



AGENDA
MANDAN CITY COMMISSION
NOVEMBER 15, 2011
ED "BOSH" FROEHLICH MEETING ROOM
5:30 P.M.
www.cityofmandan.com

-
- A. ROLL CALL:
1. Roll call of all City Commissioners and Department Heads.
- B. MINUTES:
1. Consider approval of the minutes from the November 1, 2011 Board of City Commission meeting.
- C. PUBLIC HEARING:
- D. BIDS:
- E. CONSENT AGENDA:
1. Consider approval of monthly bills.
 2. Consider closing Administrative offices day after Thanksgiving.
 3. Consider site authorization for Mandan Hockey Club, Inc. at Captain Freddy's Inc. for a three month trial period from 12/1/2011 through 2/29/2012.
- F. OLD BUSINESS:
1. Consider a motion to rescind the action adopted at the November 1, 2011 City Commission relative to the Papke abatement request.
- G. NEW BUSINESS:
1. Bismarck Mandan Development Association reports
 - i. General update
 - ii. Office Site Inventory
 2. Introduction of new Police Officer Kirstye Burt
- H. RESOLUTIONS & ORDINANCES:
- I. OTHER BUSINESS:
- J. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:
1. December 6, 2011
 2. December 20, 2011
 3. January 3, 2012 – 5 p.m. start (*Tentative time*)
- K. ADJOURN

*Agenda
Mandan City Commission
November 15, 2011
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Departmental planning meeting will be held the Monday prior to the Commission meeting, all Commissioners are invited, noon, Dykshoorn Conference Room. Please notify the city administrator by 8:30 a.m. that Monday if you plan on attending. If more than two commissioners plan on attending, proper public notice must be given.

The Mandan City Commission met in regular session at 4:00 p.m. on November 1, 2011 in the Ed “Bosh” Froehlich Room at City Hall. Commissioners present were Helbling, Tibke, Rohr, Frank (arrived at 4:25 p.m.) and Jackson. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, and Engineering Project Manager Bechtel. Absent: Business Development and Communications Director Huber, City Assessor Barta.

2. *Employee Service Awards:*

20 Years of Service: Dee Miller, Mary Himmelspach, Larry Dale, Robert Smith, Scott Eckroth, Mike Hanson, Brent Wilmeth, Jeff Wright.

15 Years of Service: Dave Bechtel, Kim Hust, Terry Aasand, Mary Alice Gaebe.

10 Years of Service: Brendan Jochim, Michael Anfinson.

5 Years of Service: Ellen Huber, Andrew Beck, Patrick Martin, Shane Weltikol, Britni Zander, Mary Henderson, David Raugust, Heidi Schuchard, Joseph Schaner, James Steinman.

Mayor Helbling extended a *thank you* to all employees receiving service awards and also extended a *thank you* to Montana Mike’s Restaurant for their contribution for the service awards.

MINUTES: *Consider approval of the minutes for October 18, 2011, regular meeting.*

Commissioner Tibke moved to approve the minutes of October 18, 2011. Commissioner Jackson seconded the motion. The motion received unanimous approval of the members present. The motion passed.

PUBLIC HEARING:

1. *A Public Hearing to consider a five-year Ad Valorem Tax Exemption for ProFinish at 160 Riverwood Ave SE (see also New Business #1i):* City Administrator Neubauer reviewed with members a request for consideration of a five-year Ad Valorem Tax Exemption for ProFinish at 160 Riverwood Ave SE. Neubauer stated that Shane and Jackie Farland, ProFinish, are requesting the exemption on the construction of a new office and retail building. The Notice to Competitors was published in the Mandan News on October 7th and October 14th and there have been no written protests submitted. The Mandan Growth Fund reviewed this project and approved unanimously to grant a 100% exemption for five years contingent upon the business meeting the employee schedule. If that condition is not met, the percentage of exemption would decrease after two years per policy guidelines. The MGF recommended approval of the exemption. The Park and School Districts, as well as the County, have been notified of this request and no opposition has been received from these entities.

Shane Farland, ProFinish, came forward and commented that he started his business about 7 years ago with the assistance of a Small Business Loan. He mentioned that he did not expect the business to grow as it has, and said he was appreciative for the assistance of the tax exemption program incentive for small businesses.

Mayor Helbling invited comments from the public regarding the request for a five-year Ad Valorem Tax Exemption for ProFinish at 160 Riverwood Ave SE, Mandan, North Dakota. A second invitation was extended for comments. Hearing none, this part of the public hearing was closed.

2. *A Public Hearing to consider a five-year Ad Valorem Tax Exemption for Infinity Ventures at 4102, 4202, and 4302 Shoal Loop SE (see also New Business #1ii):* City Administrator Neubauer reviewed with members a request for consideration of a five-year Ad Valorem Tax Exemption for Infinity Ventures at 4102, 4202, and 4302 Shoal Loop SE. Neubauer stated that Stacey Zander D/B/A Infinity Ventures is requesting the exemption on the construction of three (3) thirty-six (36) unit apartment buildings. The Notice to Competitors was published in the Mandan News on October 7th and October 14th and there have been no written protests submitted. The Mandan Growth Fund reviewed this project and approved unanimously to grant a 100% exemption for two years per the policy adopted by the Commission in February 2011. This project falls into the 24 units or more category. The MGF recommended approval of a two-year exemption. The Park and School Districts, as well as the County, have been notified of this request and no opposition was received from these entities.

Stacey Zander, D/B/A Infinity Venture, came forward and commented that he currently owns property in Mandan. He explained why he has chosen Mandan over Bismarck as the property location for Infinity Ventures stating that in the long run (50-55 years projected life span of the building) the City of Mandan would receive \$5M. Basically by staying in Mandan he estimates savings of \$30,000 annually which will help his cash flow if he receives the five year ad valorem tax exemption. He stated that the project is a \$9M to \$11M dollar project.

Mayor Helbling invited comments from the public regarding the request for a five-year Ad Valorem Tax Exemption for Infinity Ventures at 4102, 4202, and 4302 Shoal Loop SE. Commissioner Rohr commented that at this time it is unknown as to what the taxes will be ten years from now. Mayor Helbling extended a second invitation for comments from the public. Hearing none, this part of the public hearing was closed.

BIDS:

CONSENT AGENDA:

1. *Consider approval of Communication Tower Usage Agreement.* The Board approved of the Communication Tower Usage Agreement.
2. *Consider approval of a request for Temporary Staffing (Police Department).* The Board approved of the request for Temporary Staffing (Police Department).
3. *Consider approval of the final plat of North Prairie 5th Subdivision.* The Board approved of the final plat of North Prairie 5th Subdivision.
4. *Consider approval for out of state travel for personnel within the Engineering Department.* The Board approved of out of state travel for personnel within the Engineering Department.

5. *Consider approval of Classification Change of the IT Systems Analyst.* The Board approved of the Classification Change of the IT Systems Analyst.

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

OLD BUSINESS:

1. *Consider abatement – Wayne Papke:* City Administrator Neubauer reviewed with the Commission Wayne Papke's request for the 2011 true and full value of his residence to be lowered by \$24,941 due to flood damage to his home. City Assessor Barta addressed this matter on October 26, 2011 and based on the reports and calculations the true and full value of Papke's property came in at \$293,300. Barta recommends denying the request by Mr. Papke to lower the 2011 true and full value from \$277,600 to \$252,659 due to the damage sustained in the flood. Mayor Helbling stated that if the Commission denies Mr. Papke's request that he still has the option to go before the County with his request for abatement. Neubauer commented that Papke would also have the opportunity to go before the State Board of Tax Equalization should he choose to do so. Commissioner Jackson commented that he had a conversation with Papke to clarify this matter. He noted that Papke was not present today for this discussion. Jackson pointed out that in Barta's memo addressed to this Commission, the true and full value of the property as Barta sees it is \$293,000; if the difference is related to the re-assessment that is currently going on in the City of Mandan. He stated there is a difference between what Mr. Papke's value is as of 2011 and what his value will be next year because the City will be holding off with the reassessment until next year. Commissioner Jackson stated that this comment is inserted to make it clear for the Commission, viewers, and Mr. Papke. Neubauer pointed out that discussion at the last Commission meeting was an increase in value that occurred with Mr. Papke's residence in the last few years and Mr. Barta has made an adjustment to the land value in that area by \$35,000 and that the adjustment was not a result of a city-wide reassessment. It was a result of a review of land sales in the neighborhood and determining that the land value was higher in that area. It was not a result of a re-assessment. Commissioner Jackson noted that just recently a property adjacent to Papke's property sold for more than what the City of Mandan appraised it at.

Commissioner Rohr commented that Assessor Barta is one who is trained to assess values and what he is telling the Commission is what those values are in his professional opinion. If the Commission is to recognize his professional opinion then his recommendation should be considered.

Commissioner Frank motioned to deny the request from Wayne Papke to lower his 2011 true and full value from \$277,600 to \$252,659 due to damage sustained in the flood. Commissioner Jackson seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Tibke: Yes. Commissioner Helbling: Yes. The motion passed.

NEW BUSINESS:

I. Consider Growth Fund Committee recommendations:

i. Application for property tax exemption by Shane & Jackie Farland, ProFinish, 160 Riverwood Ave SE. Commissioner Jackson moved to approve the request by Shane and Jackie Farland D/B/A ProFinish, to receive a five-year tax exemption for a newly constructed commercial building due to meeting all criteria under the City of Mandan's Commercial Property Tax Exemption Policy and Guidelines under State Statute and also upon approval from the Mandan Growth Fund Committee contingent upon the business meeting the employee schedule as outlined in the policy.

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

ii. Application for property tax exemption by Infinity Ventures, 4102, 4202, and 4302 Shoal Loop SE. Commissioner Tibke moved to approve the request by Stacey Zander, Infinity Ventures to receive a two-year 100% Ad Valorem Tax Exemption for Infinity Ventures at 4102, 4202, and 4302 Shoal Loop SE due to meeting all criteria under the City of Mandan's Commercial Property Tax Exemption Policy and Guidelines under State Statute and also upon approval from the Mandan Growth Fund Committee.

Commissioner Rohr seconded the motion. Commissioner Jackson stated that he does not support the large multi-unit residential units in this area based upon advertising that this area is located only five minutes away from the area's largest shopping district, which of course is in Bismarck; thus it is not increasing the traffic counts needed in Mandan. He stated that it is his opinion that the Commission went against the policy as it was written at the last meeting making an exception to the policy. Roughly over the last two years, the Commission has approved almost 175 of these multi-family units, not buildings but units, and this is adding higher numbers. Based on these comments, Commissioner Jackson does not recommend approving this request. Zander commented that based on his calculations over the next 50 years, the City of Mandan will receive \$5M from this property. Mayor Helbling commented that he does not think the Commission has waived from the policy regarding this matter or the matter addressed at the last meeting. He stated that the policy has been adhered to when considering these requests and the Commission has made or will make decisions based upon the recommendations received from the Mandan Growth Fund. Commissioner Tibke commented on the car count stating that it is not necessarily the way the car is going but if there are empty lots or empty businesses. What attracts retailers and business owners is the increased number of cars going by in a day. Commissioner Jackson stated that he would be in favor of a special working session to discuss policies.

Roll call vote: Commissioner Rohr: Yes; Commissioner Frank: Yes; Commissioner Jackson: No; Commissioner Tibke: Yes. Commissioner Helbling: Yes. The motion passed.

Commissioner Rohr motioned to schedule a special working session to discuss the policies regarding tax exemptions. Commissioner Jackson seconded the motion and also

commented that in addition to the discussion on tax exemptions, Business Development and Communications Director Huber stated that the Growth Fund Committee struggles with policy issues at times and it would be to the benefit of everyone that the policies are clearly written. Commissioner Frank suggested incorporating the residential and commercial exemptions for discussion because they coincide with these topics. The motion received unanimous approval of the members present.

2. *Consider the creation of, approve the feasibility report for and authorize the advertisement of the Resolution of Necessity for Street Improvement District No. 161 Areas A & B Projects #2010-03 & 2011-12.* Engineering Project Manager Bechtel reviewed with the Commission a request to create the special assessment districts and authorize the required paperwork for the requested projects. District 161 is the expanded Diane's Project that now includes areas north and west. District 161B is a separate district that is in the northwest area of Mandan. This area has had deterioration of the street due to groundwater over the last several years. Bechtel clarified that this would not include every street within this district and the assessments would be limited to the streets under repair. He pointed out the areas where ground water studies are being conducted to determine the source of the water problems and those areas would be included within the cost of this project.

Commissioner Frank moved to approve the request for the creation of, approve the feasibility report for and authorize the advertisement of the Resolution of Necessity for Street Improvement District No. 161 Areas A & B Projects #2010-03 & 2011-12. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present.

RESOLUTIONS & ORDINANCES:

OTHER BUSINESS:

1. *Announcements:* Commissioner Frank announced that there is a city-related event hosted by the Mandan Tomorrow Committee for Economic Development coming up. It is a succession planning seminar for businesses. This is an opportunity for businesses within the Mandan community and beyond to hear about what steps they need to take to prepare for retirement and hand that business off to another young entrepreneur. Further information can be found on the City website at www.cityofmandan.com for this event that is scheduled in November.

There being no further actions to come before the Board, Commissioner Rohr moved to adjourn the meeting at 5:46 p.m. Commissioner Frank seconded the motion. The motion received unanimous approval of the members present.

James Neubauer,
City Administrator

Timothy A. Helbling,
President, Board of City
Commissioners



Board of City Commissioners

Agenda Documentation

MEETING DATE: November 15, 2011
PREPARATION DATE: November 7, 2011
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Day after Thanksgiving

STATEMENT/PURPOSE: Allow the Administrative Offices to close the day after Thanksgiving.

BACKGROUND/ALTERNATIVES: Long standing tradition has been to have Administrative Offices closed to the public the day after Thanksgiving. Employees take vacation, personal leave or comp time if they wish to do so, otherwise, they must receive permission to work from their respective department head.

ATTACHMENTS: N/A

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: - I recommend the Administrative Offices be closed the day after Thanksgiving.

SUGGESTED MOTION: - I move the Administrative Offices be closed the day after Thanksgiving.



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
 SFN 17996 (9-2005)

Consent No. 3

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

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

chance under the license granted by the Attorney General of the State of North Dakota
 at the following location: Captain Freddy's Inc. the address of which is:

Pirates Loop Se _____ Mandan _____ 58554 _____ Morton _____
 (Street) (City) (Zip Code) (County)

Date(s) authorized: Beginning 12/1/2011 Ending 2/29/2012

Specific location of gaming within facility (required): _____
Machine will be located between two bar on east wall

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

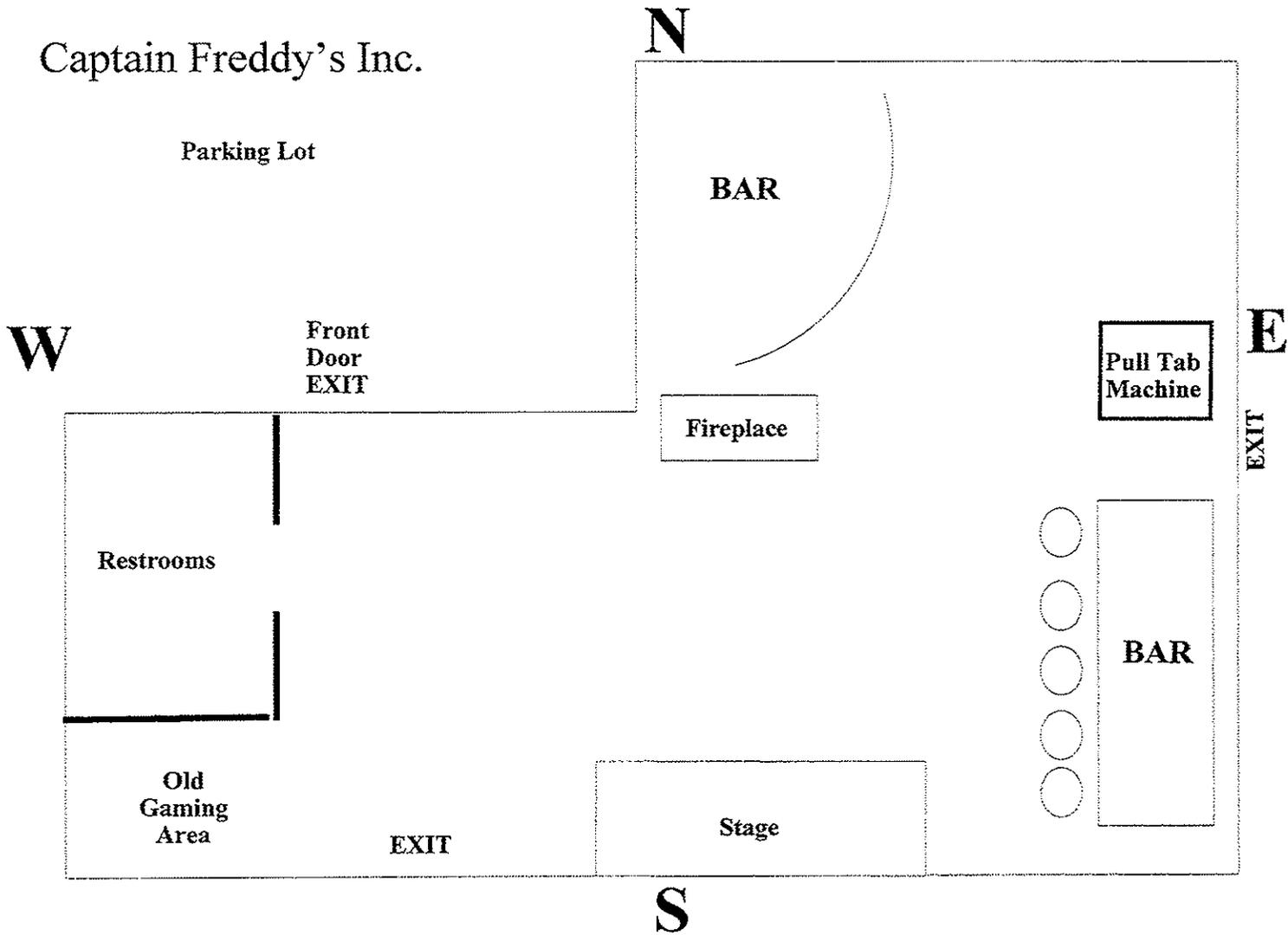
INSTRUCTIONS:

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

Captain Freddy's Inc.





RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 SFN 9413 (Rev. 02-2005)

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

Site Owner (Lessor) <i>Susanne White</i>		Site Name <i>Captain Freddy's Inc</i>		Site Phone Number (701) 751-3348
Site Address 2500 Pirates Loop Se		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period 12/1/2011 to 2/29/2012		Monthly Rent Amount
Organization (Lessee) Mandan Hockey Club, Inc.				
1. Is Bingo the primary game conducted? If "Yes," answer questions 2 - 7 but do not enter rent amounts for questions 3 - 7.		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
2. Is Bingo involving a dispensing device conducted?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
3. Is Twenty-One conducted?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____				0.00
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				0.00
4. Is Paddlewheels conducted?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
Number of Tables _____ X Rent per Table \$ _____				0.00
5. Is Pull Tabs involving both a jar bar and dispensing device conducted? If "Yes," skip questions 6 & 7.		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
6. Is Pull Tabs involving only a jar bar conducted?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$
Is Pull Tabs involving only a dispensing device conducted on this site?		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 100.00
TERMS OF RENTAL AGREEMENT:				Total Monthly Rent
				\$ 100.00

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 bingo card 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 bingo cards, 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>Susanne White</i>	Title <i>mgr.</i>	Date <i>10/26/11</i>
Signature of Lessee (Top Executive Official) <i>Greg [unclear]</i>	Title President	Date <i>10/27/11</i>

(over)

MANDAN HOCKEY CLUB - GAMING

P.O. BOX 97

MANDAN ND 58554



November 7, 2011

City Commissioners
City of Mandan
Mandan ND 58554

Dear Commissioners::

This letter serves as our formal request for your approval to operate a dispensing device at Captain Freddy's for the period the December 1, 2011-February 29, 2012. This 3-month trial period is an agreement between the site owner and the Mandan Hockey Club (MHC). Before the end of the 3-month period, the MHC will evaluate whether to continue gaming at this site or discontinue. At that time a request will be made to extend the license through the end of the gaming year (June 30, 2012) or notify the Commission of the discontinued gaming at that site.

Included with this letter are the site authorization forms, Acknowledgment by Local Law Enforcement Official form, rental agreements, and a floor plans depicting each gaming site, and a check for \$100.

If you have any questions, please feel free to contact me at 220-9225.

Sincerely,

Richard Winking
Gaming Manager

Enclosures

STATE USE ONLY
DATE LICENSE NO.
Mandan Hockey Club, Inc.
Mandan ND 58554
11/07/11
11/07/11



Board of City Commissioners

Agenda Documentation

MEETING DATE: November 15, 2011
PREPARATION DATE: November 10, 2011
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: To consider a motion to rescind previous action taken on the Papke abatement

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

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

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

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

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

Second Member: I second the motion.

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

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

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

Roll call vote please.

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

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

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

or

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

The next business in order is . . .



Board of City Commissioners

Agenda Documentation

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

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

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

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

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

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

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

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

ATTACHMENTS:

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

FISCAL IMPACT: Approximately \$695.00.

REVISED: Approximately \$459.00.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Application For Abatement And Settlement Of Taxes

North Dakota Century Code § 57-23-04

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

State of North Dakota

County of Morton

Name PAPKE WAYNE

Address 1612 RIVER DR NE

Legal Description of the property involved in this application

Lot: 0005

Block: 001

RIVERBEND 1ST

Property ID Number

City 5558

County 65-4288000

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

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

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

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

The difference of 37,750 true and full value between (1) and (2) above is due to the following reason(s):

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

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

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

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

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

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

Signature of Preparer (if other than applicant) _____ Date _____

Signature of Applicant Wayne Papke Date 8/25/2011

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

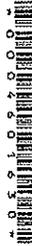
<u>Anticipated Expense</u>	<u>Estimated Cost</u>
- Fix or replace exterior drain tile - X	\$ 15,000-\$18,000**
<i>Keep</i> - Replace wood steps from garage to basement - MOLD/ROT	\$ 4,000**
- Landscape yard demolished from dike construction/wells	\$ 20,000
<i>Keep</i> - Replace Studs and insulation moisture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

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



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

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



August 24, 2011

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

X5248

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

Dear Borrower:

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

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

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

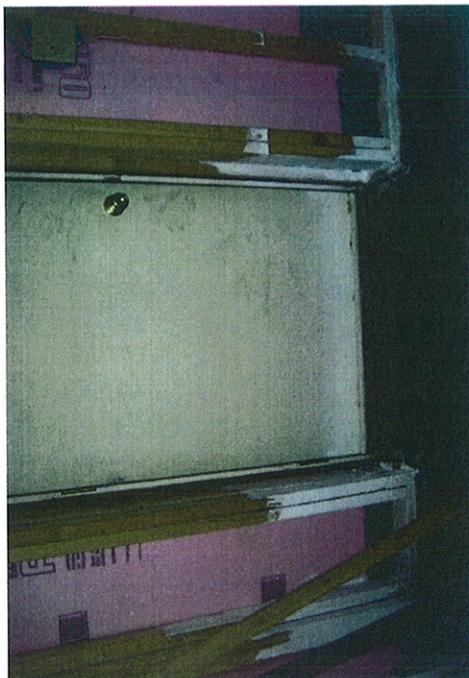
If you have any questions, please contact our Legal Department at the toll free number listed above.

Sincerely,

Legal Department
Enclosures

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







CITY OF MANDAN

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

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

TO: MAYOR HELBLING & MANDAN CITY COMMISSIONERS

FROM: RICHARD L BARTA/CITY ASSESSOR

DATE: OCTOBER 12, 2011

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

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

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

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

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

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

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

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



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



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

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

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

I. GENERAL INFORMATION:

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

UNK = Unknown N/A = Not Applicable

II. STRUCTURAL INFORMATION:

Table with columns YES, NO, UNK, N/A and rows of structural questions. Includes handwritten 'X' in the YES column for rows 19-24 and various handwritten notes like 'FLOODED BASEMENT', 'CRACKED FLOORS FROM FLOOD', and 'DRAIN TILE'.

III. WATER & SEWER SYSTEMS:

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

Papke – Abatement Presentation & Justification

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW REGARDING MR. BARTA AND THE ASSESSORS OFFICE SPECIFICLY

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

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

Bismarck-Mandan Development Association
Mandan Prospective Office Property Inventory
October 2011

Background

Previously, the Bismarck-Mandan Development Association (BMDA) had compiled an inventory of sites throughout the City of Mandan and surrounding area that could support industrial development. Each year, the inventory was updated by the BMDA and used in the organization's ongoing economic development efforts.

In 2011, the Mandan City Commission requested that a similar effort be undertaken to identify sites in and around the City of Mandan that might support the development and construction of office space.

Minimum Requirements

- Current zoning status of CA (Light Commercial & Services), CB (Heavy Commercial), CC (Heavy Commercial) OR
- Identification in Bismarck-Mandan Regional Future Land Use Plan as General Commercial, Mixed Use . Commercial/Residential, Mixed Use . Commercial/Industrial or *Neighborhood Commercial*
- Access to a major roadway or thoroughfare which provides an adequate amount of visibility desirable for office locations

Resources

- Bismarck-Mandan Regional Future Land Use Plan
- City of Mandan Zoning Map
- City of Mandan Engineering (Dave Bechtel, Kim Fettig), Administration (Jim Neubauer), Business Development (Ellen Huber) and Assessing & Building Inspections (Mary Fahlsing) Departments

	1. ORT Commercial Park	2. Raging Rivers	3. Midway Lanes	4. North Lakewood Commercial Lots	5. South Lakewood Commercial Lots	6. ORT & 8th Ave NW	7. 2700 46th Ave SE
Location	NW Mandan	SE Mandan	SE Mandan	SE Mandan	SE Mandan	NW Mandan	SE Mandan
Size	60 acres	8.65 acres	3.5 acres	Lot 2 (50,000 square feet) Lot 3 (105,500 square feet)	Lot 2 (164,696 square feet) Lot 4 (137,012 square feet)	Site 1 - 14.1 acres Site 2 - 3.64 acres	7.25 acres
Zoning	MA (Light Industrial / Heavy Commercial)	MA (Light Non-Nuisance Industrial / Heavy Commercial)	CC (Heavy Commercial)	MA (Light Non-Nuisance Industrial / Heavy Commercial)	MA (Light Non-Nuisance Industrial / Heavy Commercial)	CC (Heavy Commercial)	CB (Heavy Commercial)
Ownership	Mandan 94 Investors	Steve McCormick	Jim Mellon	Lee Mitzel	Lee Mitzel	Site 1 - Dennis Mayer Site 2 - Kent Schwartz	Steve McCormick
Municipal Water/Sewer	On-Site	On-Site	On-Site	On-Site	On-Site	On-Site	On-Site
Power Provider	MDU	MDU	MDU	MDU	MDU	MDU	MDU
Primary Road Access	Interstate 94 & Old Red Trail	46 th Ave SE	Memorial Highway & 32 nd Ave SE	46 th Ave SE	46 th Ave SE	Old Red Trail & 8 th Ave NW	46 th Ave SE
Total Price	Variable	\$3,297,586.25	Variable	Variable	Variable	Site 1 - \$1,842,588 Site 2 - \$396,396	\$3,158,140
Price / Square Foot	\$2.50 entire parcel / \$5.00 smaller parcels	\$8.75	\$10 frontage lots / \$8 deeper lots	\$3.10	\$4.90	Site 1 - \$3.00 Site 2 - \$2.50	\$10.00
Contact	Niles Hushka	Matt Reichert	Kyle Holwagner	Kyle Holwagner	Kyle Holwagner	Site 1- Matt Reichert Site 2 - Kyle Holwagner	Matt Reichert

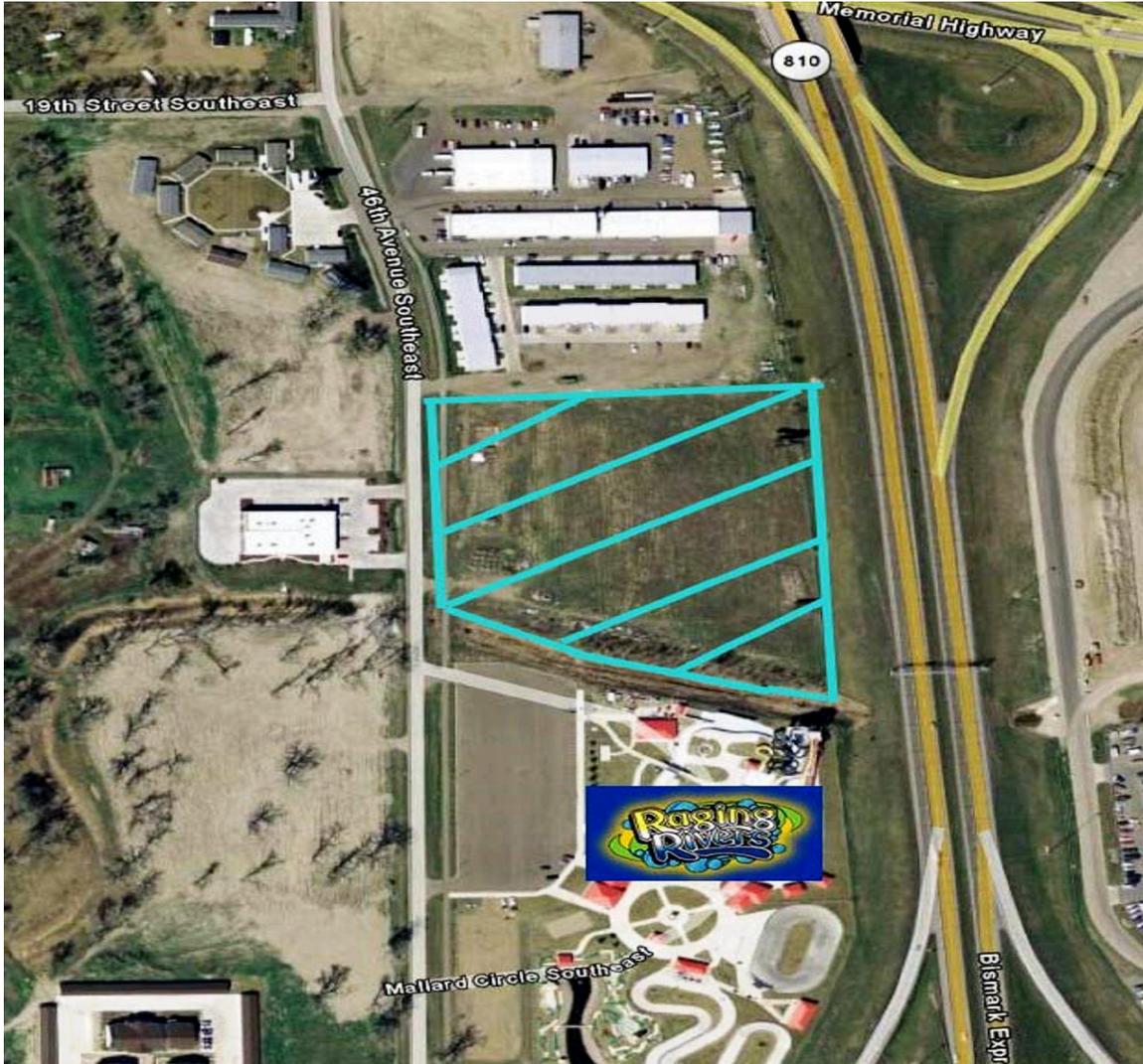
	8. Riverwood Commercial Park	9. McCormick Property	10. Twin City Drive	11. Riverbend Centre	12. Collins & Main	13. Bridgeview Bay	14. 46th Ave SE & McKenzie	15. Sunset Commercial Park
Location	SE Mandan	NW Mandan	E Mandan	SE Mandan	Downtown Mandan	SE Mandan	SE Mandan	NW Mandan
Size	9 acres	Approximately 200-300 developable acres	0.43 acres	0.9 acres	0.37 acres	1.07 acres	Site 1 - 0.92 acres Site 2 - 0.69 acres	3.1 acres
Zoning	CB (Heavy Commercial) & MB (Heavy Industrial / Heavy Commercial)	<i>Future Land Use</i> - Industrial	CB (Heavy Commercial)	CA (Light Commercial & Services)	CB (Heavy Commercial)	CB (Heavy Commercial)	Site 1 - MA (Light Industrial) Site 2 - CB Restricted (Heavy Commercial)	CB (Heavy Commercial)
Ownership	Tom Friedt	Steve McCormick	Al Leingang	Mike & Geris Hopfauf	City of Mandan	Mariner Family	Tory Otto / John Morgan	Steve Thilmony
Municipal Water/Sewer	On-Site	North of Interstate 94	On-Site	On-Site	On-Site	On-Site	On-Site	On-Site
Power Provider	MDU	MDU sections 17,20,21,29 MGS sections 18 & 19	MDU	MDU	MDU	MDU	MDU	MDU
Primary Road Access	Riverwood Ave.	Interstate 94	Twin City Drive	East Main Street	Main Street	Pirates Loop	46 th Ave SE	Sunset Drive
Total Price	Variable	Negotiable	\$149,000	Negotiable	\$162,500	\$303,355	Site 1 - \$360,000 Site 2 - \$300,000	\$607,662
Price / Square Foot	\$5.00 - \$7.00	Negotiable	\$7.97	Negotiable	\$10.00 - Redevelopment Proposals Welcomed	\$6.50	Site 1 - \$9.00 Site 2 - \$10.00	\$4.50
Contact	Matt Reichert	Matt Reichert	Pat Maddock	Mike & Geris Hopfauf	Pat Maddock	Steve Mariner	Tory Otto / John Morgan	Steve Thilmony

1. Old Red Trail Commercial Park



<p>Location: Northwest Mandan along Interstate 94, Exit 153</p>	<p>Power Provider: MDU</p>
<p>Size: 60 acres</p>	<p>Primary Road Access: Interstate 94 & Old Red Trail</p>
<p>Zoning: <i>Current</i> - MA (Light Industrial/Heavy Commercial) <i>Future Land Use Plan</i> – General Commercial</p>	<p>Total Land Price: variable</p>
<p>Ownership: Mandan 94 Investors</p>	<p>Price / Square Foot: \$2.50 for the entire parcel and \$5 for smaller parcels</p>
<p>Municipal Water/Sewer: <i>Water</i> . On-site at all sides of property <i>Sewer</i> . On-site at south edge of property</p>	<p>Contact: Niles Hushka</p>

2. Raging Rivers (2500 46th Ave SE)



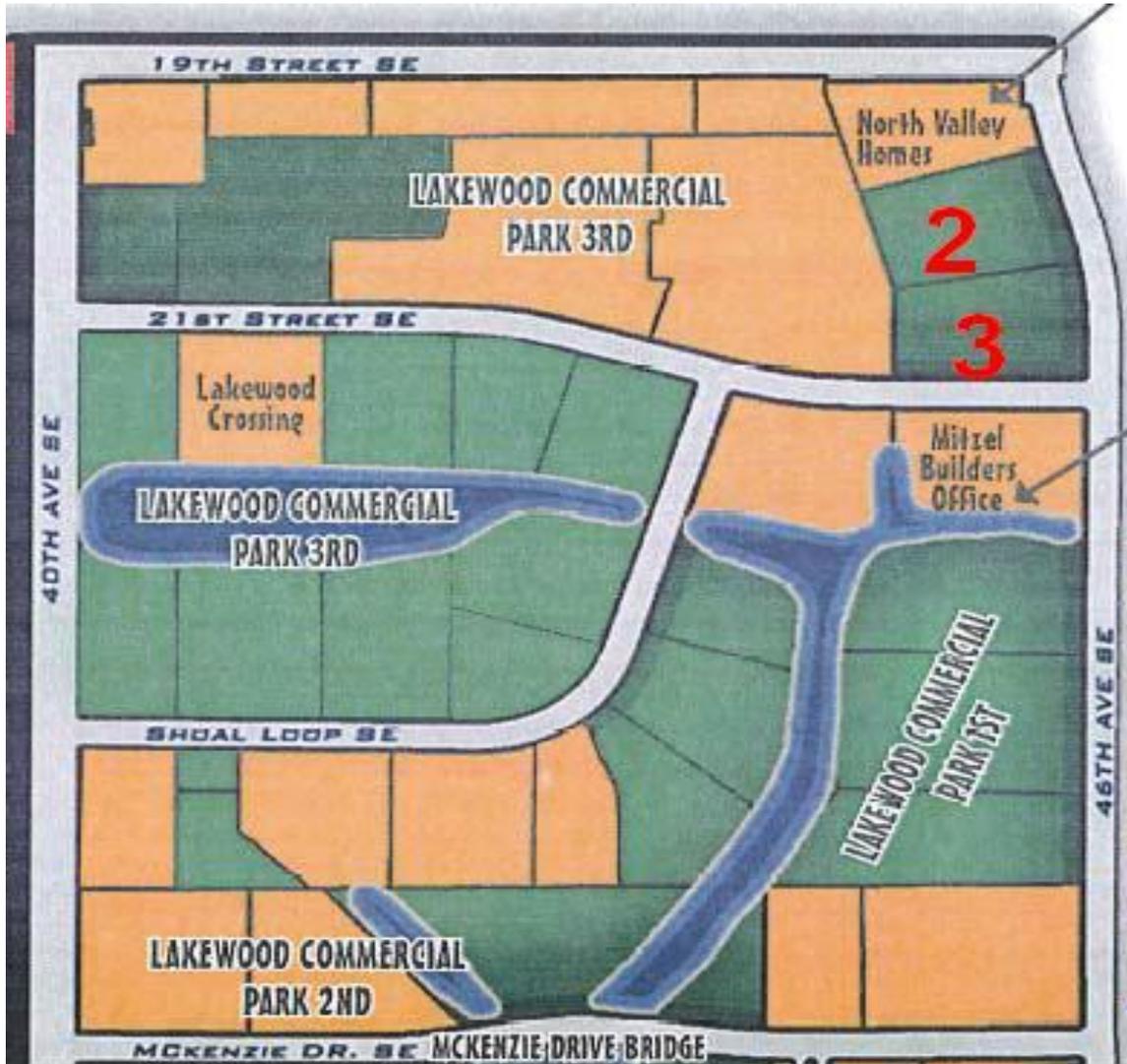
Location: Southeast Mandan along Memorial Highway and 46 th Ave SE	Power Provider: MDU
Size: 8.65 acres	Primary Road Access: 46 th Ave SE
Zoning: MA (Light Non-Nuisance Industrial/Heavy Commercial)	Total Land Price: \$3,297,586.25
Ownership: Steve McCormick	Price / Square Foot: \$8.75
Municipal Water/Sewer: On-Site	Contact: Matt Reichert / Aspen Group

3. Midway Lanes (32nd Ave SE)



Location: South side of Memorial Highway (the Strip)	Power Provider: MDU
Size: 3.5 acres over 5 lots or combined	Primary Road Access: Memorial Highway & 32 nd Ave SE
Zoning: CC (Heavy Commercial)	Total Land Price: variable
Ownership: Jim Mellon	Price / Square Foot: \$10 for lots w/ frontage and \$8 for deeper lots
Municipal Water/Sewer: On-Site	Contact: Kyle Holwagner / Daniel Companies

4. North Lakewood Commercial Lots



Location: South Mandan along Memorial Highway & 46 th Ave SE	Power Provider: MDU
Size: Lot 2 (50,000 square feet) Lot 3 (105,505 square feet)	Primary Road Access: 46 th Ave SE
Zoning: MA (Light Non-Nuisance Industrial/Heavy Commercial)	Total Land Price: variable
Ownership: Lee Mitzel	Price / Square Foot: \$3.10
Municipal Water/Sewer: On-Site	Contact: Kyle Holwagner / Daniel Companies

5. South Lakewood Commercial Lots



Location: South Mandan along Memorial Highway & 46 th Ave SE	Power Provider: MDU
Size: Lot 2 (164,696 square feet) Lot 4 (137,012 square feet)	Primary Road Access: 46 th Ave SE
Zoning: MA (Light Non-Nuisance Industrial/Heavy Commercial)	Total Land Price: variable
Ownership: Lee Mitzel	Price / Square Foot: \$4.90
Municipal Water/Sewer: On-Site	Contact: Kyle Holwagner / Daniel Companies

6. Old Red Trail & 8th Ave NW



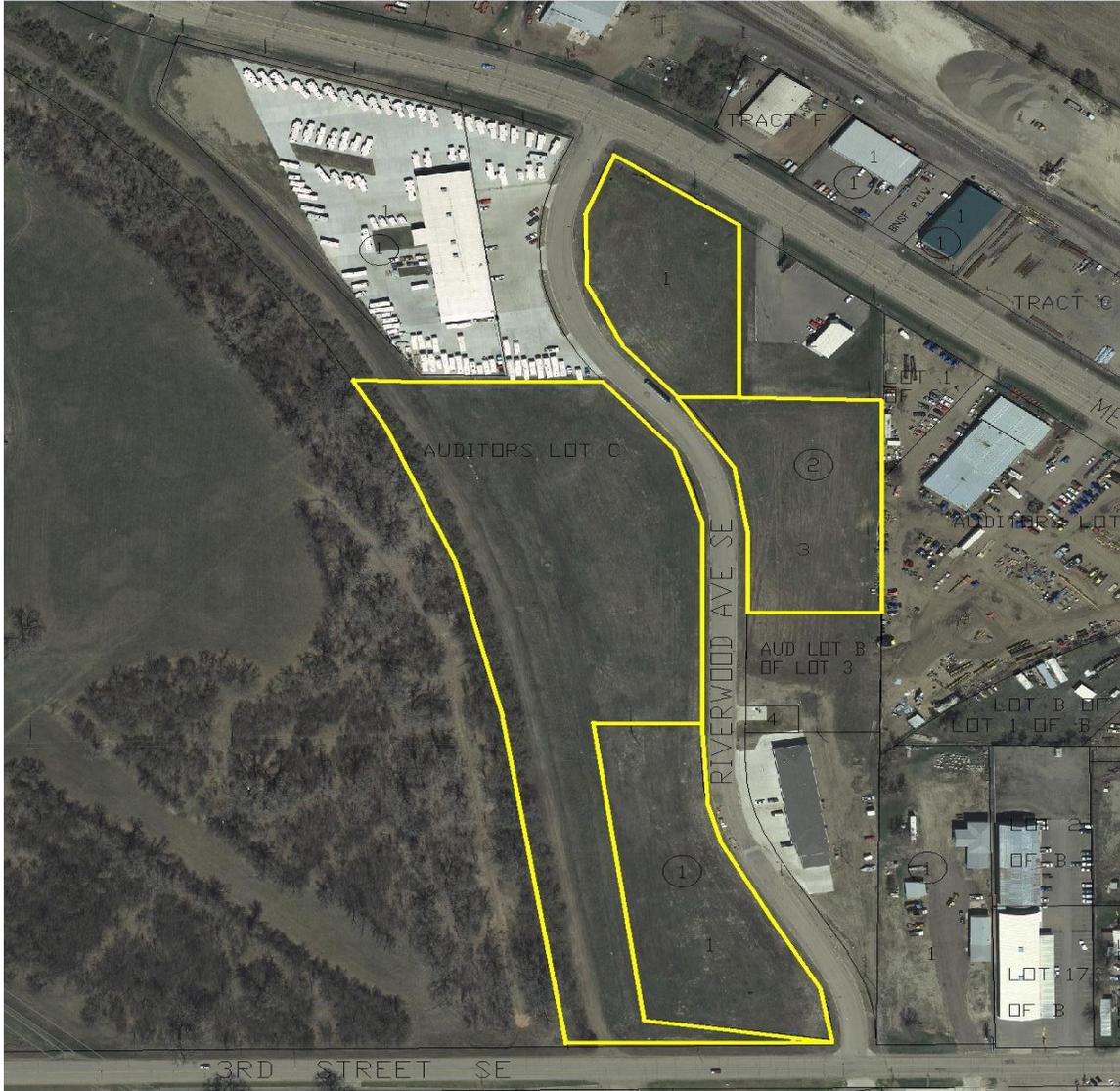
Location: Northwest Mandan along Old Red Trail	Power Provider: MDU
Size: Site 1 . 14.1 acres Site 2 - 3.64 acres	Primary Road Access: Old Red Trail & 8 th Ave NW
Zoning: CC (Heavy Commercial)	Total Land Price: Site 1 . \$1,842,588 Site 2 - \$396,396
Ownership: Site 1 . Dennis Meyer Site 2 . Kent Schwartz	Price / Square Foot: Site 1 - \$3.00 Site 2 - \$2.50
Municipal Water/Sewer: On-Site	Contact: Site 1 - Matt Reichert / Aspen Group Site 2 - Kyle Holwagner / Daniel Companies

7. 2700 46th Ave SE



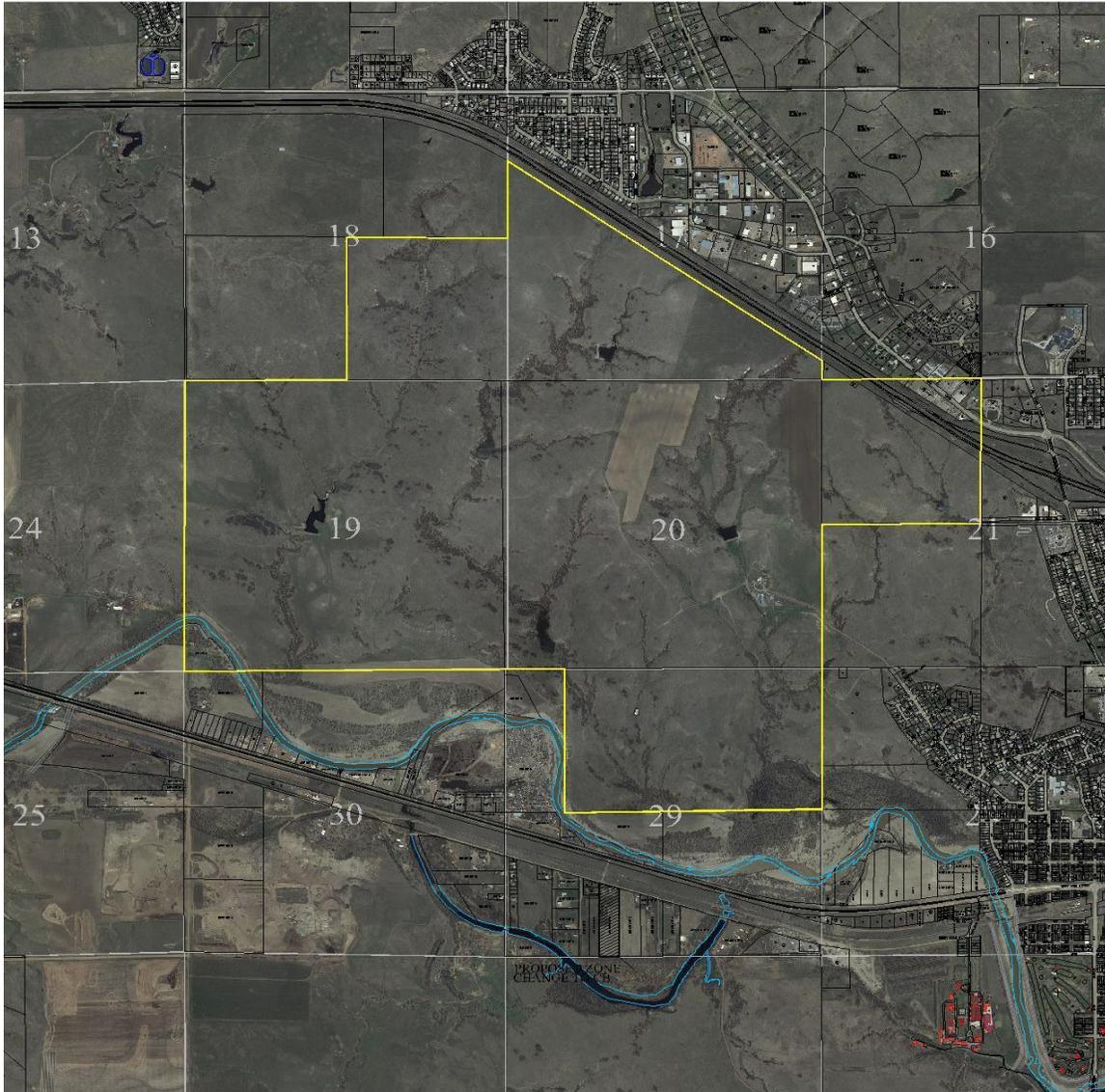
Location: Southeast Mandan between Memorial Highway and 46 th Ave SE	Power Provider: MDU
Size: 7.25 acres	Primary Road Access: 46 th Ave SE
Zoning: CB (Heavy Commercial)	Total Land Price: \$3,158,140
Ownership: Steve McCormick	Price / Square Foot: \$10.00
Municipal Water/Sewer: On-Site	Contact: Matt Reichert / Aspen Group

8. Riverwood Commercial Park



Location: Southeast Mandan south of Memorial Highway (the Strip)	Power Provider: MDU
Size: Approximately 8 acres (lots vary from approximately 20,000 square feet to 391,922 square feet)	Primary Road Access: Riverwood Ave.
Zoning: CB (Heavy Commercial) & MB (Heavy Industrial & Heavy Commercial)	Total Land Price: variable
Ownership: Tom Friedt	Price Per Square Foot: \$5.00 - \$7.00
Municipal Water/Sewer: On-Site	Contact: Matt Reichert / Aspen Group

9. McCormick's Property



Location: Northwest Mandan along Interstate 94	Power Provider: MDU sections 17,20,21,29 MGS sections 18 & 19
Size: Approximately 200-300 acres developable	Primary Road Access: Interstate 94
Zoning: <i>Current</i> . A (Agricultural)	Total Land Price: Negotiable
Ownership: Steve McCormick	Price / Square Foot: Negotiable
Municipal Water/Sewer: North of Interstate 94	Contact: Matt Reichert. Per Matt Reichert of the Aspen Group, Steve is not opposed to developing the property but it will take one large user to cover front-end costs.

10. 821 Twin City Drive



Location: East Mandan	Power Provider: MDU
Size: 0.43 acres	Primary Road Access: Twin City Drive
Zoning: CB (Heavy Commercial)	Total Land Price: \$149,000
Ownership: Al Leingang	Price / Square Foot: \$7.97
Municipal Water/Sewer: On-Site	Contact: Pat Maddock

11. Riverbend Centre



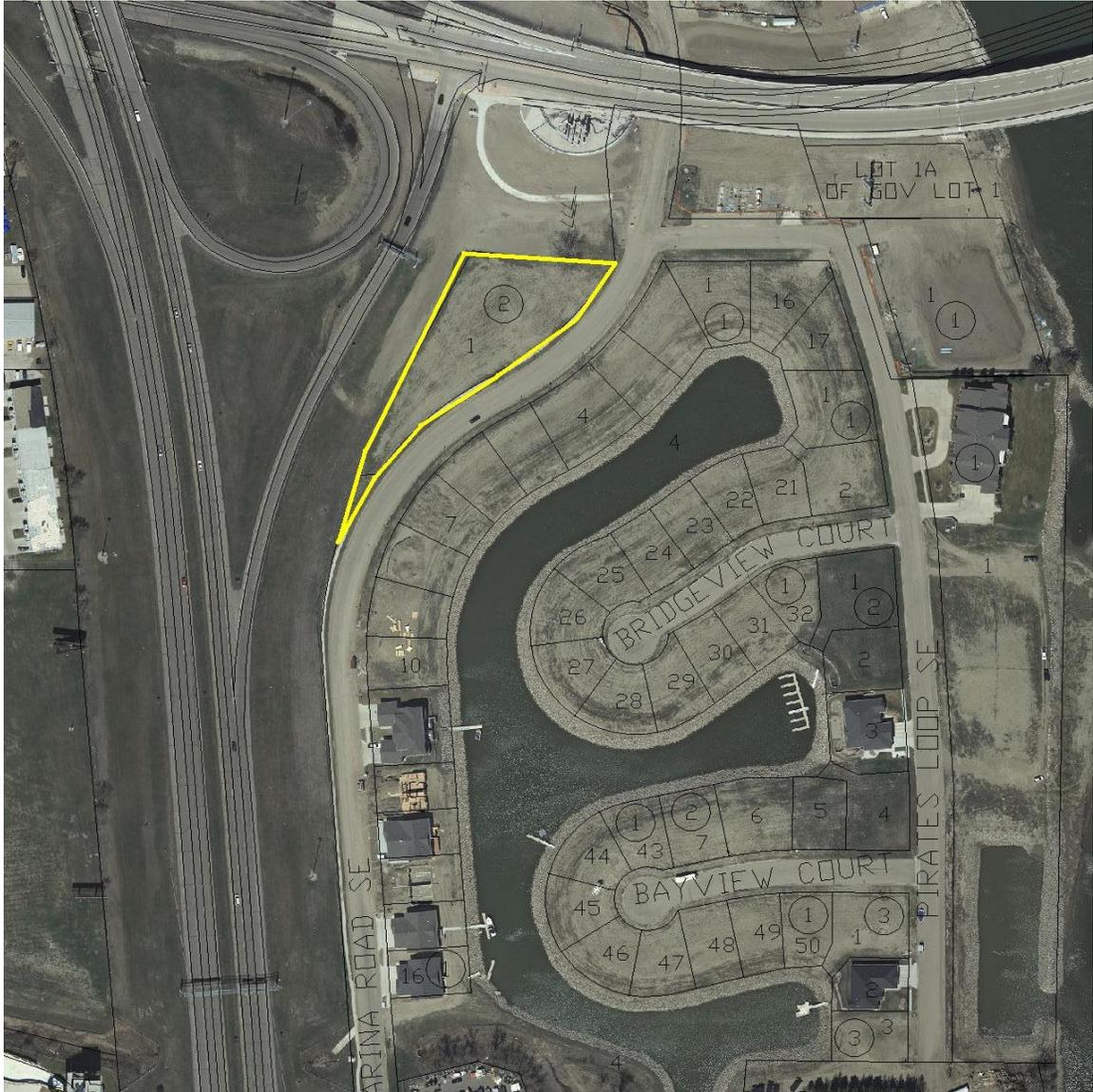
Location: East Mandan	Power Provider: MDU
Size: Approximately 0.9 acres (40,000 sq feet)	Primary Road Access: Interstate 94 & East Main Street
Zoning: CA (Light Commercial & Services)	Total Land Price: Negotiable
Ownership: Mike & Geris Hopfauf	Price / Square Foot: Negotiable
Municipal Water/Sewer: On-Site	Contact: Mike & Geris Hopfauf

12. Collins & Main



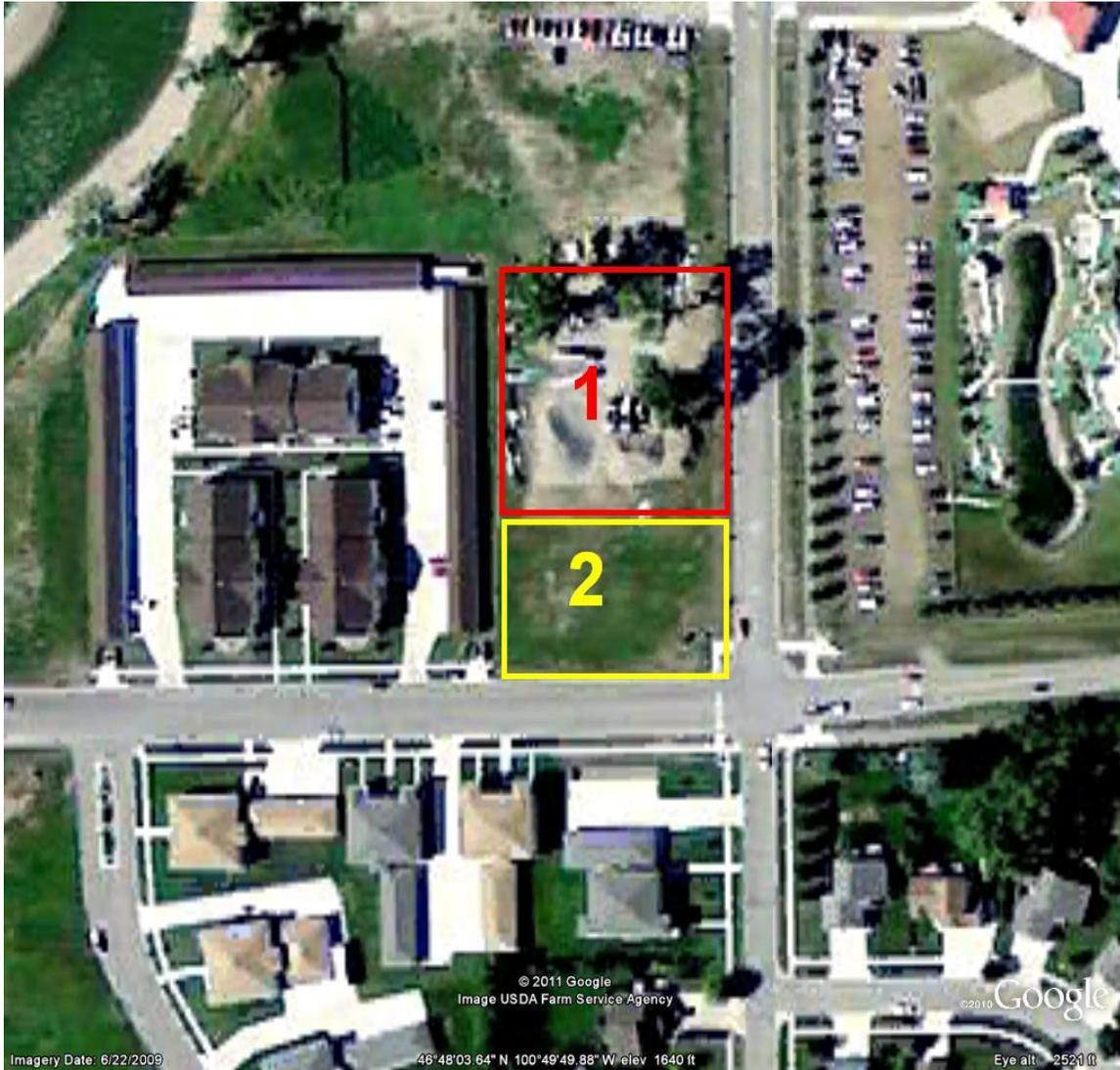
Location: Downtown Mandan	Power Provider: MDU
Size: 0.37 acres (16,250 square feet)	Primary Road Access: Main Street
Zoning: CB (Heavy Commercial)	Total Land Price: \$162,500
Ownership: City of Mandan	Price / Square Foot: \$10.00 . Redevelopment Proposals Welcomed
Municipal Water/Sewer: On-Site	Contact: Pat Maddock

13. Bridgeview Bay



Location: SE Mandan	Power Provider: MDU
Size: 1.07 acres (46,670 square feet)	Primary Road Access: Pirates Loop
Zoning: CB (Heavy Commercial)	Total Land Price: \$303,355
Ownership: Art & Steve Mariner	Price / Square Foot: \$6.50
Municipal Water/Sewer: On-Site	Contact: Steve Mariner

14. 46th Avenue SE and McKenzie Drive



Location: SE Mandan	Power Provider: MDU
Size: Site 1 - 0.92 acres (40,000 square feet) Site 2 . 0.69 acres (30,000 square feet)	Primary Road Access: 46 th Ave SE
Zoning: Site 1 . MA (light industrial) Site 2 CB Restricted (Heavy Commercial)	Total Land Price: Site 1 - \$360,000 Site 2 - \$300,000
Ownership: Site 1 - Tory Otto Site 2 . John Morgan	Price / Square Foot: Site 1 - \$9.00 Site 2 - \$10.00
Municipal Water/Sewer: On-Site	Contact: Site 1 - Tory Otto Site 2 . John Morgan

15. Sunset Commercial Park -



Location: NW Mandan	Power Provider: MDU
Size: 3.1 acres	Primary Road Access: Sunset Ave.
Zoning: CB (Heavy Commercial)	Total Land Price: \$607,662
Ownership: Steve Thilmony	Price / Square Foot: \$4.50
Municipal Water/Sewer: On-Site	Contact: Steve Thilmony

Mandan Office Site Inventory

	Size	Access	Visibility	Surrounding Uses	TOTAL	RANK
1. ORT Commercial Park	14	8	1	14	37	12
2. Raging River	10	12	3	5	30	Tie 6
3. Midway Lanes	9	2	6	10	27	4
4. North Lakewood	6	10	10	2	28	5
5. South Lakewood	7	11	11	1	30	Tie 6
6. ORT / 8th Ave NW	11	7	5	12	35	10
7. 2700 46th Ave SE	12	9	4	7	32	8
8. Riverwood Commercial Park	13	3	12	11	39	13
9. McCormick Property	15	15	2	15	47	15
10. Twin City Drive	2	5	8	9	24	2
11. Riverbend Centre	4	4	9	8	25	3
12. Collins & Main	1	1	7	3	12	1
13. Bridgeview Bay	5	14	13	13	45	14
14. 46th Ave / McKenzie	3	13	14	6	36	11
15. Sunset Commercial Park	8	6	15	4	33	9

METHODOLOGY: Each site was ranked on four criteria: size, access, visibility & zoning/surrounding uses as though the site **was to be developed for a 10,000 square foot office building**. The site that was judged to be the best in each criteria was given a "1", the second best a "2" and so on until the lowest ranked site in that criteria was given a "15." The scores were then compiled under the "Total" column with the site that scored the lowest deemed the best site for such an office building.



New Business No. 2

Board of City Commissioners

Agenda Documentation

MEETING DATE: November 15, 2011
PREPARATION DATE: November 9, 2011
SUBMITTING DEPARTMENT: Police
DEPARTMENT DIRECTOR: Chief Dennis A. Bullinger
PRESENTER: Chief Dennis A. Bullinger
SUBJECT: Introduction of Police Officer

STATEMENT/PURPOSE:

Introduction of Police Officer Kirstye Burt, to the Board of City Commission.

BACKGROUND/ALTERNATIVES:

Kirstye is a graduate of Mandan High and is near completion with her studies in obtaining an associate's degree in Criminal Justice. Kirstye is a recent graduate of the Lake Region State College where she successfully completed the Peace Officer Training Program.

Kirstye currently is in the police departments, Field Training Program.

ATTACHMENTS: N/A

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: N/A

SUGGESTED MOTION: N/A