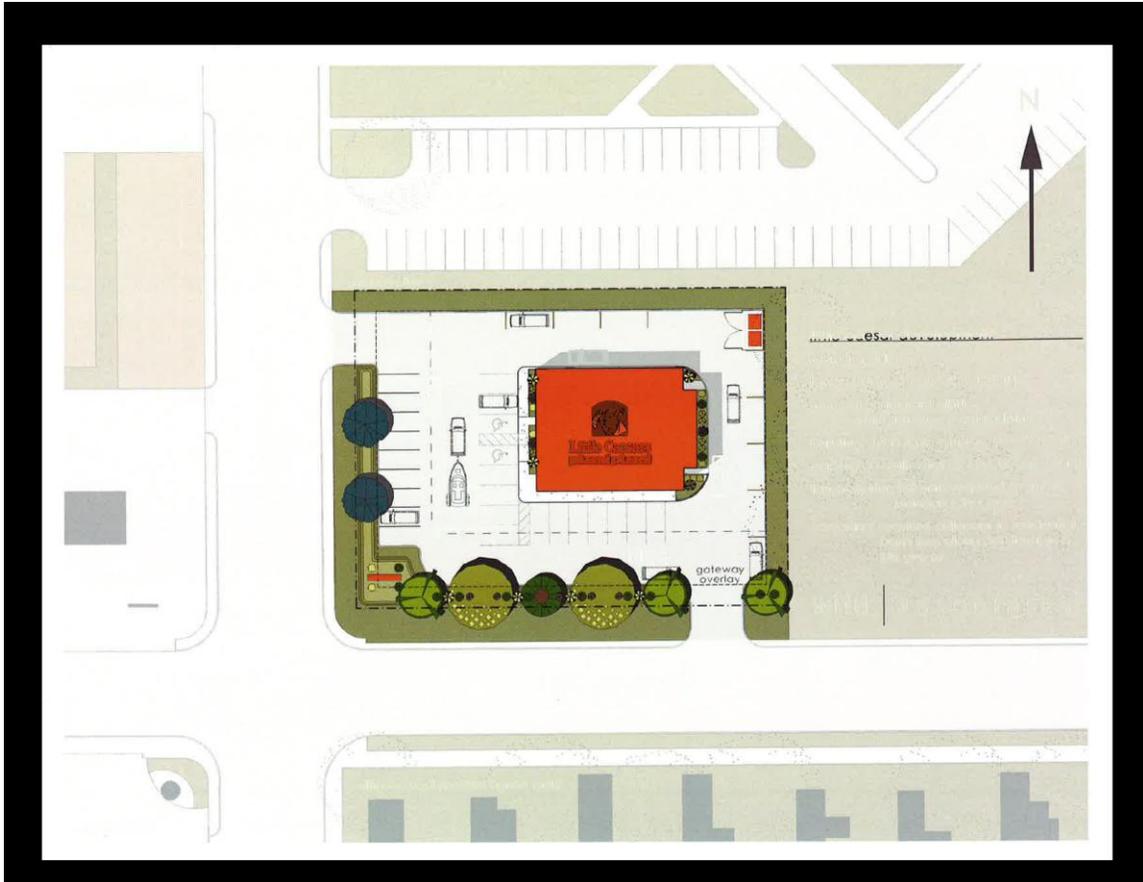
Board of City Commissioners

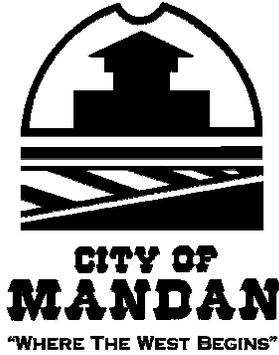
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Subject: Property Tax Incentives for New or Expanding Businesses for Prairie View Properties, LLP, with Little Caesar's Pizza franchise

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Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 14, 2013
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Engineering & Planning
PRESENTER: Kim Fettig, Project Manager
SUBJECT: Discussion on Annual Sidewalk Project 2013-03.

STATEMENT/PURPOSE: To discuss how to move forth with the Annual Sidewalk Project 2013-03.

BACKGROUND/ALTERNATIVES: On April 1 we had 1 bid on the project and that bid came in 57% higher than the engineers estimate. 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 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 Sidewalk Improvement project exceeded this statutory limitation by 17% (57% vs. 40%). Therefore the City Commission voted to reject that bid and authorize rebidding the project and splitting it into two separate contracts: Part A- New (construction of new sidewalks, aprons, and curb and gutter) and Part B for Repairs (remove and replace of existing sidewalks, aprons, and curb and gutter). Bids were received on the subject project at 10:00 a.m., May 3, 2013. On Part A – New we had no bids. On Part B – Repairs, we received 1 bid. The City Commission awarded the bid to Alliance Concrete LLC in the amount of \$79,195 for Part B. Our office has come up with three possible options:

1. Notify everyone on the list that we will not have a contractor for the 2013 year.
2. Re-bid the project. Advertisement for bids would be May 29 and June 7, opening of bids has to be a minimum of 21 days from first advertisement which puts us at June 21. Award of bid July 2nd City Commission meeting. If this option is decided on I would recommend that we do not accept any more sidewalk agreements for this year due to the lateness.)
3. Notify everyone that signed up since January 1, 2013 that there will not be a contractor to do their work and go out to bid for the residents that remained on the list from last fall only. Again this would put us out to that July 2 award date. This would

make it a much smaller contract do to the smaller quantity amount which may entice smaller contractors to put in a bid).

My thoughts are that we go with option 1 because of the lateness of the season and I also would at this time recommend that we make a decision to discontinue having a “New construction” sidewalk project and only have an Annual Repair Sidewalk project. I would like us to make a decision on this so that we can notify everyone through our website and messenger that we know longer would be having this project.

ATTACHMENTS:

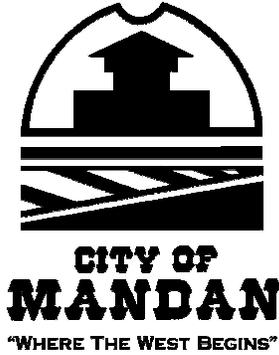
FISCAL IMPACT: N/A

STAFF IMPACT: Minimal

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

RECOMMENDATION: I would recommend not having a New construction Sidewalk Improvement Project for 2013 due to the lack of bidders and would recommend discontinuing the Part A (New) Annual sidewalk project.

SUGGESTED MOTION: I move to notify the residents and developers that we did not receive a bid for Part A of the Annual Sidewalk Project and that we discontinue having this project.



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 16, 2013
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Business Development & Communications Director Ellen Huber
SUBJECT: Growth Fund Committee Recommendation on an application for commercial property tax exemption

STATEMENT/PURPOSE: To consider a recommendation from the Mandan Growth Fund Committee regarding an application for property tax exemption for a new business.

BACKGROUND/ALTERNATIVES: The Mandan Growth Fund Committee at a meeting held April 24, 2013, reviewed and considered an application by Bayside, LLC, for a project at 2721 46th Avenue SE. The applicant's request is for a tier 2 exemption of 100% in years 1-2, 75% in year 3, 50% in year 4 and 25% in year 5 for new construction of a 4,500 sf convenience store, gas station and car wash. The building's value is estimated at \$945,000.

To be eligible for a tier 2 exemption a project must provide at least one of the tier 2 benefits or at least 2 of the tier 1 benefits. This project meets the tier 2 requirements on the basis of jobs creation:

- The project is to create 10 full-time and 6 part-time jobs. Most part-time workers will be putting in 20 to 32 hours weekly. The tier 2 minimum requirement is 3 FTEs plus an additional FTE for each \$100,000 in structural value subject to exemption. With a \$945,000 project, the minimum needed FTEs is 12 (3 + 9). The estimated FTE equivalent for the project is 13.

Additionally:

- Sales tax generation — The applicant estimates annual sales at \$6 million, however, the N.D. Tax Department indicates that while there is a state excise tax on gas and diesel, there is not a local sales tax on motor fuels. "Inside sales" of

- taxable items is estimated at \$675,000, which would generate \$6,750 in local sales tax, a tier 1 threshold, but could surpass \$1 million, which is a tier 2 threshold.
- Filling a market gap — In the retail category of gasoline stations with convenience stores, market supply in Morton County is estimated at \$44 million. Demand is pegged at \$36 million, meaning our county is actually surplus in this category, reflecting that customers from outside the county are patronizing gas stations in the area, thus this is not an overall market gap for Mandan and Morton County. The applicant does point out, however, that the closest gas stations to the growing residential area in southeast Mandan are more than two miles away.

In summary, the project meets one of the tier 2 criteria as well as one tier 1 criteria.

The MGF discussed the state statute indicating that the political subdivision give weight to the impact on existing industry to the end that an unfair advantage not be given to a new enterprise to the substantial detriment of existing enterprises. Consensus was that this new gas station/convenience station would be more in competition with stations in Bismarck rather than in Mandan and that more retail and services are needed for southeast Mandan.

ATTACHMENTS: See application provided for Public Hearing.

FISCAL IMPACT: With a proposed building cost of \$945,000, the estimated annual property taxes are \$18,617 (using the 2012 mill levy). This is tax revenue that the city currently does not receive as the building does not exist today. The land, which remains taxed, will increase in taxable value once developed.

The total value of the exemption rate as recommended by the MGF (100%, 100%, 75%, 50%, 25%) is \$65,160 over the course of five years.

STAFF IMPACT: Minimal.

LEGAL REVIEW: Attorney Brown has reviewed all information.

RECOMMENDATION: The MGF voted to recommend approval of a property tax exemption for Bayside, LLC at 2721 46th Ave SE for years 1-2 at 100% and years 3, 4 and 5 at 75%, 50% and 25%, respectively.

The exemption would be subject to a clawback or business incentive agreement requiring fulfillment of at least one of the tier 2 criteria by the first anniversary of occupancy. If a tier 2 criteria is not met, but the project meets a tier 1 criteria, the exemption could be scaled back accordingly.

Board of City Commissioners

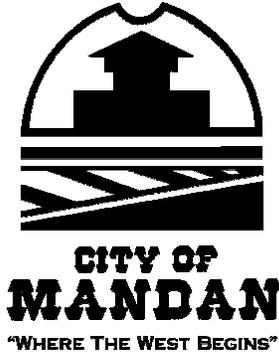
Agenda Documentation

Meeting Date: May 21, 2013

Subject: Growth Fund Committee Recommendation on Application for Tax Exemption

Page 3 of 3

SUGGESTED MOTION: I move to approve a property tax exemption for Bayside, LLC at 2721 46th Ave SE for years 1-2 at 100% and years 3, 4 and 5 at 75%, 50% and 25%, respectively, with the exemption being subject to a clawback agreement.



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 16, 2013
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Community Beautification Committee
Appointments

STATEMENT/PURPOSE: To consider appointing interested parties to the Community Beautification Committee and strengthening it with property owner representation and involvement.

BACKGROUND/ALTERNATIVES: At the April 16, 2013 City Commission Meeting it was agreed to reactivate the Community Beautification Committee. Below is the background information presented to the Commission.

City of Mandan staff used to meet monthly to address community beautification issues such as incidents involving potential violation of nuisance or zoning ordinances. These staff members included the city administrator, a police department staff member, fire department staff member, chief building official, an engineering and planning department staff member, public works director and Custer District Health representative. Beautification meetings were cancelled during the 2011 flood and have not since resumed.

The Mandan Tomorrow – Leadership, Pride and Image Committee is asking that a Community Beautification Committee be reactivated and that it include property owner or citizen representation. The LPI Committee suggests six private-sector appointees that may include interested representatives of the LPI Committee, representatives of businesses and at-large community representatives or general citizens. The LPI Committee suggests the City Commission issue an announcement seeking letters of interest from individuals willing to serve. At least two LPI members are interested at this point.

What the Mandan Tomorrow community strategic plan had to say about community attractiveness. The planning process included a community assessment

report summarizing responses to an online poll (with nearly 1,000 respondents) as well as focus group feedback. The poll included a request to respond to the statement, "Mandan is an attractive and desirable place to live." Only 36% agreed and 34% disagreed (with the remainder being neutral.)

The strategic plan, adopted in 2009, called for a community beautification initiative such as:

- Affiliation with "Keep American Beautiful"
- An annual day-long "Great Mandan Clean-Up" event
- Creation of a project list and coordination of volunteer opportunities with local departments, businesses and citizen groups.
- Neighborhood clean-up efforts to remove trash, graffiti and debris from community streets, the riverfront, green spaces, and commercial districts.
- Assessing the potential to develop additional volunteer and public education events related to the upkeep and enhancement of Mandan's public spaces.

The LPI Committee explored KAB, but found it to be expensive and instead recommends more of a do-it-yourself approach, in which a reactivated Community Beautification Committee may be able to help tackle some of these initiatives.

Mandan has made considerable progress since the community strategic plan was adopted in 2009. A question posed on the City's website for the month of April should help in determining if communication beautification is still needed and relevant. Responses to the question "What property maintenance problem in Mandan do you find most troublesome?" as of April 10 are as follows:

Total Votes: 45

- Advertising sign violations - 3 or 7%
- Bushes overgrown - 2 or 4%
- Commercial properties with torn awnings, boarded up windows - 4 or 9%
- Dumping of trash - 3 or 7%
- Graffiti that needs to be removed - 1 or 2%
- Grass or weeds higher than 6 inches - 3 or 7%
- Litter along roadsides and elsewhere - 7 or 16%
- Residential structures (houses, detached garages, sheds) not in good order - 5 or 11%
- Vehicles - abandoned, disabled or illegally parked - 4 or 9%
- Other - please send an e-mail to info@mandan.govoffice.com - 0
- All or Most - I generally see several of these problems with property maintenance in Mandan. 10 or 22%
- Few to None - I don't find significant problems with property maintenance in Mandan. 3 or 7%

A Community Beautification Committee would be responsible for addressing topics such as those listed above and determining potential solutions or actions in accordance with existing ordinances. It may also identify the need for and recommend potential new ordinances if remedies do problems are not outlined in existing municipal code. Private sector representatives on the committee would serve in an advisory capacity to City staff and the Mandan City Commission on community beautification matters that together would result in development and formulation of programs and projects to enhance the aesthetic appearance of the community, recommendations for practices and policies that will enhance and upgrade existing properties, and coordination of periodic community clean-up campaigns and encouragement of public participation in such efforts.

ATTACHMENTS: None

FISCAL IMPACT: Possible indirect costs.

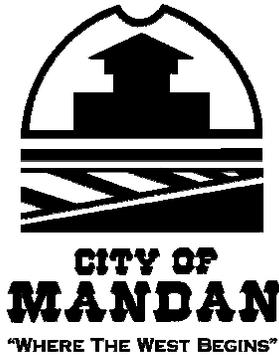
STAFF IMPACT: Staff time will be required for participating in quarterly or bi-monthly meetings and potential follow-up and enforcement of identified issues.

LEGAL REVIEW: n/a

RECOMMENDATION: It was suggest that citizens be appointed along with city staff to serve on this committee. We have received 6 applications for appointments to the Community Beautification Committee and I am recommending all 6 interested parties be appointed.

SUGGESTED MOTION: I recommend appointing the following individuals to the Community Beautification Committee, staggered terms to be determined at the organizational meeting: (letters of interest are available upon request)

- Cole Garman, Youth Commission
- Damian Huettl
- Laurie Leingang
- Thomas Mousel
- Lori Sager
- Jason Steffenhagen



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 16, 2013
SUBMITTING DEPARTMENT: Mandan Airport
DEPARTMENT DIRECTOR: Jim Lawler
PRESENTER: Mike Manstrom, Dougherty & Company LLC
SUBJECT: Bond Refinancing

STATEMENT/PURPOSE: The Mandan Municipal Airport Authority of the City of Mandan, North Dakota (the "**Authority**") has previously issued its Improvement Revenue Bond of 2008 (the "**2008 Bond**") at 5.41% maturing October 8, 2023. The Authority has also issued its Improvement Revenue Bond of 2005 (the "**2005 Bond**") at 4.76% maturing August 15, 2020. The 2008 Bond is prepayable on October 8, 2013 in the amount of \$382,660.28 plus the scheduled principal and interest payment due on such date. The 2005 Bond is prepayable on August 15, 2013 in the amount of \$364,937.15 plus the scheduled principal and interest payment due on such date.

BACKGROUND/ALTERNATIVES:

ATTACHMENTS:

FISCAL IMPACT: See Attachment

STAFF IMPACT: N/A

LEGAL REVIEW: Arnston, Stewart, & Wegner, PC

RECOMMENDATION:

SUGGESTED MOTION: Move to approve the Mandan Airport Authority Bond consolidation and refinancing.

\$805,000

Mandan Municipal Airport Authority, North Dakota
 Series 2013
 Refunding of Series 2005 & 2008

Refunding Summary

Dated 07/15/2013 | Delivered 07/15/2013

Sources Of Funds

Par Amount of Bonds	\$805,000.00
Total Sources	\$805,000.00

Uses Of Funds

Deposit to Current Refunding Fund	783,803.79
Total Underwriter's Discount (1.500%)	12,075.00
Costs of Issuance	9,121.21
Total Uses	\$805,000.00

Flow of Funds Detail

State and Local Government Series (SLGS) rates for
 Date of OMP Candidates

Current Refunding Escrow Solution Method	Gross Funded
Total Cost of Investments	\$783,803.79
Total Draws	\$783,803.79

Issues Refunded And Call Dates

Mandan Airport Rev Series 2005	7/15/2013
Mandan Airport Rev Series 2008	7/15/2013

PV Analysis Summary (Net to Net)

Net PV Cashflow Savings @ 2.080%(AIC)	105,165.04
Net Present Value Benefit	\$105,165.04
Net PV Benefit / \$770,568 Refunded Principal	13.648%
Net PV Benefit / \$805,000 Refunding Principal	13.064%

Bond Statistics

Average Life	4.853 Years
Average Coupon	1.5093553%
Net Interest Cost (NIC)	1.8184137%
Bond Yield for Arbitrage Purposes	1.5012601%
True Interest Cost (TIC)	1.8282878%
All Inclusive Cost (AIC)	2.0801291%

Ref13 Mandan Airport 05 0 | SINGLE PURPOSE | 5/ 9/2013 | 10:03 AM

\$805,000

Mandan Municipal Airport Authority, North Dakota
 Series 2013
 Refunding of Series 2005 & 2008

Net Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Net New D/S
11/01/2013	40,000.00	0.650%	2,958.43	42,958.43	42,958.43
11/01/2014	90,000.00	0.700%	9,787.50	99,787.50	99,787.50
11/01/2015	90,000.00	0.800%	9,157.50	99,157.50	99,157.50
11/01/2016	90,000.00	0.950%	8,437.50	98,437.50	98,437.50
11/01/2017	95,000.00	1.050%	7,582.50	102,582.50	102,582.50
11/01/2018	95,000.00	1.250%	6,585.00	101,585.00	101,585.00
11/01/2019	95,000.00	1.450%	5,397.50	100,397.50	100,397.50
11/01/2020	95,000.00	1.700%	4,020.00	99,020.00	99,020.00
11/01/2021	35,000.00	1.900%	2,405.00	37,405.00	37,405.00
11/01/2022	40,000.00	2.100%	1,740.00	41,740.00	41,740.00
11/01/2023	40,000.00	2.250%	900.00	40,900.00	40,900.00
Total	\$805,000.00	-	\$58,970.93	\$863,970.93	\$863,970.93

\$805,000

Mandan Municipal Airport Authority, North Dakota
 Series 2013
 Refunding of Series 2005 & 2008

Net Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Net New D/S
07/15/2013	-	-	-	-	-
11/01/2013	40,000.00	0.650%	2,958.43	42,958.43	42,958.43
05/01/2014	-	-	4,893.75	4,893.75	4,893.75
11/01/2014	90,000.00	0.700%	4,893.75	94,893.75	94,893.75
05/01/2015	-	-	4,578.75	4,578.75	4,578.75
11/01/2015	90,000.00	0.800%	4,578.75	94,578.75	94,578.75
05/01/2016	-	-	4,218.75	4,218.75	4,218.75
11/01/2016	90,000.00	0.950%	4,218.75	94,218.75	94,218.75
05/01/2017	-	-	3,791.25	3,791.25	3,791.25
11/01/2017	95,000.00	1.050%	3,791.25	98,791.25	98,791.25
05/01/2018	-	-	3,292.50	3,292.50	3,292.50
11/01/2018	95,000.00	1.250%	3,292.50	98,292.50	98,292.50
05/01/2019	-	-	2,698.75	2,698.75	2,698.75
11/01/2019	95,000.00	1.450%	2,698.75	97,698.75	97,698.75
05/01/2020	-	-	2,010.00	2,010.00	2,010.00
11/01/2020	95,000.00	1.700%	2,010.00	97,010.00	97,010.00
05/01/2021	-	-	1,202.50	1,202.50	1,202.50
11/01/2021	35,000.00	1.900%	1,202.50	36,202.50	36,202.50
05/01/2022	-	-	870.00	870.00	870.00
11/01/2022	40,000.00	2.100%	870.00	40,870.00	40,870.00
05/01/2023	-	-	450.00	450.00	450.00
11/01/2023	40,000.00	2.250%	450.00	40,450.00	40,450.00
Total	\$805,000.00	-	\$58,970.93	\$863,970.93	\$863,970.93

Ref13 Mandan Airport 05 0 | SINGLE PURPOSE | 5/ 9/2013 | 10:03 AM

\$805,000

Mandan Municipal Airport Authority, North Dakota
 Series 2013
 Refunding of Series 2005 & 2008

Debt Service Comparison

Date	Total P+I	Net New D/S	Old Net D/S	Savings
11/01/2013	42,958.43	42,958.43	55,063.60	12,105.17
11/01/2014	99,787.50	99,787.50	110,127.21	10,339.71
11/01/2015	99,157.50	99,157.50	110,127.20	10,969.70
11/01/2016	98,437.50	98,437.50	110,127.21	11,689.71
11/01/2017	102,582.50	102,582.50	110,127.20	7,544.70
11/01/2018	101,585.00	101,585.00	110,127.21	8,542.21
11/01/2019	100,397.50	100,397.50	110,127.20	9,729.70
11/01/2020	99,020.00	99,020.00	110,127.20	11,107.20
11/01/2021	37,405.00	37,405.00	49,093.12	11,688.12
11/01/2022	41,740.00	41,740.00	49,093.12	7,353.12
11/01/2023	40,900.00	40,900.00	49,093.12	8,193.12
Total	\$863,970.93	\$863,970.93	\$973,233.39	\$109,262.46

PV Analysis Summary (Net to Net)

Net PV Cashflow Savings @ 2.080%(AIC)	105,165.04
Net Present Value Benefit	\$105,165.04
Net PV Benefit / \$770,568 Refunded Principal	13.648%
Net PV Benefit / \$805,000 Refunding Principal	13.064%

Refunding Bond Information

Refunding Dated Date	7/15/2013
Refunding Delivery Date	7/15/2013

\$805,000

Mandan Municipal Airport Authority, North Dakota
 Series 2013
 Refunding of Series 2005 & 2008

Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
11/01/2013	Serial Coupon	0.650%	0.650%	40,000.00	100.000%	40,000.00
11/01/2014	Serial Coupon	0.700%	0.700%	90,000.00	100.000%	90,000.00
11/01/2015	Serial Coupon	0.800%	0.800%	90,000.00	100.000%	90,000.00
11/01/2016	Serial Coupon	0.950%	0.950%	90,000.00	100.000%	90,000.00
11/01/2017	Serial Coupon	1.050%	1.050%	95,000.00	100.000%	95,000.00
11/01/2018	Serial Coupon	1.250%	1.250%	95,000.00	100.000%	95,000.00
11/01/2019	Serial Coupon	1.450%	1.450%	95,000.00	100.000%	95,000.00
11/01/2020	Serial Coupon	1.700%	1.700%	95,000.00	100.000%	95,000.00
11/01/2021	Serial Coupon	1.900%	1.900%	35,000.00	100.000%	35,000.00
11/01/2022	Serial Coupon	2.100%	2.100%	40,000.00	100.000%	40,000.00
11/01/2023	Serial Coupon	2.250%	2.250%	40,000.00	100.000%	40,000.00
Total	-	-	-	\$805,000.00	-	\$805,000.00

Bid Information

Par Amount of Bonds	\$805,000.00
Gross Production	\$805,000.00
Total Underwriter's Discount (1.500%)	\$(12,075.00)
Bid (98.500%)	792,925.00
Total Purchase Price	\$792,925.00
Bond Year Dollars	\$3,907.03
Average Life	4.853 Years
Average Coupon	1.5093533%
Net Interest Cost (NIC)	1.8184137%
True Interest Cost (TIC)	1.8282878%

\$402,146

Mandan Municipal Airport Authority, North Dakota
 Series 2005

Debt Service To Maturity And To Call

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S
07/15/2013	381,200.01	7,560.47	388,760.48	-	-	-	-
08/15/2013	-	-	-	21,444.48	4.760%	9,072.56	30,517.04
02/15/2014	-	-	-	21,954.86	4.760%	8,562.18	30,517.04
08/15/2014	-	-	-	22,477.39	4.760%	8,039.66	30,517.05
02/15/2015	-	-	-	23,012.35	4.760%	7,504.69	30,517.04
08/15/2015	-	-	-	23,560.04	4.760%	6,957.00	30,517.04
02/15/2016	-	-	-	24,120.77	4.760%	6,396.27	30,517.04
08/15/2016	-	-	-	24,694.85	4.760%	5,822.20	30,517.05
02/15/2017	-	-	-	25,282.58	4.760%	5,234.46	30,517.04
08/15/2017	-	-	-	25,884.31	4.760%	4,632.73	30,517.04
02/15/2018	-	-	-	26,500.36	4.760%	4,016.69	30,517.05
08/15/2018	-	-	-	27,131.06	4.760%	3,385.98	30,517.04
02/15/2019	-	-	-	27,776.78	4.760%	2,740.26	30,517.04
08/15/2019	-	-	-	28,437.87	4.760%	2,079.17	30,517.04
02/15/2020	-	-	-	29,114.69	4.760%	1,402.35	30,517.04
08/15/2020	-	-	-	29,807.62	4.760%	709.42	30,517.04
Total	\$381,200.01	\$7,560.47	\$388,760.48	\$381,200.01	-	\$76,555.62	\$457,755.63

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	7/15/2013
Average Life	3.802 Years
Average Coupon	4.7599997%
Weighted Average Maturity (Par Basis)	3.802 Years

Refunding Bond Information

Refunding Dated Date	7/15/2013
Refunding Delivery Date	7/15/2013

\$403,013

Mandan Municipal Airport Authority, North Dakota
 Series 2008

Debt Service To Maturity And To Call

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S
07/15/2013	389,367.52	5,675.79	395,043.31	-	-	-	-
10/08/2013	-	-	-	14,014.17	5.410%	10,532.39	24,546.56
04/08/2014	-	-	-	14,393.25	5.410%	10,153.31	24,546.56
10/08/2014	-	-	-	14,782.59	5.410%	9,763.97	24,546.56
04/08/2015	-	-	-	15,182.46	5.410%	9,364.10	24,546.56
10/08/2015	-	-	-	15,593.14	5.410%	8,953.42	24,546.56
04/08/2016	-	-	-	16,014.94	5.410%	8,531.62	24,546.56
10/08/2016	-	-	-	16,448.14	5.410%	8,098.42	24,546.56
04/08/2017	-	-	-	16,893.06	5.410%	7,653.50	24,546.56
10/08/2017	-	-	-	17,350.02	5.410%	7,196.54	24,546.56
04/08/2018	-	-	-	17,819.34	5.410%	6,727.22	24,546.56
10/08/2018	-	-	-	18,301.35	5.410%	6,245.21	24,546.56
04/08/2019	-	-	-	18,796.40	5.410%	5,750.16	24,546.56
10/08/2019	-	-	-	19,304.85	5.410%	5,241.71	24,546.56
04/08/2020	-	-	-	19,827.04	5.410%	4,719.52	24,546.56
10/08/2020	-	-	-	20,363.36	5.410%	4,183.20	24,546.56
04/08/2021	-	-	-	20,914.19	5.410%	3,632.37	24,546.56
10/08/2021	-	-	-	21,479.92	5.410%	3,066.64	24,546.56
04/08/2022	-	-	-	22,060.95	5.410%	2,485.61	24,546.56
10/08/2022	-	-	-	22,657.70	5.410%	1,888.86	24,546.56
04/08/2023	-	-	-	23,270.59	5.410%	1,275.97	24,546.56
10/08/2023	-	-	-	23,900.06	5.410%	646.50	24,546.56
Total	\$389,367.52	\$5,675.79	\$395,043.31	\$389,367.52	-	\$126,110.24	\$515,477.76

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	7/15/2013
Average Life	5.717 Years
Average Coupon	5.4100020%
Weighted Average Maturity (Par Basis)	5.717 Years

Refunding Bond Information

Refunding Dated Date	7/15/2013
Refunding Delivery Date	7/15/2013

Mandan Airport Rev Series | SINGLE PURPOSE | 5/9/2013 | 10:03 AM

\$805,000

Mandan Municipal Airport Authority, North Dakota
 Series 2013
 Refunding of Series 2005 & 2008

Current Refunding Escrow

Date	Principal	Rate	Receipts	Disbursements	Cash Balance
07/15/2013	783,803.79	-	783,803.79	783,803.79	-
Total	\$783,803.79	-	\$783,803.79	\$783,803.79	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	PV Discount
Default investment yield target	Unrestricted
Cost of Investments Purchased with Bond Proceeds	783,803.79
Total Cost of Investments	\$783,803.79
Target Cost of Investments at bond yield	\$783,803.79
Yield to Receipt	-
Yield for Arbitrage Purposes	1.5012601%

Ref13 Mandan Airport 05 0 | SINGLE PURPOSE | 5/9/2013 | 10:03 AM

\$402,146

Mandan Municipal Airport Authority, North Dakota
 Series 2005

Total Refunded Debt Service

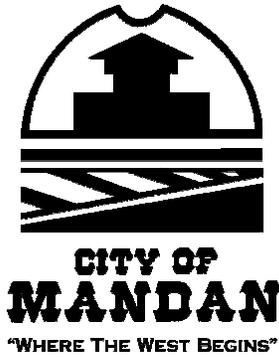
Date	Principal	Coupon	Interest	Total P+I
08/15/2013	21,444.48	4.760%	9,072.56	30,517.04
08/15/2014	44,432.25	4.760%	16,601.84	61,034.09
08/15/2015	46,572.39	4.760%	14,461.69	61,034.08
08/15/2016	48,815.62	4.760%	12,218.47	61,034.09
08/15/2017	51,166.89	4.760%	9,867.19	61,034.08
08/15/2018	53,631.42	4.760%	7,402.67	61,034.09
08/15/2019	56,214.65	4.760%	4,819.43	61,034.08
08/15/2020	58,922.31	4.760%	2,111.77	61,034.08
Total	\$381,200.01	-	\$76,555.62	\$457,755.63

Yield Statistics

Base date for Avg. Life & Avg. Coupon Calculation	7/15/2013
Average Life	3.802 Years
Average Coupon	4.7599979%
Weighted Average Maturity (Par Basis)	3.802 Years

Refunding Bond Information

Refunding Dated Date	7/15/2013
Refunding Delivery Date	7/15/2013



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 16, 2013
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Resolution regarding North Annexation

STATEMENT/PURPOSE: To consider adopting a resolution annexing certain property in the general proximity of the Mandan Middle School.

BACKGROUND/ALTERNATIVES: Discussions have been occurring with several individuals who have acquired property in the north part of Mandan and are looking to develop this property into residential and commercial areas. The City of Mandan has, over the course of several years, prepared master water and sanitary sewer plans for this area.

Challenges exist for the orderly and cost effective development in the area, therefore, we are proposing a large land area be annexed in order to better plan future infrastructure routes. One example would be the installation of a master lift station to handle the sanitary sewer in this area rather than several smaller temporary lift stations.

We certainly do not plan to install infrastructure until the need arises, however, there will be infrastructure that will benefit all property in the area and thus a need to spread some costs to the benefited area.

We are nearing the completion of the North Area Sub Study and in addition the interchanges between west Mandan and east Bismarck are currently under study with a completion date of November 2013.

I would anticipate the following:

- 1) May 21st, bring the topic to the Commission and answer questions that they may have
- 2) June 4th, bring a resolution to annex to the Commission for their consideration.

If the board desires to move forward, property owners would have 30 day in which to protest

3) July – consider any protests

ATTACHMENTS: Map of proposed annexation

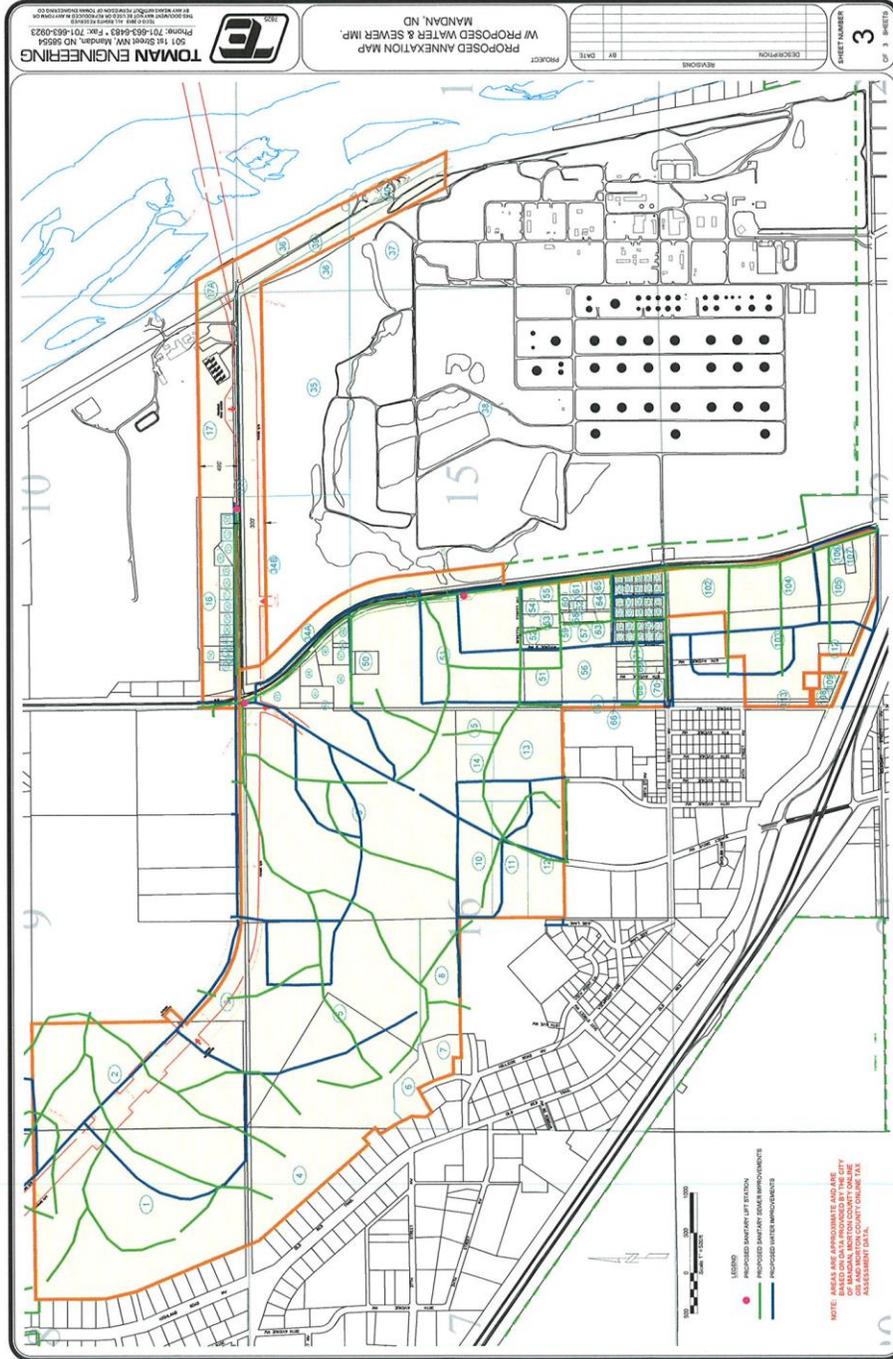
FISCAL IMPACT: unknown at this time

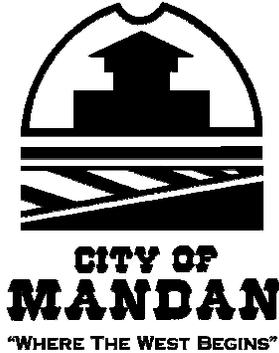
STAFF IMPACT: minimal

LEGAL REVIEW: City Attorney Brown has been involved in this process.

RECOMMENDATION: I recommend that a resolution to annex be brought before the commission at its June 4, meeting.

SUGGESTED MOTION: I move to direct City Attorney Brown to prepare a resolution of annexation to be considered at the June 4, 2013 City Commission meeting.





Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 16, 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 sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

STATEMENT/PURPOSE: To create and allow the assessments of specials related to, authorize the required paperwork for the requested project, and allow for the project to be bid.

BACKGROUND/ALTERNATIVES: The developer is requesting that the City allow the special assessment of street costs to the benefitting properties for the development of 6th Avenue NW, between 27th Street NW and 24th Street NW.

ATTACHMENTS:

1. Resolution creating district
2. District Map
3. Engineer's Report
 4. Resolution Approving Engineer's Report
5. Resolution of plans and specs
6. Resolution determining sufficiency of petition
7. Petition
 8. Feasibility Report
 9. Resolution Directing Advertisement for Bids

FISCAL IMPACT: Based on the estimate of cost included with your documentation, the cost of the project would be \$252,258.60, engineering and administration will add \$63,064.65, bringing the total to \$315,323.25. These items would be entirely special assessed to the benefitting properties.

STAFF IMPACT: Minimal

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

Page 2 of 15

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

RECOMMENDATION: This office supports moving forward with the project.

SUGGESTED MOTION: I move to approve the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition and feasibility report for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

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**RESOLUTION CREATING
STREET IMPROVEMENT DISTRICT NO. 182**

Project No. 2013-16

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. 182 (the "District")(Project# 2013-16) 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, 6th 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, Meadow Ridge 1st Addition

All lots & blocks, Meadow Ridge 3rd Addition

The legal description of the district boundary is as follows:

A tract of land being all of Meadow Ridge 1st Addition and Meadow Ridge 3rd Addition and part of the NW1/4 of Section 22, Township 139 North, Range 81 West of the City of Mandan, Morton County, North Dakota, being more particularly described as follows:

Beginning at the northeast corner of Lot 44, Block 1, Pioneer Industrial Park of the City of Mandan, North Dakota, said point also being on the south Right-of-Way line of 27th Street NW; thence North 88° 50' 27" East along said south Right-of-Way line for 1053.60

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

Page 4 of 15

feet to the northeast corner of Meadow Ridge 1st Addition of the City of Mandan, Morton County, North Dakota; thence South 04° 24' 52" East along the east boundary line of said Meadow Ridge 1st Addition for 694.25 feet to the southeast corner of said Meadow Ridge 1st Addition; thence South 87° 42' 57" West along the south boundary line of said Meadow Ridge 1st Addition for 557.47 feet to the southwest corner of said Meadow Ridge 1st Addition; thence South 02° 17' 03" East for 144.86 feet to the P.C. (Point of Curvature) of a curve to the Left having a radius of 217.00 feet; thence along said curve to the Left (the chord of which bears South 04° 30' 44" East for 16.88 feet) an arc length of 16.88 feet; thence South 89° 57' 56" West for 557.81 feet to a point on the east boundary line of said Lot 44; thence North 00° 03' 39" East along said east boundary line for 855.00 feet to the Point of Beginning. Said tract of land containing 19.39 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: May 21, 2013

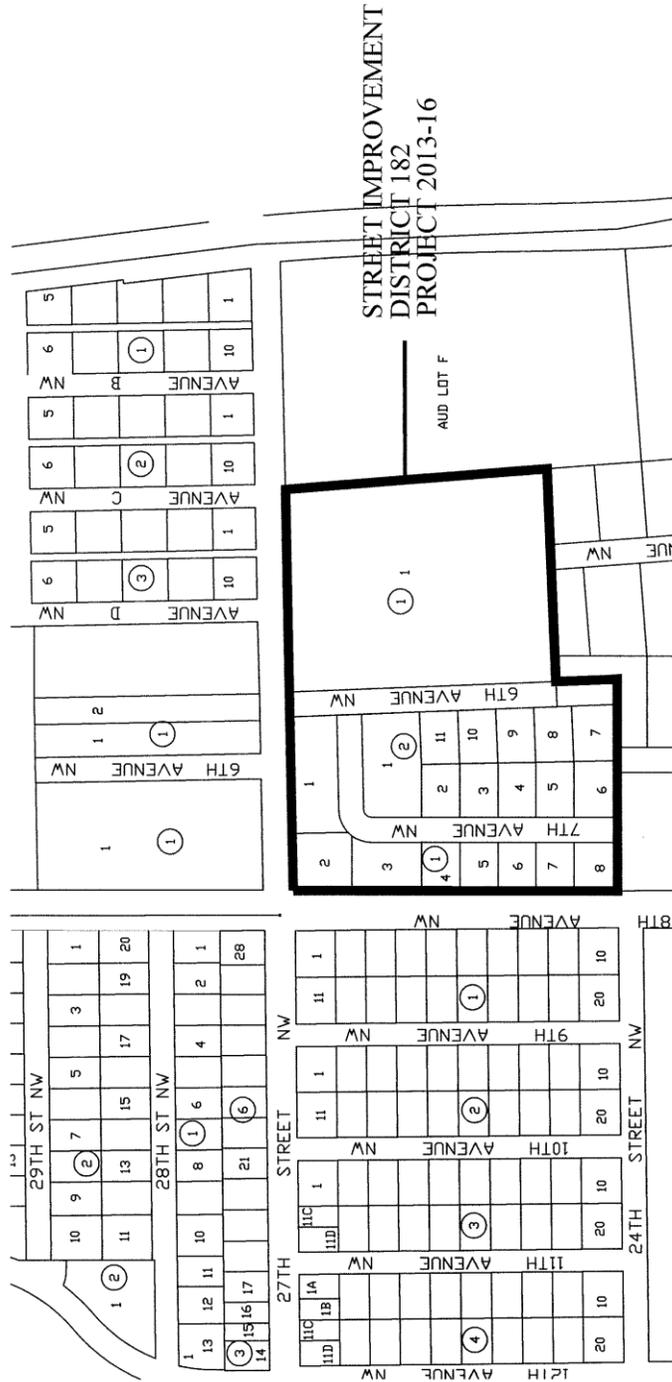
Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

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Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

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Engineer's Estimate of Probable Costs
 Meadow Ridge 1st Addition
 Street Improvement District No. 182
 City Project No. 2013-16

SPEC NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
202-4.1	UNCLASSIFIED EXCAVATION	CY	650	\$8.90	\$5,785.00
203-3.1	WATERING	M GAL	10	\$17.80	\$178.00
204-3.1	SUBGRADE PREPARATION	SY	3392	\$2.00	\$6,784.00
205-3.1	SILT FENCE	LF	200	\$8.00	\$1,600.00
205-3.3	WEIGHTED FIBER ROLL	LF	200	\$15.00	\$3,000.00
302-4.1	STABILIZED GRAVEL BASE	TON	990	\$30.00	\$29,700.00
304-6.1B	AC STABILIZED BASE (CLASS B)2-1/2"	TON	440	\$93.20	\$41,008.00
401-6.2B	AC SURFACE COURSE (CLASS B)2"	TON	350	\$93.20	\$32,620.00
402-4.2	BITUMINOUS TACK COAT	GAL	151	\$2.20	\$332.20
403-4.1	BITUMINOUS SEAL COAT	SY	3017	\$2.20	\$6,637.40
601-4.1	4" CONCRETE SIDEWALK	SF	550	\$7.00	\$3,850.00
602-4.1	6" CONCRETE	SF	461	\$10.00	\$4,610.00
603-5.3	STANDARD CURB & GUTTER	LF	1410	\$18.40	\$25,944.00
802-4.2	15" RCP STORM SEWER PIPE	LF	88	\$50.00	\$4,400.00
802-4.3	18" RCP STORM SEWER PIPE	LF	277	\$60.00	\$16,620.00
802-4.7	30" RCP STORM SEWER PIPE	LF	42	\$80.00	\$3,360.00
801-4.60	BEDDING MATERIAL	TON	155	\$16.00	\$2,480.00
802-4.5	30" RCP FLARED END SECTION	EA	1	\$1,200.00	\$1,200.00
1201-4.1	4" TOPSOILING TO INCLUDE SEEDING & HYDROMULCH	Acre	0.5	\$20,000.00	\$10,000.00
1205-4.1	48" CONCRETE MANHOLE (STORM)	EA	3	\$3,400.00	\$10,200.00
1205-4.8	TYPE 72" INLET	EA	4	\$3,600.00	\$14,400.00
1205-4.9	TYPE 108" INLET	EA	2	\$5,000.00	\$10,000.00
1205-4.12	15" SLOTTED DRAIN	LF	72	\$100.00	\$7,200.00
1206-4.1	ADJ MANHOLE CASTING-ASPH PVMT	EA	6	\$400.00	\$2,400.00
1206-4.14	ADJUST VALVE BOX IN CONCRETE	EA	1	\$390.00	\$390.00
1206-4.19	ADJUST VALVE BOX-UNPAVED AREA	EA	3	\$390.00	\$1,170.00
1206-4.7	ADJUST INLET CASTING ALL SIZES	EA	6	\$550.00	\$3,300.00
SP 2	DETECTABLE WARNING PANEL	SF	24	\$60.00	\$1,440.00
SP 9	STOP SIGN & STREET NAME SIGSN 1 POST	EA	1	\$450.00	\$450.00
SP 10	ROAD CLOSED, BARRICADE	EA	2	\$600.00	\$1,200.00

Construction Total = \$252,258.60
 Legal, Administrative, Contingency,
 Engineering= \$63,064.65
 Grand Total= \$315,323.25

**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. 182**

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. 182 (Project # 2013-16), 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:	\$252,258.60
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:	\$63,064.65
c. Total estimated costs of the improvement:	\$315,323.25

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

Page 8 of 15

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

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

Dated this 21th day of May 2013.

President, Board of City Commissioners

ATTEST:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

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**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
FOR STREET IMPROVEMENT DISTRICT NO. 182
PROJECT # 2013-16**

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. 182 (Project # 2013-16) 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 21 day of May, 2013.

President, Board of City Commissioners

ATTEST:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

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May 17, 2013

2186

PETITION

To the Honorable Board of City Commissioners of the City of Mandan, North Dakota.

The undersigned, being the Developer of Meadow Ridge 1st & 3rd Addition, Mandan, North Dakota, hereby petitions the City of Mandan to create a Special Assessment District for the purpose of performing improvements consisting of asphalt paving, curb and gutter, earthwork, storm sewer and all work and material incidental thereto on a portion of 6th Avenue NW and from 27th Street NW South to the projected North R/W line of 24th Street NW.



Pat Wachter
Harmony Properties, LLC

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

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**RESOLUTION DETERMINING SUFFICIENCY OF FORMS OF PETITION,
WAIVER AND CONSENT TO ASSESSMENT FOR STREET IMPROVEMENT
DISTRICT NO. 182**

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 Pat Wachter, Harmony Properties, LLC, the owners of a majority of property area, for the improvement in and for Street Improvement District No. 182, Project No. 2013-16 ("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 21th day of May, 2013

President, Board of City Commissioners

ATTEST:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

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**FEASIBILITY AND EVALUATION OF IMPROVEMENTS
FOR STREET IMPROVEMENT DISTRICT #182, PROJECT #2013-16**

1.) General Nature of Project

The District has been created to allow for new street 6th Avenue NW from 24th Street NW to 27th 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 6th Avenue NW south of 27th Street NW to 24th Street NW.

3.) Environmental Impact

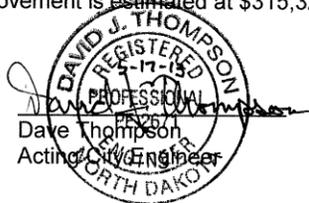
It is anticipated that there will be some dirt, noise and pollutants during the construction period as a result of the use of the necessary equipment. There will also be some surplus or waste construction materials that will need to be disposed of by the contractor at his or her expense. The contractors 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 \$252,258.60. 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 \$63,064.65. The total cost for the improvement is estimated at \$315,323.25.


Dave Thompson
Acting City Engineer

**RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS
FOR STREET IMPROVEMENT DISTRICT NO. 182**

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

1. The City Administrator, Deputy Auditor and City Engineer shall meet at the time and place specified in the notice authorized in paragraph 2 hereof, for the purpose of opening sealed bids for the work and material needed for the improvement project to be made in Street Improvement District No. 182 (Project # 2013-16) 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 May 21, 2013, and in the plans and specifications for said improvement now on file in the office of the City Engineer.

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

**“ADVERTISEMENT FOR BIDS FOR
STREET IMPROVEMENT DISTRICT NO. 182
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 June 14, 2013, at 10:00 a.m., local time for the purpose of furnishing of materials, labor and skill needed for the new construction of storm sewer mains, asphalt streets, concrete curb and gutter and street lights and related work in accordance with the plans and specifications for Street Improvement District No. 182 (Project # 2013-16), for the City of Mandan. The Work consists of all labor, skill, and materials required to properly construct the improvement.

Plans and Specifications are on file in the office of the City Administrator and the City Engineer. Plans may be obtained at this office of the City Engineer, 205 2nd Avenue Northwest, Mandan, North Dakota 58554, upon a non-refundable deposit of

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

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\$25.00. If Plans are mailed out and additional fee of \$15.00 will be added for postage and handling.

The bid proposals must be submitted to the City Administrator by 10:00 a.m., local time, June 14, 2013 and shall be sealed and endorsed "Proposal for Street Improvement District No 182. 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 June 14th, 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 48-01.1-05 (3), North Dakota Century Code, as amended, and executed by the Bidder as principal and by a surety, conditioned that if the principal's bid is accepted and the contract awarded to the principal, the principal, within ten days after Notice of Award, shall execute and effect a contract in accordance with the terms of the bid, and a Contractor's Bond as required by law. No bid may be read or considered if it does not fully comply with the requirements of Section 48-01.1-05 of the North Dakota Century Code and any deficient bid must be resealed and returned to the bidder immediately.

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

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

All construction work on Project #2013-16 is to be completed no later than August 30, 2013.

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

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

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Consider the creation of, approval of the engineer's report, approve the plans and specifications for, approve sufficiency of petition, feasibility report and advertisement for bids for Street Improvement District No. 182, Project No. 2013-16 (Meadow Ridge 1st Addition).

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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 2005 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, June 18, 2013, at 5:30 PM, local time, to determine the sufficiency of protests, to review the Bids submitted, consider the engineer's recommendation, and to award the contract to the successful Bidder, if protests have been deemed insufficient. The contract will be awarded on the basis of the low Bid submitted, on eligible areas, by a responsible and responsive Bidder deemed most favorable to the City's interest.

The City of Mandan reserves the right reject any or all bids, to waive any informality or irregularity, to hold all bids for a period of thirty (30) days after the date fixed for the opening thereof, and to accept the Bid deemed most favorable to the best interest of the City of Mandan.

Dated this 21 day of May, 2013

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.

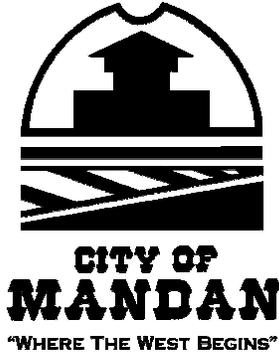
4. The Board of City Commissioners shall meet on Tuesday, June 18, 2013 at 5:30 pm, local time, to review the bids submitted, consider the engineer's recommendation, and to award the contract to the successful bidder, subject to the Board finding that filed protests are insufficient to bar the work.

President, Board of City Commissioners

ATTEST:

City Administrator

Passed: May 21, 2013



Board of City Commissioners

Agenda Documentation

MEETING DATE: May 21, 2013
PREPARATION DATE: May 15, 2013
SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Jeff Wright, Public Works Director
PRESENTER: Jeff Wright
SUBJECT: Identify and prioritize future street maintenance projects within the City of Mandan.

STATEMENT/PURPOSE: Update the Commission with future projects needed within the City of Mandan on arterial and collector streets and prioritize them.

BACKGROUND/ALTERNATIVES: The City of Mandan received \$843,243.59 from the State of North Dakota for maintenance projects on city streets that are need of repair above normal maintenance such as crack sealing, patching and pothole repair.

A list of streets that qualify for this funding is provided below in prioritized order:

Mill, leveling, overlay and chip seal

- 46th Ave SE from 29th Street to South Bay Dr. (Flood related damage)
- 2nd Street NW from Collins Ave to 6th Ave NW
- 40th Ave SE from Memorial Highway to WWTP (Flood related damage)

Concrete repair, joint sealant and curb repair

- Main Street from 10th Ave W to Twin City Dr
- Mandan Ave NE from I-94 to Old Red Trail
- 10th Ave SW from Main St to Heart River Bridge
- 6th Ave SE from Main St to Heart River Bridge

Estimates for these projects are being generated at this time, along with communication with the NDDOT for additional Urban Road Funding for arterial and collector streets. The mill and overlay projects above are needed and could be change ordered onto the existing Diane's area project and paid for out of these new funds. We would like to do the concrete repairs through a NDDOT project (80%) and use this new funding for the City of Mandan share (20%) of the project.

Board of City Commissioners

Agenda Documentation

Meeting Date: May 21, 2013

Subject: Identify and prioritize future street maintenance projects within the City of Mandan.

Page 2 of 2

ATTACHMENTS: N/A

FISCAL IMPACT: The City of Mandan received \$843,243.59 from the State Treasurer and the funds have been placed in the Highway Distribution Fund for use on roadway maintenance purposes.

STAFF IMPACT: City staff will communicate with the NDDOT and prepare cost estimates.

LEGAL REVIEW: Attorney Brown will assist in all legal matters.

RECOMMENDATION: Since this is only an update to the Commission, we would be only asking for your thoughts and to allow us to pursue these proposed projects.

SUGGESTED MOTION: Move to continue estimating and planning to complete these proposed projects and bring back to the City Commission for final approval.

ORDINANCE NO. 1147

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 tract of land being a part of Government Lot 1 and the SE ¼ of the NE ¼ of Section 3, Township 138N, Range 81W of the Fifth Principal Meridian, Morton County, North Dakota (proposed Lincoln Ridge Estates 6th Addition) that lies within the following described traverse:

Beginning at the southwest corner of Government Lot 1 of Section 3, Township 138N, Range 81W; thence north 00° 10' 21" west along the west boundary line of said Government Lot 1 for 1253.26 feet to a point on the south right-of-way line of 19th Street SW; thence along said south right-of-way line for the following five (5) courses; thence north 89° 33' 39" east for 140.60 feet; thence south 00° 26' 21" east for 20.00 feet; thence north 89° 33' 39" east for 200.00 feet; thence south 00° 26' 21" east for 20.00 feet; thence north 89° 33' 39" east for 21.27 feet to the northwest corner of School District 3rd Addition of the City of Mandan, Morton County, North Dakota; thence south 00° 26' 30" east along the west boundary line of said School District 3rd Addition for 779.43 feet to a point on the westerly boundary line of the Replat of Lots 7 & 8, Block 2, Lincoln Ridge Estates and Auditor's Lot "A" of said Government Lot 1; thence south 89° 34' 24" west along the westerly boundary line of said replat for 110.00 feet; thence south 15° 05' 01" west continuing along said westerly boundary line for 149.44 feet to the northwest corner of Auditor's Lot "B" of said Government Lot 1; thence south 22° 14' 26" east along the west boundary line of said Auditor's Lot "B" for 107.71 feet to the southwest corner of said Auditor's Lot "B"; thence north 89° 34' 28" east along the south boundary line of said Auditor's Lot "B" for 110.00 feet to the southeast corner of said Auditor's Lot "B", said point also being on the westerly boundary line of Lincoln Ridge Estates of the City of Mandan, Morton County, North Dakota; thence along said westerly boundary line the following three (3) courses; thence south 00° 26' 30" east for 100.00 feet; thence south 37° 20' 31" east for 191.53 feet; thence south 00° 44' 24" east for 119.87 feet; thence south 43° 38' 15" west for 66.00 feet to a point on the westerly boundary line of Lincoln Ridge Estates 2nd Addition of the City of Mandan, Morton County, North Dakota; thence along said westerly boundary line of said Lincoln Ridge Estates 2nd Addition the following three (3) courses; thence north 46° 21' 45" west for 160.98 feet; thence south 17° 58' 09" west for 175.24 feet; thence north 86° 28' 21" west for 119.52 feet; thence north 62° 09' 46" west for 168.02 feet to a point on the west boundary line of the SE ¼ of the NE ¼ of said Section 3; thence north 00° 10' 51" west along said west boundary line for 157.05 feet to the point of beginning. Said tract of land containing 11.97 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

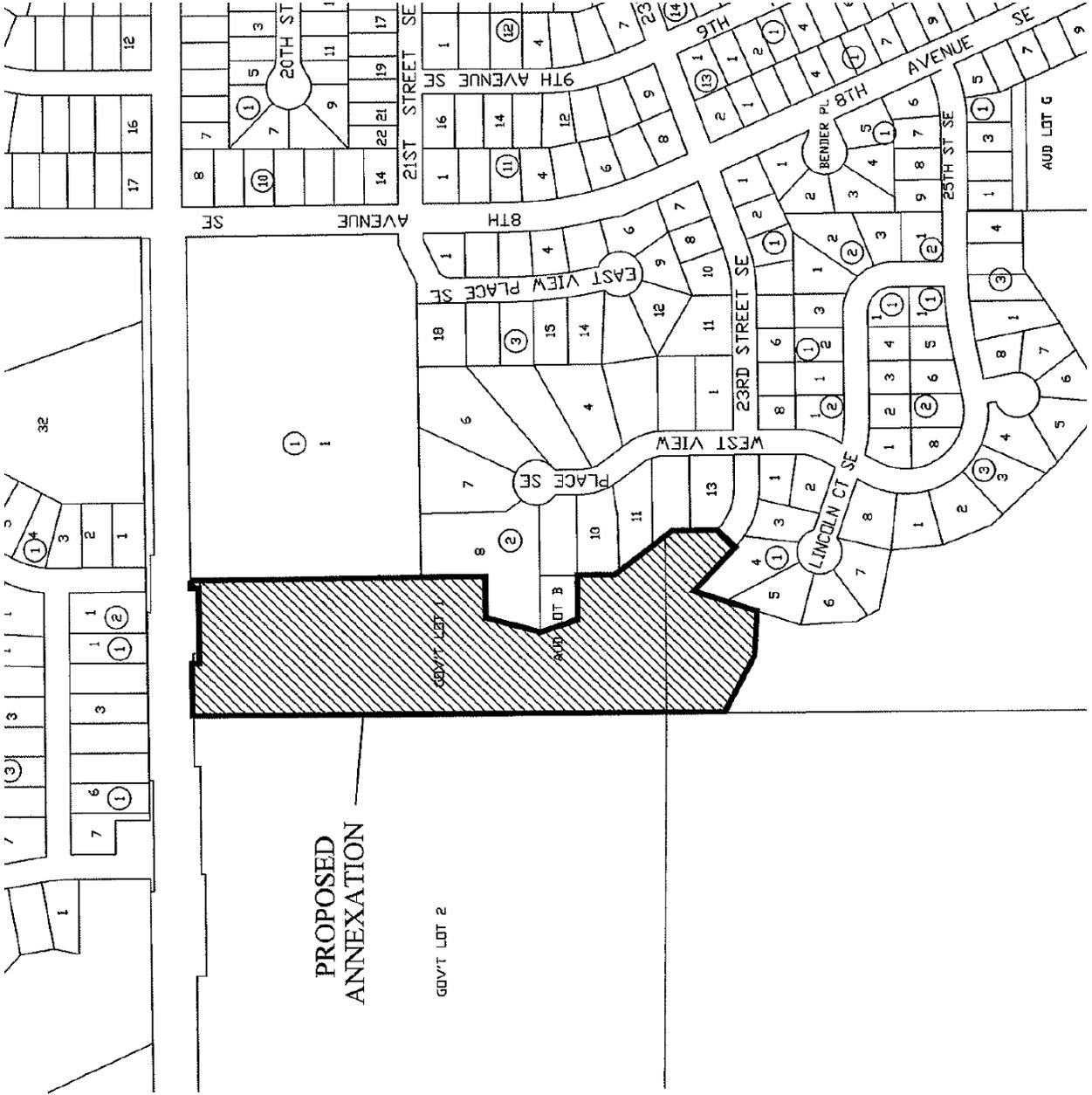
Attest

James Neubauer, City Administrator

First Consideration: May 7, 2013

Second Consideration
and Final Passage: May 21, 2013

Date of Recording: _____



PROPOSED
ANNEXATION

GOV'T LOT 2

GOV'T LOT 1

AUD LOT G

ORDINANCE NO. 1148

AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE MANDAN MUNICIPAL CODE 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 Municipal Code is amended to read as follows:

The following described property located within the City of Mandan shall be excluded from the A (Agricultural) zoning and shall be included in the R7 (Single-Family Residential) for Lots 22-30, Block 1 and R3.2 (Two-Family Residential) for Lots 1-21, Block 1, all of namely,

Lincoln Ridge Estates 6th Addition in Section 3, Township 138N, Range 81W
(proposed Lincoln Ridge Estates 6th Addition plat)

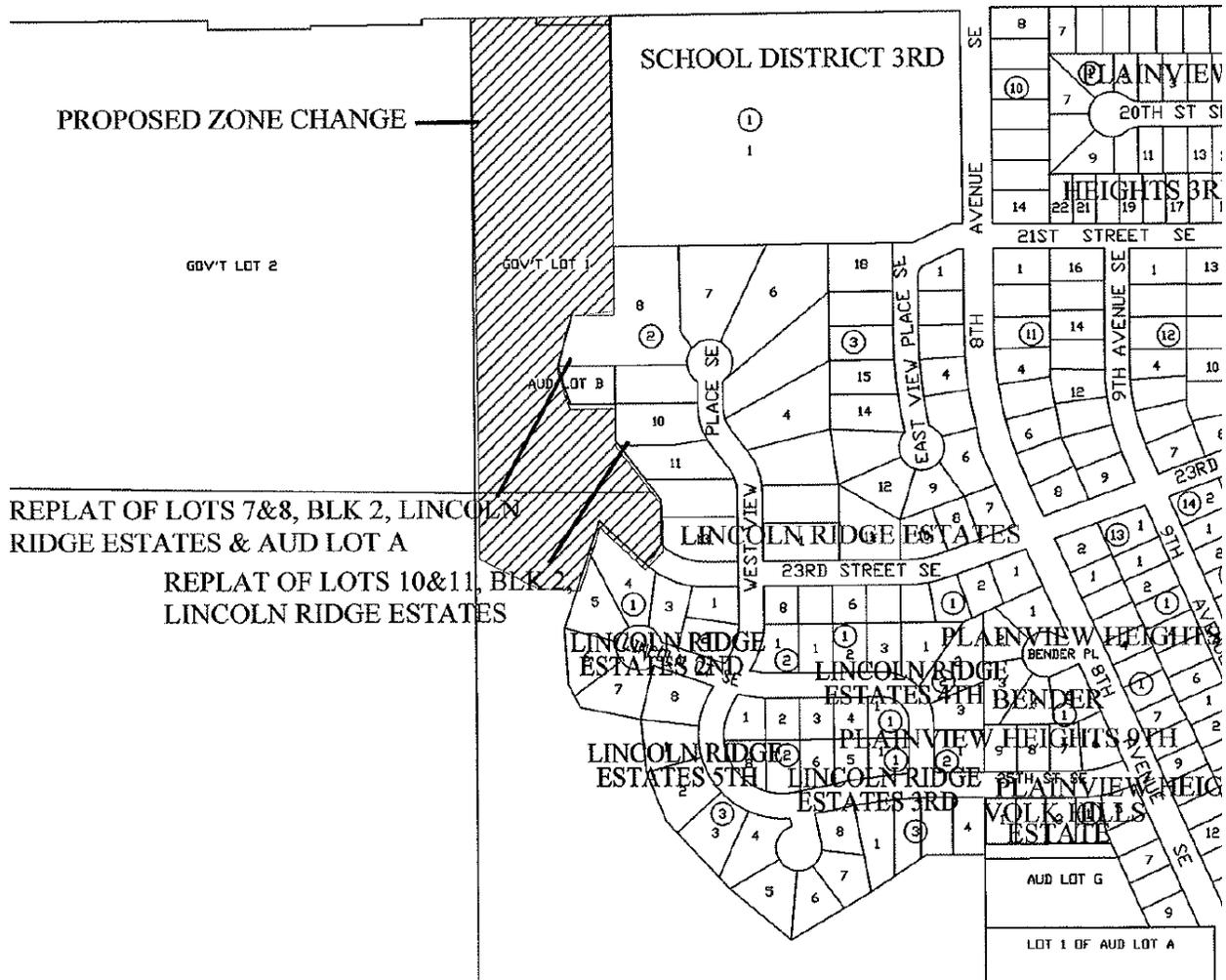
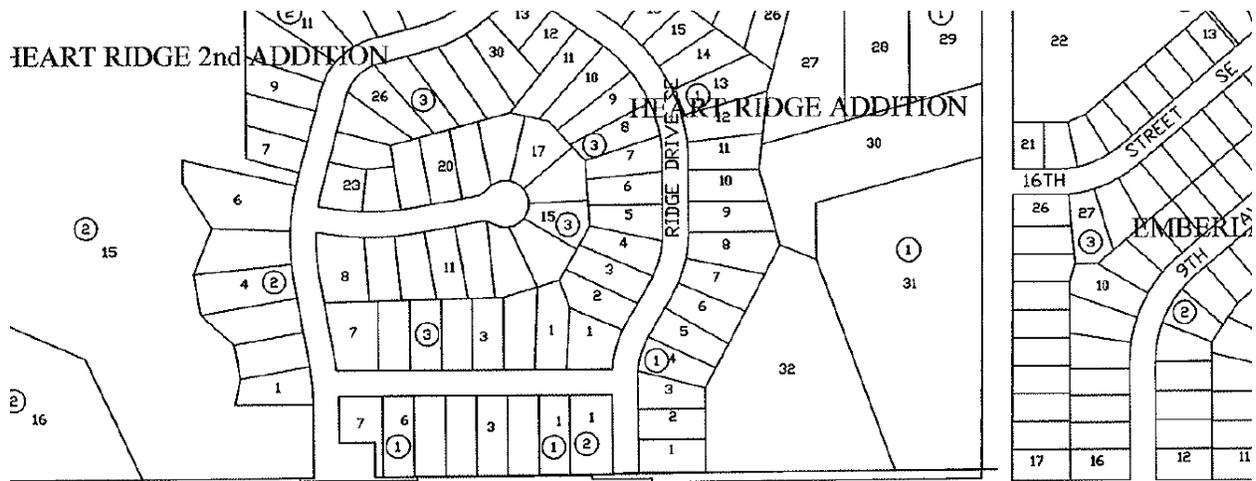
and as so amended said section is hereby reenacted. The city administrator is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

President, Board of City Commissioners

Attest:

City Administrator

Public Hearing:	<u>March 25, 2013</u>
First Consideration:	<u>May 7, 2013</u>
Second Consideration and Final Consideration:	<u>May 21, 2013</u>
Publication Date:	<u>June 14, 2013</u>
Recording Date:	_____



ORDINANCE NO. 1149

AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE MANDAN MUNICIPAL CODE 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 Municipal Code is amended to read as follows:

The following described property located within the City of Mandan shall be excluded from the A (Agricultural) zoning and shall be included in the R3.2 (Two-Family Residential) for Macedonia Hills 1st Addition and RM (Multi-Family Residential) for remaining Government Lot 2, less Outlot A. The RM (Multi-Family Residential) would be restricted to no more than a four-plex per lot and no more than two-stories tall, namely,

Macedonia Hills 1st Addition and Government Lot 2, less Outlot A in the NW ¼ of the NE ¼ of Section 3, Township 138N, Range 81W.

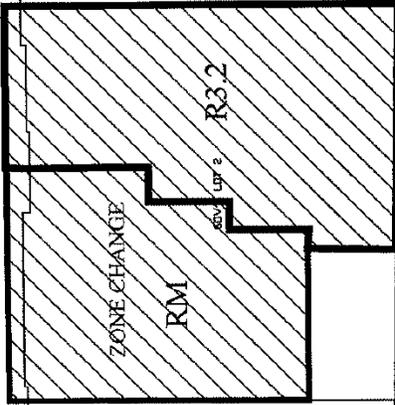
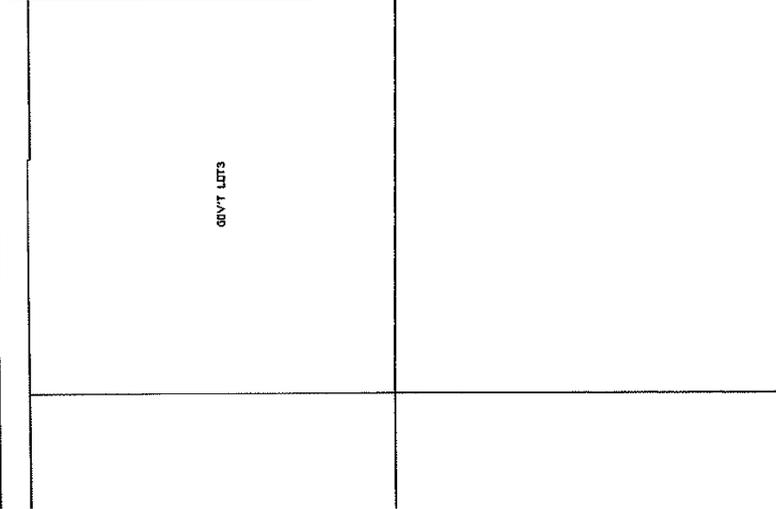
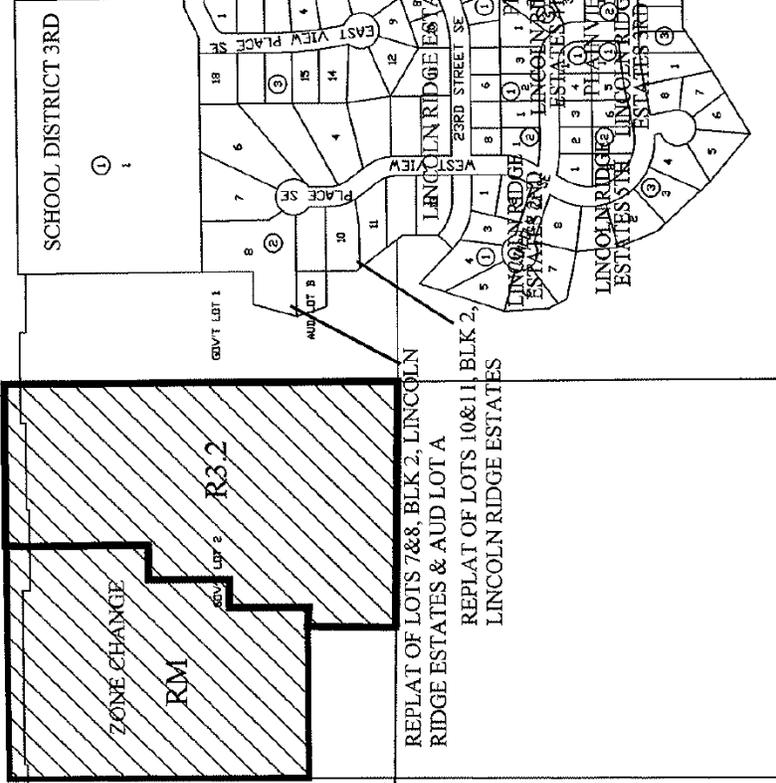
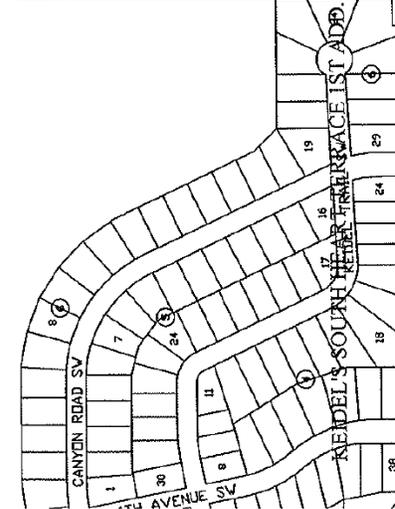
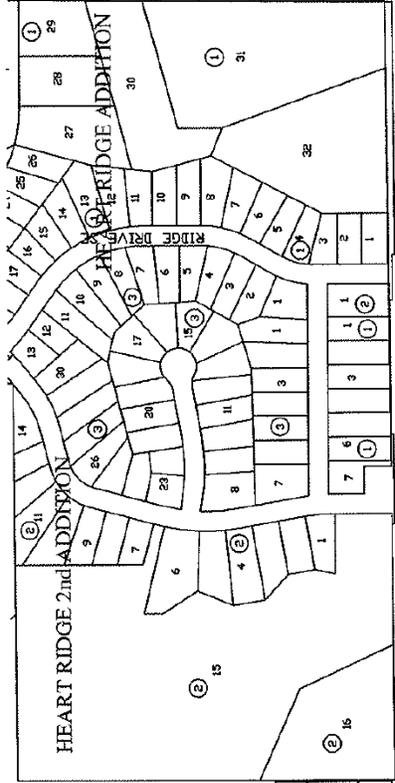
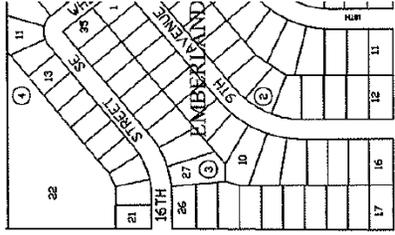
and as so amended said section is hereby reenacted. The city administrator is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

President, Board of City Commissioners

Attest:

City Administrator

Public Hearing:	<u>March 25, 2013</u>
First Consideration:	<u>May 7, 2013</u>
Second Consideration and Final Reading:	<u>May 21, 2013</u>
Publication Date:	_____
Recording Date:	_____



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

GOV'T LOTS

ORDINANCE NO. 1150

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 tract of land being Auditor’s Lot B in Government Lot 1, in 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 Lincoln Ridge Estates to the City of Mandan, North Dakota; thence
South 01°03’13” East along the west boundary line of said Lincoln Ridge Estates a distance of 314.00
feet to the true point of beginning , said point being the northwest corner of Lot 9, Block 2 of said Lincoln
Ridge Estates, said point also being the southeast corner of Auditor’s Lot “A” of Government Lot 1,
Section 3, Township 138N, Range 81W; thence continuing South 01°03’13” East along the west
boundary line of said Lot 9 a distance of 100.00 feet to the southwest corner of said Lot 9; thence South
88°57’41” West a distance of 110.00 feet; thence North 22°51’11” West a distance of 107.71 feet to the
southwest corner of said Auditor’s Lot “A”; thence North 88°57’41” East along the south boundary line
of said Auditor’s Lot “A” a distance of 150.00 feet to the true point of beginning. Said tract of land
containing 13,000 sq. ft. (0.30 Acres), more or less.

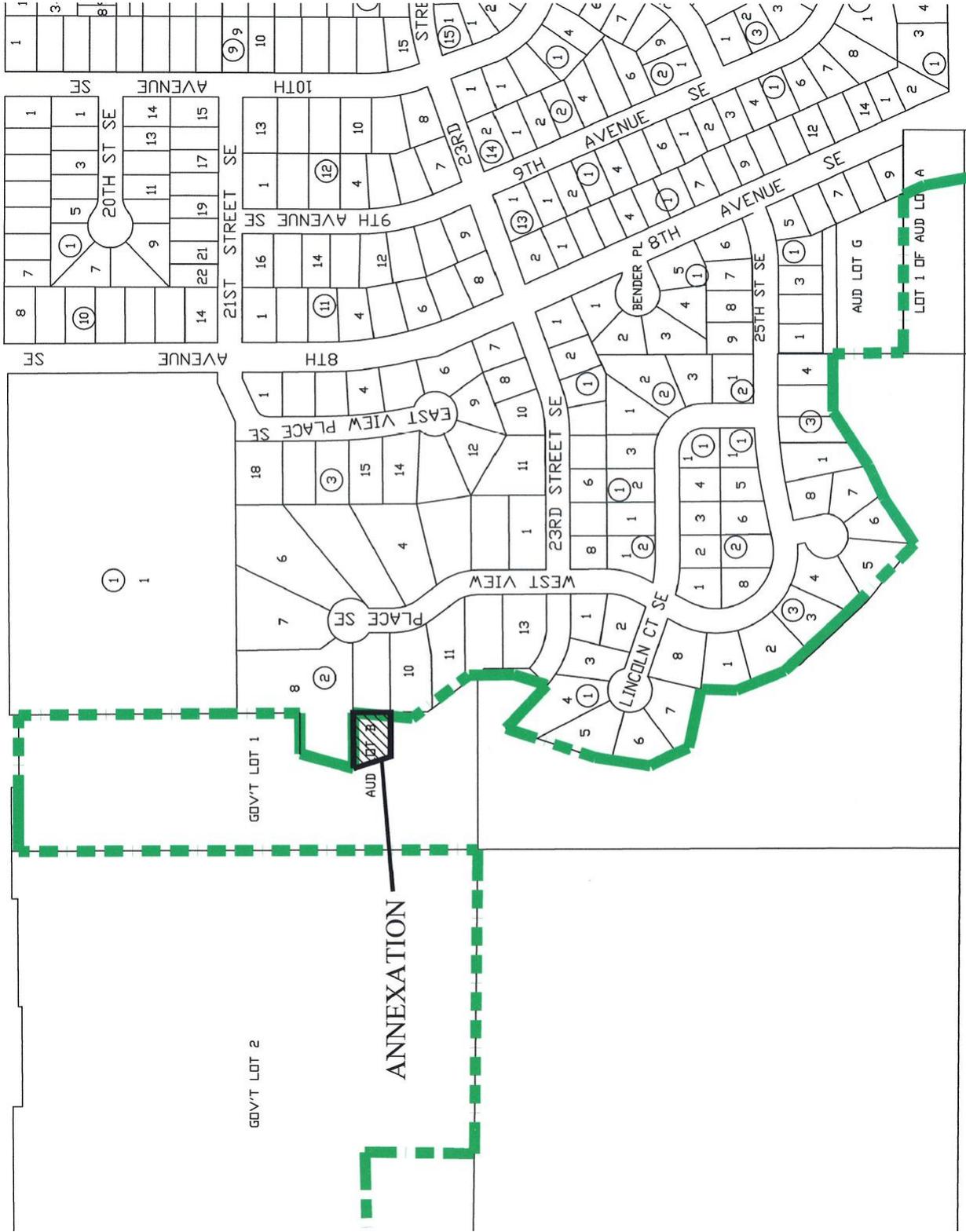
SECTION 2. Corporate Boundary Extended. Upon the taking effect of this Ordinance, the
corporate limits and boundary lines of the City of Mandan shall thereafter include said lands.

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

Attest

James Neubauer, City Administrator

First Consideration: May 21, 2013
Second Consideration
and Final Passage: June 4, 2013
Date of Recording: _____



ORDINANCE NO. 1151

AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE MANDAN MUNICIPAL CODE 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 Municipal Code is amended to read as follows:

The following described property located within the City of Mandan shall be excluded from the R3.2 (Two-Family Residential) zoning and MC (Light Non-Nuisance Industrial/Heavy Commercial) and shall be included in the RM (Multi-Family Residential) namely,

Lots 6-8 and part of Lot 5, Block 1 and Lots 4-9 and part of Lots 3 & 10, Block 2 of Meadow Ridge 3rd Addition in Section 22, Township 139N, Range 81W
Meadow Ridge 3rd Addition in Section 22, Township 139N, Range 81W .

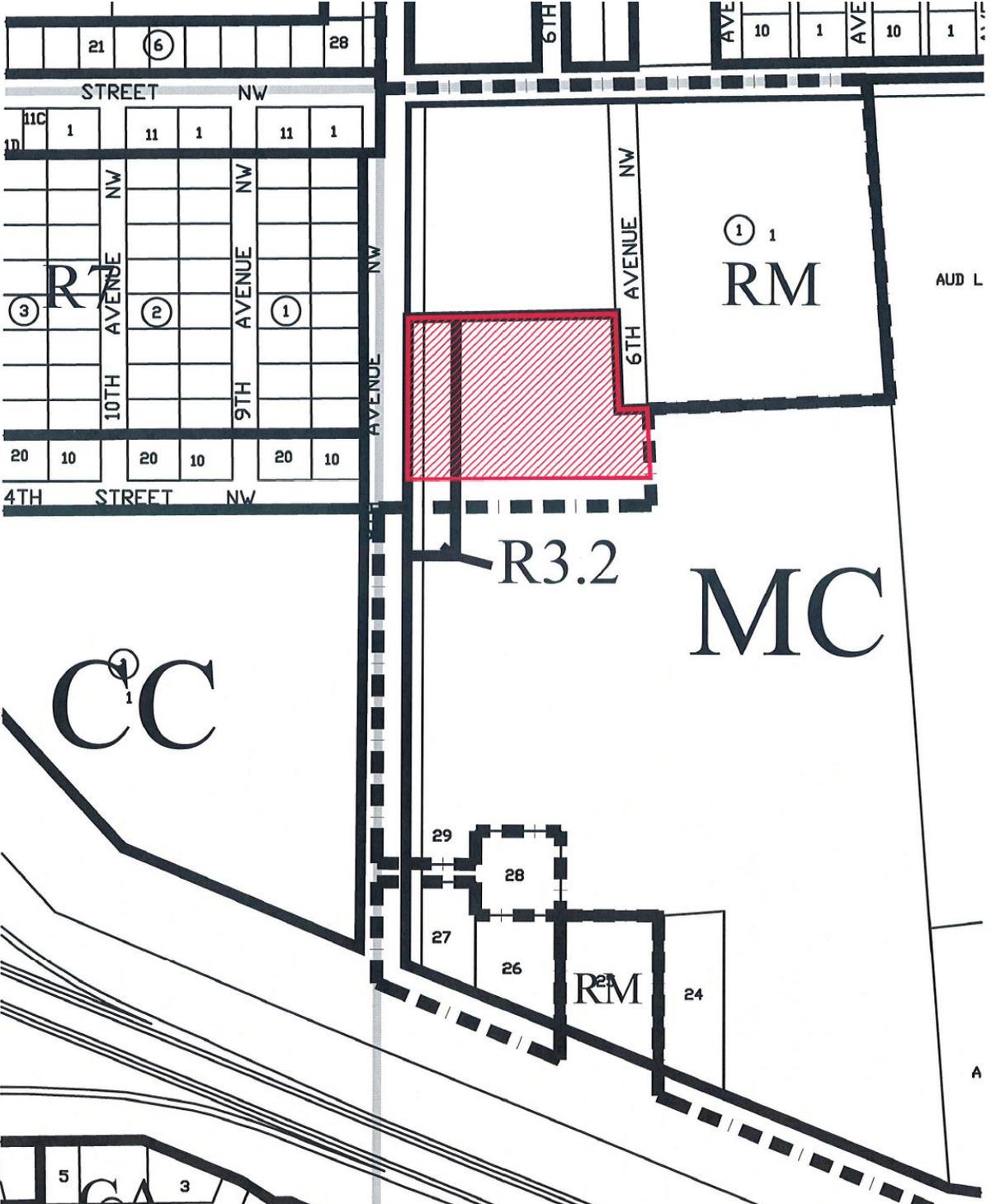
and as so amended said section is hereby reenacted. The city administrator is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

President, Board of City Commissioners

Attest:

City Administrator

Public Hearing:	<u>April 22, 2013</u>
First Consideration:	<u>May 21, 2013</u>
Second Consideration and Final Reading:	<u>June 4, 2013</u>
Publication Date:	_____
Recording Date:	_____



ORDINANCE NO. 1152

AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE MANDAN MUNICIPAL CODE 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 Municipal Code is amended to read as follows:

The following described property located within the City of Mandan shall be excluded from the R7 (Single-Family Residential) and R3.2 (Two-Family Residential) zoning and shall be included in the RM (Multi-Family Residential) namely,

Parts of Lot 1, Block 1 and Lot 1, Block 2 of School District 5th Addition in Section 16, Township 139N, Range 81W

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>April 22, 213</u>
First Consideration:	<u>May 21, 2013</u>
Second Consideration and Final Reading:	<u>June 4, 2013</u>
Publication Date:	_____
Recording Date:	_____

**RESOLUTION CREATING
STREET IMPROVEMENT DISTRICT NO. 182**

Project No. 2013-16

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. 182 (the "District")(Project# 2013-16) 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, 6th 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, Meadow Ridge 1st Addition
All lots & blocks, Meadow Ridge 3rd Addition

The legal description of the district boundary is as follows:

A tract of land being all of Meadow Ridge 1st Addition and Meadow Ridge 3rd Addition and part of the NW1/4 of Section 22, Township 139 North, Range 81 West of the City of Mandan, Morton County, North Dakota, being more particularly described as follows:

Beginning at the northeast corner of Lot 44, Block 1, Pioneer Industrial Park of the City of Mandan, North Dakota, said point also being on the south Right-of-Way line of 27th Street NW; thence North 88° 50' 27" East along said south Right-of-Way line for 1053.60 feet to the northeast corner of Meadow Ridge 1st Addition of the City of Mandan, Morton County, North Dakota; thence South 04° 24' 52" East along the east boundary line of said Meadow Ridge 1st Addition for 694.25 feet to the southeast corner of said Meadow Ridge 1st Addition; thence South 87° 42' 57" West along the south boundary line of said Meadow Ridge 1st Addition for 557.47 feet to the southwest corner of said Meadow Ridge 1st Addition; thence South 02° 17' 03" East for 144.86 feet to the P.C. (Point of Curvature) of a curve to the Left having a radius of 217.00 feet; thence along said curve to the Left (the chord of which bears South 04° 30' 44" East for 16.88 feet) an arc length of 16.88 feet; thence South 89° 57' 56" West for 557.81 feet to a point on the east boundary line of said Lot 44; thence North 00° 03' 39" East along said east boundary line for 855.00 feet to the Point of Beginning. Said tract of land containing 19.39 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: May 21, 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. 182**

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. 182 (Project # 2013-16), 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:	\$252,258.60
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:	\$63,064.65
c. Total estimated costs of the improvement:	\$315,323.25

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

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

Dated this 21th day of May 2013.

President, Board of City Commissioners

ATTEST:

City Administrator

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
FOR STREET IMPROVEMENT DISTRICT NO. 182
PROJECT # 2013-16**

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. 182 (Project # 2013-16) 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 21 day of May, 2013.

President, Board of City Commissioners

ATTEST:

City Administrator

**RESOLUTION DETERMINING SUFFICIENCY OF FORMS OF PETITION,
WAIVER AND CONSENT TO ASSESSMENT FOR STREET IMPROVEMENT
DISTRICT NO. 182**

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 Pat Wachter, Harmony Properties, LLC, the owners of a majority of property area, for the improvement in and for Street Improvement District No. 182, Project No. 2013-16 ("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 21th day of May, 2013

President, Board of City Commissioners

ATTEST:

City Administrator

**RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS
FOR STREET IMPROVEMENT DISTRICT NO. 182**

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

1. The City Administrator, Deputy Auditor and City Engineer shall meet at the time and place specified in the notice authorized in paragraph 2 hereof, for the purpose of opening sealed bids for the work and material needed for the improvement project to be made in Street Improvement District No. 182 (Project # 2013-16) 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 May 21, 2013, and in the plans and specifications for said improvement now on file in the office of the City Engineer.

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

**“ADVERTISEMENT FOR BIDS FOR
STREET IMPROVEMENT DISTRICT NO. 182
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 June 14, 2013, at 10:00 a.m., local time for the purpose of furnishing of materials, labor and skill needed for the new construction of storm sewer mains, asphalt streets, concrete curb and gutter and street lights and related work in accordance with the plans and specifications for Street Improvement District No. 182 (Project # 2013-16), for the City of Mandan. The Work consists of all labor, skill, and materials required to properly construct the improvement.

Plans and Specifications are on file in the office of the City Administrator and the City Engineer. Plans may be obtained at this office of the City Engineer, 205 2nd Avenue Northwest, Mandan, North Dakota 58554, upon a non-refundable deposit of \$25.00. If Plans are mailed out and additional fee of \$15.00 will be added for postage and handling.

The bid proposals must be submitted to the City Administrator by 10:00 a.m., local time, June 14, 2013 and shall be sealed and endorsed “Proposal for Street Improvement District No 182. 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 June 14th, 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 48-01.1-05 (3), North Dakota Century Code, as amended, and executed by the Bidder as principal and by a surety, conditioned that if the principal's bid is accepted and the contract awarded to the principal, the principal, within ten days after Notice of Award, shall execute and effect a contract in accordance with the terms of the bid, and a Contractor's Bond as required by law. No bid may be read or considered if it does not fully comply with the requirements of Section 48-01.1-05 of the North Dakota Century Code and any deficient bid must be resealed and returned to the bidder immediately.

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

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

All construction work on Project #2013-16 is to be completed no later than August 30, 2013.

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

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 2005 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, June 18, 2013, at 5:30 PM, local time, to determine the sufficiency of protests, to review the Bids submitted, consider the engineer's recommendation, and to award the contract to the successful Bidder, if protests have been deemed insufficient. The contract will be awarded on the basis of the low Bid submitted, on eligible areas, by a responsible and responsive Bidder deemed most favorable to the City's interest.

The City of Mandan reserves the right reject any or all bids, to waive any informality or irregularity, to hold all bids for a period of thirty (30) days after the date fixed for the opening thereof, and to accept the Bid deemed most favorable to the best interest of the City of Mandan.

Dated this 21 day of May, 2013

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, June 18, 2013 at 5:30 pm, local time, to review the bids submitted, consider the engineer's recommendation, and to award the contract to the successful bidder, subject to the Board finding that filed protests are insufficient to bar the work.

President, Board of City Commissioners

ATTEST:

City Administrator

Passed: May 21, 2013