

**PRELIMINARY AGENDA
MANDAN CITY COMMISSION
NOVEMBER 18, 2014
ED "BOSH" FROEHLICH MEETING ROOM,
MANDAN CITY HALL
4:00 P.M.
www.cityofmandan.com**

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- A. ROLL CALL:
1. Roll call of all City Commissioners.
 2. Employee service awards.
- B. APPROVAL OF AGENDA:
- C. PUBLIC COMMUNICATIONS:
- D. MINUTES:
1. Consider approval of the minutes from the November 4, 2014 Board of City Commission meeting.
- E. PUBLIC HEARING:
- F. BIDS:
- G. CONSENT AGENDA:
1. Consider approval of monthly bills.
 2. Consider approval of liquor license for Birddog Brewing LLC at 1005 E. Main Street (within Main Street Liquor).
 3. Consider for approval WCD No. 2 to Thirkettle Corporation for the Woodlands Estates Master Meter Installation and miscellaneous installation changes.
- H. OLD BUSINESS:
1. Approval of Plans and Specifications and Advertisement for Bid for Street Improvement District No. 196, Mandan Industrial Park. (Resolution and Ordinances No. 3 and 4)
- I. NEW BUSINESS:
1. Consider Growth Fund Committee recommendation for Storefront Improvement application at 1000 E Main St (Dairy Queen)
 2. Consider Renaissance Zone Committee recommendations
 - i. Rehab of 1000 E Main St by Casecon Properties, Inc.
 - ii. Lease of 1000 E Main St. by MKDQ, Inc. (dba Dairy Queen)
- J. RESOLUTIONS AND ORDINANCES:

*Preliminary Agenda
Mandan City Commission
November 18, 2014
Page 2 of 2*

1. Second consideration and final passage of Ordinance 1192 amending the language contained in Mandan Code of Ordinances relating to minor subdivision procedures.
2. Second consideration and final passage of Ordinance 1193 amending the language contained in the Mandan Code of Ordinances relating to terms of office for members of the Planning and Zoning Commission and clarifying who can be appointed to the Planning and Zoning Commission by the mayor.
3. Resolution approving plans and specifications for Street Improvement District No. 196, Mandan Industrial Park.
4. Resolution approving advertisement for bid for Street Improvement District No. 196, Mandan Industrial Park.

K. OTHER BUSINESS:

L. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. December 2, 2014
2. December 8, 2014, Special Meeting 6:30 p.m.
3. December 16, 2014
4. January 6, 2015

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.

TO: City Employees—Service Recognition

FROM: Diane I Leingang

DATE: November 18, 2014

SUBJ: SERVICE CERTIFICATE AND APPRECIATION GIFT FROM THE BOARD OF COMMISSIONERS

The Board would like to extend to you a personal invitation to be present at their Tuesday, November 18, 2014, 4:00 p.m. City Commission Meeting. They would like the opportunity to extend their appreciation to each of you for your years of service and dedication to the City by personally presenting you with your years of service certificate plus Mandan Bucks (\$2.00 for each year of service awarded in five year increments).

Listed below are the eligible employee names and years of service.

40 YEARS OF SERVICE: \$80

John Charvat	Firefighter	01/17/74
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35 YEARS OF SERVICE: \$70

Leatrice Miller	Reference/Interlibrary Loan Assistant	10/01/79
Henry Hurst	Street Maintenance Superintendent	08/27/79

30 YEARS OF SERVICE: \$60

Karri Motl	Senior Accounting Technician	07/10/84
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25 YEARS OF SERVICE: \$50

Scott Stromsodt	Police Lieutenant	06/12/89
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20 YEARS OF SERVICE: \$40

Kelly Steckler	Library Director	09/12/94
Cheryl Kroh	Records Technician	09/06/94
Tim Meidinger	Utility Operator I	11/28/94
Jim Jeromchek	Firefighter	07/26/94
Steve Kilen	Fire Captain	06/01/94

15 YEARS OF SERVICE: \$30

Adam Mork	Firefighter	05/24/99
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10 YEARS OF SERVICE: \$20

DeNae Kautzmann	Municipal Judge	06/08/04
Jason Bier	Police Lieutenant	11/01/04
Shane Weltikol	Firefighter	09/01/04
Kevin Vetter	Mechanic	10/18/04

5 YEARS OF SERVICE: \$10

Larry Ripplinger	Building & Grounds Worker	05/26/09
Matthew Hennessy	Firefighter	07/22/09
Joshua Hoffer	Firefighter	12/03/09
Jared Gregor	Firefighter	11/02/09
Kayla Steinwand	Library Page	09/10/09
Rick Widicker	Police Officer	09/01/09

If you have any questions or note any changes, please give me a call at 667-3271.

Cc: Jim Neubauer, City Administrator
City Commission (5)
Employees Listed and Their Department Heads

The Mandan City Commission met in regular session at 5:30 p.m. on November 4, 2014 in the Ed "Bosh" Froehlich Room at City Hall, Mandan, North Dakota.

A. ROLL CALL

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

Commissioners present were Van Beek, Rohr, Tibke, Braun and Laber. Department Heads present were City Administrator Neubauer, Planning & Engineering Director Froseth, Planner Decker, Finance Director Welch, Business Development Communications Director Huber, Police Chief Bullinger, City Attorney Brown, Fire Chief Nardello and Building Official Lalim. Absent: Director of Public Works Wright and Assessor Shaw.

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

C. PUBLIC COMMUNICATIONS Mayor Van Beek invited anyone to come forward to address items on the Agenda excluding public hearings. A second announcement was made to come forward to speak for or against items on the Agenda. Hearing none, this portion of the Public Communications forum was closed.

D. MINUTES

1. *Consider approval of the following minutes from the Board of City Commission regular meeting held October 21, 2014 and the October 28, 2014, Joint Meeting w/Planning and Zoning.* Commissioner Rohr moved to approve the minutes as presented. Commissioner Laber seconded the motion. The motion received unanimous approval of the members present. The motion passed.

E. PUBLIC HEARING

F. BIDS

G. CONSENT AGENDA

1. *Consider for approval replat of Lots 3 & 4, Block 2, Meadows 7th Addition.*
2. *Consider for approval replat of Lot 11, Block 2, Meadow Ridge 3rd Addition.*
3. *Consider for approval plat of Auditors Lots in S12 T139 R82.*
4. *Consider closing Administrative offices day after Thanksgiving and day after Christmas.*
5. *Consider for approval of the loader lease option and adopt authorization resolution.*
6. *Consider change order for Street Improvement District 161, Project No. 2010-03 (Diane's).*

Commissioner Rohr moved to approve the Consent Agenda items No. 1 through 6 as presented. Commissioner Tibke seconded the motion and the amended motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

H. OLD BUSINESSI. NEW BUSINESSJ. RESOLUTIONS AND ORDINANCES

1. *Second consideration for adopting Ordinance 1194 imposing a moratorium on approval of opioid treatment facility within the City.* Commissioner Tibke moved to approve the second consideration for adopting Ordinance 1194 imposing a moratorium on approval of opioid treatment facility within the City. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Consider for approval Ordinance 1192 revising the language contained in city code relating to minor subdivision procedures.* Principal Planner Decker stated this is a revision to the Code which makes it a less onerous process for minor adjustments to the platting including such things as lot splits and lot consolidations and lot line adjustments. Attorney Brown stated this should be the first consideration for this request.

Commissioner Laber moved to approve the first consideration of Ordinance 1192 revising the language contained in city code relating to minor subdivision procedures. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

3. *Consider adoption of ordinance 1193 amending the language contained in city code relating to terms of office for members of the Planning and Zoning Commission and clarifying who can be appointed to the Planning and Zoning Commission by the mayor.* Principal Planner Decker stated that the current language in the City Code related to term of office for members of the Planning and Zoning Committee does not specify a beginning date so it is recommended the beginning date be set for January 1. In addition, Planner Decker presented a recommendation to insert language that specifies that the mayor is not to serve as president of the Planning and Zoning Commission and that the mayor may appoint a member of the City Commission to the Planning and Zoning Commission. A revision also clarifies that the City Attorney and City Engineer shall serve as ex-officio non-voting members of the Planning and Zoning Commission.

Commissioner Laber moved to approve the first ordinance 1193 amending the language contained in City Code relating to terms of office for members of the Planning and Zoning Commission and clarifying who can be appointed to the Planning and Zoning Commission by the mayor. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

K. OTHER BUSINESS

1. Holiday Business Showcase is scheduled tonight, November 4, 2014, from

5:00 p.m. – 8:00 p.m. at the Harvest Brazilian Grill. Mayor Van Beek announced this shopping event is free and open to the public and he provided a list of participating businesses.

2. Mayor Van Beek reminded everyone that today is 2014 Voting Day.

There being no further actions to come before the Board of City Commissioners, Commissioner Rohr moved to adjourn the meeting at 5:40 p.m. Commissioner Laber 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

Corporation Liquor License Application

1. Type of License:

Liquor On-Sale _____ Off-Sale _____ Class: A B C D D I E F W B M P D Y
(Circle One)

Beer On-Sale X Off-Sale X Class: A B C D D I E F **W B** M P D Y

2. Duration of License: Annual: (July 1, ~~2014~~ to June 30, ~~2015~~)
Part of Year from: DEC 1, 2014 To JUNE 30, 2014

3. Name of Business Establishment at which license will be used: BIRDDOG BREWING LLC

4. Corporate Identification Information: Please complete all of the following:

- a. Name of Corporation: BIRDDOG BREWING LLC
- b. Date of Incorporation: DEC 4, 2012
- c. State of Incorporation: ND
- d. Amount of Authorized Capital Stock: 100,000
- e. Amount of Paid Capital: _____
- f. If, subsidiary, Name of Parent Corporation: NA
- g. Purpose of Incorporation: 1

5. Description of Licensed Premises: Address: 1005 EAST MAIN ST.

Legal Description: (Lot & Block): _____
(Also Submit on an attached page a Diagram of the physical layout of the licenses premises including, A minimum: doors, storage areas, & areas where liquor/beer is purchased and consumed.)

6. List Names, Current Addresses, and Dates of Birth, ages & citizenship of all the Officers, Directors, Managers, Agents, and all Persons Holding 1% or more of the Capital Stock in the Corporation. (Note: Separate Notarized List of each individual's Name, Social Security Number and Addresses for last 5 years is required, the Privacy of which will be maintained by City but is required for Background Check:
DENNIS KWANDT, MANAGER/OWNER, 1703 VALLEY DR, BISMARCK, ND 58503, 3/26/1975, 39, USA, 49%
TAMI KWANDT, OWNER, 1703 VALLEY DR, BISMARCK, ND 58503, 5/22/1975, 39, USA, 51%

7. List Names, Current Addresses, Dates of Birth, ages & citizenship of All Persons Who will have charge, management or control of the establishment for which the license is requested. (Note: Separate Notarized List of each individual's Name, Social Security Number and Addresses for last 5 years is Required, the Privacy of which will be maintained by City but is required for Background Check:
SAME AS #6

8. Name of Individual who is to be in Charge of the Day-to-Day Operations and management of the licensed premises: and will be responsible for complying with the municipal ordinances and state laws covering the operation of the premises:

Name: DENNIS C. KWANDY Address: 1703 VALLEY DR

City: BISMARCK State: ND Age: 39 DOB: 3/26/1975 Citizenship: USA

If naturalized, give date and Place of Naturalization: N/A

List all Other Places of Residence within last 5 Years: 2608 8TH AVE SE, MANDAN, ND 58503

9. List the occupations and employers of each of the individuals listed in answer to questions 6, 7 and 8 during the last 5 years. (Use a separate page to answer this question).

10. Ownership/Lease: If licensed premises is owned by Applicant, provide date of purchase. _____ (If licensed premises is leased, attach copy of executed and dated lease.)

11. Does Applicant certify that all property taxes have been paid to date on the license premises?
Yes No _____

12. Have any of the individuals identified in answer to Questions 6, 7, and 8 ever engaged in the sale or distribution of alcoholic beverages (as an owner, manager, or employee) at a location other than in the City of Mandan at any time prior to this application. Yes: _____ No: (If yes, explain in detail on a separate page location, type of business and dates of license or employment).

13. Have any of the individuals identified in answer to Questions 6, 7 and 8 ever had a license of any kind (including alcoholic beverage license, other business licenses or motor vehicle license) suspended, revoked or non-renewed by any political subdivision, state or federal agency. Yes: _____ No: (If yes, explain in detail on a separate page)

14. Have any of the individuals identified in answer to Questions 6, 7 and 8 ever been convicted of a violation of any law of the United States, or of any state or political subdivision, other than minor traffic violations, (but including reckless driving or driving under the influence). Yes _____ No (If yes, explain the violation in detail on a separate page.)

15. Do any of the individuals named in answer to questions 5, 6 or 7 have any interest whatsoever in any other liquor establishment, either at wholesale or retail, within or without the state of North Dakota. (The interest which must disclose also includes a right of inheritance by law or by will). Yes _____ No If, yes please explain in detail on a separate page.

16. Does anyone other than the Corporation applying for this alcoholic beverage license or the business owning the premises have any right, estate, or interest in the lease hold, building, or furniture, fixtures or equipment, in the premises for which the license is requested. Yes _____ No (If yes, explain in detail on a separate page).

17. Does the Corporation applying for this alcoholic beverage license have any agreement, contract, understanding or intention to have any agreement, contract or understanding, with any person, partnership, or corporation to obtain for any other person, partnership or corporation, or to transfer to any other person, partnership or corporation the license for which this applications is made or to obtain for any other person, partnership or corporation, for any other purpose other than for the specified use of the applicant. Yes _____ No (If yes, explain in detail on a separate page).

thereto, as well as all applicable laws of the State of North Dakota, and the United States Government and that said Corporation, its officers, directors and employees will not permit the violation of any law, rule or regulation on the premises at which the license is authorized. I further certify that the corporation, its officers and directors acknowledge that this license will only authorize the retail sale of liquor, including beer, wine and other spirits as defined by the North Dakota Century Code, at the premises designated in this application and depicted on the attached diagram.

I do further certify and affirm on behalf of the corporation, its officers, directors and employees that the corporation will not sell or permit the sale of alcoholic beverages to a minor, incompetent person, or anyone who is under the influence or an habitual drunkard and that I will accept any penalty including, suspension or revocation of license for any violation of said prohibited sales.

I do further certify and affirm that the applicant corporation, its officers and directors understand and acknowledge that any license granted under this application confers no property right to the applicant or licensee, and that said license will not be transferable except by specific authority of the Mandan Board of City Commissioners.

I do further certify and affirm that the applicant corporation, its officers, directors and employees do hereby consent to the entry of any city official (including administrative, building, zoning health and fire officials) and its police officers upon the premises described herein at any hour of the day or night and that they shall have free access to the described premises and every part thereof for the purpose of inspecting the premises and the records of this applicant relating to the operation of the premises, and purchase and sale of alcoholic beverages. I further certify and affirm that the corporation, its officers, directors and employees do hereby waive any and all rights that they may have under the Constitution of the United States and the State of North Dakota, relative to searches and seizures without issuance of a search warrant, and the Applicant does hereby agree that such immunities shall never be claimed by them, and that such entry, inspection, search and seizure may be made at any time without a search warrant, which waiver of rights is acknowledged to be a condition of licensure.

Dated at Mandan, North Dakota, on this 29 day of OCTOBER, 2014

By: [Signature]
Its: OWNER/MANAGER

Attest:

By: _____
Its: _____

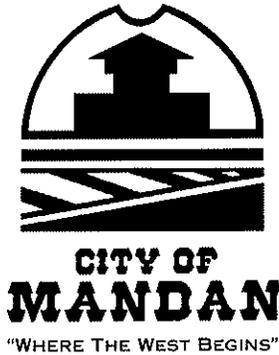
STATE OF NORTH DAKOTA)
 Burleigh) ss.
COUNTY OF ~~MOREON~~)

I, Dennis C. Kwandt II, being first duly sworn, deposes and says that he/she is the individual who executed the foregoing and above affidavit of application completeness and accuracy, sworn statement of licensure conditions and agreement of right to entry by city personnel, that he/she has read each question and statement contained therein and knows the contents thereof to be true and accurate, and that he/she has furnished the answers set forth in said application, and that each one of said answers is true to the best of this knowledge.

Subscribed and sworn to before me on this 29th day of October, 2014.

(Notary Seal)
JODI H AUKLAND
Notary Public
State of North Dakota
My Commission Expires December 3, 2015

[Signature]



Board of City Commissioners

Agenda Documentation

MEETING DATE: November 18, 2014
PREPARATION DATE: November 14, 2014
SUBMITTING DEPARTMENT: Public Works Department
DEPARTMENT DIRECTOR: Jeff Wright, Public Works Director
PRESENTER: Jeff Wright, Public Works Director
SUBJECT: Consider for approval Work Change Directive (WCD) No. 2 to Thirkettle Corporation for the Woodlands Estates Master Meter Installation and miscellaneous installation changes.

STATEMENT/PURPOSE:

Consider WCD No. 2 for \$61,791.24 for miscellaneous field changes and the addition of Woodland Estates Master Meter Vault Installation and extend the completion date of the restoration work at the new meter vault to June 15, 2015.

BACKGROUND/ALTERNATIVES:

The Board of City Commission approved the Water Meter Replacement Project to Thirkettle Corporation on March 18, 2014; construction has progressed throughout the year with miscellaneous installations only remaining. The additional master meter at Woodlands Estates was added to the project as the existing Mobile Home Park only had individual meters.

With the consideration of WCD No. 2 the contract price for this project would be \$1,450,985.83, the original contract price was \$1,520,634.59. There was a deduct WCD No. 1 for \$131,440.00 for the host software for the fixed network.

ATTACHMENTS:

- Letter of Recommendation from AE2S
- WCD No. 2
- Proposal for miscellaneous field changes
- Proposal for Woodlands Estates Master Meter

Board of City Commissioners

Agenda Documentation

Meeting Date: November 18, 2014

Subject: Consider for approval WCD No. 2 to Thirkettle Corporation for the Woodlands Estates Master Meter Installation and miscellaneous installation changes.

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FISCAL IMPACT:

The total approved SRF Loan = \$2.4M (includes engineering and other fees) this change order will increase the construction cost by \$61,791.24. Total project cost remains well under the \$2.4M.

STAFF IMPACT: N/A

LEGAL REVIEW:

WCD No. 2 has been forwarded to Attorney Brown, and has approved it.

RECOMMENDATION:

We recommend the approval of WCD No. 2 for \$61,791.24, including the miscellaneous field changes, Woodlands Park Master Meter and extension of the completion date for restoration work at the new meter vault to June 15, 2015 contingent on receipt of owners signature of construction permit for vaults and NDDoH review and approval of work.

SUGGESTED MOTION:

I move to approve WCD No. 2 for \$61,791.24, including the miscellaneous field changes, Woodlands Park Master Meter and extension of the completion date for restoration work at the new meter vault to June 15, 2015 contingent on receipt of owner signature on construction permit for vaults and NDDoH review and approval of work.

Board of City Commissioners

Agenda Documentation

Meeting Date: November 18, 2014

Subject: Consider for approval WCD No. 2 to Thirkettle Corporation for the Woodlands Estates Master Meter Installation and miscellaneous installation changes.

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November 13, 2014

Mr. Jeff Wright, Public Works Director
City of Mandan
205 Second Ave NW
Mandan, ND 58554

**Re: Mandan Water Meter Improvements Project
Change Order No. 2**

Dear Jeff:

Enclosed herewith please find four (4) copies of Change Order No. 2 for Thirkettle Corporation for final execution. This Change Order increases contract price by \$61,791.24 for miscellaneous field changes and the addition of work requested in WCD 2 – Woodland Estates Master Meter Vault Improvements. Upon final execution, the contract would have an overall adjusted price of \$1,450,985.83 and final completion would be extended to June 15, 2015 to allow for completion of restoration work at the new meter vault.

We recommend approval of this Change Order contingent upon the following conditions: receipt of the property owner's signature on the City's construction permit, and Review by the North Dakota Department of Health. If this Change Order is acceptable, please sign all four (4) copies in the spaces indicated and return three (3) copies of the change order to this office for our records and distribution to the Contractor and North Dakota Department of Health.

We sincerely appreciate the opportunity to provide professional engineering services to the City of Mandan and look forward to the successful completion of this Project. Should you have any questions or concerns, please do not hesitate to contact us.

Respectfully Submitted,

AE2S



Kenneth J. Weber, PE
Project Manager

Encl.

L:\City of Mandan\PO0510-2013-00 Mandan Water Meter Improvements\060 Construction\Change Order\Change Order 2\WCD 2 - Packet to City of Mandan\Change Order 2 - Letter to Owner.doc

Advanced Engineering and Environmental Services, Inc.
1815 Schafer Street, Suite 301 • Bismarck, ND 58501 • (t) 701-221-0530 • (f) 701-221-0531

Board of City Commissioners

Agenda Documentation

Meeting Date: November 18, 2014

Subject: Consider for approval WCD No. 2 to Thirkettle Corporation for the Woodlands Estates Master Meter Installation and miscellaneous installation changes.

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Change Order
No. 2

Date of Issuance	November 12, 2014	Effective Date	September 25, 2014
Project	Madison Water Meter Improvements Project	Owner	City of Madison
Contract	General Construction	Date of Contract	April 17, 2014
Contractor	Thirkettle Corp	Contractor's License No.	
Engineer	Advanced Engineering and Environmental Services	Engineer's Project No.	906519-2013-000

The Contract Documents are modified as follows upon execution of this Change Order:

Description of Change: Provide labor, equipment, and materials for the following

Item	Description	Cost Adjustment
1	Change in price for addition of work per WCD 2 - Woodland Master Meter Vault Improvements	\$ 55,120.00
2	Miscellaneous field changes: Pipe spools, Raging Pipe meter repair, and new construction radius	\$ 6,671.24
TOTAL (By Change Order)		\$ 61,791.24

CHANGE IN CONTRACT PRICE		CHANGE IN CONTRACT TIMES	
Original Contract Price	Original Contract Times	<input type="checkbox"/> Working days	<input checked="" type="checkbox"/> Calendar days
\$ 1,529,634.50	Substantial completion (days or date):		December 15, 2014
	Ready for final payment (days or date):		January 31, 2015
Increase (Decrease) from previously approved Change Order No. 0, to No. 1:	Increase (Decrease) from previously approved Change Order No. 0, to No. 1:		
\$ -511,440.00	Substantial completion (days):	0	
	Ready for final payment (days):	0	
Contract Price prior to this Change Order	Contract Times prior to this Change Order		
\$ 1,389,194.50	Substantial completion (days or date):		December 15, 2014
	Ready for final payment (days or date):		January 31, 2015
Increase of this Change Order	Increase Time of this Change Order		
\$ 61,791.24	Substantial completion (days or date):	0	
	Ready for final payment (days or date):	135	
Contract Price incorporating this Change Order	Contract Times with all approved Change Orders		
\$ 1,450,985.74	Substantial completion (days or date):		December 15, 2014
	Ready for final payment (days or date):		June 15, 2015

RECOMMENDED	ACCEPTED	ACCEPTED
By: <i>[Signature]</i>	By: <i>[Signature]</i>	By: <i>[Signature]</i>
Date: 11/13/2014	Date:	Date: 11/13/14

Approved by Purchasing Agency or Approving: _____ Date: _____

FJC DC No. C-941 (2007 Edition) Page 1 of 1

Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the Associated General Contractors of America and the Construction Specifications Institute.



November 13, 2014

Mike Cartwright
 VP Operations
 Global Efficiencies Inc.
 6700 Guada Coma Dr.
 Schertz, Texas 78154
 Ph. (210) 967-6304
 Fax (210) 967-6305
mcartwright@global-efficiencies.com
www.global-efficiencies.com

Quote for AE2S
Attention Brian Viall
Address 1815 Schafer Rd, Ste 301
City, State, ZIP Bismark, ND 58501
Phone: (701) 221-0530
Email brian.viall@ae2s.com

Quantity	Description	Unit Price	Extended
8	3" Spool Piece with Labor	\$212.28	\$1,698.24
3	4" Spool Piece with Labor	\$230.98	\$692.94
4	6" Spool Piece with Labor	\$279.39	\$1,117.56
1	Raging River Water Park Repair with Labor	\$1,002.50	\$1,002.50
60	New Construction Radio Retrofits	\$36.00	\$2,160.00
		\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00
		\$0.00	\$0.00

This quotation on the product and services named, may be subject to the conditions noted below:

Total \$6,671.24

1. Net 30 Days to Pay
2. Freight Allow on orders over \$10,000.00
3. All quotes are valid for 90 days from date of quotation
4. Return product may be subject to 25% restocking fee

Board of City Commissioners

Agenda Documentation

Meeting Date: November 18, 2014

Subject: Consider for approval WCD No. 2 to Thirkettle Corporation for the Woodlands Estates Master Meter Installation and miscellaneous installation changes.

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Global Efficiencies Inc.
6700 Guada Coma Dr.
Schertz, Texas 78154
210-967-6300
Fax 210-967-6305

4-Nov-14

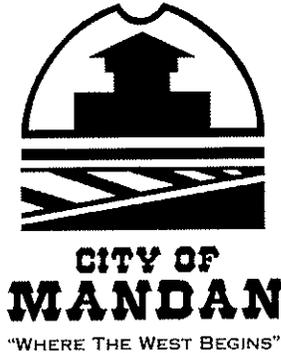
Quote for AE2S
Attn: Brian Viall
701-221-0530
brian.viall@ae2s.com

Woodland Estates Meter Vault

Description	Price
Quote 1	\$ 55,120.00
Scope of Work Detailed Remove concrete driveway with is in poor condition Install pre-cast concrete vault piping fittings. Pipe and fittings to be epoxy painted blue. Pressure testing and disinfection of new material Tie-ins to existing water main. Seeding and mulching in Spring of 2015 Driveway replacement in 2015 unless weather allows in 2014 Includes Meter and 520M Radio. Meter out of Mandan stock.	

Prices quoted are good for 60 days.

Mike Cartwright
VP/Human Resources and Administration
Global Efficiencies Inc
mcartwright@global-efficiencies.com



Board of City Commissioners

Agenda Documentation

MEETING DATE: November 18, 2014
PREPARATION DATE: November 14, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning & Engineering Director
SUBJECT: Resolutions for Street Improvement District No. 196, Mandan Industrial Park

STATEMENT/PURPOSE: To consider approving the plans and specifications and resolution directing advertisement for bids for Street Improvement District No. 196, Project No. 2014-14 (Mandan Industrial Park area).

BACKGROUND/ALTERNATIVES: On March 4, 2014 the Mandan City Commission approved the creation of Street Improvement District No. 196 and approved the Engineer's Report and the Resolution of Necessity. On April 15th the Mandan City Commission approved the Resolution determining insufficiency of protest.

This project originally went out for bid in May of 2014. No bids were received at that time. Feedback from potential bidders included; an already reasonably full schedule thus limiting ability to take on more work, concerns about lack of temporary access planning, concerns about details and their implications on methods of construction. All of those concerns were addressed including the timing of the bid opening which is why we are requesting to bid this year, to get ahead of other projects that will come forward in the spring.

Going forward, the intended project schedule is as follows:

- Bid opening on December 23rd
- Approval to award bid at January 6th City Commission meeting
- Substantial completion of project, minus seal coat, by October 31st, 2015
- Seal coat of asphalt paved streets by July 15th of 2016

ATTACHMENTS:

1. District Map
2. Resolution approving plans and specifications
3. Resolution directing advertisement for bids

Board of City Commissioners

Agenda Documentation

Meeting Date: April 15, 2014

Subject: Resolutions for Street Improvement District No. 196, Mandan Industrial Park

Page 2 of 7

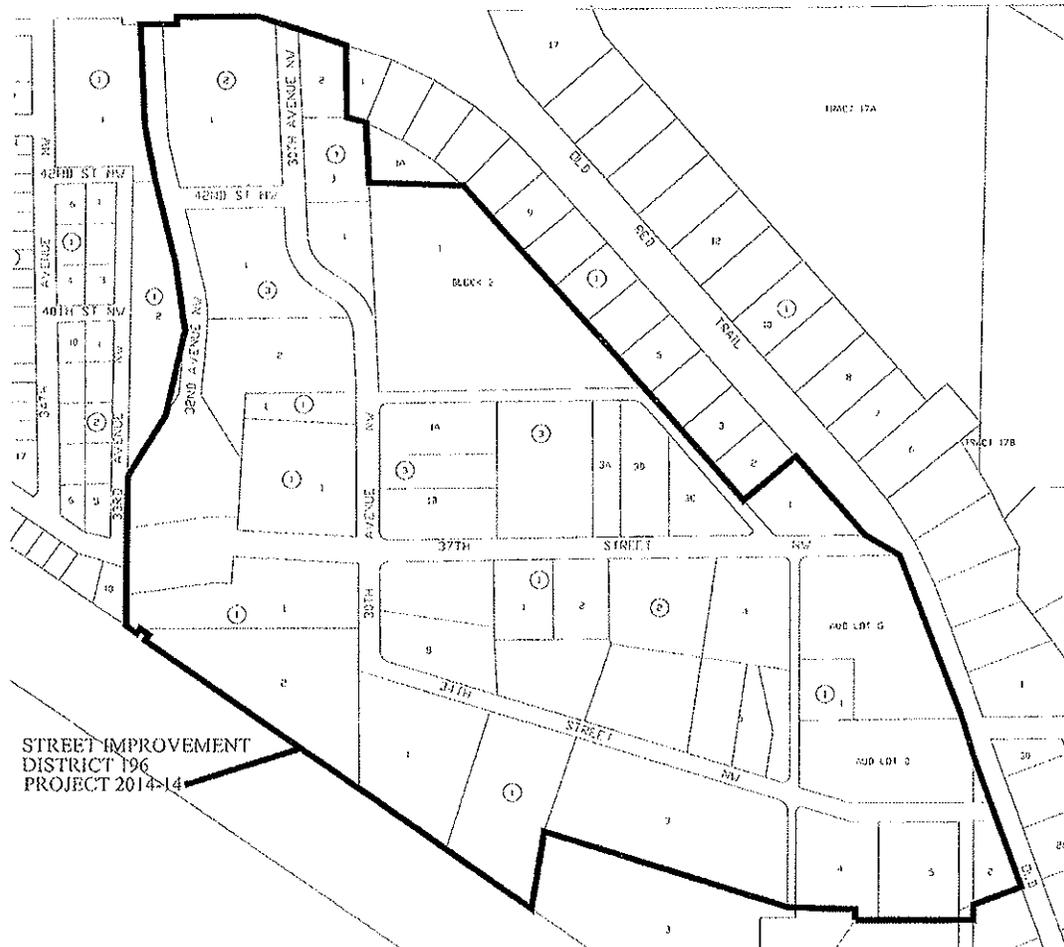
FISCAL IMPACT: All project costs, including engineering and administration, to be included in property assessments.

STAFF IMPACT: Minimal

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 resolution approving plans and specifications and approve the resolution directing advertisement for bids for Street Improvement District No. 196, Project No. 2014-14 (Mandan Industrial Park area).



**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
FOR STREET IMPROVEMENT DISTRICT NO. 196
PROJECT # 2014-14**

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. 196 (Project # 2014-14) 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 18th day of November, 2014.

President, Board of City Commissioners

ATTEST:

City Administrator

**RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS
FOR STREET IMPROVEMENT DISTRICT NO. 196**

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. 196 (Project # 2014-14) 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 March 4th, 2014, 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. 196
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 Tuesday, December 23, 2014, at 4:00 p.m., CDT for the purpose of furnishing of materials, labor and skill needed for the concrete street reconstruction, spot repair of curb and gutter, asphalt resurfacing by mill and overlay, and related work in accordance with the plans and specifications for Street Improvement District No. 196 (Project # 2014-14), for the City of Mandan. The Work consists of all labor, skill, and materials required to properly construct the improvements.

Contractors and vendors desiring plans and specifications for personal use may secure digital copies from www.questcdn.com for a fee of \$25.00. These documents may be downloaded by selecting this project from the “Bid Documents” tab and by entering Quest Project Number #3597767 on the “Search Projects” page. For assistance and the free membership registration, contact QuestCDN at (952)233-1632 or info@questcdn.com. Paper copies of the bid documents may be obtained from the City of Mandan Engineering office, 205 2nd Avenue Northwest, Mandan, North Dakota 58554 or from Wenck Associates,

Inc., 301 1st Street NE, Suite 202, Mandan, North Dakota 58554 upon non-refundable payment of \$100.00 for each set. If Plans are mailed out an additional fee of \$15.00 will be added for postage and handling.

The bid proposals must be submitted to the City Administrator by 4:00 p.m., CDT, December 23, 2014 and shall be sealed and endorsed "Proposal for Street Improvement District No 196." 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 4:00 p.m., CDT, on Tuesday, December 23, 2014. 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 43-07-14 of the North Dakota Century Code, as amended.

Each bid shall be accompanied by a separate envelope containing a bidder's bond in the amount of five (5) percent of the highest amount of the bids as required by Section 48-01.2-05, North Dakota Century Code, as amended, and executed by the Bidder as principal and by a surety, conditioned that if the principal's bid is accepted and the contract awarded to the principal, the principal, within ten days after Notice of Award, shall execute and effect a contract in accordance with the terms of the bid, and a Contractor's Bond as required by law. No bid may be read or considered if it does not fully comply with the requirements of Section 48-01.2-05 of the North Dakota Century Code and any deficient bid must be resealed and returned to the bidder immediately.

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

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

October 31st, 2015 for substantial completion date with seal coat by July 15th, 2016.

Liquidated damages of \$500.00 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 2016 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, January 6, 2015, at 5:30 PM, CDT, to review the Bids submitted, consider the engineer's recommendation, and to award the contract to the successful Bidder. The contract will be awarded on the basis of the low Bid submitted, on eligible areas, by a responsible and responsive Bidder deemed most favorable to the City's interest.

The City of Mandan reserves the right to 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 18th day of November, 2014

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.

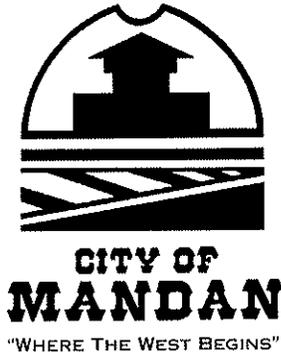
4. The Board of City Commissioners shall meet on Tuesday, January 6, 2015 at 5:30 pm, local time, to review the bids submitted, consider the engineer's recommendation, and to award the contract to the successful bidder, subject to the Board finding that filed protests are insufficient to bar the work.

President, Board of City Commissioners

ATTEST:

City Administrator

Passed: November 18, 2014



Board of City Commissioners

Agenda Documentation

MEETING DATE: November 18, 2014
PREPARATION DATE: November 14, 2014
SUBMITTING DEPARTMENT: Business Development & Communications Department
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Growth Fund Committee Recommendation on Storefront Improvement Application

STATEMENT/PURPOSE: To consider a recommendation by the Mandan Growth Fund (MGF) Committee regarding an application by for storefront improvement matching funds for 1000 E Main Street.

BACKGROUND/ALTERNATIVES: The MGF met Nov. 13, 2014, to consider the application. Mike Wieland of Casecon Properties and MKDQ, Inc. (dba Mandan Dairy Queen) is planning to re-invest in his building by removing the red metal roof overhang and replacing it with metal panels on the Main Street or south side of the building with a chimney replacing the middle window. A metal "eyebrow" will be put around the south side and corners of the building and will hold LED lights. The roof on the west and east sides of the building will be painted cement board. A metal canopy will be placed over the drive-thru window on the west side. Automatic door openers will be placed on the east doors.

The exterior upgrades have received approval by the Mandan Architectural Review Commission at its meeting on Nov. 12, 2014.

The estimated investment in the exterior improvements to street facing sides of the building is \$150,721. The applicant is seeking the maximum \$30,000 in matching funds, not to exceed 50% of actual expenditures. The MGF voted unanimously with 7 of 9 members present to recommend approval at this amount.

The applicant is also planning some interior improvements. With a total estimated project cost of \$179,541, Wieland has also submitted a Renaissance Zone rehabilitation application. The minimum Renaissance Zone re-investment amount is \$105,450, which is 50% of the building's full and true value. Thus the project meets requirements of both

programs in that none of the minimum storefront applicant dollars nor matching funds are being used to meet minimum Renaissance Zone requirements and vice versa.

ATTACHMENTS: Storefront application.

FISCAL IMPACT: Up to \$30,000 in matching funds at a 50% match rate subject to actual final investment in qualified exterior improvements. The balance in the Growth Fund is approximately \$482,000 for unspecified types of economic development projects.

STAFF IMPACT: Minimal

LEGAL REVIEW: An automatic door is included in the proposal as required. There's also a recipient agreement that calls for a notice of potential lien on the property following project completion and issuance of matching funds in the form of a forgivable loan. The notice of potential lien requires that the building and improvements remain intact for 3 years with funding forgiven on a prorated basis over those three years.

RECOMMENDATION: The MGF voted to recommend approval of the application by Mandan Dairy Queen for storefront funds at a 50% match rate up to \$30,000.

SUGGESTED MOTION: I move to approve the storefront improvement application by Mandan Dairy Queen at a 50% match rate to the actual investment, for up to \$30,000 in matching funds, to be provided as a forgivable loan upon project completion.



STOREFRONT IMPROVEMENT APPLICATION

PRIMARY CONTACT INFORMATION FOR THIS APPLICATION

Name: Mike Wieland
Address: 1000 E Main St
Phone: 701-663-3996 Fax: _____
E-mail: mandandq@midconetwork.com

Applicant Name: MKDQ, Inc. DBA Mandan Dairy Queen
(name of person/entity to receive grant)
Property Owner: Casecon Properties, Inc.
Property Address: 1000 E Main St
Architect/Firm: AI Fitterer Architect PC
(if applicable)

Description of Property
Current tenant(s): Commercial Dairy Queen
 Residential # occupied: _____ # vacant: _____
Building History (if available): Built in 1982. Interior updating has occurred but other than repairs the exterior of the building has not changed.

Total Cost of façade renovation: \$ 150,721.00 Forgivable Loan Amount of Requested: \$ 30,000.00

Is the façade renovation part of a larger project?
Yes No, the façade is the only work I am doing

If yes, please describe comprehensive project.
Parking lot has been resurfaced. 300 square feet of concrete replacement in the drive thru in Spring of 2015. Dining room renovations include a new ceiling, lights, and diffusers

Summary of Existing Condition of Façade: (please attach pictures – Attachment 1)

Summary of Proposed Scope of Work: (materials, color schemes, etc.) Please attach colorized drawings that include pre- and post- rehab detail, indicating specifically what will be modified and how (Attachment 2). Bids or official estimates from licensed commercial contractors or other providers of needed services and materials are required. (Attachment 3)

Existing brick exterior will remain in place. Red roof will be eliminated and replaced with metal panels on the main south side and on the corners of the south side. The rest of the roof will be painted cement board. A metal canopy will be placed over the drive thru window. A metal eyebrow will be put around the south side and corners of the south side and will hold LED lights. Automatic door openers will be placed on the East doors. A stone chimney will replace the middle window on the South side.

Historic Character: How will proposed project affect historic character? (if applicable)

How will your project complement downtown redevelopment efforts?

It will freshen up the property showing that ownership really cares about how "My DQ" represents the city of Mandan. DQ is a nostalgic brand that really belongs on the Main Street of every city.

For more information, call Business Development Director Ellen Huber at 701-667-3485.

Signature of applicant: Mike Wieland Date: 11/3/2014

Signature of property owner: _____ Date: _____
(if different than applicant)

Special Notices

- 1) Properties are eligible only once to receive Storefront Improvement funds.
- 2) Voters in the Nov. 4, 2008, election in the City of Mandan approved an initiated ordinance that states, "Installation of electric handicap accessible entrance doors are required on every building open to the public that has received public funds in any form whatsoever." Any property receiving Storefront Improvement funds since Nov. 14, 2008, is subject to the requirement. Include an estimate for an automatic door at least for the main entrance if you do not have one.



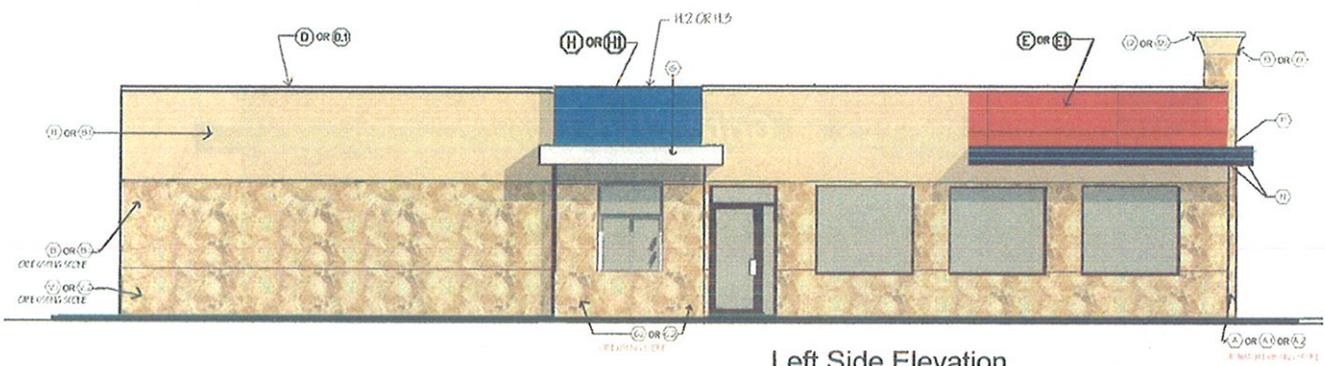




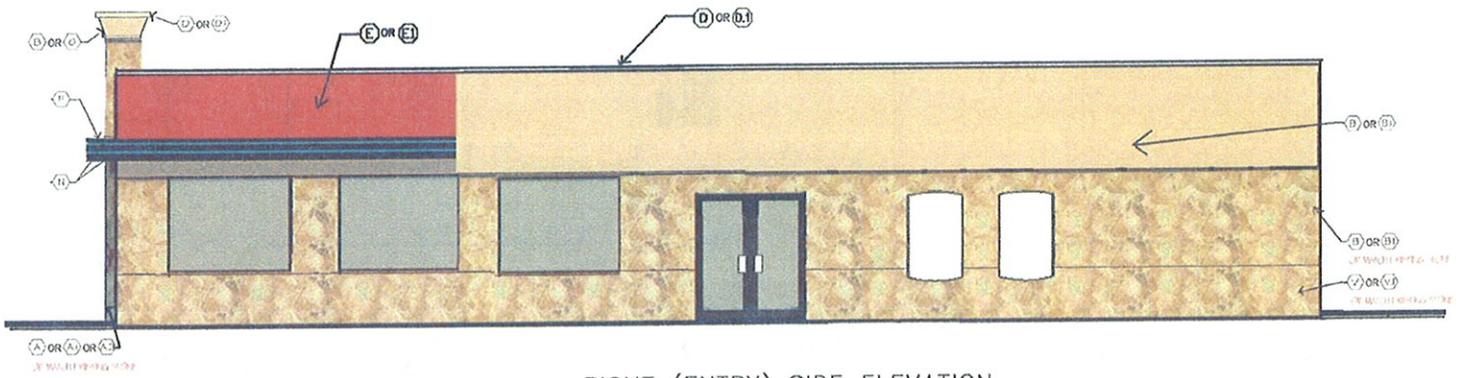




FRONT ELEVATION

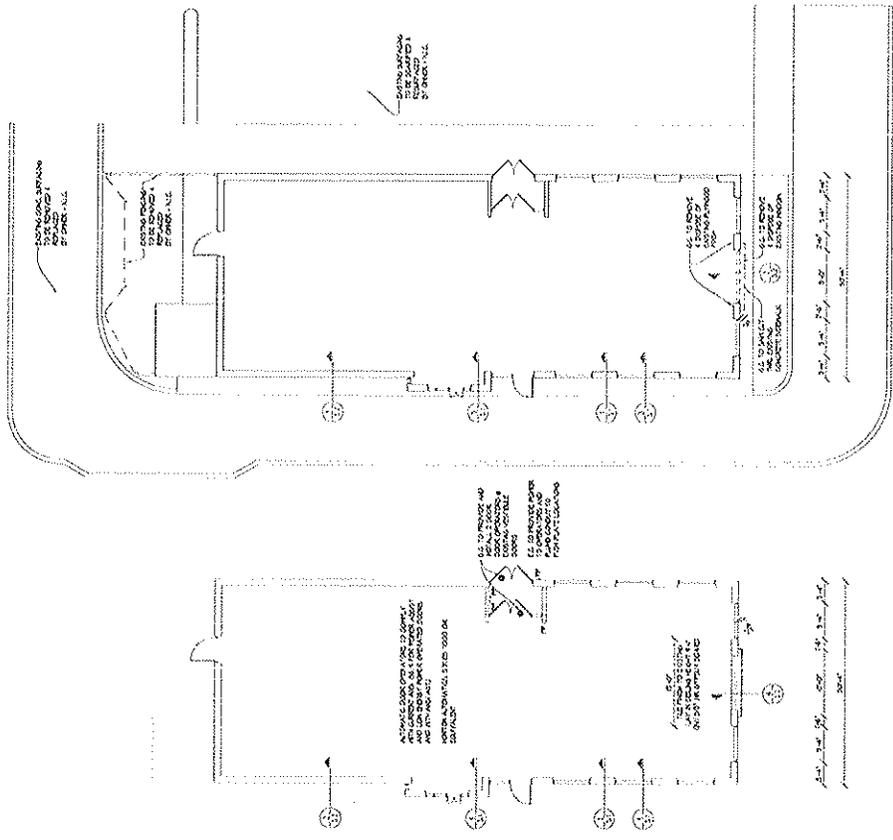


Left Side Elevation

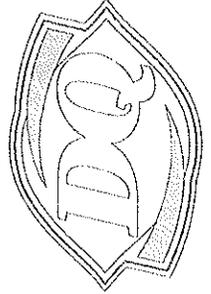


RIGHT (ENTRY) SIDE ELEVATION

- GENERAL NOTES:**
- SEE SET FOR EXISTING CONDITIONS AND TO BE REMOVED WORK.
 - ALL REVISIONS TO BE DONE BY OWNER + A/E.
 - NO WORK TO BE DONE IN THIS AREA.
- LEGEND:**
- (Symbol) TO BE REMOVED
 (Symbol) TO BE ADDED



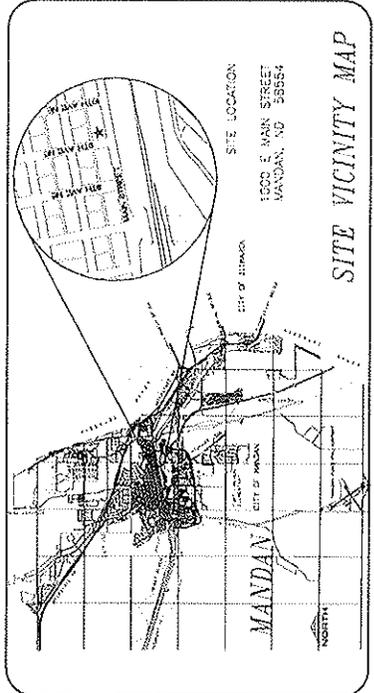
DAIRY QUEEN
EXTERIOR REMODELING
 MANDAN NORTH DAKOTA



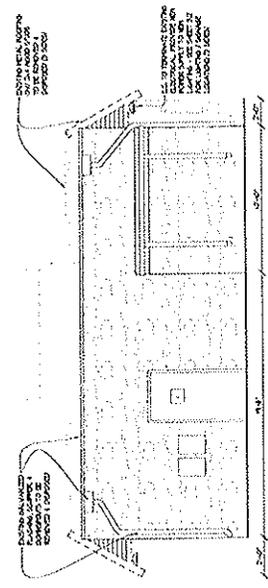
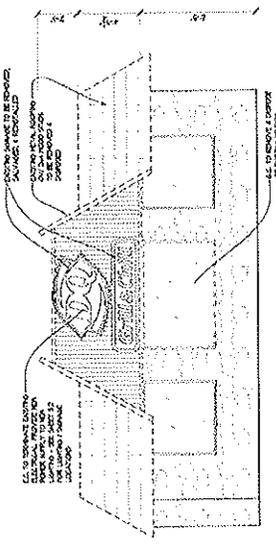
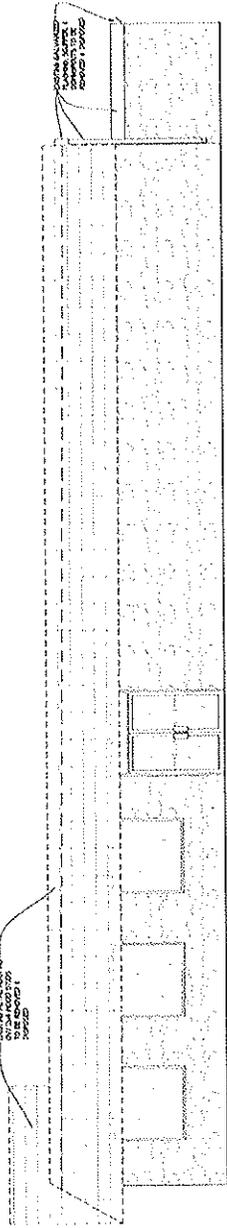
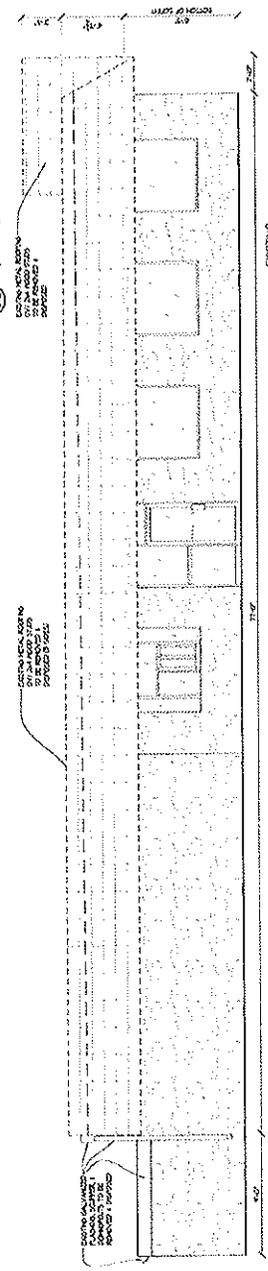
INDEX OF DRAWINGS

1.1	TITLE SHEET / SHEET INDEX /
	EXISTING & NEW FLOOR PLANS
3.1	BUILDING ELEVATIONS - EXISTING
3.2	BUILDING ELEVATIONS - NEW
5.1	WALL SECTIONS - EXISTING & NEW
5.2	WALL SECTIONS - EXISTING & NEW
8.1	ROOF PLAN - EXISTING & NEW /

AL FITTNER, ARCHITECT PC
 200 THIRD AVE. NW
 MANDAN, NORTH DAKOTA 58554
 701-663-7543
 701-663-7544 FAX



AL FITTNER ARCHITECT PC
200 HIBSD AVE NW
MANDAN, NORTH DAKOTA 58554
701-663-7644
701-663-7644 FAX

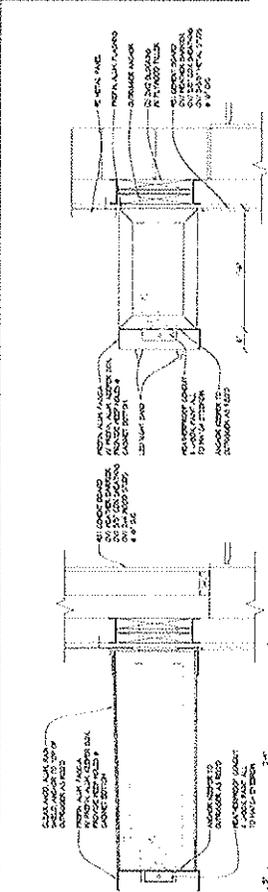


EXISTING WALL SECTIONS
 NEW WALL SECTIONS

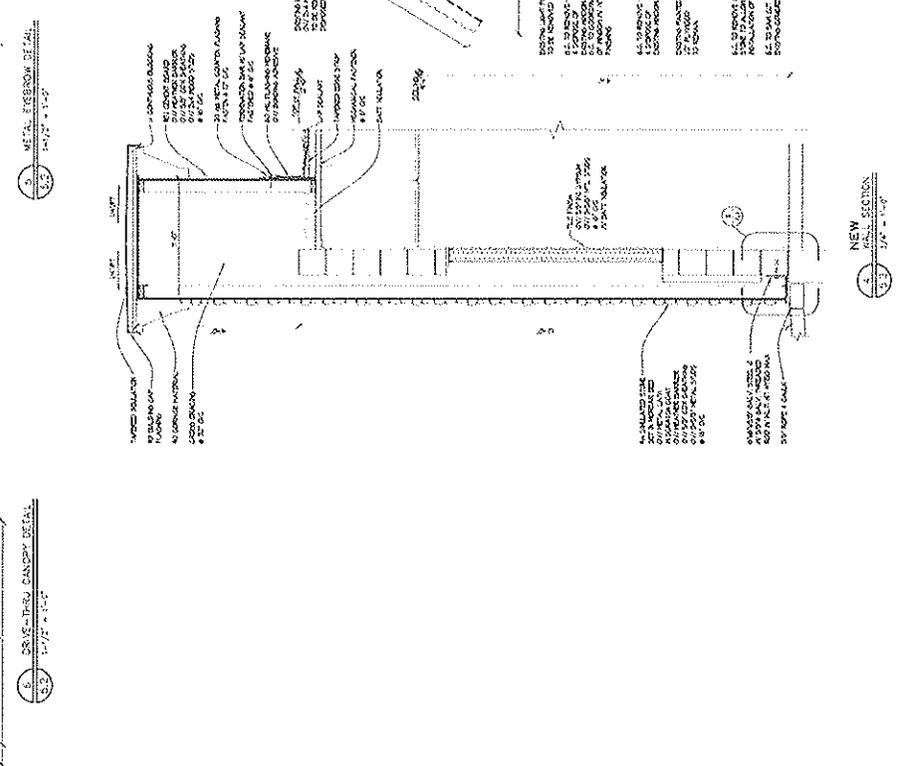
5.2

EXTERIOR FINISH SCHEDULE

QTY	DESCRIPTION	MANUFACTURER	COLOR	SIZE	FINISH	NOTES
1	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
2	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
3	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
4	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
5	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
6	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
7	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
8	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
9	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
10	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
11	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
12	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
13	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
14	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
15	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
16	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
17	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
18	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
19	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
20	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
21	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
22	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
23	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
24	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
25	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
26	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
27	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
28	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
29	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
30	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
31	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
32	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
33	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
34	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
35	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
36	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
37	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
38	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
39	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
40	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
41	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
42	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
43	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
44	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
45	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
46	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
47	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
48	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
49	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	
50	SHINY GALVALUMED STEEL	USG	20	36" X 48"	ENAMEL	



NOTE:
 ALL WALLS TO BE REMOVED AND RECONSTRUCTED PER THE EXISTING WALL SECTIONS. ALL NEW WALLS TO BE CONSTRUCTED PER THE NEW WALL SECTIONS. ALL FINISHES TO BE AS SHOWN IN THE FINISH SCHEDULE. ALL MATERIALS TO BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. ALL COSTS TO BE AS SHOWN IN THE ESTIMATE. ALL CHANGES TO BE APPROVED BY THE ARCHITECT PRIOR TO PROCEEDING WITH THE WORK.



EXISTING WALL SECTION
 1/1" = 1'-0"

NEW WALL SECTION
 1/1" = 1'-0"

EXISTING WALL SECTION
 1/1" = 1'-0"

NEW WALL SECTION
 1/1" = 1'-0"

Professional Services

Pre-design Services
Al Fitterer

Date	Reg. Bill Hours	OT Bill Hours	Charge
5/1/2014	1.00	0.00	175.00
	<u>1.00</u>	<u>0.00</u>	<u>\$175.00</u>
<i>Pre-design Services Total:</i>			

Schematic Design Services

Richard A. Zittleman
Richard A. Zittleman
Richard A. Zittleman
Richard A. Zittleman

Date	Reg. Bill Hours	OT Bill Hours	Charge
7/1/2014	1.00	0.00	80.00
7/1/2014	17.50	5.00	1,800.00
8/1/2014	2.00	0.00	160.00
7/1/2014	30.00	0.00	2,400.00
	<u>50.50</u>	<u>5.00</u>	<u>\$4,440.00</u>
<i>Schematic Design Services Total:</i>			

Construction Document Services

Barbara J. Burgum
Kurtis Ganyo

Date	Reg. Bill Hours	OT Bill Hours	Charge
6/1/2014	2.00	0.00	140.00
7/1/2014	73.50	0.00	3,675.00
	<u>75.50</u>	<u>0.00</u>	<u>\$3,815.00</u>
<i>Construction Document Services Total:</i>			

Construction Contract Admin

Richard A. Zittleman
Richard A. Zittleman
Kurtis Ganyo

Date	Reg. Bill Hours	OT Bill Hours	Charge
8/1/2014	3.50	0.00	280.00
8/1/2014	11.00	0.00	880.00
7/1/2014	4.50	0.00	225.00
	<u>19.00</u>	<u>0.00</u>	<u>\$1,385.00</u>
<i>Construction Contract Admin Total:</i>			

Professional Services Totals: \$9,815.00

Billing Group Subtotal: 9,815.00



4720 19th St SE Mandan ND 58554 cellc@bis.midco.net Fax: 701-223-2640

Mike Weiland
Mandan Dairy Queen
1000 E Main St Store #15788
Mandan ND 58554

October 14, 2014

**** COSMETIC REMODEL ****

Demo Work:

- Remove and dispose of existing South window as per plan
- Remove and dispose of existing interior plywood as per plan, to install interior tile wall
- Remove and dispose of existing metal roofing and framing as per plan
- Remove and save for reinstallation signage on the front of the building
- Remove and dispose of existing metal scuppers and downspouts on the back of the building
- Remove and dispose of interior ceiling tile to make room for new ceiling colonnade and new ceiling grid and tile

Exterior:

- Frame a 16' tall wall on the front of the store where the window was removed as per plan.
- Installation of owner picked stone on new front wall
- Installation of Dairy Queen approved Cornice material on top of new stone wall
- Frame new parapet walls on three sides of the building as per plan
- Supply and install Dairy Queen specific Blue and red panels as per plan
- Supply and install black eye brows as per plan with LED lighting
- Installation of Black exterior poster frames at specified locations
- Installation of exterior cement board in all areas required as per plan
 - An Allowance of \$5,000.00 has been given for painting

ITEMS ALSO INCLUDED:

- A) Building Permit.
- B) High safety standards with safety equipment.
- C) Class A Contractor's license and insured.
- D) Creative Construction employees trained for scope of work provided.
- E) Equipment for scope of work above.
- F) Management of all work in this contract.
- G) Management of all subcontractors for above stated work
- H) Garbage container for work included in this bid.
- I) Clean the building area during and after construction.

Exclusions to this proposal:

- Winter weather provisions, heating sheltering
- Caulking of exterior finishes
- Any item not listed in this proposal is not estimated or accounted for and would be an additional charge.

TOTAL PACKAGE = \$167,126.00 + 2500^{Lights} = \$169,726.00
 (One hundred Sixty Seven thousand One hundred Twenty Six dollars and No cents)

Payment Terms: 10% downpayment, payment for the Chief building upon delivery, payment as the work progresses, and balance due upon completion.
 If any item is not listed above, then it is not provided by Creative Construction, LLC.
 Past due invoices will be assessed a finance charge of 18% per year.

Authorized Signature _____ PROPOSAL GOOD FOR 30 DAYS
 Chad L. Dietrich - *President*

Acceptance Signature _____ Date _____

Exterior Cont'd:

- Installation of 2 Horton 7000 Automatic Operators with Activation buttons inside and out
- Installation of 4 piles of fiberglass felts set into hot asphalt, and one ply of 90# flashing at the new perimeter wall details
- Patch areas on south where existing roof curb is to be removed
- Installation of colored metal roofing cap, scuppers and down spouts as per plan

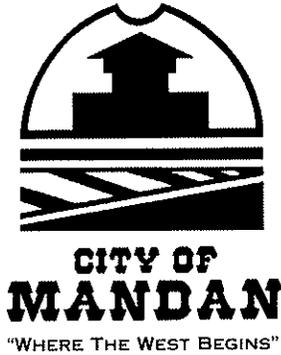
Electrical:

- Installation of owner provided lights in the Lobby, entryway, and employee work area as per drawing
- Wiring of 2 new door openers
- Demo old exterior lights
- Wiring for new exterior LED lights
 - An Allowance of \$12,750.00 has been given for all electrical work

NO Lights in Plan

Interior:

- Build as per plan a new interior tile finished wall, where south window was removed
 - Tile to be chosen by owner prior to installation
- Install sheetrock on ceiling of east entrance, tape, texture and paint. Owner to choose paint color
- Build ceiling colonnade as per drawing
 - Ceiling colonnade color to be chosen prior to painting
- Build a new cake and treat display case as per drawings
 - Tile on display case to be chosen prior to installation
- Install a new ceiling tile in lobby area complete with new grid work
 - An Allowance of \$4,662.00 has been figured into this proposal
- Install new HVAC diffusers in lobby area
- Install new HVAC return diffusers in lobby area



Board of City Commissioners

Agenda Documentation

MEETING DATE: November 18, 2014
PREPARATION DATE: November 14, 2014
SUBMITTING DEPARTMENT: Business Development & Communications Department
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: RZ Committee Recommendations on Applications Pertaining to 1000 E Main Street

STATEMENT/PURPOSE: To consider recommendations by the Renaissance Zone Committee regarding an application by Casecon Properties for rehabilitation of 1000 E Main Street as a Renaissance Zone project and for application for a lease project by the operating company, MKDQ, Inc., which does business as Mandan Dairy Queen.

BACKGROUND/ALTERNATIVES: The RZ Committee met to consider the applications on Nov. 14, 2014.

2i—Mike Wieland of Casecon Properties is planning to invest an estimated \$179,541 in rehabilitation of 1000 E Main Street. Improvements are to include replacement of the red roof on three sides of the building with parapet walls and blue and red panels, installation of a canopy of the drive-thru window, installation of a chimney on the building's south side to replace the existing middle window, black "eyebrows" on the south side with LED lighting, and automatic doors on the building's east side. Interior renovations will include ceiling replacement and new lighting in the dining areas, a tile wall on the south side where the chimney replaces the middle window, a red colonnade to accent the middle seating area, new HVAC diffusers, and a build-out around the freezer case.

The proposed investment by far exceeds the minimum of \$105,450, which is 50% of the building's \$210,900 value. Wieland plans to begin the project in the spring.

2ii—MKDQ, Inc., doing business as Mandan Dairy Queen, plans to continue leasing the entire building for restaurant operations. The business has 31 employees with 10 full-time employees receiving health insurance, retirement and paid vacation. The applicant believes the updated look of the building will help to retain and attract customers. With this re-investment, the restaurant is committed to remaining on Main Street.

Program Status Update. If approved, these will be projects 58 and 59 for the Mandan Renaissance Zone, bringing total commitments for reinvestment into rehabilitation or new construction of buildings to \$16.7 million into properties previously valued at \$3.7 million.

ATTACHMENTS: Key excerpts of applications by Casecon Properties and MKDQ, Inc. Exterior building renovation plans included in Storefront application. Full applications available upon request.

FISCAL IMPACT:

2i - The building's estimated value with improvements is \$263,625. Annual property tax on the building is estimated at \$4,162 for a five-year total of \$20,808. The estimated state income tax exemption for the property holding company is \$0.

Note: The applicant is also seeking matching funds through the Storefront Improvement Program. The Growth Fund Committee recommended approval of up to \$30,000 during its Nov. 13, 2014, meeting. The project independently meets the investment requirements for each program and therefore is eligible for both.

2ii – The estimated state income tax exemption for Mandan Dairy Queen is \$5,500 annually or \$27,500 over the five years.

STAFF IMPACT: Minimal

LEGAL REVIEW: An automatic door is required. The N.D. Commerce Department requires business incentive agreements for each application, which have been submitted.

RECOMMENDATION:

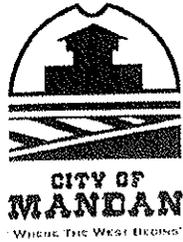
2i - The Renaissance Zone Committee voted unanimously (6 to 0) to recommend approval of the application by Casecon Properties for rehabilitation of 1000 E Main Street as a Renaissance Zone project with the five-year 100% property tax exemption and the five-year 100% state income tax exemption.

2ii – The Renaissance Zone Committee voted unanimously (6 to 0) to recommend approval of the application by MKDQ, Inc. for lease of space at 1000 E Main Street, a building being rehabilitated as a Renaissance Zone project, with a 100% five-year state income tax exemption.

SUGGESTED MOTIONS:

2i – I move to approve the application by Casecon Properties for rehabilitation of 1000 E Main Street as a Renaissance Zone project with the five-year 100% property tax exemption and the five-year 100% state income tax exemption.

2ii – I move to approve the application by MKDQ, Inc. for lease of space at 1000 E Main Street, a building being rehabilitated as a Renaissance Zone project, with a 100% five-year state income tax exemption.



RENAISSANCE ZONE PROJECT APPLICATION

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

APPLICANT INFORMATION

1. Type of project

- Commercial/Business
 Residential

2. Name of applicant(s)/or business name Casecon Properties, Inc.

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

45-0457700 / _____

Legal name (if different than trade name) _____

Type of entity (for commercial/ business applications)

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

3. Mailing address 801 Dianas Ct NE, Mandan, ND 58554

4. Phone number 701-667-6073

5. E-mail address mkwieland@hotmail.com

PROJECT INFORMATION

6. Street address of proposed project 1000 E Main St

7. Legal description Lots 14,15,16,17,18 Block 3, Helmsworth & McLean's Addition to the City of Mandan

8. Current owner (if different than applicant) _____

9. Current use of property Dairy Queen

10. Parcel size (in square feet) 7200

11. Building floor area (in square feet) 2310

12. Type of project

- New construction
- Purchase with improvements
- Rehabilitation
- Leasehold improvements
- Lease

- New
- Expansion – additional square footage _____
- Continuation of a lease

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

- Yes
- No

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

Replace red roof on 3 sides with parapet walls and blue and red panels. Install canopy over drive thru window. Install black eye brows with LED lighting. 16' high stone chimney will replace existing middle window on south side. Inside portion of middle window will be a tiled wall. Replace interior ceiling and lighting in dining area. Install red collonade to accent middle seating area. Install automatic door openers, new hvac diffusers.

14. Current true and full value of the building \$210,900.00

15. Total estimated cost of improvements (attach cost estimates) \$179,541.00

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

16. Estimated value of building after improvements have been completed \$263,625.00

17. Estimated property tax benefit (annually) \$4161.53 (five years) \$20,808.00

18. Estimated state income tax benefit (annually) 0 (five years) 0

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

- Yes
- No

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

Reinvesting in the property proves to the community that we are here to stay and we care about how we are perceived. We recently resurfaced our parking lot and we will also be replacing 700 sq ft of concrete in our drive thru. Main Street doesn't mean you have to look old and run down!

20. Project timeline including anticipated start and completion dates.

March 2015 anticipated start, Aug 2015 completion.

21. Does this project involve historical preservation or renovation?

- Yes
 No

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

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

- Yes
 No

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

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

SUMMARY OF ATTACHMENTS

Documents to be submitted along with application:

- Certificate of Good Standing from N.D. Tax Commissioner
- Proof of payment of current real estate taxes
- Contractor(s) detailed cost estimate(s) — for improvements, rehab or new construction with capital improvements delineated as compared to non-capital improvements. Capital improvements include, but are not limited to, replacement or updating of roof, foundation, structure, siding, windows, doors or other weatherization improvements, electrical, plumbing, heating, ventilation or central air conditioning. Non-capital improvements are items such as floor coverings, wall treatments, cabinets, furnishings, and window treatments.
 - o Rehabilitation
 - Commercial — must demonstrate that the proposed re-investment is at least 50 percent of the current and true value of the, of which not less than 80 percent will be used for capital improvements
 - Residential — must demonstrate that the proposed re-investment is at least 20 percent of the current and true value of the building, of which not less than 80 percent will be used for capital improvements and no more than 20 percent for detached out buildings
 - o New construction — documentation that the proposed investment is at least \$55 per square foot
- Current photo(s) of property showing all sides of any existing building(s) — for improvements, rehab
- Site plan — for new construction or expansion
- Proposed building elevations, with exterior building material and color clearly indicated — for improvements, rehab, new construction
- Proof of primary residence — for residential applications
- Proof of benefit from property tax exemption — for leasehold improvement applications
- Business Incentive Agreement (see SF 59686 (11/2010))

NOTICE OF ADDITIONAL LOCAL REQUIREMENT

Voters in the Nov. 4, 2008, election in the City of Mandan approved an initiated ordinance that states, "Installation of electric handicap accessible entrance doors are required on every building open to the public that has received public funds in any form whatsoever." Include an estimate for an automatic door at least for the main entrance if subject building or business space does not have one.

APPLICANT CERTIFICATION

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

Signature of applicant: *Nick Wulke* Date: 11/6/2014

BUILDING OWNER CERTIFICATION — For lease-hold improvement projects only

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

Building Owner Name — printed

Building Owner Signature

Date

FOR OFFICE USE ONLY

	Date	Recommendation
Review by Mandan Renaissance Zone Committee	<u>11-14-14</u>	<u>Approval</u> or Denial
Review by City Commission	_____	Approval or Denial
Review by N.D. Commerce Department Division of Community Services	_____	Approval or Denial

Renaissance Zone Block _____ Renaissance Zone Project _____

Date of actual project completion _____



STATE OF NORTH DAKOTA
OFFICE OF STATE TAX COMMISSIONER
Ryan Rauschenberger, Commissioner

August 18, 2014

Ref: L0097020160

CASECON PROPERTIES INC
801 DIANES CT
MANDAN ND 58554-5622

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

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

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

Taxpayer's Name: CASECON PROPERTIES INC
SSN or FEIN: 45-0457700

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

/s/ Lorie Bowker

Lorie Bowker
Supervisor, Individual Income Tax and Withholding
Phone: (701) 328-1296
Email: lbowker@nd.gov

Enc.

As of :
11/7/2014

Parcel Number: **65-1319000**

Payable Year: 2013

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

Unpaid Taxes

Year	Net Tax	DIS/PN/IN	Special Asmt	Special Asmt Penalty	Advertising	Total Due
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No Unpaid

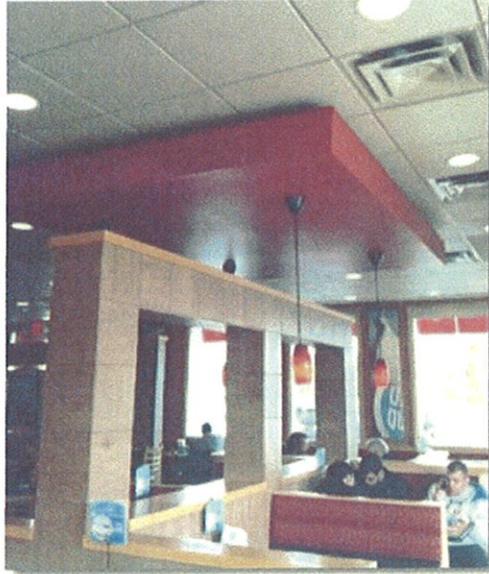
[Another Search](#) | [Back to ParcelList](#)





This is what our slate wall will look like on the inside. This replaces the middle window and will be opposite of the outside chimney on the south side. This picture represents our planned tile wall only. All other inside finishes are from a different store.

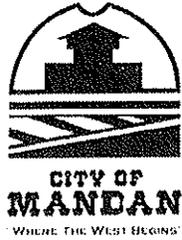




This picture represents what the middle seating area of our dining room will look like. Note the red accent piece on the ceiling and the hanging pendant lights along with the extended knee wall.



This picture represents the enclosure which will be placed around our existing cake display case. Currently there is no enclosure. It will have tile walls extending to the ceiling.



RENAISSANCE ZONE PROJECT APPLICATION

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APPLICANT INFORMATION

1. Type of project

- Commercial/Business
 Residential

2. Name of applicant(s)/or business name Dairy Queen

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

45-0457689 / _____

Legal name (if different than trade name) MKDQ, Inc.

Type of entity (for commercial/ business applications)

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

3. Mailing address 1000 E Main St, Mandan, ND 58554

4. Phone number 701-663-3996

5. E-mail address mandandq@midconetwork.com

PROJECT INFORMATION

6. Street address of proposed project 1000 E Main St

7. Legal description Lots 14,15,16,17,18 Block 3, Helmsworth & McLean's Addition to the City of Mandan

8. Current owner (if different than applicant) Casecon Properties, Inc.

9. Current use of property Dairy Queen

10. Parcel size (in square feet) 7200

11. Building floor area (in square feet) 2310

12. Type of project

- New construction
- Purchase with improvements
- Rehabilitation
- Leasehold improvements
- Lease

- New
- Expansion – additional square footage _____
- Continuation of a lease

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

- Yes
- No

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

Replace red roof on 3 sides with parapet walls and blue and red panels. Install canopy over drive thru window. Install black eye brows with LED lighting. 16' high stone chimney will replace existing middle window on south side. Inside portion of middle window will be a tiled wall. Replace interior ceiling and lighting in dining area. Install red collonade to accent middle seating area. Install automatic door openers, new hvac diffusers.

14. Current true and full value of the building \$210,900.00

15. Total estimated cost of improvements (attach cost estimates) \$179,541.00

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

16. Estimated value of building after improvements have been completed \$263,625.00

17. Estimated property tax benefit (annually) N/A (five years) N/A

18. Estimated state income tax benefit (annually) \$5500.00 (five years) \$27500.00

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

- Yes
- No

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

Customers like new. This update will bring DQ into a more relevant business in terms of street front eye appeal.

We are currently the This update will help us continue to grow sales and grow our employee numbers.

We currently have 31 employees with 10 full time employees receiving health insurance, retirement, and paid vacation.

20. Project timeline including anticipated start and completion dates.

March 2015 anticipated start, Aug 2015 completion.

21. Does this project involve historical preservation or renovation?

Yes

No

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

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

Yes

No

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

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

SUMMARY OF ATTACHMENTS

Documents to be submitted along with application:

- Certificate of Good Standing from N.D. Tax Commissioner
- Proof of payment of current real estate taxes *n/a*
- Contractor(s) detailed cost estimate(s) — for improvements, rehab or new construction with capital improvements delineated as compared to non-capital improvements. Capital improvements include, but are not limited to, replacement or updating of roof, foundation, structure, siding, windows, doors or other weatherization improvements, electrical, plumbing, heating, ventilation or central air conditioning. Non-capital improvements are items such as floor coverings, wall treatments, cabinets, furnishings, and window treatments. *n/a*
 - o Rehabilitation
 - Commercial — must demonstrate that the proposed re-investment is at least 50 percent of the current and true value of the, of which not less than 80 percent will be used for capital improvements
 - Residential — must demonstrate that the proposed re-investment is at least 20 percent of the current and true value of the building, of which not less than 80 percent will be used for capital improvements and no more than 20 percent for detached out buildings
 - o New construction — documentation that the proposed investment is at least \$55 per square foot
- Current photo(s) of property showing all sides of any existing building(s) — for improvements, rehab *n/a*
- Site plan — for new construction or expansion *n/a*
- Proposed building elevations, with exterior building material and color clearly indicated — for improvements, rehab, new construction *n/a*
- Proof of primary residence — for residential applications *n/a*
- Proof of benefit from property tax exemption — for leasehold improvement applications *n/a*
- Business Incentive Agreement (see SF 59686 (11/2010)) *n/a*

NOTICE OF ADDITIONAL LOCAL REQUIREMENT

Voters in the Nov. 4, 2008, election in the City of Mandan approved an initiated ordinance that states, "Installation of electric handicap accessible entrance doors are required on every building open to the public that has received public funds in any form whatsoever." Include an estimate for an automatic door at least for the main entrance if subject building or business space does not have one.

APPLICANT CERTIFICATION

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

Signature of applicant: Mike Wuland Date: 11/6/2014

BUILDING OWNER CERTIFICATION — For lease-hold improvement projects only

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

Building Owner Name – printed

Building Owner Signature

Date

FOR OFFICE USE ONLY

	<u>Date</u>	<u>Recommendation</u>
Review by Mandan Renaissance Zone Committee	<u>11-14-14</u>	<u>Approval</u> or Denial
Review by City Commission	_____	Approval or Denial
Review by N.D. Commerce Department Division of Community Services	_____	Approval or Denial

Renaissance Zone Block _____ Renaissance Zone Project _____

Date of actual project completion _____



STATE OF NORTH DAKOTA
OFFICE OF STATE TAX COMMISSIONER
Ryan Rauschenberger, Commissioner

August 18, 2014

Ref: L1170761984

MANDAN DAIRY QUEEN
1000 E MAIN ST
MANDAN ND 58554-3762

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

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

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

Taxpayer's Name: MANDAN DAIRY QUEEN
SSN or FEIN: 45-0457689

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

/s/ Lorie Bowker

Lorie Bowker
Supervisor, Individual Income Tax and Withholding
Phone: (701) 328-1296
Email: lbowker@nd.gov

Enc.



Board of City Commissioners Agenda Documentation

MEETING DATE: November 18, 2014
PREPARATION DATE: November 5, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Robert Decker, P.E., Principal Planner
SUBJECT: Consider for approval Ordinance 1192 revising the language contained in city code relating to minor subdivision procedures. (second consideration and final passage)

STATEMENT/PURPOSE:

Adjustments to the current language are warranted in order to simplify requirements for minor platting including such things as lot splits and lot consolidations.

BACKGROUND/ALTERNATIVES:

The current language is basically the same for small subdivisions and large subdivisions. There is no need to make things this complicated. Smaller changes do not need to go before the Planning and Zoning Commission if they involve lots splits or lot consolidations. These smaller actions can be handled by staff.

RECOMMENDATION:

Approve ordinance 1192.

SUGGESTED ACTION:

Move to approve second consideration and final passage of Ordinance 1192.

ORDINANCE NO. 1192

An Ordinance Amending Sections 21-09-03 and 21-09-05 of the Mandan Code of Ordinances Relating to Minor Subdivisions

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS THAT:

Sections 21-09-03 and 21-09-05 of the Mandan Code of ordinances are hereby amended and re-enacted to read as follows:

Section 21-09-03 Definitions.

~~"Minor subdivision" means either a subdivision containing not more than five acres which abuts an existing platted street, creates no new additional public street rights-of-way, and creates no new public easements; or a resubdivision which abuts existing platted developed streets and utilities, creates no new public street rights-of-way and creates no new public easements. In order to qualify as a minor subdivision the proposed subdivision or resubdivision may not adversely affect the remainder of the parcels or adjoining property, nor be in conflict with any provision or portion, of the city comprehensive plan, zoning ordinances or subdivision regulation.~~

Section 21-09-05 Minor subdivision procedures.

1. Minor subdivision criteria.
 - a. Four acres or less.
 - b. No new public rights-of-way.
 - c. No revisions to existing water and sanitary sewer service connections.
 - d. Creation of no more than two additional lots.
2. Submittal requirements.
 - a. Three paper and a pdf of the proposed plat.
 - b. Completed application form.
 - c. Processing and review fees.
3. Review.
 - a. City staff will review the submittal and respond in writing to the applicant. The applicant will make any required corrections and resubmit as necessary.
 - b. Once city staff is satisfied with the submittal, the applicant will be notified to obtain signatures and submit the signed final plat.
 - c. Once the signed final plat is received, staff will schedule the plat for action by the City Commission.
 - c. Should city staff determine that there is an issue with the proposed plat that should be reviewed and acted on by the Planning and Zoning Commission, the request shall be submitted to the Planning and Zoning Commission before being forwarded to the City Commission.

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