



AGENDA
MANDAN CITY COMMISSION
SEPTEMBER 6, 2011
ED "BOSH" FROEHLICH MEETING ROOM
***5:00 P.M. *(SPECIAL TIME)**
www.cityofmandan.com

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- A. ROLL CALL:
1. Roll call of all City Commissioners and Department Heads.
- B. MINUTES:
1. Consider approval of the minutes from the August 16, 2011 Board of City Commission meeting
- C. PUBLIC HEARING:
1. Public Hearing scheduled at 6:00 p.m. to review and discuss the Preliminary 2012 Budget. (See Ordinances and Resolutions #1 thru #3)
 2. A Public Hearing to consider for approval the resolution to vacate a non-access control line that follows the east property line of Lot 1, Block 1, West River 1st Addition.
- D. BIDS:
1. Consider award of bids for Water & Sewer Improvement District #58, Project # 2011-07
 2. Consider award of bids for Flood Improvement District #1, Project 2011-06
- E. CONSENT AGENDA:
1. Consider approval of abatement for Pride, Inc. – non-profit exemption.
 2. Consider approval of the final plat of Acteva Living Center Addition.
 3. Consider personnel actions
- F. OLD BUSINESS:
1. Consider an extension of the purchase and business incentive agreements for 116 E Main Street.
 2. Consider allowing the negotiation of and enter into an Engineering Services Agreement for Street Improvement Project 2010-03 District #161 (North Mandan)
 3. Consider a proclamation to extend the State of Emergency within the City of Mandan pursuant to Section 06-03-07 of Mandan Code of Ordinances.

Agenda
Mandan City Commission
September 6, 2011
Page 2 of 2

G. NEW BUSINESS:

1. Report on joint community marketing for 2011 & plans for 2012 by Mandan Tomorrow — Leadership, Pride & Image Committee
2. Consider approval of annual Class E Liquor License application for Harvest LLC from Sept. 6, 2011 through June 30, 2012.
3. Consider the creation of, approve the feasibility report, approve the plans and specifications for Water & Sewer Improvement District No. 58, Project 2011-09 (5th Street NE).
4. Consider approval of liquor license transfer from Tissa Hanson-Kay to Sean Hopkins for the Mystique Lounge.

H. RESOLUTIONS & ORDINANCES:

1. Consider the second and final consideration of Ordinance No. 1102 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2012, and ending December 31, 2012, and making the annual tax levy for the year 2011.
2. Consider Resolution establishing rates and charges for services from the Water and Sewer Utility Fund.
3. Consider Resolution establishing rates and charges for services from the Solid Waste Utility Fund.
4. Consider Resolution amending permit fees administered by the Office of the Building Inspector.
5. Consider Resolution amending fees and charges administered by the Office of Planning and Zoning, and Engineering.
6. Consider the second and final consideration of Ordinance No. 1103 related to annual leave cutoff date
7. Consider second and final consideration of Ordinance No. 1104 – An ordinance to amend Chapter 17-04 to the Mandan Code of Ordinances Relating to Noxious Weeds.

I. OTHER BUSINESS:

J. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. September 20, 2011
2. October 4, 2011
3. October 18, 2011

K. ADJOURN

The Mandan City Commission met in regular session at 5:30 p.m. on August 16, 2011 in the Ed “Bosh” Froehlich Room at City Hall. Commissioners present were Helbling, Tibke, Rohr, Frank and Jackson. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, and City Assessor Barta. Absent: Engineering Project Manager Bechtel.

MINUTES: *Consider approval of the minutes for August 2, 2011, regular meeting.* Commissioner Jackson moved to approve the minutes of August 2, 2011, Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present.

PUBLIC HEARING:

1. *A Public Hearing to determine the sufficiency of protests Flood Improvement Project 2011-06 District #1.* City Administrator Neubauer reviewed with members the results of protests received regarding this project. He stated that there was 1 letter, 1 email and 1 phone call received in opposition. The threshold of 50% required to protest out the district was insufficient. Based on only 2% protests received, Neubauer recommended approval of the district as presented.

Mayor Helbling announced that this is a public hearing and invited citizens to come forward to comment regarding the flood improvement project 2011-06 District #1.

Doug Kocourek, 3017 East Harbor Road, Mandan, came forward and asked what is the size is of the district? (1) Is there a map of the district? (2) What is going to be included in the district as far as the flood costs, in particular who will be removing and/or paying for the removal of sandbags on properties?

Mayor Helbling replied that the map was published in the Mandan News and stated that there has not been a determination made as to what will be included within removal costs. No plans have been finalized for sandbag removal and a funding source will need to be determined before those plans can be made. He stated that the City is confident that FEMA will be reimbursing much of the costs involved with the project.

Kocourek questioned when the schedule will be made available as far as removing things for those residents. Mayor Helbling stated that the plans are in progress. It may be recommended that the bays remain plugged and that any primary interior diking be removed. Mayor Helbling stated that meetings are set up with the City and the Corps of Engineers to determine the project plan and that bids have been sent out for some of these projects but nothing is firmed up yet. He mentioned that when the plan has been determined, a City Commission meeting will be held so that everyone is properly notified of the plan.

Mayor Helbling asked for further comments from the public to determine the sufficiency of protests for Flood Improvement Project 2011-06 District #1. Hearing none, this portion of the public hearing was closed.

Commissioner Tibke moved to approve the insufficiency of protests Flood Improvement Project 2011-06 District #1. Commissioner Jackson seconded the motion.

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

2. *A Public Hearing to consider a five-year Ad Valorem Tax Exemption for High Plains Apache Sales and Service LLC.* City Assessor Barta reviewed with the Board a request to consider a five-year Ad Valorem Tax Exemption for High Plains Apache Sales and Service LLC. Barta stated that the Mandan Growth Fund met and determined the following: To recommend approval for High Plains Apache Sales & Service LLC the base exemption @100% for Y1 and Y2; @ 75% for Y3; @ 50% for Y4; @ 25% for Y5 – subject to jobs verification and meeting the employment goals outlined in the City’s property tax exemption policy by the end of Y2 that the business would then receive the 100% exemption in Y3, Y4 and Y5. The School District and Park District were notified of the proposed exemption.

Mayor Helbling announced that this is a public hearing and invited citizens to come forward to comment regarding the request for a five-year Ad Valorem Tax Exemption for High Plains Apache Sales and Service LLC. Mayor Helbling extended a second invitation for comments to the ad valorem tax exemption request. Hearing none, this portion of the public hearing was closed.

3. *A Public Hearing to consider a five-year Ad Valorem Tax Exemption for Shorestone Development Inc.* City Assessor Barta reviewed with the Board a request to consider a five-year Ad Valorem Tax Exemption for Shorestone Development Inc. Barta stated that Shorestone Development Inc. is requesting an exemption on three 32-unit apartment buildings. Barta stated that the Mandan Growth Fund met and determined the following: To recommend approval for a two-year exemption of 100% with each building being contingent upon commencement of construction occurring within one year of the City Commission approval and being completed within two years as outlined in the policy. The School District and Park District were notified of the proposed exemption.

Mayor Helbling announced that this is a public hearing and invited citizens to come forward to comment regarding the request for a five-year Ad Valorem Tax Exemption for Shorestone Development Inc.

Mark Payne, a representative from Shorestone Development came forward. Payne stated that he discussed with the MGF the two year tax exemption and he stated that two years would be sufficient; explaining that the critical part of an apartment complex is within the first two years. He indicated that the two year exemption would provide some relief and would help move the project forward. If approved, he stated that he would do the project

in two phases in which two of the 32-unit complexes would be started this fall. The third building would wait until those two units would be filled up to say the 80% range, in that area. The entire infrastructure would be put in for the third building. However, the third building wouldn't be built until the second stage, with plans to start construction approximately a year from now. Payne stated that the apartment units will be located in the Lakewood Development area at 4400 21st Street. Mayor Helbling pointed out that there is a one-year time period on the third building to be constructed. Payne requested that an extension be granted for the start of the construction on the third apartment building (beyond the one-year requirement).

Mayor Helbling announced that this is a public hearing and invited citizens to come forward to comment regarding the five-year Ad Valorem Tax Exemption for Shorestone Development Inc. Hearing none, this portion of the public hearing was closed.

BIDS:

CONSENT AGENDA:

1. *Consider approval of the monthly bills.* The Board approved of the monthly bills.
2. *Consider for approval the plans and specifications for and the execution of a 3-way agreement for the installation of water & sewer in Heart Ridge Addition.* The Board approved of the plans and specifications for and the execution of a 3-way agreement for the installation of water & sewer in Heart Ridge Addition.
3. *Consider the following abatements:*
 - i. *Michael Braun – Remodel Exemption*
 - ii. *Diana Schlosser – New Home Construction.* The Board approved of the abatements for: (i) Michael Braun – Remodel Exemption (ii) Diana Schlosser – New Home Construction.

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

OLD BUSINESS:

1. *Consider Tuition Assistance Policy.* City Administrator Neubauer reviewed with the Board some changes that have been made to the proposed Tuition Assistance Policy, a previous item that was discussed with the Board. He stated that the following changes were made: (1) Section A(a)(i) was deleted. This was language relating to taking courses in an employee's field of work. (2) Section B(e)(i): Included a provision as follows: The employee must have completed *at least one year of continuous service with the City of Mandan and not on probationary status.* (3) Provided a sample of a Tuition Assistance Plan.

Commissioner Rohr moved to approve the Tuition Assistance Policy. Commissioner Jackson seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

2. *Consider a proclamation to extend the State of Emergency within the City of Mandan pursuant to Section 06-03-07 of Mandan Code of Ordinances.* Mayor Helbling stated that this is the third extension of this proclamation related to the 2011 Flood.

Commissioner Jackson moved to approve that the proclamation currently existing to extend the State of Emergency within the City of Mandan pursuant to Section 06-03-07 of Mandan Code of Ordinances continue for a period of thirty (30) days. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Jackson: Yes; Commissioner Frank: Yes; Commissioner Helbling: Yes. The motion passed.

NEW BUSINESS:

1. *Consider the Morton Mandan Public Library's 2012 Budget.* Kelly Steckler, Director of the Morton-Mandan Public Library, reviewed the 2012 Library Budget with the Board. Steckler gave a brief summary of recent budget policies that were adopted that have directly impacted the Library. The main concern is that of an adequate capital outlay fund. The library has in the past reserved funds to maintain capital improvement projects without requesting additional city dollars. The library will absorb the Social Security and Medicare match of approximately \$21,350 and the library will absorb the operating subsidy plan of \$10,500 for FY 2012 leaving the budget policy expenditure of \$31,850 to be absorbed by the library. The Library Board of Trustees is currently researching what it will require to implement a Library Foundation. Steckler stated that in the upcoming year a new Bookmobile has been ordered and is expected to arrive in the spring of 2012. She provided details about the programs offered as well as attendance at the various events. She also stated that to date the Library has been able to fund the activities without requesting additional dollars. The Library Board has concerns for the upcoming budget year and the funds needed to earmark for capital improvement. Steckler stated that building improvements, such as window replacement as well as carpeting, painting and routine upkeep to the building will be needed. Commissioner Frank asked Steckler if she has been in contact with the Bismarck Library with regard to improvement costs and expenditures. Steckler stated she does not have anything specific with regard to that. However, she indicated she will be checking into how the Bismarck Foundation assisted with the upgrading of the children's section of the library.

Commissioner Frank commented that she is glad to see the list of perspective revenue sources listed for the Foundation. Commissioner Tibke asked how much is set aside for rent for the capital maintenance. Steckler stated that there isn't a certain dollar amount set aside and that the rent money has covered the increase in space and utilities from the old building to the new building. Mayor Helbling said that it would only be fair to ask the Library to be under the rules and guidelines as every other city department is required to do while recognizing that the library is a vital part of the community. Steckler stated that Rebecca Donovan, President of the MMPL Board of Trustees is available to answer any questions.

Commissioner Frank moved to approve the Morton Mandan Public Library's 2012 Budget. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr:

Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

2. *Consider Mandan Growth Fund Committee recommendations:*

i. *Application for property tax exemption by High Plains Apache Sales and Service at 1701 Eastside Court.* Commissioner Jackson moved to approve the 5-year Ad Valorem Tax Exemption for High Plains Apache Sales and Service at 1701 Eastside Court. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

ii. *Application for property tax exemption by Shorestone Development, Inc at 4400 21st Street SE.* Commissioner Rohr stated that at the beginning of his term as City Commissioner he favored apartment complex construction. However, he stated that in regards to this request, he would agree that a 2-year Ad Valorem Tax Exemption would be appropriate rather than a 5-year exemption for the two 32-unit apartment complexes referenced in this matter. He commented that he would not favor approving the third 32-unit complex unit associated with this request based on a “not-for-sure” type of situation at this time. Mayor Helbling stated that all three units could be approved at this time and if the third one does not happen, it does not qualify for the exemption. There would have to be a re-application process in the future if that is the case.

Commissioner Tibke moved to approve for *Shorestone Development, Inc at 4400 21st Street SE*, a 2-year exemption of 100% for each of the three apartment complexes contingent upon commencement of construction occurring within one year of the City Commission approval and being completed within two years as per policy. Commissioner Frank seconded the motion.

Commissioner Jackson commented that there has been much discussion regarding these apartment complexes in the past. The policy that is in place currently is a compromised policy that was agreed to at one of the working sessions. Pursuant to that compromise, Jackson stated that he supports the request today before the Commission; however, he recommended the Commission revisit the policy. Many newspaper and/or news publications are currently commenting on the lack of housing in North Dakota and based on that, he does not think that the City is under any obligation to continue offering such excellent incentives to bring these high density type properties into the city. He stated that previously when these matters came before the City Commission requesting an Ad Valorem exemption, there was an understanding that when requested there would be a commercial component for these types of tax exemptions. There is no commercial component attached to this request. He stated that he does not believe these types of requests should be included within the ad valorem request process. He stated he disagrees that this will add to the tax base and encouraged the City Commission to reconsider that policy. Commissioner Rohr concurred with Commissioner Jackson about reviewing the policy and stated that he believes the intent is to look at businesses that will provide community growth in Mandan. Commissioner Tibke commented that the Commission needs to keep in mind that the car counts are what drives business.

Commissioner Jackson stated that he believes the car counts are going the wrong way – they are going across the bridge over Expressway versus getting the car counts on Memorial Highway like we'd like them. Mayor Helbling stated that the commercial business will follow; however, Mandan is not at that point yet and also agreed that this matter should be discussed at a future meeting.

Mayor Helbling requested a roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

iii. Storefront Improvement application for 116 E Main Street by MM Restaurant Group. Business Development and Communications Director Huber stated that there was an August 1, 2011 deadline for storefront improvement projects. There was one application received from the Mama Maria's Restaurant for improvements at 116 East Main. The MGF and Architectural Commission also reviewed the request. The total cost is \$225,000 for the overall renovation. Of the \$37,896.30 remaining unallocated balance in matching funds, \$10,000 was approved by the MGF contingent upon acquisition of the building by DeLanis and Linda Thomas for operations as Mama Maria's restaurant. Commissioner Jackson inquired whether the problems regarding the restaurant obtaining the necessary funds for the business have been resolved. Huber explained that there are two processes involved: storefront improvement and the application and if they are able to move forward, they would like to participate in the next program. That deadline would be November 1st. In terms of acquisition to the building, they continue to work on financing and they have until August 31, 2011 to do that.

Commissioner Tibke moved to approve the allocation of \$10,000 in matching funds for the Storefront Improvement application for 116 E Main Street by MM Restaurant Group contingent upon acquisition of the building by DeLanis and Linda Thomas for operations at Mama Maria's Italian Restaurant. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

3. *Consider renewal of real estate listing contract for city-owned properties (100 Collins, 104 E Main, 106 E Main, 108 E Main and 116 E Main).* Business Development and Communications Director Huber reviewed with members a request to renew a real estate listing agreement for the above listed city-owned real estate properties effective February 17, 2011, due to expire on August 17, 2011, with Oaktree Realty. Oaktree Realty is interested in renewing the agreement for another six-month period. Huber recommended the renewal, under the terms of the previous agreement. The provisions for commission payment of realtor fees would remain the same.

Commissioner Rohr motioned to approve renewal of real estate listing contract for city-owned properties (100 Collins, 104 E Main, 106 E Main, 108 E Main and 116 E Main) from August 17, 2011 through February 17, 2012. Commissioner Jackson seconded the motion. Commissioner Frank requested that the listing agent understand the terms of the

agreement once the property is sold, indicating that the commission on the sale of the property is not that large. However, the community at large is very interested in moving the property. Mayor Helbling requested a roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

4. *Consider letter from Captain's Landing Township related to sanitary sewer services.* Richard Northrup, a resident of Captain's Landing Township presented a request as outlined in a letter from Captain's Landing Township related to sanitary sewer services. All the commissioners have received a copy of the letter. He stated that as a representative of a committee from the Township, they are looking for options to pursue in order to alleviate this type of situation in the future. One option the township is trying to pursue is to install a septic system for sewage and to have it deposited into a lift station belonging to Mandan and subsequently to have the sewage processed by the City of Mandan. The township is interested in entering into a Waste Processing Agreement between the residents of the Captain's Landing Township and the City of Mandan.

Mayor Helbling commented that this matter has come up several times in the past and the question that surfaces is whether to annex the township into the City and then have the City provide the services. If the City allows this to happen, is the City doing justice to the rest of the citizens of the community? In doing research into this matter as to what other cities have done, Mayor Helbling stated that they have all pursued annexation at some point through the process.

Commissioner Tibke questioned whether Captain's Landing Township had discussed the possibility of annexation? Northrup replied that it is discussed at every meeting held. He said that those discussions have resulted in requesting permission to tie in to the Mandan system. Commissioner Tibke indicated that while it is important to be a good neighbor, the pros and cons for the City of Mandan have an important role in the final outcome. Northrup stated that the township is willing to pay for the service from the City of Mandan at whatever fee the City deems appropriate for the sixty residents of the township. Speaking on behalf of his own personal choice, Northrup indicated that he would not be interested in annexation. Mayor Helbling commented that when this matter was addressed previously, the City Engineer looked at the possibility of installing curb, gutter, streets, sidewalks, etc. However, this commission has the ability to look at things differently, but whatever contract is entered into would be mirrored to some of the other contracts that are in effect and that annexation will have to be a part of the discussion at some point in time. Northrup replied that the draft agreement includes what the township feels the City would require and if the city feels it is important to address annexation that can be put in there. Any agreement will have to be voted upon by the township community. Mayor Helbling asked whether the township has the ability or power to special assess or borrow money within state law. Northrup replied "Yes". Mayor Helbling inquired that if the City chose to annex and there is outstanding debt, how does that debt transfer from a township to a city. City Attorney Brown replied that if a township ceases to exist, any debt that the township has would, in effect, come into the

city to the extent that it is special assessed against the specific lots that would remain so it would not become a general obligation of the city.

Mayor Helbling stated that he would not have a problem proceeding with this as long as it has an annexation clause included in the contract similar to contracts out there wherein the property owners would waive the right to protest should the City decide to annex at some future date. The costs need to be borne by the township and it needs to be done under City standards. Attorney Brown reviewed what Grand Forks and Fargo have done regarding these types of situations. Grand Forks has currently not done this, however, Fargo does have agreements with some of the subdivisions and more than likely the City of Mandan will follow some of those guidelines that are in place so as not to reinvent the wheel. Commissioner Tibke recommended that these discussions be made a part of the upcoming budget reviews so that any upgrades that might be needed be made a part of the budget discussion. Commissioner Frank concurred with the discussion that annexation be part of the contract and that fire and police services would provide protection for the benefit of the township. Commissioner Jackson stated that he would rather see annexation immediately rather than in a year's time. When working with a compromised situation he would suggest that annexation be made a part of the contract pointing out that Marina Road is a road that the township has not contributed to in the past, which in reality is a free service to the township people. Jackson suggested that when this matter is taken back to the township meeting it be addressed that annexation is something that has to be essential for Captain's Landing. Currently, the protocol is that the city fire department does not have jurisdiction to go to Captain's Landing. Mayor Helbling recommended that Captain's Landing work out with the county the current flood issues that need to be addressed. Mayor Helbling recommended that Captain's Landing borrow the money to install the services and then, in the future, the city would take over what's left. Mayor Helbling also stated that he would rather have the township work among themselves to come up with the agreements with the homeowners to annex so that that in the future it would avoid additional duties imposed upon city staff.

Commissioner Jackson recommended tabling this matter until the Township presents an agreement. Northrup stated that before he can go back to the Township he will need some kind of a cost assessment stating what it is going to cost. That cannot be done until the township has knowledge that the city will approve some hook-up to the township sewer system.

Commissioner Tibke motioned to instruct City Attorney Brown and City Administrator Neubauer to start discussions with the township representatives regarding sanitary sewer services to include annexation language and timelines. (It was suggested that this should be accomplished before the next City Commission meeting so there can be discussion and an opportunity to vote on it at that time in order to move the process on more quickly.) Commissioner Jackson seconded the motion. Mayor Helbling opened the floor for discussion on this matter.

Richard Northrup indicated that by including annexation language into the contract, his opinion is that the suggestion would be a non-starter as far as the township committee is

concerned. He stated there are very few people who would vote for annexation. He stated there are only three people who are having problems and they will have to have their septic system rebuilt. The rest of the people in the township will not have problems once the water goes down. The issues right now are convenience more so than anything - the same with the water system. Mayor Helbling stated that this matter has to get to a point without a lot of effort in order to make it a working document in order to move it forward. City Attorney Brown commented that the township is saying “No” to annexation whether it is now or five years from now and; at that, it makes no sense to move this forward. Mayor Helbling stated that there still should be something drafted by the City and if the township rejects it or there is some common ground, there is something to work on.

Mayor Helbling requested a roll call vote on the motion directing City Attorney Brown and City Administrator Neubauer to draft an agreement regarding the request from Captain’s Landing Township for the City of Mandan to provide sanitary sewer services. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

RESOLUTIONS & ORDINANCES:

1. Consider the introduction and first consideration, and call for a public hearing of Ordinance No. 1102 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2012, and ending December 31, 2012, and making the annual tax levy for the year 2011.

Finance Director Welch stated that the purposes of the presentation are to review and discuss the City of Mandan’s Preliminary 2012 Budget, and to consider the introduction and first consideration, and call for a public hearing of Ordinance No. 1102 adopting the 2012 Budget. Welch explained that the City of Mandan is required to prepare the annual Budget in accordance with the Municipal Budget Law (North Dakota Century Code Chapter 40-40) and also with existing City Ordinances, Resolutions, contracts and agreements. Welch further explained that in addition to these legal requirements, the City’s Significant Budget Policies continue to provide further direction and guidance to the budgeting process. Welch stated that the Preliminary 2012 Budget is in compliance with these legal requirements and City Policies. Welch said that the proposed Budget for 2012 is submitted to the Board as a recommendation from the City’s Budget Committee. Welch indicated that the Budget Committee consisted of the following members; Sandy Tibke, City Commissioner (Finance Portfolio), Jim Neubauer, City Administrator, and Greg Welch, Finance Director. Welch also stated that the Preliminary 2012 Budget was posted on the City’s website at www.cityofmandan.com.

Finance Director Welch reviewed the proposed 2012 Budget as follows:

REVENUES

Total = \$22,203,350

- Property Taxes = \$3,698,550 or 17%

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- 1% City Sales Taxes = \$1,527,000 or 7%
 - Licenses and Permits = \$595,900 or 3%
 - Intergovernmental = \$2,372,950 or 11%
 - State Aid Distribution
 - Highway Tax Distribution
 - Water, Sewer, Solid Waste, Street Light Utility Charges = \$7,087,650 or 32%
 - Fines and Forfeits = \$182,000 or 1%
 - Special Assessments = \$5,442,800 or 24%
 - Miscellaneous = \$323,650 or 1%

EXPENDITURES

Total = \$21,771,250

- Salaries and Benefits = \$7,086,100 or 33%
- Operations and Maintenance = \$5,517,800 or 25%
- Debt Service-Principal and Interest = \$8,548,400 or 39%
- Capital Outlay = \$618,950 or 3%

MAJOR FUNDS

All Major Funds have met required minimum fund balance operating reserves.

- Provides for economic stability.
- Assists in maintaining the City's bond rating.
- General Fund and Cemetery Fund = 17%
- Utility Funds = 25%

Condensed Operating Statements:

- General Fund
- Cemetery Fund
- Water and Sewer Utility Fund:
 - Base Rate increase:
 - Residential = \$2.53 per month
 - Commercial and Industrial = \$5.06 per month
 - Apartment (3+ units) = \$7.59 per month
 - \$.05 per month = \$17,320 per year
 - Purpose: Debt Service for the \$7M Residual Management Facility Project at the Water Treatment Plant.
- Solid Waste Utility Fund:
 - Base Rate increase = \$0.05 per month
 - \$.05 per month = \$13,636 per year
 - Purpose: Operations and Maintenance costs of residential garbage collection and disposal services.
 - Last Base Rate increase was July 1993.
- Street Light Utility Fund
 - Public Works Director Wright provided a summary of the Street Light Project in that the city is looking at different ways to come up with ways

to replace old lighting systems and feed points in the future with replacing with LED lighting.

TAXABLE VALUATION

Taxable Valuation (estimated) = \$44,894,498

- Increase from Tax Year 2010 (2011 Budget) = 4.6%
- 1 Mill = \$44,894

MILL LEVY

Mill Levy = 97.72 mills

- Decrease from Tax Year 2010 (2011 Budget) = 0.26 mills
- Average city levy of the 11 largest cities (excluding Mandan) for Tax Year 2010 (2011 Budget) = 97.72 mills
- City's share of 1 mill for Tax Year 2010 (2011 Budget) = 24%

PROPERTY TAXES

Property Taxes = \$4,387,134

- Increase from Tax Year 2010 (2011 Budget) = \$183,412
- The increase in the City property taxes for an existing residential home valued at \$175,000 with an average valuation increase of 2.31% (Board of Equalization) in the true and full value, excluding special assessments = \$15.73

SALARIES AND BENEFITS

Salaries = \$5,288,950

- Cost Of Living Adjustment (COLA) = 2.5% or \$117,150
 - Current Pay Plan began 2008
 - Consumer Price Index (Midwest urban less than 50,000):
 - December 2007 to June 2011 = 8.5%
 - City COLA:
 - 2009 Budget to 2012 Budget = 9.0%
- No merit or step increases.
- Assessing Department decrease = \$54,600
- Overtime decrease = \$29,300
- Overtime-Grants increase = \$20,450
- Part Time decrease = \$1,750
- Increase from 2011 Budget (revised) = \$55,950 or 1.1%

Benefits = \$1,797,150

- Health Insurance increase (net) = \$23,950
 - NDPERS-July 1, 2011 to June 30, 2013
 - Single Policy = \$456.16 per month (7.3% increase)
 - Family Policy = \$1,102.08 per month (7.4% increase)
- Increase from 2011 Budget (revised) = \$31,550 or 1.8%

Salaries and Benefits = \$7,086,100

- Increase from 2011 Budget (revised) = \$87,500 or 1.3%

DEBT SERVICE

Debt Service-Principal and Interest = \$8,548,400

- Total Principal and Interest = \$83,382,026
- Amortization:
 - % of Debt Service retired in 10 years = 81%
 - % of Debt Service retired in 15 years = 95%
- Bond Rating = A1

CAPITAL OUTLAY

Capital Outlay = \$618,950

- General Fund = \$96,450
- Water and Sewer Utility Fund = \$465,500
- Solid Waste Utility Fund = \$57,000
- See attachment.

ANNUAL COST FOR CITY SERVICES

The annual cost for City services for an existing \$175,000 residential home with an average valuation increase of 2.31% (Board of Equalization) and using 8 units of water per month, excluding special assessments = \$1,578

- Increase from 2011 Budget = \$47

Finance Director Welch stated that the City will publish a Notice of Public Hearing on August 26, 2011 for the second and final consideration of Ordinance No. 1102 adopting the 2012 Budget on September 6, 2011.

Commissioner Jackson moved to approve the introduction and first consideration, and call for a public hearing of Ordinance No. 1102 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2012, and ending December 31, 2012, and making the annual tax levy for the year 2011. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

2. *Consider the introduction and first consideration of Ordinance No. 1103 related to annual leave cutoff date.* City Administrator Neubauer reviewed with members an action that was reviewed previously stating that a revision was made to the proposed Ordinance No. 1103 regarding the revising of the cutoff date for annual leave for employees. Commissioner Jackson moved to approve the introduction and first consideration of Ordinance No. 1103 related to annual leave cutoff date. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

3. *Consider introduction and first consideration of Ordinance No. 1104 – An ordinance to amend Chapter 17-04 to the Mandan Code of Ordinances Relating to*

Noxious Weeds. Fire Chief Nardello provided a brief summary of a revision to Ordinance No. 1104 that would allow weed control notification to include the month of October. The current cutoff date is September. Commissioner Jackson moved to approve the introduction and first consideration of Ordinance No. 1104 – An ordinance to amend Chapter 17-04 to the Mandan Code of Ordinances Relating to Noxious Weeds. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes;

Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Jackson: Yes; Commissioner Helbling: Yes. The motion passed.

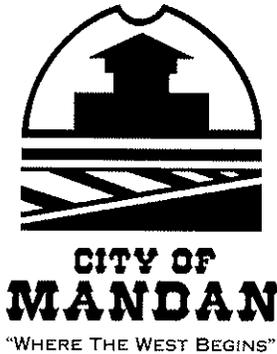
OTHER BUSINESS:

1. *Grill Fest 2011:* On behalf of the Mandan Progress Organization, Mayor Helbling extended an invitation to everyone to come out and enjoy the Grill Fest activities being held this weekend in Mandan.

There being no further actions to come before the Board, Commissioner Tibke moved to adjourn the meeting at 7:50 p.m. Commissioner Rohr 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: September 6, 2011
PREPARATION DATE: August 31, 2011
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch
SUBJECT: Preliminary 2012 Budget

PURPOSES

1. To conduct a Public Hearing to review and discuss the Preliminary 2012 Budget.
2. To consider the second and final consideration of Ordinance No. 1102 adopting the 2012 Budget.
3. To consider the Resolution establishing rates and charges for services from the Water and Sewer Utility Fund.
4. To consider the Resolution establishing rates and charges for services from the Solid Waste Utility Fund.

BACKGROUND

The City of Mandan is required to prepare the annual Budget in accordance with the Municipal Budget Law (North Dakota Century Code Chapter 40-40) and also with existing City Ordinances, Resolutions, contracts and agreements. In addition to these legal requirements, the City's Significant Budget Policies provide further direction and guidance to the budgeting process.

The Preliminary 2012 Budget is in compliance with these legal requirements and City Policies.

The proposed Budget for 2012 is submitted to you as a recommendation from the City's Budget Committee.

The City's Budget Committee consists of the following members:

- Sandy Tibke, City Commissioner (Finance Portfolio)
- Jim Neubauer, City Administrator
- Greg Welch, Finance Director

The Preliminary 2012 Budget has been posted on the City's website at cityofmandan.com.

August 16, 2011 - The Board of City Commissioners passed the introduction and first consideration of Ordinance No. 1102 adopting the 2012 Budget.

ATTACHMENTS

- Notice of Public Hearing
- Important Notice to City of Mandan Taxpayers (new requirement under NDCC 57-15-02.1)
- Preliminary 2012 Budget
- Ordinance No. 1102
- Certificate of Levy
- Resolution establishing rates and charges for services from the Water and Sewer Utility Fund
- Resolution establishing rates and charges for services from the Solid Waste Utility Fund

FISCAL IMPACT

See Preliminary 2012 Budget

The annual cost for City services for an existing \$175,000 residential home with an average valuation increase of 2.31% (Board of Equalization) and using 8 units of water per month, excluding special assessments:

Property Taxes:

- 2011 Budget = \$772
- 2012 Budget = \$787
- Annual increase = \$15

Utility Bill:

- 2011 Budget = \$759
- 2012 Budget = \$790
- Annual increase = \$31

Total:

- 2011 Budget = \$1,531
- 2012 Budget = \$1,578
- Annual increase = \$47

STAFF IMPACT

None

LEGAL REVIEW

The Budget was prepared in accordance with the Municipal Budget Law (North Dakota Century Code Chapter 40-40) and also with existing City Ordinances, Resolutions, contacts and agreements.

RECOMMENDATIONS

1. To approve the second and final consideration of Ordinance No. 1102 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2012, and ending December 31, 2012, and making the annual tax levy for the year 2011.
2. To approve the Resolution establishing rates and charges for services from the Water and Sewer Utility Fund.
3. To approve the Resolution establishing rates and charges for services from the Solid Waste Utility Fund.

SUGGESTED MOTIONS

1. Move to approve the second and final consideration of Ordinance No. 1102 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2012, and ending December 31, 2012, and making the annual tax levy for the year 2011.
2. Move to approve the Resolution establishing rates and charges for services from the Water and Sewer Utility Fund.
3. Move to approve the Resolution establishing rates and charges for services from the Solid Waste Utility Fund.

**NOTICE OF FILING OF THE CITY OF MANDAN, NORTH DAKOTA
PRELIMINARY 2012 BUDGET AND HEARING THEREON**

Notice is hereby given the preliminary budget of the City of Mandan, North Dakota, for the calendar year ending December 31, 2012 is on file in the Finance Office and is available for review upon request. The Board of City Commissioners of said City will meet on Tuesday, September 6, 2011 at 6:00 p.m. in the Ed "BOSH" Froehlich Meeting Room of the Mandan City Hall, 205 2nd Avenue NW, Mandan, North Dakota, for the purpose of adopting the final budget and making the annual tax levy. The Board of City Commissioners will hold a public hearing at such time any citizen may appear and discuss with said Board any item of proposed expenditures or expenses or may object to any item or amounts, or may file written comments relative to the proposed expenditures or expenses.

The total proposed expenditures or expenses provided for in such preliminary budget are as follows:

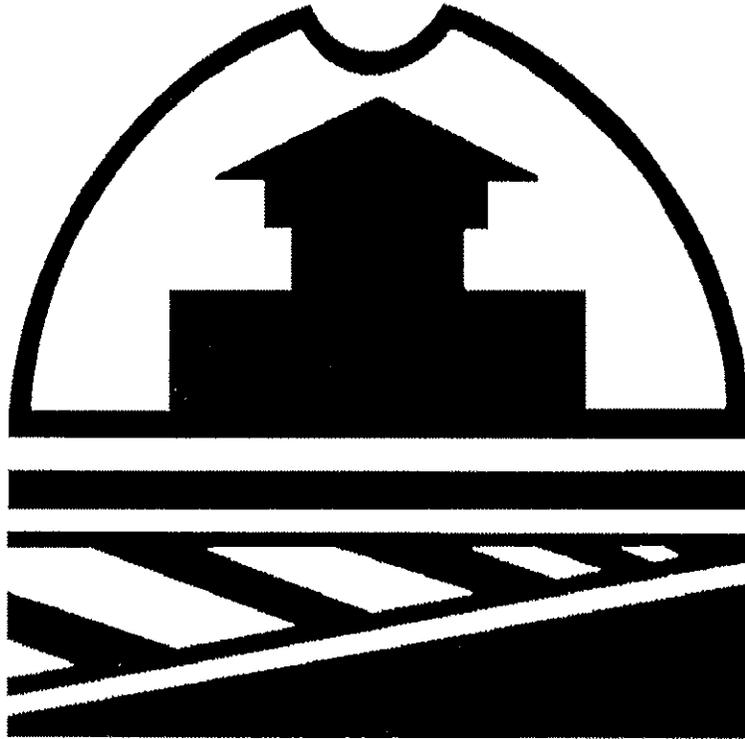
General Fund	\$7,185,650
Highway Distribution Fund	1,099,600
City's Share of Special Assessments Fund	145,500
Cemetery Fund	141,900
City Visitors' Promotion Fund	46,150
Alarm-Equipment Reserve Fund	27,650
City Sales Tax Fund	1,155,100
Public Transportation System Fund	100,000
Mandan Growth Fund	146,900
Job Development Authority Fund	100,000
Narcotics Task Force Grant Fund	52,000
Police Equipment Reserve Fund	12,400
Traffic Safety Grants Fund	10,750
Under-age Drinking Enforcement Grant Fund	1,000
Narcotics Task Force Grant Fund-HIDTA	47,700
BNSF Settlement Fund	1,150
Mandan SEP Trust Fund	3,400
Downtown Redevelopment Fund	76,450
Mandan Community Center Revenue Bonds of 2005 Fund	142,450
Liberty Memorial Bridge General Obligations Bonds Fund	66,000
Refunding Improvement Bonds Fund	6,152,650
City Visitors' Promotion Capital Construction Fund	6,350
Water and Sewer Utility Fund	5,600,650
Solid Waste Utility Fund	1,322,300
Street Light Utility Fund	300,300
City Shop Fund	283,600
Morton Mandan Public Library	618,696
Mandan Airport Authority	692,935

Greg Welch, Finance Director
Dated: August 26, 2011

**IMPORTANT
NOTICE TO
CITY OF MANDAN
TAXPAYERS**

A public hearing to consider increasing the 2011 City of Mandan property tax levy by **4.4%** will be held at the City Hall, 205 2nd Avenue NW, Mandan, North Dakota, on Tuesday, September 6, 2011, at 6:00 p.m. Citizens will have an opportunity to present oral or written comments regarding the property tax levy.

Taxable valuation increase = 4.6%
Mill levy = 97.72 mills



**CITY OF
MANDAN**

“WHERE THE WEST BEGINS”

**PRELIMINARY
2012 BUDGET**



CITY OF MANDAN

MANDAN CITY HALL - 205 2nd Avenue NW
MANDAN, NORTH DAKOTA 58554

701-667-3215 • FAX: 701-667-3223 • www.cityofmandan.com

CITY DEPARTMENTS

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

August 16, 2011

TO: Board of City Commissioners

The City of Mandan is required to prepare the annual Budget in accordance with the Municipal Budget Law (North Dakota Century Code Chapter 40-40) and also with existing City Ordinances, Resolutions, contacts and agreements. In addition to these legal requirements, the City's Significant Budget Policies provide further direction and guidance to the budgeting process.

The City's Budget Committee consists of the following members:

- Sandy Tibke, City Commissioner (Finance Portfolio)
- Jim Neubauer, City Administrator
- Greg Welch, Finance Director

The following is a summary of the 2012 Budget:

Annual Cost for City Services

The annual cost for City services for an existing \$175,000 residential home with an average valuation increase of 2.31% (Board of Equalization) and using 8 units of water per month, excluding special assessments:

Property Taxes:

- 2011 Budget = \$772
- 2012 Budget = \$787
- Annual increase = \$15

Utility Bill:

- 2011 Budget = \$759
- 2012 Budget = \$790
- Annual increase = \$31

Total:

- 2011 Budget = \$1,531
- 2012 Budget = \$1,578
- Annual increase = \$47

Ordinance (pages 1 to 2)

August 16, 2011 - The Board of City Commissioners to consider the introduction and first reading, and call for a public hearing of Ordinance No. 1102 adopting the 2012 Budget.

September 6, 2011 - The Board of City Commissioners to conduct a public hearing and consider the second and final reading of Ordinance No. 1102 adopting the 2012 Budget. In addition, the Board will consider the Resolutions establishing rates and charges for services from the Water and Sewer Utility Fund and the Solid Waste Utility Fund.

Summary (pages 3 to 5)

Revenues (before Transfers):

- Property Taxes = \$3,698,550 (17%)
- 1% City Sales Taxes = \$1,527,000 (7%)
- Other Taxes = \$633,350 (3%)
- Licenses and Permits = \$595,900 (3%)
- Intergovernmental = \$2,372,950 (11%)
- Utility Charges for Services = \$7,087,650 (32%)
- Other Charges for Services = \$339,500 (1%)
- Fines and Forfeits = \$182,000 (1%)
- Special Assessments = \$5,442,800 (24%)
- Miscellaneous = \$323,650 (1%)
- Total = \$22,203,350

Expenditures (before Transfers):

- Salaries and Benefits = \$7,086,100 (33%)
- Operations and Maintenance = \$5,517,800 (25%)
- Debt Service-Principal and Interest = \$8,548,400 (39%)
- Capital Outlay = \$618,950 (3%)
- Total = \$21,771,250

Excess of Revenues over Expenditures = \$432,100

Estimated Fund Balances (pages 6 to 7)

The purpose of this schedule is to summarize the City's funds and to indicate the estimated change in Fund Balances from January 1, 2011 to December 31, 2012 for each fund.

General Fund (pages 8 to 9)

Revenues = \$7,416,850

Expenditures = \$7,089,200

Capital Outlay = \$96,450

Estimated Fund Balance at December 31, 2012:

- Reserved (17%) = \$1,218,906
- Capital Improvement = \$994,209
- Total = \$2,213,115

Cemetery Fund (page 10)

The purpose of this Fund is to account for a specific annual property tax levy, charges for services, and sale of lots to be used exclusively for the care, maintenance, and improvement of the Cemetery.

Revenues = \$155,000

Expenditures = \$141,900

Capital Outlay = \$0

Estimated Fund Balance at December 31, 2012:

- Reserved (17%) = \$24,815
- Capital Improvement = \$72,528
- Total = \$97,343

No increase in Fees and Charges.

City Visitors' Promotion/Capital Construction Fund (page 11)

The purposes of this Fund are: 1) to account for the 2% City Occupancy Tax to promote, encourage, and attract visitors to come to the City and use the travel and tourism facilities within the City, and 2) to account for the 1% City Restaurant and Lodging Tax for the purchase, equipping, improving, construction, maintenance, repair, and acquisition of buildings or property consistent with visitor attraction and promotion.

Revenues:

- 2% Occupancy Taxes = \$51,250
- 1% Restaurant and Lodging Taxes = \$300,950

Occupancy Tax revenues are distributed as follows:

- Bismarck-Mandan Convention and Visitors Bureau (90%) = \$46,150

The Visitors' Committee recommends funding for projects from the 1% City Restaurant and Lodging Tax revenues.

Estimated Fund Balance at December 31, 2012:

- 2% Tax = \$13,409
- 1% Tax:
 - Unreserved = \$994,050
 - Reserved (17%) = \$51,162
 - Total = \$1,045,211

City Sales Tax Fund (pages 12 to 13)

The purpose of this Fund is to account for the 1% City Sales Tax for reducing property taxes and municipal debt, street, water and sewer improvements, and for job and economic development.

1% City Sales Taxes = \$1,527,000

40% of the annual Sales Tax revenues are transferred to the General Fund for property tax reduction = \$610,800 or 13.61 mills

City Sales Tax Fund (pages 12 to 13), continued

Estimated Fund Balance at December 31, 2012:

- Unreserved = \$489,997
- Reserved = \$500,000
- Total = \$989,997

Historically, the City has expended the Sales Tax revenues as follows:

- Property Tax Reduction = 40%
- Job and Economic Development = 28%
- Street, Water and Sewer Improvements = 27%
- Municipal Debt Reduction = 5%

Mandan Growth Fund (page 14)

The Fund generally receives \$250,000 from the City Sales Tax Fund annually for Job and Economic Development.

Revenues:

- Business Development and Communications Director = \$134,900
- Economic Development = \$94,300
- Storefront Improvement Program = \$50,000
- Retail and Restaurant Incentive Program = \$0
- Total = \$279,200

Expenditures:

- Business Development and Communications Director = \$134,900
- Economic Development = \$12,000
- Storefront Improvement Program = \$0
- Retail and Restaurant Incentive Program = \$0
- Total = \$146,900

The funding for Economic Development projects are recommended by the Mandan Growth Fund Committee.

Estimated Fund Balance at December 31, 2012:

- Business Development and Communications Director = \$0
- Economic Development = \$188,772
- Storefront Improvement Program = \$87,896
- Retail and Restaurant Incentive Program = \$40,000
- Total = \$316,668

Refunding Improvement Bonds Fund (page 15)

The purpose of this Fund is to account for, by district, the financing of the City's special assessment bonds for the construction of infrastructure improvements such as for Sidewalk, Curb and Gutter, Street, and Water and Sewer Utility projects.

Revenues = \$5,368,650

Expenditures = \$6,152,650

Estimated Fund Balance at December 31, 2012:

- Sidewalk, Curb and Gutter = \$203,792
- Street = \$3,418,266
- Water and Sewer Utility = \$324,728
- Total = \$3,946,786

Water and Sewer Utility Fund (pages 16 to 19)

Revenues:

- Water = \$3,931,804
- Sewer = \$1,758,646
- Total = \$5,690,450

Expenses:

- Water = \$3,535,776
- Sewer = \$1,599,374
- Total = \$5,135,150

Capital Outlay:

- Water = \$245,750
- Sewer = \$219,750
- Total = \$465,500

Estimated Fund Balance at December 31, 2012:

- Reserved (25%) = \$748,574
- Water Main Replacement = \$709,171
- Capital Improvement = \$168,989
- Revenue Bonds = \$1,747,967
- Total = \$3,374,701

Fees and Charges:

- Base Rate increase:
 - Residential = \$2.53 per month
 - Commercial and Industrial = \$5.06 per month
 - Apartment = \$7.59 per month
 - Purpose: Debt Service for a \$7M Residual Management Facility Project at the Water Treatment Plant.
- The annual increase in the Utility Bill for an average customer using 8 units (6,000 gallons or 800 cubic feet) of water per month:
 - Residential = \$30.36
 - Commercial and Industrial = \$60.72
 - Apartment = \$91.08

Solid Waste Utility Fund (pages 20 to 22)

Revenues = \$1,265,750

Expenses = \$1,265,300

Capital Outlay = \$57,000

Estimated Fund Balance at December 31, 2012:

- Reserved (25%) = \$326,822
- Landfill and Transfer Station Improvements = \$1,000,000
- Capital Improvement = \$74,654
- Total = \$1,401,476

Fees and Charges:

- Base Rate increase = \$0.05 per month
 - Purpose: Operations and Maintenance costs of residential garbage collection and disposal services.
 - Last Base Rate increase was July 1993.
- The annual increase in the Utility Bill for a residential customer = \$0.60

Service contracts:

- Garbage collection agreement with Dakota Sanitation Plus, Inc. expires on October 31, 2012.
- Disposal agreement with Waste Management of North Dakota, Inc. expires on June 30, 2015.

Street Light Utility Fund (page 23)

Revenues = \$336,350

Expenses = \$300,300

Estimated Fund Balance at December 31, 2012:

- Reserved (25%) = \$77,306
- Capital Improvement = \$146,265
- Total = \$223,571

No increase in Fees and Charges.

City Shop Fund (page 24)

The purpose of this Fund is to account for the salaries and benefits of the City's Mechanic, purchase of fuel, and for repairs and maintenance of City vehicles, and machinery and equipment.

The Fund charges the departments for services provided and for reimbursement of expenditures.

Revenues = \$283,600

Expenditures = \$283,600

Estimated Fund Balance at December 31, 2012 = \$7

Mill Levy, Property Taxes, and Taxable Valuation (pages 25 to 32)

Mill Levy:

- City operations = 86.72 Mills
 - General Fund = 76.84 Mills
- Airport operations = 4.00 Mills
- Library operations = 7.00 Mills
- Total = 97.72 Mills
 - Decrease = 0.26 Mills
 - Average city levy of the 11 largest cities (excluding Mandan) for Tax Year 2010 (2011 Budget) = 97.72 Mills

Property Taxes:

- City operations = \$3,893,295
 - General Fund = \$3,450,142
- Airport operations = \$179,578
- Library operations = \$314,261
- Total = \$4,387,134
 - Increase = \$183,412

Taxable Valuation (estimated) = \$44,894,498

- Increase = 4.6%
- 1 Mill = \$44,894

The increase in the City property taxes for an existing residential home valued at \$175,000 with an average valuation increase of 2.31% (Board of Equalization) in the true and full value, excluding special assessments = \$15.73

City's share of 1 Mill for Tax Year 2010 (2011 Budget) = 24%

Salaries and Benefits (page 33)

Salaries:

- Salaries = \$5,288,950
 - Cost Of Living Adjustment (COLA) = 2.5% or \$117,150
 - No merit or step increases.
 - Assessing Department decrease = \$54,600
 - Overtime decrease = \$29,300
 - Overtime-Grants increase = \$20,450
 - Part Time decrease = \$1,750
 - Increase = \$55,950 or 1.1%

Benefits:

- Benefits = \$1,797,150
 - Health Insurance increase = \$23,950
 - Increase = \$31,550 or 1.8%

Salaries and Benefits = \$7,086,100

- Increase = \$87,500 or 1.3%

Capital Outlay (page 34)

See schedule.

Capital Outlay = \$618,950

Debt Service (page 35)

Debt Service:

- General Obligation Bonds-Liberty Memorial Bridge = \$993,223
- Special Assessment Bonds-Sidewalk, Curb and Gutter = \$1,193,559
- Special Assessment Bonds-Street = \$34,479,027
- Special Assessment Bonds-Water and Sewer Utility = \$12,283,259
- Revenue Bonds-Mandan Community Center = \$1,121,553
- Revenue Bonds-Water Utility = \$27,720,782
- Revenue Bonds-Sewer Utility = \$5,590,625
- Total Principal and Interest:
 - Principal = \$68,061,028
 - Interest = \$15,320,998
 - Total = \$83,382,026

Amortization:

- % of Debt Service retired in 10 years = 81%
- % of Debt Service retired in 15 years = 95%

Transfers (page 36)

The purpose of this schedule is to indicate the Transfers in/out between funds and to provide a description for each transfer.

Transfers = \$2,456,350

Statistical (pages 37 to 54)

The purpose of these schedules is to provide a general overview of the City's demographic and economic statistics:

- Cemetery Grave Opening and Closing Chart (page 37)
- Sale of Cemetery Lots Chart (page 38)
- City Occupancy Taxes Chart (page 39)
- City Restaurant and Lodging Taxes Chart (page 40)
- City Taxable Sales and Purchases Chart (page 41)
- City Sales Taxes Chart (page 42)
- Water and Sewer Utility Fund-Utility Billing-Water (pages 43 to 44)
- Water and Sewer Utility Fund-Utility Billing-Sewer (page 45)
- Solid Waste Tons Hauled from Transfer Station Chart (page 46)
- Inert Landfill Tons Chart (page 47)
- City Mill Levy Tax Year 2010 Chart-12 Largest Cities in North Dakota (page 48)
- Salaries and Benefits Chart (page 49)
- Debt Service Chart (page 50)
- Value of Building Permits Chart (page 51)
- Commercial and Industrial Building Permits Chart (page 52)
- New Residential Permits Chart (page 53)

Statistical (pages 37 to 54), continued

- Residential Real Estate Sales Chart (page 54)
- Bismarck-Mandan Community Profile

Respectfully submitted,

A handwritten signature in black ink, appearing to read "G. Welch". The signature is written in a cursive style with a horizontal line crossing through the middle of the letters.

Greg Welch
Finance Director

ANNUAL COST FOR CITY SERVICES



EXISTING \$175,000 RESIDENTIAL HOME
 (WITH AN AVERAGE VALUATION INCREASE AND USING 8 UNITS OF WATER PER MONTH,
 EXCLUDING SPECIAL ASSESSMENTS)

**CITY OF MANDAN
2012 BUDGET
TABLE OF CONTENTS**

SUMMARY:

Ordinance No. 1102	1
Summary	3
Revenues Chart	4
Expenditures Chart	5
Estimated Fund Balances	6

MAJOR FUNDS:

General Fund-By Department	8
General Fund-By Source and Object	9
Cemetery Fund	10
City Visitors' Promotion/Capital Construction Fund	11
City Sales Tax Fund	12
City Sales Tax Fund Historical Expenditures Chart-By Category	13
Mandan Growth Fund	14
Refunding Improvement Bonds Fund	15
Water and Sewer Utility Fund-By Department	16
Water and Sewer Utility Fund-By Source and Object	17
Resolution Establishing Rates and Charges for Services from the Water and Sewer Utility Fund	18
Solid Waste Utility Fund	20
Resolution Establishing Rates and Charges for Services from the Solid Waste Utility Fund	21
Street Light Utility Fund	23
City Shop Fund	24

**CITY OF MANDAN
2012 BUDGET
TABLE OF CONTENTS**

MILL LEVIES, TAXABLE VALUATIONS, AND PROPERTY TAXES:	
Mill Levy and Property Taxes	25
Property Tax Increase	26
Property Tax Rates-Last Ten Years	27
Property Tax Rates Tax Year 2010 Chart	28
City Property Tax Rates Chart	29
City Taxable Valuations-Last Ten Years	30
City Taxable Valuations Chart	31
Board of Equalization Tax Year 2011	32
SALARIES AND BENEFITS:	
Salaries and Benefits	33
CAPITAL OUTLAY:	
Capital Outlay	34
DEBT SERVICE:	
Debt Service	35
TRANSFERS:	
Transfers	36
STATISTICAL:	
Cemetery Grave Opening and Closing Chart	37
Sale of Cemetery Lots Chart	38
City Occupancy Taxes Chart	39
City Restaurant and Lodging Taxes Chart	40
City Taxable Sales and Purchases Chart	41
City Sales Taxes Chart	42
Water and Sewer Utility Fund-Utility Billing-Water	43
Water and Sewer Utility Fund-Utility Billing-Sewer	45

**CITY OF MANDAN
2012 BUDGET
TABLE OF CONTENTS**

STATISTICAL:

Solid Waste Tons Hauled from Transfer Station Chart	46
Inert Landfill Tons Chart	47
City Mill Levy Tax Year 2010 Chart-12 Largest Cities in North Dakota	48
Salaries and Benefits Chart	49
Debt Service Chart	50
Value of Building Permits Chart	51
Commercial and Industrial Building Permits Chart	52
New Residential Permits Chart	53
Residential Real Estate Sales Chart	54
Bismarck-Mandan Community Profile	

ORDINANCE NO. 1102

AN ORDINANCE MAKING THE ANNUAL APPROPRIATIONS FOR EXPENDITURES OR EXPENSES OF THE CITY OF MANDAN, NORTH DAKOTA, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2012, AND ENDING DECEMBER 31, 2012, AND MAKING THE ANNUAL TAX LEVY FOR THE YEAR 2011.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA:

Section 1. There are hereby appropriated the following sums of money for so much thereof that may be necessary for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2012, and ending December 31, 2012.

General Fund	\$7,185,650
Highway Distribution Fund	1,099,600
City's Share of Special Assessments Fund	145,500
Cemetery Fund	141,900
City Visitors' Promotion Fund	46,150
Alarm-Equipment Reserve Fund	27,650
City Sales Tax Fund	1,155,100
Public Transportation System Fund	100,000
Mandan Growth Fund	146,900
Job Development Authority Fund	100,000
Narcotics Task Force Grant Fund	52,000
Police Equipment Reserve Fund	12,400
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Narcotics Task Force Grant Fund-HIDTA	47,700
BNSF Settlement Fund	1,150
Mandan SEP Trust Fund	3,400
Downtown Redevelopment Fund	76,450
Mandan Community Center Revenue Bonds of 2005 Fund	142,450
Liberty Memorial Bridge General Obligations Bonds Fund	66,000
Refunding Improvement Bonds Fund	6,152,650
City Visitors' Promotion Capital Construction Fund	6,350
Water and Sewer Utility Fund	5,600,650
Solid Waste Utility Fund	1,322,300
Street Light Utility Fund	300,300
City Shop Fund	283,600

Section 2. There are hereby levied the following sums of money on all taxable property in the City of Mandan, North Dakota, for the year 2011 for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota.

General Fund	\$3,450,142
City's Share of Special Assessments Fund	153,018
Cemetery Fund	82,632
Public Transportation System Fund	89,789
General Obligation Bonds Fund:	
Liberty Memorial Bridge	71,393
Refunding Improvement Bonds Fund:	
Street Improvement District #145	33,508
Street Improvement District #148	12,813
Mandan Airport Authority	179,578
Morton Mandan Public Library	314,261

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Taking Effect. This ordinance shall be in full force and effect from and after its final passage and adoption.

President, Board of City Commissioners

Attest:

City Administrator

First Reading: August 16, 2011

Second Reading: September 6, 2011

Final Passage and Adoption: September 6, 2011

**CITY OF MANDAN
2012 BUDGET
SUMMARY**

REVENUES:

TAXES:

PROPERTY	\$ 3,698,550
1% CITY SALES	\$ 1,527,000
1% RESTAURANT AND LODGING	\$ 300,950
2% OCCUPANCY	\$ 51,250
OTHER	\$ 281,150

LICENSES AND PERMITS	\$ 595,900
----------------------	------------

INTERGOVERNMENTAL:

STATE AID DISTRIBUTION	\$ 996,650
HIGHWAY TAX DISTRIBUTION	\$ 969,250
OTHER	\$ 407,050

CHARGES FOR SERVICES:

WATER, SEWER, SOLID WASTE, STREET LIGHT UTILITY	\$ 7,087,650
FUEL	\$ 205,450
GRAVE OPENING AND CLOSING	\$ 48,500
OTHER	\$ 85,550

FINES AND FORFEITS	\$ 182,000
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SPECIAL ASSESSMENTS	\$ 5,442,800
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INTEREST	\$ 72,850
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LOAN REPAYMENT	\$ 18,500
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SALE OF CEMETERY LOTS	\$ 22,000
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MISCELLANEOUS	\$ 210,300
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TOTAL BEFORE TRANSFERS	<u>\$ 22,203,350</u>
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TRANSFERS	<u>\$ 2,456,350</u>
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TOTAL AFTER TRANSFERS	<u><u>\$ 24,659,700</u></u>
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EXPENDITURES:

SALARIES AND BENEFITS	\$ 7,086,100
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OPERATIONS AND MAINTENANCE:

PROFESSIONAL FEES AND SERVICES	\$ 1,580,650
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INSURANCE	\$ 141,100
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RENTALS	\$ 118,500
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TRAVEL AND TRAINING	\$ 62,300
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UTILITIES	\$ 868,350
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PUBLISHING AND PRINTING	\$ 78,650
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DUES AND MEMBERSHIPS	\$ 22,500
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SUPPLIES AND MAINTENANCE	\$ 1,018,400
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REPAIRS AND MAINTENANCE	\$ 690,000
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CITY SHARE OF SPECIAL ASSESSMENTS	\$ 118,550
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DEBT SERVICE-CHARGES AND FEES	\$ 156,650
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MISCELLANEOUS	\$ 56,000
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SUBSIDIES	\$ 606,150
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DEBT SERVICE-PRINCIPAL AND INTEREST	<u>\$ 8,548,400</u>
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TOTAL	<u><u>\$ 21,152,300</u></u>
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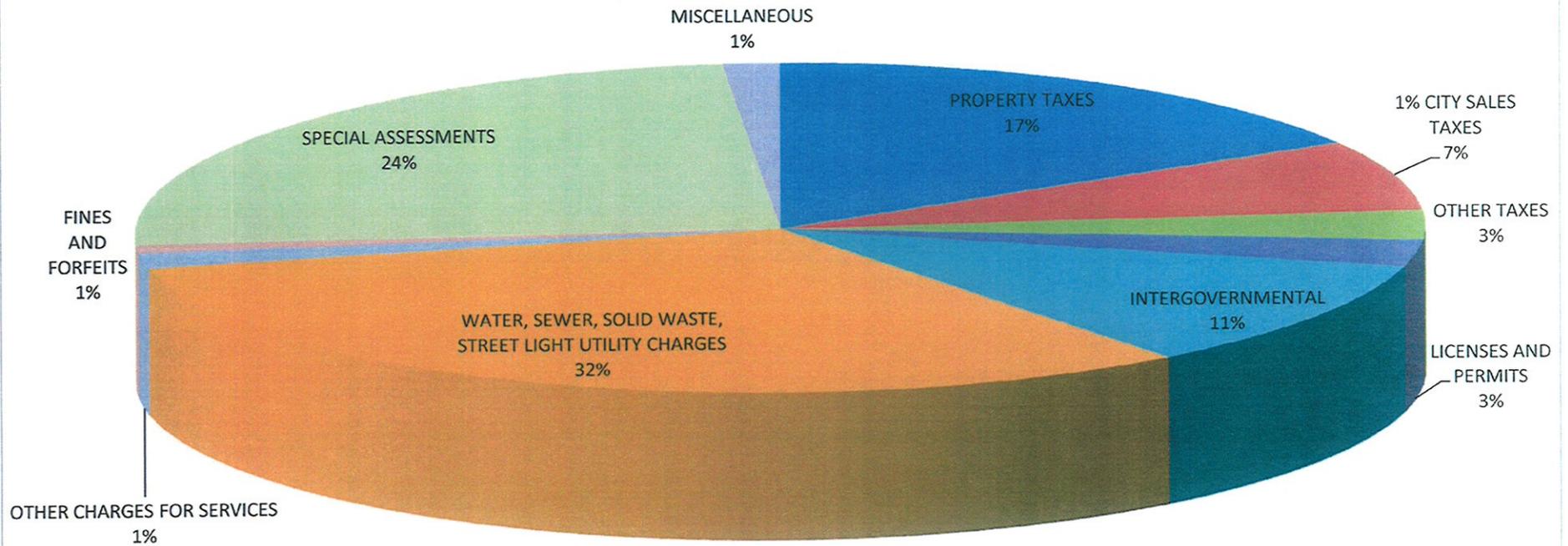
CAPITAL OUTLAY	<u>\$ 618,950</u>
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TOTAL BEFORE TRANSFERS	<u>\$ 21,771,250</u>
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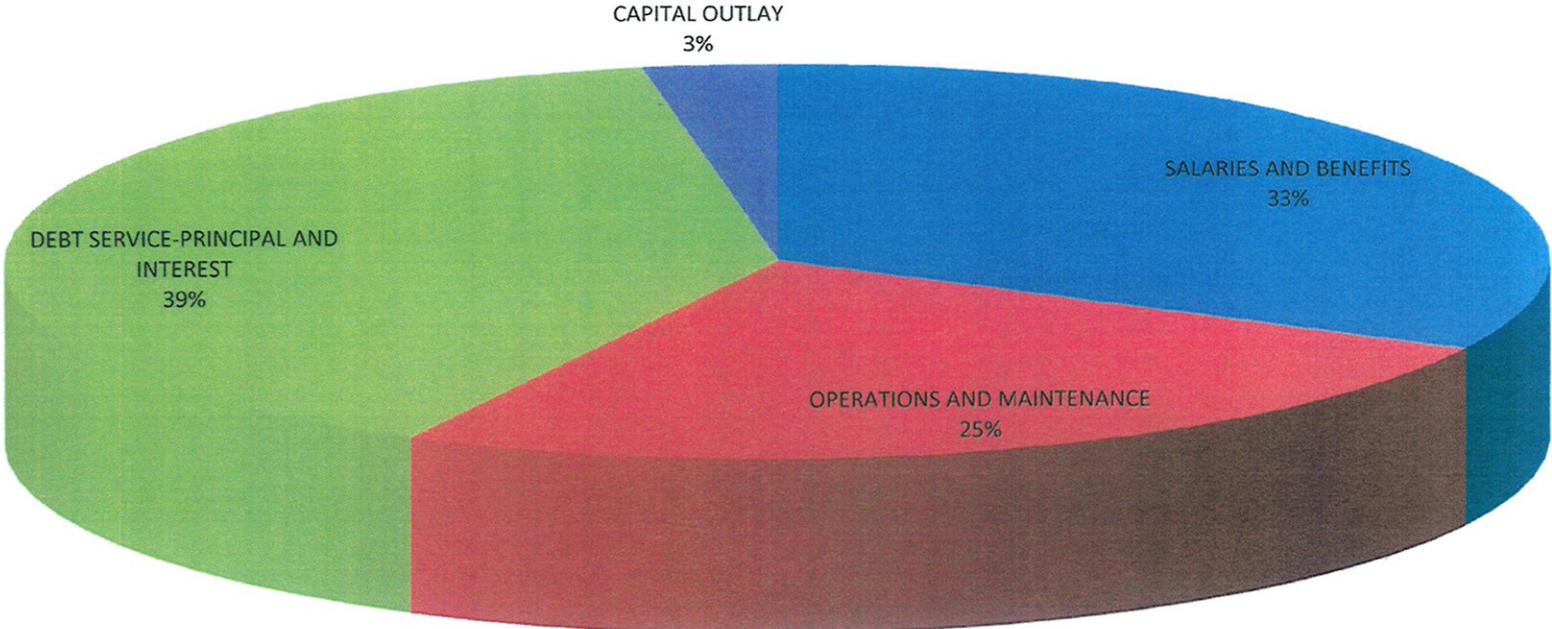
TRANSFERS	<u>\$ 2,456,350</u>
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TOTAL AFTER TRANSFERS	<u><u>\$ 24,227,600</u></u>
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CITY OF MANDAN 2012 BUDGET REVENUES



CITY OF MANDAN 2012 BUDGET EXPENDITURES



**CITY OF MANDAN
2012 BUDGET
ESTIMATED FUND BALANCES**

FUND	ACTUAL FUND BALANCE 1-1-2011	REVISED 2011 BUDGET REVENUES	REVISED 2011 BUDGET EXPENDITURES	ESTIMATED FUND BALANCE 12-31-2011	2012 BUDGET REVENUES	2012 BUDGET EXPENDITURES	ESTIMATED FUND BALANCE 12-31-2012
GENERAL	\$ 1,715,615	\$ 7,671,800	\$ 7,240,500	\$ 1,981,915	\$ 7,416,850	\$ 7,185,650	\$ 2,213,115
HIGHWAY DISTRIBUTION	\$ 116,192	\$ 1,353,950	\$ 1,339,750	\$ 130,392	\$ 969,250	\$ 1,099,600	\$ 42
CITY'S SHARE OF SPECIAL ASSESSMENTS	\$ 211,386	\$ 192,700	\$ 145,150	\$ 258,936	\$ 149,750	\$ 145,500	\$ 263,186
CEMETERY	\$ 70,993	\$ 158,750	\$ 145,500	\$ 84,243	\$ 155,000	\$ 141,900	\$ 97,343
CITY VISITORS' PROMOTION	\$ 3,209	\$ 51,250	\$ 46,150	\$ 8,309	\$ 51,250	\$ 46,150	\$ 13,409
ALARM-EQUIPMENT RESERVE	\$ 41,630	\$ 7,200	\$ 5,300	\$ 43,530	\$ 6,500	\$ 27,650	\$ 22,380
CITY SALES TAX	\$ 843,647	\$ 1,679,750	\$ 1,905,300	\$ 618,097	\$ 1,527,000	\$ 1,155,100	\$ 989,997
PUBLIC TRANSPORTATION SYSTEM	\$ -	\$ 102,000	\$ 100,000	\$ 2,000	\$ 98,000	\$ 100,000	\$ -
FIRE EQUIPMENT RESERVE	\$ 130,904	\$ 61,500	\$ -	\$ 192,404	\$ 109,050	\$ -	\$ 301,454
MANDAN GROWTH	\$ 267,768	\$ 282,400	\$ 365,800	\$ 184,368	\$ 279,200	\$ 146,900	\$ 316,668
JOB DEVELOPMENT AUTHORITY	\$ -	\$ 100,000	\$ 100,000	\$ -	\$ 100,000	\$ 100,000	\$ -
POLICE EQUIPMENT RESERVE	\$ 24,835	\$ 73,300	\$ 74,650	\$ 23,485	\$ -	\$ 12,400	\$ 11,085
BNSF SETTLEMENT	\$ 495,359	\$ 2,400	\$ 2,900	\$ 494,859	\$ 2,400	\$ 1,150	\$ 496,109
MANDAN SEP TRUST	\$ 1,563,708	\$ 12,350	\$ 3,400	\$ 1,572,658	\$ 12,350	\$ 3,400	\$ 1,581,608
HEALTH AND SAFETY	\$ (115,847)	\$ 34,550	\$ 5,400	\$ (86,697)	\$ 30,700	\$ -	\$ (55,997)
MANDAN COMMUNITY CENTER REVENUE BONDS	\$ 141,500	\$ 140,900	\$ 140,900	\$ 141,500	\$ 142,450	\$ 142,450	\$ 141,500
LIBERTY MEMORIAL BRIDGE GENERAL OBLIGATIONS BONDS	\$ 13,016	\$ 68,900	\$ 62,300	\$ 19,616	\$ 72,700	\$ 66,000	\$ 26,316
REFUNDING IMPROVEMENT BONDS	\$ 6,667,886	\$ 6,806,950	\$ 8,744,050	\$ 4,730,786	\$ 5,368,650	\$ 6,152,650	\$ 3,946,786
BUILDING RESERVE	\$ 176,497	\$ -	\$ 21,700	\$ 154,797	\$ -	\$ -	\$ 154,797

**CITY OF MANDAN
2012 BUDGET
ESTIMATED FUND BALANCES**

FUND	ACTUAL FUND BALANCE 1-1-2011	REVISED 2011 BUDGET REVENUES	REVISED 2011 BUDGET EXPENDITURES	ESTIMATED FUND BALANCE 12-31-2011	2012 BUDGET REVENUES	2012 BUDGET EXPENDITURES	ESTIMATED FUND BALANCE 12-31-2012
CITY VISITORS' PROMOTION CAPITAL CONSTRUCTION	\$ 440,211	\$ 313,850	\$ 16,350	\$ 737,711	\$ 313,850	\$ 6,350	\$ 1,045,211
WATER AND SEWER UTILITY	\$ 3,003,651	\$ 6,033,650	\$ 5,752,400	\$ 3,284,901	\$ 5,690,450	\$ 5,600,650	\$ 3,374,701
SOLID WASTE UTILITY	\$ 1,569,476	\$ 1,242,300	\$ 1,353,750	\$ 1,458,026	\$ 1,265,750	\$ 1,322,300	\$ 1,401,476
STREET LIGHT UTILITY	\$ 153,771	\$ 333,300	\$ 299,550	\$ 187,521	\$ 336,350	\$ 300,300	\$ 223,571
CITY SHOP	\$ 28,207	\$ 253,850	\$ 282,050	\$ 7	\$ 283,600	\$ 283,600	\$ 7

CITY OF MANDAN
2012 BUDGET
GENERAL FUND
(BY DEPARTMENT)

ESTIMATED FUND BALANCE-DECEMBER 31, 2011 \$ 1,981,915

REVENUES:

TAXES:

PROPERTY \$ 3,277,600
OTHER \$ 259,400
LICENSES AND PERMITS \$ 595,900

INTERGOVERNMENTAL:

STATE AID DISTRIBUTION \$ 996,650
OTHER \$ 227,050
CHARGES FOR SERVICES \$ 79,050
FINES AND FORFEITS \$ 182,000
MISCELLANEOUS \$ 88,800
TRANSFERS \$ 1,710,400

TOTAL \$ 7,416,850

EXPENDITURES:

GOVERNING BOARD \$ 68,950
MUNICIPAL COURT \$ 127,800

AUDITOR:

GENERAL \$ 634,700
ASSESSOR/BUILDING INSPECTION \$ 1,800
PLANNING AND ZONING/ENGINEERING \$ 1,300
MEMORIAL BUILDING \$ 43,300
POLICE \$ 9,600
FIRE \$ 28,400
PUBLIC WORKS \$ 103,050
ADMINISTRATION AND FINANCE \$ 234,300
ATTORNEY \$ 102,950
ASSESSOR \$ 287,950
PLANNING AND ZONING \$ 61,250
ENGINEERING \$ 174,300
MEMORIAL BUILDING \$ 92,550
INFORMATION TECHNOLOGY \$ 92,350
POLICE \$ 2,491,900
LAW ENFORCEMENT CENTER \$ 86,550
TRAFFIC CONTROL \$ 17,700
PARKING AUTHORITY \$ 36,600
FIRE \$ 957,450
CORRECTIONS \$ 52,500
BUILDING INSPECTION \$ 195,600
ANIMAL PROTECTION \$ 40,250
STREET \$ 873,350
STREET SIGNS \$ 29,250
HEALTH INSPECTOR \$ 12,200
FORESTER \$ 129,900
WEED CONTROL \$ 101,400

TOTAL \$ 7,089,200

	SALARIES AND BENEFITS	OPERATIONS AND MAINTENANCE	TRANSFERS	TOTAL
GOVERNING BOARD	\$ 41,600	\$ 27,350		\$ 68,950
MUNICIPAL COURT	\$ 85,000	\$ 42,800		\$ 127,800
AUDITOR:				
GENERAL	\$ 1,750	\$ 562,800	\$ 70,150	\$ 634,700
ASSESSOR/BUILDING INSPECTION		\$ 1,800		\$ 1,800
PLANNING AND ZONING/ENGINEERING		\$ 1,300		\$ 1,300
MEMORIAL BUILDING		\$ 43,300		\$ 43,300
POLICE		\$ 9,600		\$ 9,600
FIRE		\$ 28,400		\$ 28,400
PUBLIC WORKS		\$ 24,950	\$ 78,100	\$ 103,050
ADMINISTRATION AND FINANCE	\$ 215,650	\$ 18,650		\$ 234,300
ATTORNEY		\$ 102,950		\$ 102,950
ASSESSOR	\$ 259,650	\$ 28,300		\$ 287,950
PLANNING AND ZONING		\$ 61,250		\$ 61,250
ENGINEERING	\$ 154,400	\$ 19,900		\$ 174,300
MEMORIAL BUILDING	\$ 65,050	\$ 27,500		\$ 92,550
INFORMATION TECHNOLOGY	\$ 55,050	\$ 37,300		\$ 92,350
POLICE	\$ 2,261,950	\$ 226,250	\$ 3,700	\$ 2,491,900
LAW ENFORCEMENT CENTER		\$ 86,550		\$ 86,550
TRAFFIC CONTROL		\$ 17,700		\$ 17,700
PARKING AUTHORITY	\$ 36,100	\$ 500		\$ 36,600
FIRE	\$ 820,600	\$ 86,850	\$ 50,000	\$ 957,450
CORRECTIONS		\$ 52,500		\$ 52,500
BUILDING INSPECTION	\$ 173,750	\$ 21,850		\$ 195,600
ANIMAL PROTECTION	\$ 24,450	\$ 15,800		\$ 40,250
STREET	\$ 656,900	\$ 216,450		\$ 873,350
STREET SIGNS		\$ 29,250		\$ 29,250
HEALTH INSPECTOR		\$ 12,200		\$ 12,200
FORESTER	\$ 91,100	\$ 38,800		\$ 129,900
WEED CONTROL	\$ 17,500	\$ 83,900		\$ 101,400
TOTAL	\$ 4,960,500	\$ 1,926,750	\$ 201,950	\$ 7,089,200

EXCESS OF REVENUES OVER (UNDER)
EXPENDITURES \$ 327,650

CAPITAL OUTLAY \$ (96,450)

INCREASE (DECREASE) IN FUND BALANCE \$ 231,200

ESTIMATED FUND BALANCE-DECEMBER 31, 2012 \$ 2,213,115

ESTIMATED FUND BALANCE-DECEMBER 31, 2012

RESERVED \$ 1,218,906
CAPITAL IMPROVEMENT \$ 994,209
TOTAL \$ 2,213,115

**CITY OF MANDAN
2012 BUDGET
GENERAL FUND
(BY SOURCE AND OBJECT)**

ESTIMATED FUND BALANCE-DECEMBER 31, 2011	\$ 1,981,915
REVENUES:	
TAXES:	
PROPERTY	\$ 3,277,600
OTHER	\$ 259,400
LICENSES AND PERMITS	\$ 595,900
INTERGOVERNMENTAL:	
STATE AID DISTRIBUTION	\$ 996,650
OTHER	\$ 227,050
CHARGES FOR SERVICES	\$ 79,050
FINES AND FORFEITS	\$ 182,000
MISCELLANEOUS	\$ 88,800
TRANSFERS	\$ 1,710,400
TOTAL	<u>\$ 7,416,850</u>
EXPENDITURES:	
SALARIES AND BENEFITS	\$ 4,960,500
OPERATIONS AND MAINTENANCE:	
PROFESSIONAL FEES AND SERVICES	\$ 645,050
INSURANCE	\$ 65,750
RENTALS	\$ 15,500
TRAVEL AND TRAINING	\$ 46,900
UTILITIES	\$ 151,650
PUBLISHING AND PRINTING	\$ 30,500
DUES AND MEMBERSHIPS	\$ 18,550
SUPPLIES AND MAINTENANCE	\$ 279,800
REPAIRS AND MAINTENANCE	\$ 322,450
MISCELLANEOUS	\$ 50,600
SUBSIDIES	\$ 300,000
TRANSFERS	\$ 201,950
TOTAL	<u>\$ 7,089,200</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	<u>\$ 327,650</u>
CAPITAL OUTLAY	<u>\$ (96,450)</u>
INCREASE (DECREASE) IN FUND BALANCE	<u>\$ 231,200</u>
ESTIMATED FUND BALANCE-DECEMBER 31, 2012	<u>\$ 2,213,115</u>
<u>ESTIMATED FUND BALANCE-DECEMBER 31, 2012</u>	
RESERVED	\$ 1,218,906
CAPITAL IMPROVEMENT	\$ 994,209
TOTAL	<u>\$ 2,213,115</u>

**CITY OF MANDAN
2012 BUDGET
CEMETERY FUND**

ESTIMATED FUND BALANCE-DECEMBER 31, 2011	\$	84,243
REVENUES:		
TAXES:		
PROPERTY	\$	78,500
OTHER	\$	4,700
INTERGOVERNMENTAL	\$	850
CHARGES FOR SERVICES:		
GRAVE OPENING AND CLOSING	\$	48,500
SALE OF CEMETERY LOTS	\$	22,000
MISCELLANEOUS	\$	450
TOTAL	\$	<u>155,000</u>
EXPENDITURES:		
SALARIES AND BENEFITS	\$	128,900
OPERATIONS AND MAINTENANCE:		
INSURANCE	\$	500
RENTALS	\$	100
UTILITIES	\$	3,900
SUPPLIES AND MAINTENANCE	\$	5,300
REPAIRS AND MAINTENANCE	\$	3,200
TOTAL	\$	<u>141,900</u>
EXCESS OF REVENUES OVER (UNDER)		
EXPENDITURES	\$	<u>13,100</u>
CAPITAL OUTLAY	\$	<u>-</u>
INCREASE (DECREASE) IN FUND BALANCE	\$	<u>13,100</u>
ESTIMATED FUND BALANCE-DECEMBER 31, 2012	\$	<u>97,343</u>
<u>ESTIMATED FUND BALANCE-DECEMBER 31, 2012</u>		
RESERVED	\$	24,815
CAPITAL IMPROVEMENT	\$	72,528
TOTAL	\$	<u>97,343</u>

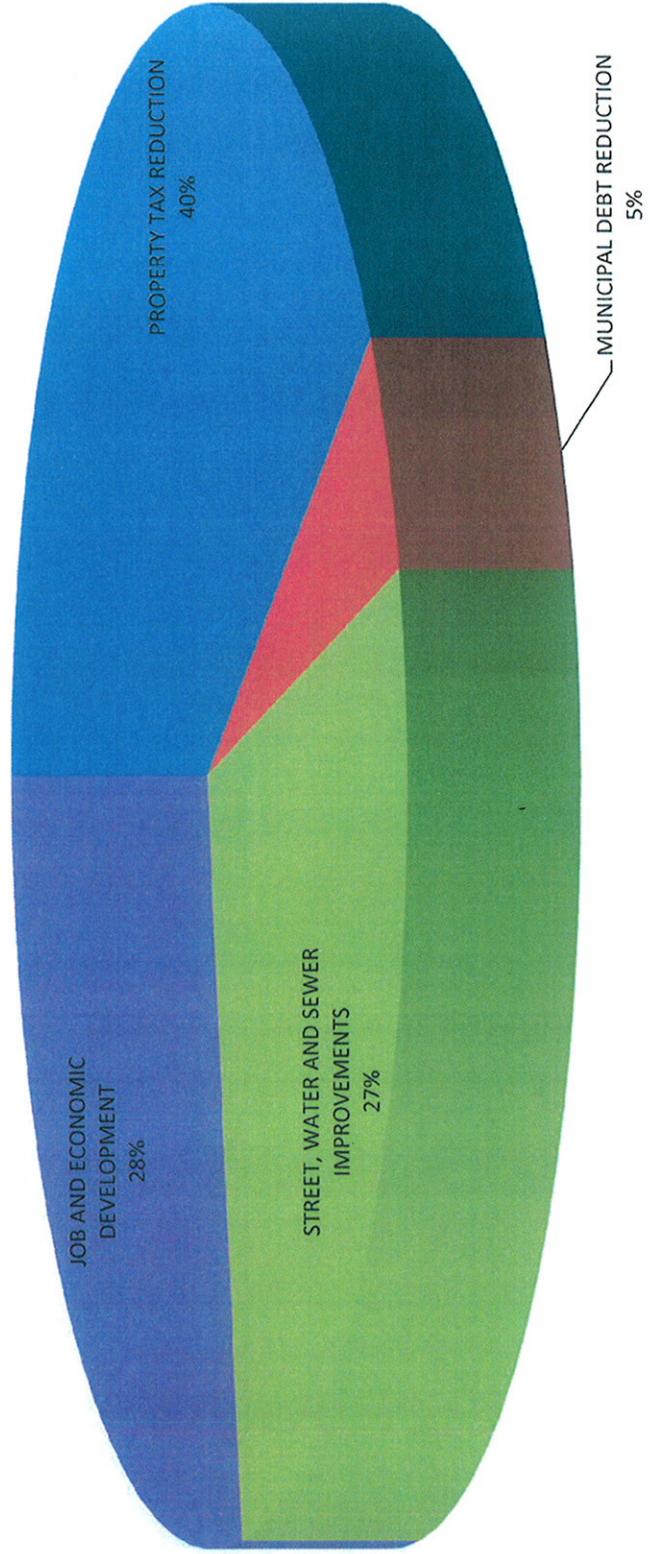
CITY OF MANDAN
2012 BUDGET
CITY VISITORS' PROMOTION/CAPITAL CONSTRUCTION FUND

	<u>2% TAX</u>	<u>1% TAX</u>
ESTIMATED FUND BALANCE-DECEMBER 31, 2011	\$ 8,309	\$ 737,711
REVENUES:		
TAXES:		
OCCUPANCY	\$ 51,250	
RESTAURANT AND LODGING		\$ 300,950
MISCELLANEOUS		\$ 12,900
TOTAL	<u>\$ 51,250</u>	<u>\$ 313,850</u>
EXPENDITURES:		
PROFESSIONAL FEES AND SERVICES		\$ 100
INSURANCE		\$ 900
TRAVEL AND TRAINING		\$ 50
UTILITIES		\$ 850
REPAIRS AND MAINTENANCE		\$ 4,450
CAPITAL OUTLAY		\$ -
SUBSIDIES:		
BISMARCK-MANDAN CVB (90%)	\$ 46,150	
TOTAL	<u>\$ 46,150</u>	<u>\$ 6,350</u>
EXCESS OF REVENUES OVER (UNDER)		
EXPENDITURES	<u>\$ 5,100</u>	<u>\$ 307,500</u>
ESTIMATED FUND BALANCE-DECEMBER 31, 2012	<u>\$ 13,409</u>	<u>\$ 1,045,211</u>
<u>ESTIMATED FUND BALANCE-DECEMBER 31, 2012</u>		
		<u>1% TAX</u>
	UNRESERVED	\$ 994,050
	RESERVED	\$ 51,162
	TOTAL	<u>\$ 1,045,211</u>

**CITY OF MANDAN
2012 BUDGET
CITY SALES TAX FUND**

ESTIMATED FUND BALANCE-DECEMBER 31, 2011		\$ 618,097
REVENUES:		
TAXES:		
1% CITY SALES		\$ 1,527,000
	TOTAL	<u>\$ 1,527,000</u>
EXPENDITURES:		
INSURANCE		\$ 50
UTILITIES		\$ 1,000
PUBLISHING AND PRINTING		\$ 100
DUES AND MEMBERSHIPS		\$ 700
CAPITAL OUTLAY		\$ -
TRANSFERS AND SUBSIDIES:		
GENERAL FUND		\$ 610,800
MANDAN GROWTH FUND		\$ 250,000
JOB DEVELOPMENT AUTHORITY FUND		\$ 100,000
MCC REVENUE BONDS OF 2005 FUND		\$ 142,450
BISMARCK-MANDAN CHAMBER OF COMMERCE		\$ 5,000
MANDAN PROGRESS ORGANIZATION FUNDING COMMITTEE		\$ 20,000
MANDAN PROGRESS ORGANIZATION		\$ 25,000
	TOTAL	<u>\$ 1,155,100</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES		<u>\$ 371,900</u>
ESTIMATED FUND BALANCE-DECEMBER 31, 2012		<u>\$ 989,997</u>
<u>ESTIMATED FUND BALANCE-DECEMBER 31, 2012</u>		
	UNRESERVED	\$ 489,997
	RESERVED	\$ 500,000
	TOTAL	<u>\$ 989,997</u>

CITY OF MANDAN CITY SALES TAX FUND HISTORICAL EXPENDITURES-BY CATEGORY



**CITY OF MANDAN
2012 BUDGET
MANDAN GROWTH FUND**

	BUSINESS DEVELOPMENT AND COMMUNICATIONS DIRECTOR	ECONOMIC DEVELOPMENT	STOREFRONT IMPROVEMENT PROGRAM	RETAIL AND RESTAURANT INCENTIVE PROGRAM	TOTAL
ESTIMATED FUND BALANCE-DECEMBER 31, 2011	\$ -	\$ 106,472	\$ 37,896	\$ 40,000	\$ 184,368
REVENUES:					
INTERGOVERNMENTAL	\$ 9,000				\$ 9,000
MISCELLANEOUS:					
LOAN REPAYMENT		\$ 18,500			\$ 18,500
OTHER	\$ 1,000	\$ 700			\$ 1,700
TRANSFERS	\$ 124,900	\$ 75,100	\$ 50,000		\$ 250,000
TOTAL	<u>\$ 134,900</u>	<u>\$ 94,300</u>	<u>\$ 50,000</u>	<u>\$ -</u>	<u>\$ 279,200</u>
EXPENDITURES:					
SALARIES AND BENEFITS	\$ 87,600				\$ 87,600
OPERATIONS AND MAINTENANCE:					
PROFESSIONAL FEES AND SERVICES	\$ 450				\$ 450
TRAVEL AND TRAINING	\$ 4,500				\$ 4,500
UTILITIES	\$ 1,000				\$ 1,000
PUBLISHING AND PRINTING	\$ 35,700				\$ 35,700
DUES AND MEMBERSHIPS	\$ 800				\$ 800
SUPPLIES AND MAINTENANCE	\$ 4,850				\$ 4,850
DEBT SERVICE		\$ 2,000			\$ 2,000
SUBSIDIES:					
ECONOMIC DEVELOPMENT		\$ 10,000			\$ 10,000
STOREFRONT IMPROVEMENT PROGRAM			\$ -		\$ -
RETAIL AND RESTAURANT INCENTIVE PROGRAM				\$ -	\$ -
TOTAL	<u>\$ 134,900</u>	<u>\$ 12,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 146,900</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	<u>\$ -</u>	<u>\$ 82,300</u>	<u>\$ 50,000</u>	<u>\$ -</u>	<u>\$ 132,300</u>
ESTIMATED FUND BALANCE-DECEMBER 31, 2012	<u>\$ -</u>	<u>\$ 188,772</u>	<u>\$ 87,896</u>	<u>\$ 40,000</u>	<u>\$ 316,668</u>

**CITY OF MANDAN
2012 BUDGET
WATER AND SEWER UTILITY FUND
(BY DEPARTMENT)**

	WATER	SEWER	TOTAL
ESTIMATED FUND BALANCE-DECEMBER 31, 2011			\$ 3,284,901
REVENUES:			
TAXES	\$ 1,350	\$ 650	\$ 2,000
CHARGES FOR SERVICES	\$ 3,820,935	\$ 1,705,265	\$ 5,526,200
MISCELLANEOUS	\$ 92,914	\$ 44,736	\$ 137,650
TRANSFERS	\$ 16,605	\$ 7,995	\$ 24,600
TOTAL	<u>\$ 3,931,804</u>	<u>\$ 1,758,646</u>	<u>\$ 5,690,450</u>

EXPENSES:			
REVENUE BONDS	\$ 1,812,700	\$ 529,250	\$ 2,341,950
AUDITOR:			
GENERAL	\$ 82,991	\$ 39,959	\$ 122,950
WATER TREATMENT	\$ 17,400		\$ 17,400
SEWER TREATMENT		\$ 10,850	\$ 10,850
WATER UTILITY	\$ 11,250		\$ 11,250
SEWER UTILITY		\$ 3,550	\$ 3,550
UTILITY MAINTENANCE	\$ 3,713	\$ 1,788	\$ 5,500
METER READING	\$ 675	\$ 325	\$ 1,000
UTILITY BILLING	\$ 139,286	\$ 67,064	\$ 206,350
WATER TREATMENT	\$ 1,011,450		\$ 1,011,450
SEWER TREATMENT		\$ 526,950	\$ 526,950
WATERLINE MAINTENANCE	\$ 312,300		\$ 312,300
SEWERLINE MAINTENANCE		\$ 350,300	\$ 350,300
METER READING	\$ 144,011	\$ 69,339	\$ 213,350
TOTAL	<u>\$ 3,535,776</u>	<u>\$ 1,599,374</u>	<u>\$ 5,135,150</u>

SALARIES AND BENEFITS	OPERATIONS AND MAINTENANCE	DEBT SERVICE- PRINCIPAL AND INTEREST	TOTAL
	\$ 130,800	\$ 2,211,150	\$ 2,341,950
\$ 1,600	\$ 121,350		\$ 122,950
	\$ 17,400		\$ 17,400
	\$ 10,850		\$ 10,850
	\$ 11,250		\$ 11,250
	\$ 3,550		\$ 3,550
	\$ 5,500		\$ 5,500
	\$ 1,000		\$ 1,000
\$ 153,350	\$ 53,000		\$ 206,350
\$ 395,100	\$ 616,350		\$ 1,011,450
\$ 289,300	\$ 237,650		\$ 526,950
\$ 200,350	\$ 111,950		\$ 312,300
\$ 210,350	\$ 139,950		\$ 350,300
\$ 179,350	\$ 34,000		\$ 213,350
<u>\$ 1,429,400</u>	<u>\$ 1,494,600</u>	<u>\$ 2,211,150</u>	<u>\$ 5,135,150</u>

EXCESS OF REVENUES OVER (UNDER) EXPENSES	<u>\$ 396,028</u>	<u>\$ 159,273</u>	<u>\$ 555,300</u>
CAPITAL OUTLAY	<u>\$ (245,750)</u>	<u>\$ (219,750)</u>	<u>\$ (465,500)</u>
INCREASE (DECREASE) IN FUND BALANCE	<u>\$ 150,278</u>	<u>\$ (60,478)</u>	<u>\$ 89,800</u>
ESTIMATED FUND BALANCE-DECEMBER 31, 2012			<u>\$ 3,374,701</u>

ESTIMATED FUND BALANCE-DECEMBER 31, 2012	TOTAL
RESERVED	\$ 748,574
WATER MAIN REPLACEMENT	\$ 709,171
CAPITAL IMPROVEMENT	\$ 168,989
REVENUE BONDS	\$ 1,747,967
TOTAL	<u>\$ 3,374,701</u>

**CITY OF MANDAN
2012 BUDGET
WATER AND SEWER UTILITY FUND
(BY SOURCE AND OBJECT)**

	WATER	SEWER	TOTAL
ESTIMATED FUND BALANCE-DECEMBER 31, 2011			\$ 3,284,901
REVENUES:			
TAXES	\$ 1,350	\$ 650	\$ 2,000
CHARGES FOR SERVICES	\$ 3,820,935	\$ 1,705,265	\$ 5,526,200
MISCELLANEOUS	\$ 92,914	\$ 44,736	\$ 137,650
TRANSFERS	\$ 16,605	\$ 7,995	\$ 24,600
TOTAL	\$ 3,931,804	\$ 1,758,646	\$ 5,690,450
EXPENSES:			
SALARIES AND BENEFITS	\$ 821,103	\$ 608,298	\$ 1,429,400
OPERATIONS AND MAINTENANCE:			
PROFESSIONAL FEES AND SERVICES	\$ 78,928	\$ 87,773	\$ 166,700
INSURANCE	\$ 42,020	\$ 22,880	\$ 64,900
RENTALS	\$ 300	\$ 500	\$ 800
TRAVEL AND TRAINING	\$ 3,468	\$ 3,183	\$ 6,650
UTILITIES	\$ 236,394	\$ 186,206	\$ 422,600
PUBLISHING AND PRINTING	\$ 7,880	\$ 3,720	\$ 11,600
DUES AND MEMBERSHIPS	\$ 1,368	\$ 833	\$ 2,200
SUPPLIES AND MAINTENANCE	\$ 377,798	\$ 65,003	\$ 442,800
REPAIRS AND MAINTENANCE	\$ 150,175	\$ 89,975	\$ 240,150
DEBT SERVICE-SERVICE CHARGES	\$ 105,200	\$ 25,600	\$ 130,800
MISCELLANEOUS	\$ 3,645	\$ 1,755	\$ 5,400
DEBT SERVICE-PRINCIPAL AND INTEREST	\$ 1,707,500	\$ 503,650	\$ 2,211,150
TOTAL	\$ 3,535,776	\$ 1,599,374	\$ 5,135,150
EXCESS OF REVENUES OVER (UNDER) EXPENSES	\$ 396,028	\$ 159,273	\$ 555,300
CAPITAL OUTLAY	\$ (245,750)	\$ (219,750)	\$ (465,500)
INCREASE (DECREASE) IN FUND BALANCE	\$ 150,278	\$ (60,478)	\$ 89,800
ESTIMATED FUND BALANCE-DECEMBER 31, 2012			\$ 3,374,701
<u>ESTIMATED FUND BALANCE-DECEMBER 31, 2012</u>			<u>TOTAL</u>
		RESERVED	\$ 748,574
		WATER MAIN REPLACEMENT	\$ 709,171
		CAPITAL IMPROVEMENT	\$ 168,989
		REVENUE BONDS	\$ 1,747,967
		TOTAL	\$ 3,374,701

**RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES FROM THE
WATER AND SEWER UTILITY FUND**

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following monthly rates and charges are hereby established for services from the Water and Sewer Utility Fund:

a) Water and Wastewater Base Charge Per Meter

- 1) ~~\$13.57~~ \$16.10 for each single family dwelling
- 2) ~~\$43.57~~ \$16.10 for each mobile home
- 3) ~~\$27.14~~ \$32.20 for each duplex unit
- 4) ~~\$40.74~~ \$48.30 for all other multiple family units
- 5) ~~\$27.14~~ \$32.20 for all commercial and industrial enterprises
- 6) ~~\$40.74~~ \$48.30 for all apartment and commercial/apartment combination

b) Water Usage Charge Per Meter

- 1) Plus a water consumption charge shall be added at the rate of \$2.70 per one hundred cubic feet on each month's consumption as registered on each meter during the preceding monthly billing period.
- 2) The Missouri West Water System shall be charged at the rate of \$1.75 per one thousand gallons of water used as registered on each meter.

c) Wastewater Usage

- 1) For wastewater disposal service there shall be a charge of \$1.55 per one hundred cubic feet of water used except that for the billing statements prepared during the months of May through October the charge for residential wastewater disposal service shall not exceed the charge based upon the average water usage used during the months of December through March.
- 2) Industrial users will be levied a volume charge of \$1.55 per one hundred cubic feet of water used. Industrial users will also be levied a charge of \$.06 per pound of suspended solids and \$.10 per pound of five-day, twenty-degree Centigrade BOD.

d) Stormwater Base Charge Per Meter or Structure

- 1) \$2.00 for each meter or structure.

BE IT FURTHER RESOLVED that the rates and charges for services from the Water and Sewer Utility Fund shall be effective as of the first billing after January 1, 2012.

Dated this 6th day of September, 2011.

President, Board of City Commissioners

Attest:

City Administrator

**RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES FROM THE
SOLID WASTE UTILITY FUND**

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following rates and charges are hereby established for services from the Solid Waste Utility Fund:

- 1) Residential area. For garbage and rubbish collection and disposal services for residential areas, there shall be a charge of ~~\$10.00~~ \$10.05 per month, per family living unit. Residents who deliver garbage and rubbish, excluding inert materials, to the Mandan Municipal Landfill Facility will be charged \$37.00 per ton.

- 2) Non-residential area. For garbage and rubbish disposal services for non-residential establishments, there shall be a charge of \$37.00 per ton. Non-residents who deliver garbage and rubbish, excluding inert materials, to the Mandan Municipal Landfill Facility will be charged a minimum of \$7.00.

- 3) Other disposal charges:
 - a) Major appliances and furniture \$7.00
 - b) Refrigerated appliances \$20.00
 - c) Tires:

Auto	\$2.00
Truck	\$5.00
Tractor	\$10.00
 - d) Minimum charge (includes scale usage) \$2.00
 - e) Minimum monthly charge for services billed on account (includes scale usage) \$5.00
 - f) Untarped and unsecured garbage \$5.00

Grass clippings and leaves are exempt from all charges.

- 4) Inert materials. For disposal of inert materials there shall be a charge of \$12.00 per ton. Inert materials shall be materials so defined by the North Dakota State Department of Health including trees, lumber, demolition lumber, wooden furniture, metal, bricks, concrete, bottom ash from coal fired boilers and asphalt roofing.

- 5) No motor vehicle bodies or dangerous, flammable or hazardous material may be deposited at the Mandan Municipal Landfill Facility.

BE IT FURTHER RESOLVED that the rates and charges for services from the Solid Waste Utility Fund shall be effective as of the first billing after January 1, 2012 for Utility services and as of January 1, 2012 for Landfill services.

Dated this 6th day of September, 2011.

President, Board of City Commissioners

Attest:

City Administrator

**CITY OF MANDAN
2012 BUDGET
STREET LIGHT UTILITY FUND**

ESTIMATED FUND BALANCE-DECEMBER 31, 2011		\$	187,521
REVENUES:			
CHARGES FOR SERVICES:			
STREET LIGHT		\$	300,550
OTHER		\$	2,000
MISCELLANEOUS		\$	<u>33,800</u>
	TOTAL	\$	<u>336,350</u>
EXPENSES:			
SALARIES AND BENEFITS		\$	48,800
OPERATIONS AND MAINTENANCE:			
INSURANCE		\$	1,250
RENTALS		\$	250
TRAVEL AND TRAINING		\$	200
UTILITIES		\$	186,550
SUPPLIES AND MAINTENANCE		\$	2,300
REPAIRS AND MAINTENANCE		\$	54,800
TRANSFERS		\$	6,150
	TOTAL	\$	<u>300,300</u>
EXCESS OF REVENUES OVER (UNDER) EXPENSES		\$	<u>36,050</u>
CAPITAL OUTLAY		\$	<u>-</u>
INCREASE (DECREASE) IN FUND BALANCE		\$	<u>36,050</u>
ESTIMATED FUND BALANCE-DECEMBER 31, 2012		\$	<u><u>223,571</u></u>
<u>ESTIMATED FUND BALANCE-DECEMBER 31, 2012</u>			
	RESERVED	\$	77,306
	CAPITAL IMPROVEMENT	\$	146,265
	TOTAL	\$	<u><u>223,571</u></u>

**CITY OF MANDAN
2012 BUDGET
CITY SHOP FUND**

ESTIMATED FUND BALANCE-DECEMBER 31, 2011	\$	7
REVENUES:		
CHARGES FOR SERVICES:		
FUEL	\$	205,450
MISCELLANEOUS	\$	50
TRANSFERS	\$	<u>78,100</u>
TOTAL	\$	<u>283,600</u>
EXPENDITURES:		
SALARIES AND BENEFITS	\$	59,750
OPERATIONS AND MAINTENANCE:		
SUPPLIES AND MAINTENANCE	\$	205,450
REPAIRS AND MAINTENANCE	\$	<u>18,400</u>
TOTAL	\$	<u>283,600</u>
EXCESS OF REVENUES OVER (UNDER)		
EXPENDITURES	\$	<u>-</u>
ESTIMATED FUND BALANCE-DECEMBER 31, 2012	\$	<u><u>7</u></u>

**CITY OF MANDAN
2012 BUDGET
MILL LEVY AND PROPERTY TAXES**

FUND	MILL LEVY	PROPERTY TAXES
GENERAL	76.84	\$ 3,450,142
SPECIAL REVENUE FUNDS:		
CITY'S SHARE OF SPECIAL ASSESSMENTS	3.41	\$ 153,018
CEMETERY	1.84	\$ 82,632
PUBLIC TRANSPORTATION SYSTEM	2.00	\$ 89,789
DEBT SERVICE FUNDS:		
GENERAL OBLIGATION BONDS:		
LIBERTY MEMORIAL BRIDGE	1.59	\$ 71,393
REFUNDING IMPROVEMENT BONDS:		
STREET IMPROVEMENT DISTRICT #145	0.75	\$ 33,508
STREET IMPROVEMENT DISTRICT #148	0.29	\$ 12,813
MANDAN AIRPORT AUTHORITY	4.00	\$ 179,578
MORTON MANDAN PUBLIC LIBRARY	7.00	\$ 314,261
TOTAL	<u>97.72</u>	<u>\$ 4,387,134</u>

**CITY OF MANDAN
2012 BUDGET
MILL LEVY AND PROPERTY TAXES
(PROPERTY TAX INCREASE)**

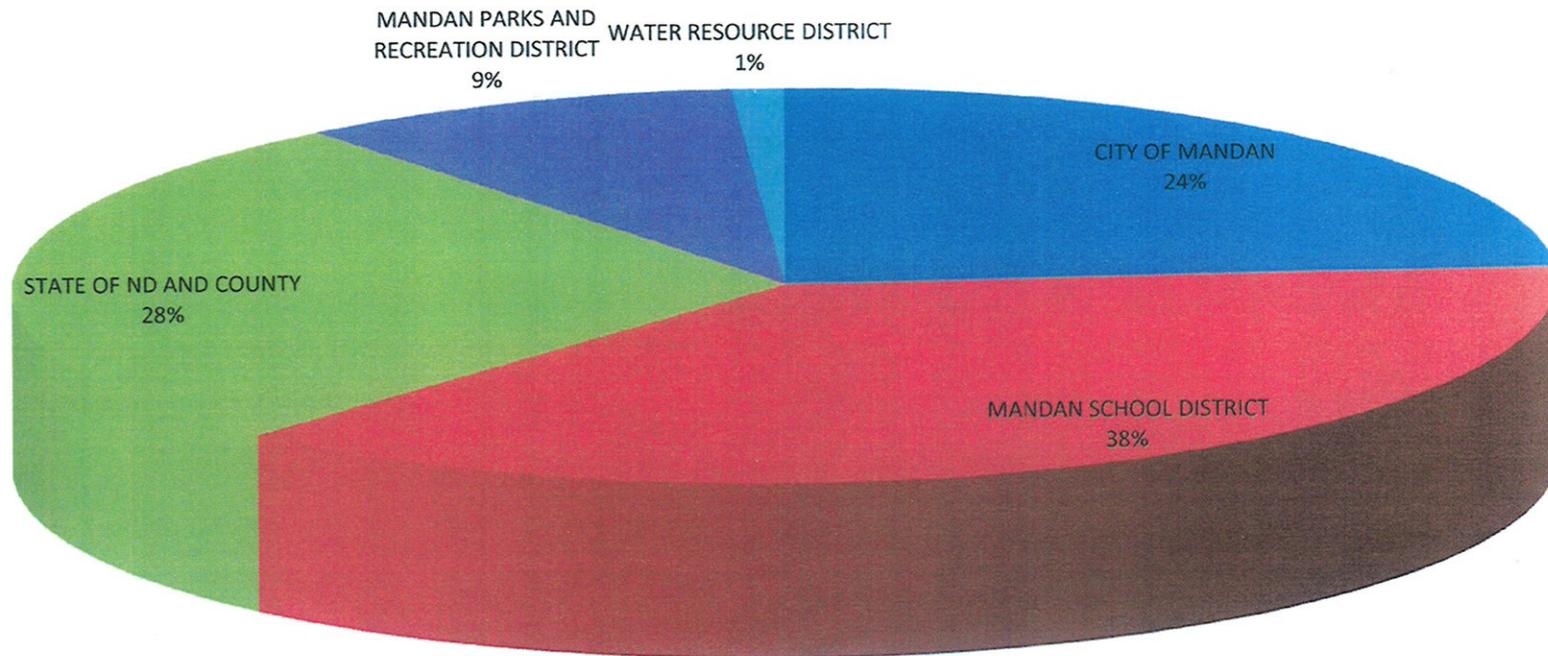
EXISTING RESIDENTIAL HOME VALUED AT \$175,000

	2011 BUDGET	2012 BUDGET
TRUE AND FULL VALUE	\$ 175,000	\$ 175,000
TRUE AND FULL VALUE INCREASE-2.31%		\$ 4,043
ADJUSTED TRUE AND FULL VALUE		\$ 179,043
ASSESSED VALUATION-50% OF TRUE AND FULL VALUE	\$ 87,500	\$ 89,521
TAXABLE VALUATION-9% OF ASSESSED VALUATION	\$ 7,875	\$ 8,057
 TAXABLE VALUATION	 \$ 7,875	 \$ 8,057
X MILL LEVY	97.98	97.72
TOTAL PROPERTY TAXES	\$ 771.59	\$ 787.32
	PROPERTY TAX INCREASE	\$ 15.73
	% INCREASE	2.0%

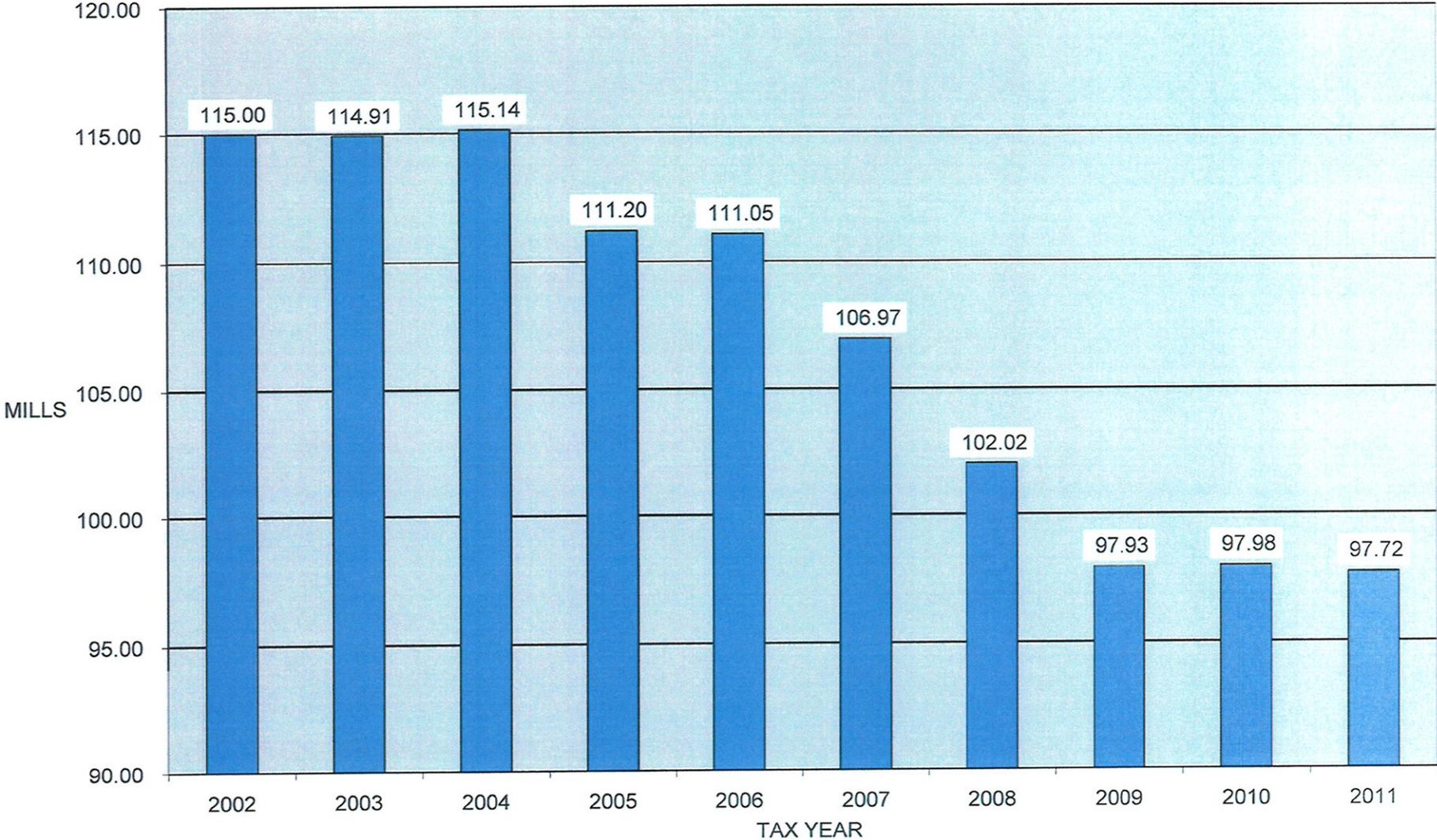
**CITY OF MANDAN
PROPERTY TAX RATES
LAST TEN YEARS**

TAX YEAR	BUDGET YEAR	CITY OF MANDAN	MANDAN PUBLIC SCHOOL DISTRICT	STATE OF ND AND MORTON COUNTY	MANDAN PARKS AND RECREATION DISTRICT	WATER MANAGEMENT RESOURCE DISTRICT	TOTAL
2001	2002	116.26	210.29	122.94	42.83	5.81	498.13
2002	2003	115.00	212.10	122.77	43.09	5.70	498.66
2003	2004	114.91	218.76	125.42	38.26	5.62	502.97
2004	2005	115.14	221.10	129.67	38.18	5.22	509.31
2005	2006	111.20	249.10	129.32	40.11	4.95	534.68
2006	2007	111.05	236.56	128.85	40.05	5.00	521.51
2007	2008	106.97	232.57	120.29	40.10	4.78	504.71
2008	2009	102.02	233.94	119.36	37.84	4.45	497.61
2009	2010	97.93	157.17	116.81	37.77	4.39	414.07
2010	2011	97.98	155.69	113.31	37.91	4.50	409.39
		23.9%	38.0%	27.7%	9.3%	1.1%	100%

PROPERTY TAX RATES TAX YEAR 2010



CITY OF MANDAN PROPERTY TAX RATES



**CITY OF MANDAN
TAXABLE VALUATIONS
LAST TEN YEARS**

<u>YEAR</u>	<u>AGRICULTURAL</u>	<u>RESIDENTIAL</u>	<u>COMMERCIAL</u>	<u>OTHER (1)</u>	<u>TOTAL (2)</u>
2002	\$ 7,275	\$ 16,267,150	\$ 5,540,669	\$ 369,924	\$ 22,185,018
2003	\$ 7,005	\$ 17,714,482	\$ 6,068,456	\$ 387,535	\$ 24,177,478
2004	\$ 7,005	\$ 18,898,565	\$ 6,672,882	\$ 404,739	\$ 25,983,191
2005	\$ 6,245	\$ 20,966,809	\$ 7,242,017	\$ 388,516	\$ 28,603,587
2006	\$ 4,970	\$ 22,521,162	\$ 7,635,737	\$ 399,828	\$ 30,561,697
2007	\$ 4,947	\$ 24,766,284	\$ 8,333,597	\$ 403,335	\$ 33,508,163
2008	\$ 3,880	\$ 27,826,574	\$ 9,351,991	\$ 469,202	\$ 37,651,647
2009	\$ 4,720	\$ 29,905,676	\$ 9,725,971	\$ 573,841	\$ 40,210,208
2010	\$ 5,285	\$ 31,844,568	\$ 10,457,501	\$ 596,524	\$ 42,903,878
2011	\$ 5,850	\$ 33,457,735	\$ 10,834,389	\$ 596,524	\$ 44,894,498

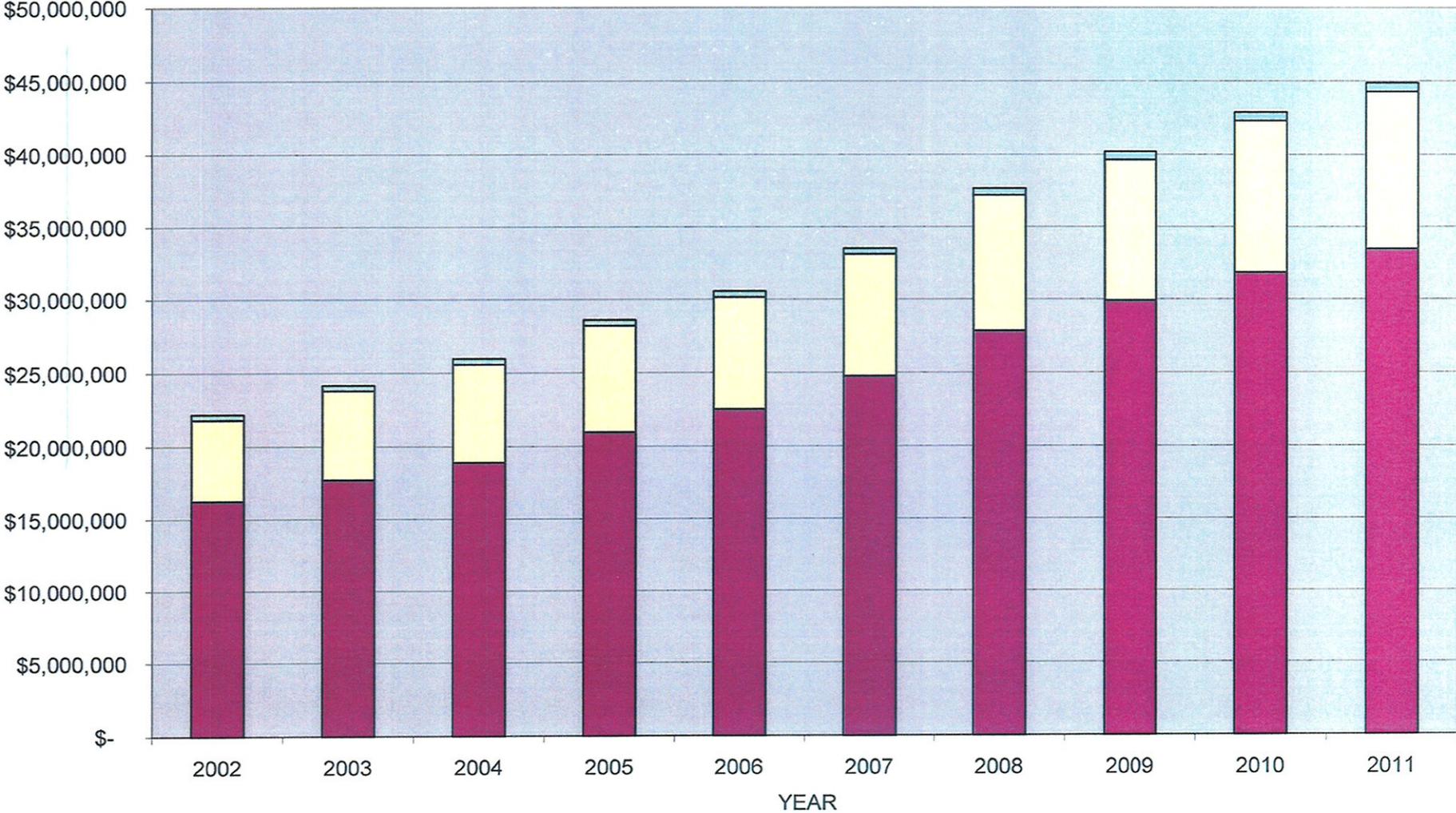
NOTES:

(1) - CONSISTS OF RAILROADS, PIPELINES, AND HEAT, LIGHT, POWER, GAS UTILITIES

(2) - YEAR 2011 IS ESTIMATED

CITY OF MANDAN TAXABLE VALUATIONS

■ AGRICULTURAL ■ RESIDENTIAL □ COMMERCIAL □ OTHER



TO: MAYOR HELBLING & MANDAN CITY COMMISSIONERS

FROM: RICHARD L BARTA/CITY ASSESSOR

DATE: APRIL 19, 2011

SUBJECT: 2011 ANNUAL ASSESSMENT REPORT

This 2011 annual report of the Mandan Assessing Division is a summary of the 2011 assessment roll and a review of what has occurred in terms of real estate value and appraisal activity of this division through December 2010. The market value of taxable real property, property transfers, sales, new construction and annexations all combine to give a tax base for Mandan's 2011 property tax year. This condensed report is a summary of the final assessment roll. Any changes in value that the Local, County or State Boards of Equalization may make will be reflected in the final assessment.

The 2011 assessment roll total market value is \$469,542,600. This is an increase from the 2010 assessment roll total of \$42,394,400 or 4.6%. Of this increase, new construction contributed \$20,848,547; existing property values contributed \$21,545.853; the balance is attributed to pro-rations, abatements and changes in assessments. An extensive review of existing properties indicated that an update in market values was needed to accurately reflect Mandan's increasing market and to comply with the North Dakota State Tax Department's guidelines. This review also indicated a change was needed to some of the land values to both commercial and residential properties. The total market values of these properties were adjusted and then the value between the land and the building was redistributed. While existing commercial properties were increase an average of 1.28%; existing residential properties were increased an average of 2.31%. Adjustments have been made to many individual properties within all classes of real estate.

Procedures of assessment and appraisal are conducted under guidance from the North Dakota Tax Commissioner's Office, the North Dakota Century Code and nationally recognized standards of mass appraisal of real property. The Mandan Assessing Division respectfully recommends that the assessment roll be approved as submitted. Should anyone appear before the Board to protest an assessment in the 2011 report, the Mandan Assessing Division will review their values and only reconsider those who have indicated concerns about their values.

**CITY OF MANDAN
2012 BUDGET
SALARIES AND BENEFITS**

SALARIES:	
REGULAR	\$ 4,881,800
OVERTIME	\$ 224,100
OVERTIME-GRANTS	\$ 30,250
PART-TIME	\$ 152,800
TOTAL	<u>\$ 5,288,950</u>

BENEFITS:	
SOCIAL SECURITY AND MEDICARE	\$ 402,750
PENSION	\$ 353,000
UNEMPLOYMENT COMPENSATION	\$ -
WORKERS' COMPENSATION	\$ 70,400
HEALTH INSURANCE	\$ 960,450
TERM LIFE INSURANCE	\$ 7,200
EMPLOYEE ASSISTANCE PROGRAM	\$ 3,200
DENTAL ADMINISTRATION FEES	\$ 150
TOTAL	<u>\$ 1,797,150</u>
TOTAL	<u>\$ 7,086,100</u>

**CITY OF MANDAN
2012 BUDGET
CAPITAL OUTLAY**

<u>FUND</u>	<u>DEPARTMENT</u>	<u>TOTAL</u>
GENERAL	INFORMATION TECHNOLOGY	\$ 36,700
GENERAL	POLICE	\$ 59,750
WATER AND SEWER UTILITY	WATER TREATMENT	\$ 209,000
WATER AND SEWER UTILITY	WATERLINE MAINTENANCE	\$ 3,000
WATER AND SEWER UTILITY	SEWERLINE MAINTENANCE	\$ 203,500
WATER AND SEWER UTILITY	METER READING	\$ 50,000
SOLID WASTE UTILITY	LANDFILL	<u>\$ 57,000</u>
	TOTAL	<u><u>\$ 618,950</u></u>

CITY OF MANDAN
DEBT SERVICE

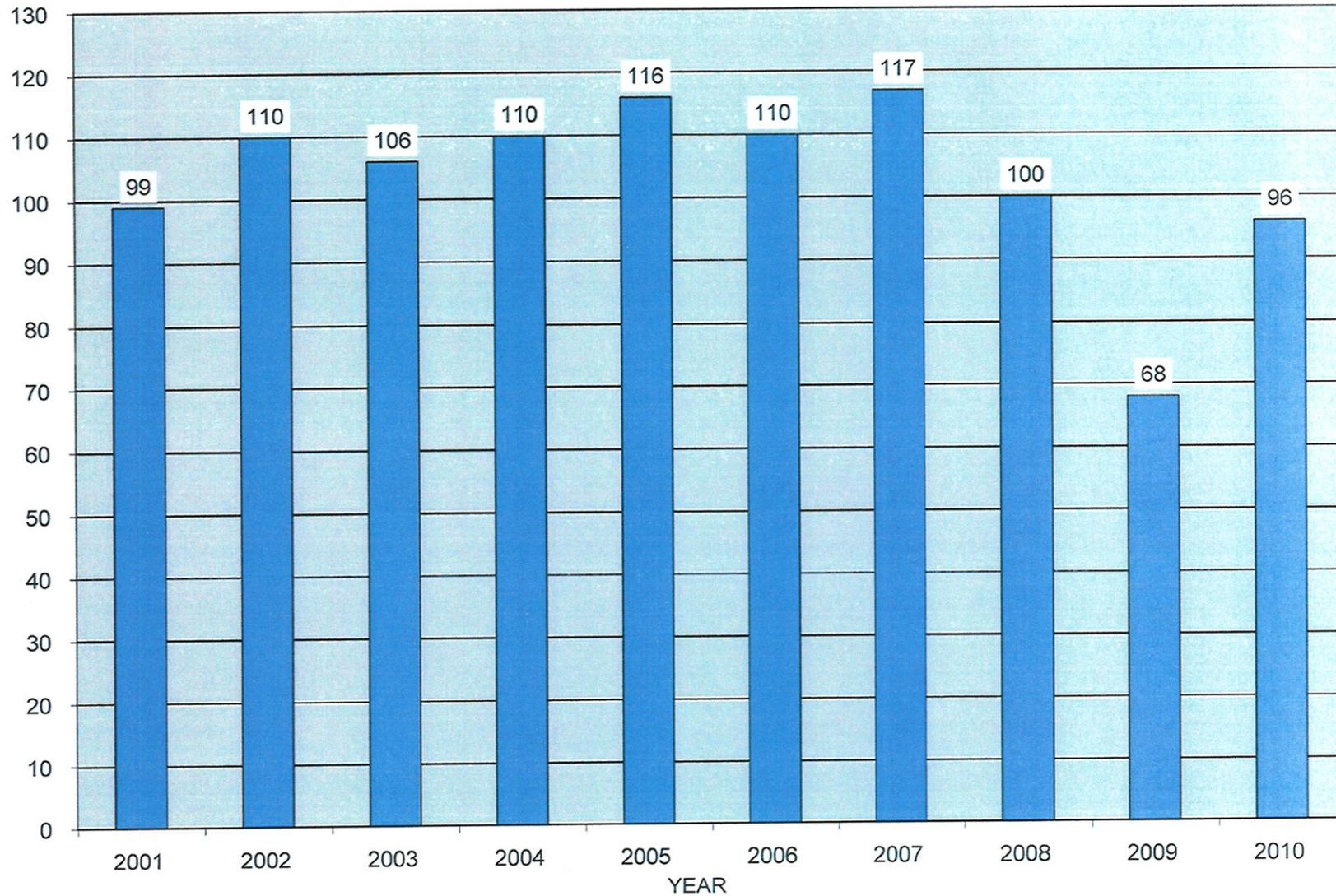
AMORTIZATION SCHEDULE

YEAR	GENERAL OBLIGATION BONDS LIBERTY MEMORIAL BRIDGE	SPECIAL ASSESSMENT BONDS SIDEWALK, CURB AND GUTTER	SPECIAL ASSESSMENT BONDS STREET	SPECIAL ASSESSMENT BONDS WATER AND SEWER UTILITY	REVENUE BONDS MANDAN COMMUNITY CENTER	REVENUE BONDS- WATER OF 2002 WATER TREATMENT PLANT	SRF LOANS- WATER OF 2008 WATER TREATMENT PLANT	SRF LOANS- WATER OF 2010 WATER TREATMENT PLANT	REVENUE BONDS- WATER AND SEWER OF 2005 WATERMAIN	SRF LOANS- WATER OF 2008 SOUTH SIDE WATER RESERVOIR	REVENUE BONDS- SEWER OF 1997 SEWER TREATMENT PLANT	SRF LOANS- SEWER OF 2008 SEWER TREATMENT PLANT	SRF LOANS- SEWER OF 2008 SOUTH SIDE SEWERMAIN	TOTAL
2012	\$ 64,903	\$ 210,983	\$ 4,376,192	\$ 1,543,467	\$ 141,660	\$ 281,825	\$ 289,300	\$ 466,274	\$ 75,275	\$ 594,828	\$ 334,625	\$ 107,000	\$ 62,000	\$ 8,548,332
2013	\$ 63,538	\$ 205,401	\$ 4,235,449	\$ 1,491,076	\$ 137,933	\$ 282,325	\$ 289,550	\$ 463,464	\$ 78,490	\$ 593,547	\$ 332,750	\$ 105,250	\$ 66,000	\$ 8,344,772
2014	\$ 62,155	\$ 199,588	\$ 3,872,205	\$ 1,363,685	\$ 139,100	\$ 281,675	\$ 289,675	\$ 465,512	\$ 76,600	\$ 591,938	\$ 330,750	\$ 103,500	\$ 64,875	\$ 7,841,258
2015	\$ 60,755	\$ 178,724	\$ 3,470,213	\$ 1,220,411	\$ 139,975	\$ 281,900	\$ 289,675	\$ 462,276	\$ 79,580	\$ 590,003	\$ 333,625	\$ 106,750	\$ 63,750	\$ 7,277,637
2016	\$ 64,255	\$ 148,471	\$ 3,319,767	\$ 1,164,501	\$ 140,548	\$ 282,975	\$ 289,550	\$ 463,898	\$ 77,430	\$ 592,740	\$ 331,250	\$ 104,875	\$ 62,625	\$ 7,042,884
2017	\$ 67,533	\$ 114,304	\$ 3,035,964	\$ 1,117,180	\$ 140,868	\$ 282,875	\$ 289,300	\$ 465,236	\$ 75,255	\$ 589,987	\$ 333,750	\$ 108,000	\$ 66,500	\$ 6,686,752
2018	\$ 65,688	\$ 76,440	\$ 2,799,821	\$ 1,020,276	\$ 140,868	\$ 281,625	\$ 288,925	\$ 461,290	\$ 77,945	\$ 591,907	\$ 331,000	\$ 106,000	\$ 65,250	\$ 6,307,034
2019	\$ 68,740	\$ 40,004	\$ 2,464,504	\$ 904,631	\$ 140,603	\$ 282,250	\$ 288,425	\$ 462,202	\$ 75,498	\$ 593,337	\$ 333,125	\$ 109,000	\$ 64,000	\$ 5,826,318
2020	\$ 66,665	\$ 19,644	\$ 2,274,039	\$ 831,679		\$ 283,700	\$ 287,800	\$ 462,830	\$ 77,910	\$ 594,276		\$ 106,875	\$ 62,750	\$ 5,068,168
2021	\$ 69,460		\$ 2,082,928	\$ 695,874		\$ 284,950	\$ 291,050	\$ 463,174	\$ 80,000	\$ 594,724		\$ 109,750	\$ 66,500	\$ 4,738,411
2022	\$ 67,123		\$ 1,534,632	\$ 577,516			\$ 291,075	\$ 463,234	\$ 76,880	\$ 594,682		\$ 107,500	\$ 65,125	\$ 3,777,767
2023	\$ 69,650		\$ 740,324	\$ 243,803			\$ 289,950	\$ 463,010	\$ 78,640	\$ 594,150		\$ 110,250	\$ 63,750	\$ 2,653,526
2024	\$ 67,040		\$ 263,013	\$ 109,159			\$ 288,700	\$ 462,502	\$ 75,280	\$ 593,127		\$ 107,875	\$ 62,375	\$ 2,029,070
2025	\$ 69,290		\$ 9,974				\$ 291,325	\$ 461,710	\$ 76,800	\$ 591,613		\$ 110,500	\$ 66,000	\$ 1,677,212
2026	\$ 66,430						\$ 290,725	\$ 465,634		\$ 594,609		\$ 113,000	\$ 64,500	\$ 1,594,898
2027							\$ 288,975	\$ 464,132		\$ 591,951		\$ 110,375	\$ 63,000	\$ 1,518,433
2028							\$ 291,100	\$ 462,346		\$ 593,803		\$ 112,750	\$ 61,500	\$ 1,521,499
2029								\$ 465,276						\$ 465,276
2030								\$ 462,780						\$ 462,780
TOTAL	\$ 993,223	\$ 1,193,559	\$ 34,479,027	\$ 12,283,259	\$ 1,121,553	\$ 2,826,100	\$ 4,925,100	\$ 8,806,780	\$ 1,081,583	\$ 10,081,219	\$ 2,660,875	\$ 1,839,250	\$ 1,090,500	\$ 83,382,026
SUMMARY														
PRINCIPAL	\$ 730,000	\$ 1,063,602	\$ 28,753,500	\$ 10,208,926	\$ 945,000	\$ 2,473,000	\$ 3,972,000	\$ 6,735,000	\$ 795,000	\$ 7,640,000	\$ 2,385,000	\$ 1,480,000	\$ 880,000	\$ 68,061,028
INTEREST	\$ 263,223	\$ 129,957	\$ 5,725,527	\$ 2,074,333	\$ 176,553	\$ 353,100	\$ 953,100	\$ 2,071,780	\$ 286,583	\$ 2,441,219	\$ 275,875	\$ 359,250	\$ 210,500	\$ 15,320,998
TOTAL	\$ 993,223	\$ 1,193,559	\$ 34,479,027	\$ 12,283,259	\$ 1,121,553	\$ 2,826,100	\$ 4,925,100	\$ 8,806,780	\$ 1,081,583	\$ 10,081,219	\$ 2,660,875	\$ 1,839,250	\$ 1,090,500	\$ 83,382,026

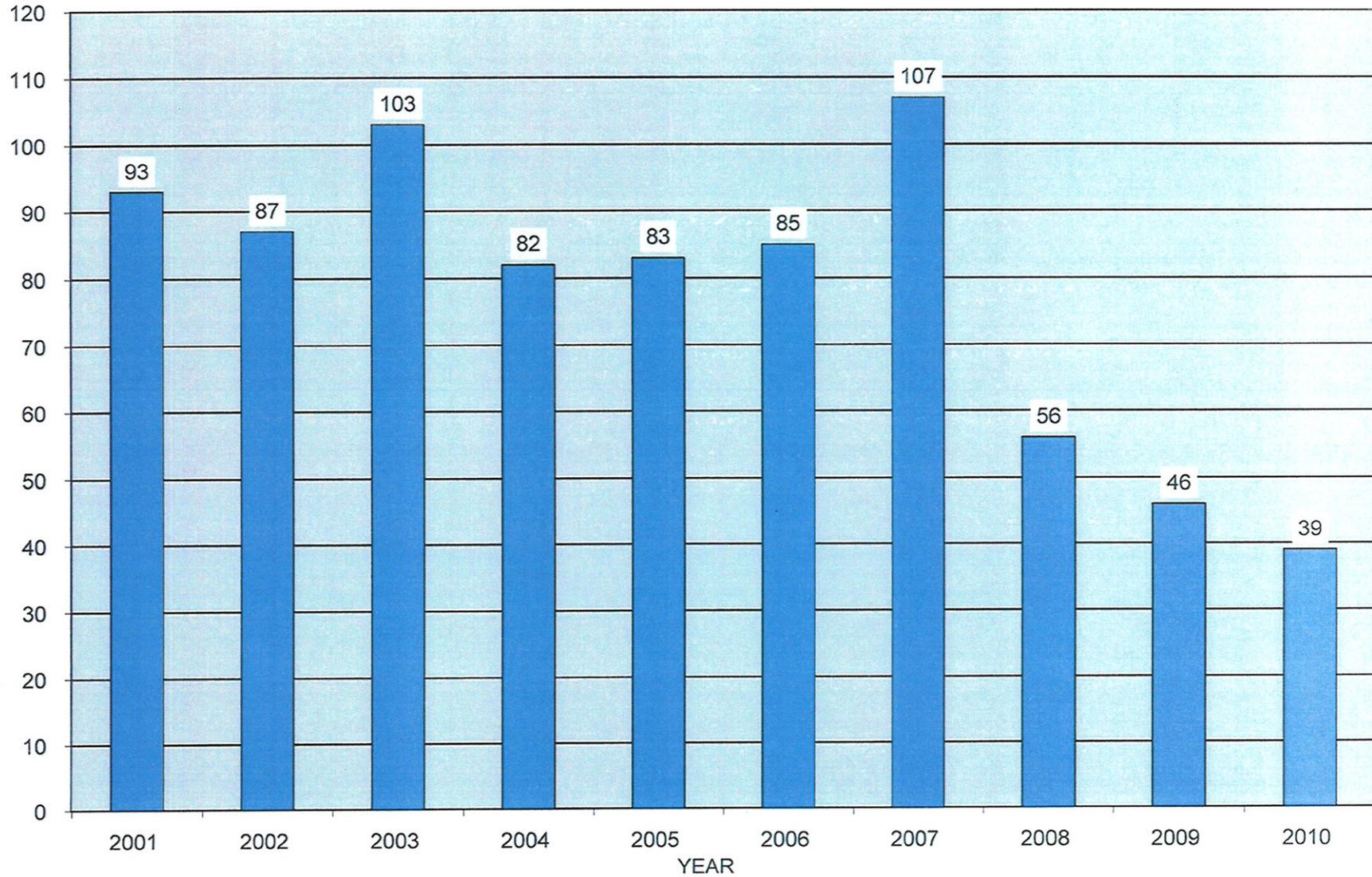
**CITY OF MANDAN
2012 BUDGET
TRANSFERS**

<u>FUND</u>	<u>TRANSFER IN</u>	<u>FUND</u>	<u>TRANSFER OUT</u>	<u>TOTAL</u>	<u>DESCRIPTION</u>
215	PUBLIC TRANSPORTATION SYSTEM	100.103	GENERAL-AUDITOR	\$ 6,400	BIS-MAN TRANSIT BOARD
703	CITY SHOP	100.103	GENERAL-AUDITOR	\$ 78,100	INTERDEPARTMENTAL SERVICES
704	MANDAN AIRPORT AUTHORITY	100.103	GENERAL-AUDITOR	\$ 5,600	STATE AID DISTRIBUTION
704	MANDAN AIRPORT AUTHORITY	100.103	GENERAL-AUDITOR	\$ 16,000	OPERATING SUBSIDY
705	MORTON MANDAN PUBLIC LIBRARY	100.103	GENERAL-AUDITOR	\$ 10,650	STATE AID DISTRIBUTION
705	MORTON MANDAN PUBLIC LIBRARY	100.103	GENERAL-AUDITOR	\$ 31,500	OPERATING SUBSIDY
228	NARCOTICS TASK FORCE GRANT	100.121	GENERAL-POLICE	\$ 3,700	GRANT MATCH
219	FIRE EQUIPMENT RESERVE	100.126	GENERAL-FIRE	\$ 50,000	APPARATUS REPLACEMENT
100	GENERAL	201	HIGHWAY DISTRIBUTION	\$ 1,099,600	STREET DEPARTMENT-MAINTENANCE
546	STREET CONSTRUCTION	203	CITY'S SHARE OF SPECIAL ASSESSMENTS	\$ 6,000	STREET #154-PROJECT #2009-1
546	STREET CONSTRUCTION	203	CITY'S SHARE OF SPECIAL ASSESSMENTS	\$ 1,100	STREET #155-AREA A-PROJECT #2009-6
546	STREET CONSTRUCTION	203	CITY'S SHARE OF SPECIAL ASSESSMENTS	\$ 3,100	STREET #155-AREA B-PROJECT #2009-7
546	STREET CONSTRUCTION	203	CITY'S SHARE OF SPECIAL ASSESSMENTS	\$ 2,500	STREET #156-AREA A-PROJECT #2009-8
546	STREET CONSTRUCTION	203	CITY'S SHARE OF SPECIAL ASSESSMENTS	\$ 2,350	STREET #156-AREA B-PROJECT #2009-9
546	STREET CONSTRUCTION	203	CITY'S SHARE OF SPECIAL ASSESSMENTS	\$ 2,550	STREET #156-AREA C-PROJECT #2009-10
546	STREET CONSTRUCTION	203	CITY'S SHARE OF SPECIAL ASSESSMENTS	\$ 4,550	STREET #158-PROJECT #2010-1
546	STREET CONSTRUCTION	203	CITY'S SHARE OF SPECIAL ASSESSMENTS	\$ 4,800	STREET #165-PROJECT #2011-1
100	GENERAL	214	CITY SALES TAX	\$ 610,800	PROPERTY TAX REDUCTION
224	MANDAN GROWTH	214	CITY SALES TAX	\$ 250,000	BUSINESS AND ECONOMIC DEVELOPMENT
225	JOB DEVELOPMENT AUTHORITY	214	CITY SALES TAX	\$ 100,000	ECONOMIC DEVELOPMENT-BMDA
431	MCC REVENUE BONDS OF 2005	214	CITY SALES TAX	\$ 142,450	DEBT SERVICE
601	WATER AND SEWER UTILITY	620	SOLID WASTE UTILITY	\$ 18,450	ADMINISTRATION/FINANCE=15%
601	WATER AND SEWER UTILITY	630	STREET LIGHT UTILITY	\$ 6,150	ADMINISTRATION/FINANCE=5%
			TOTAL	<u>\$ 2,456,350</u>	

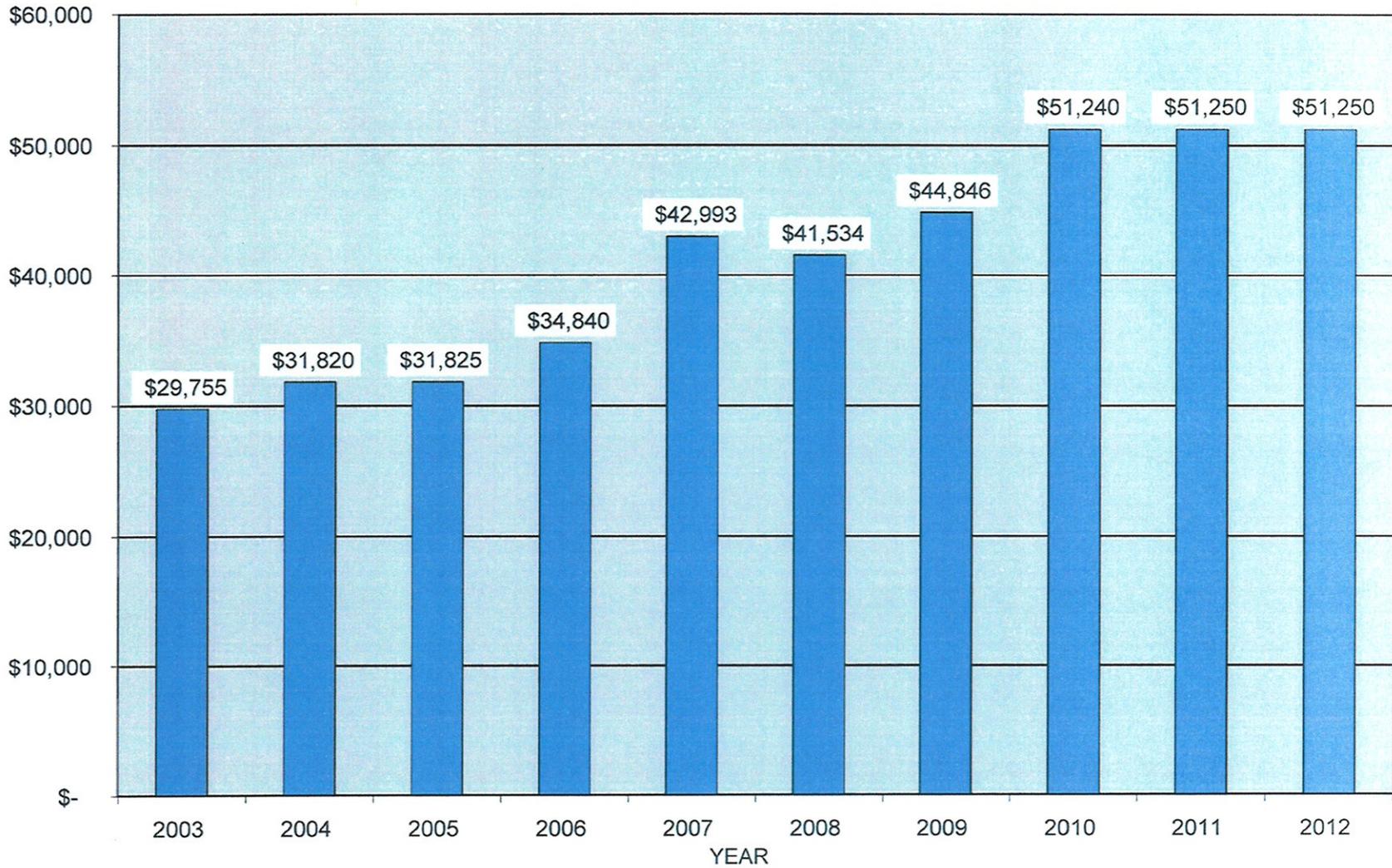
CEMETERY GRAVE OPENING AND CLOSING



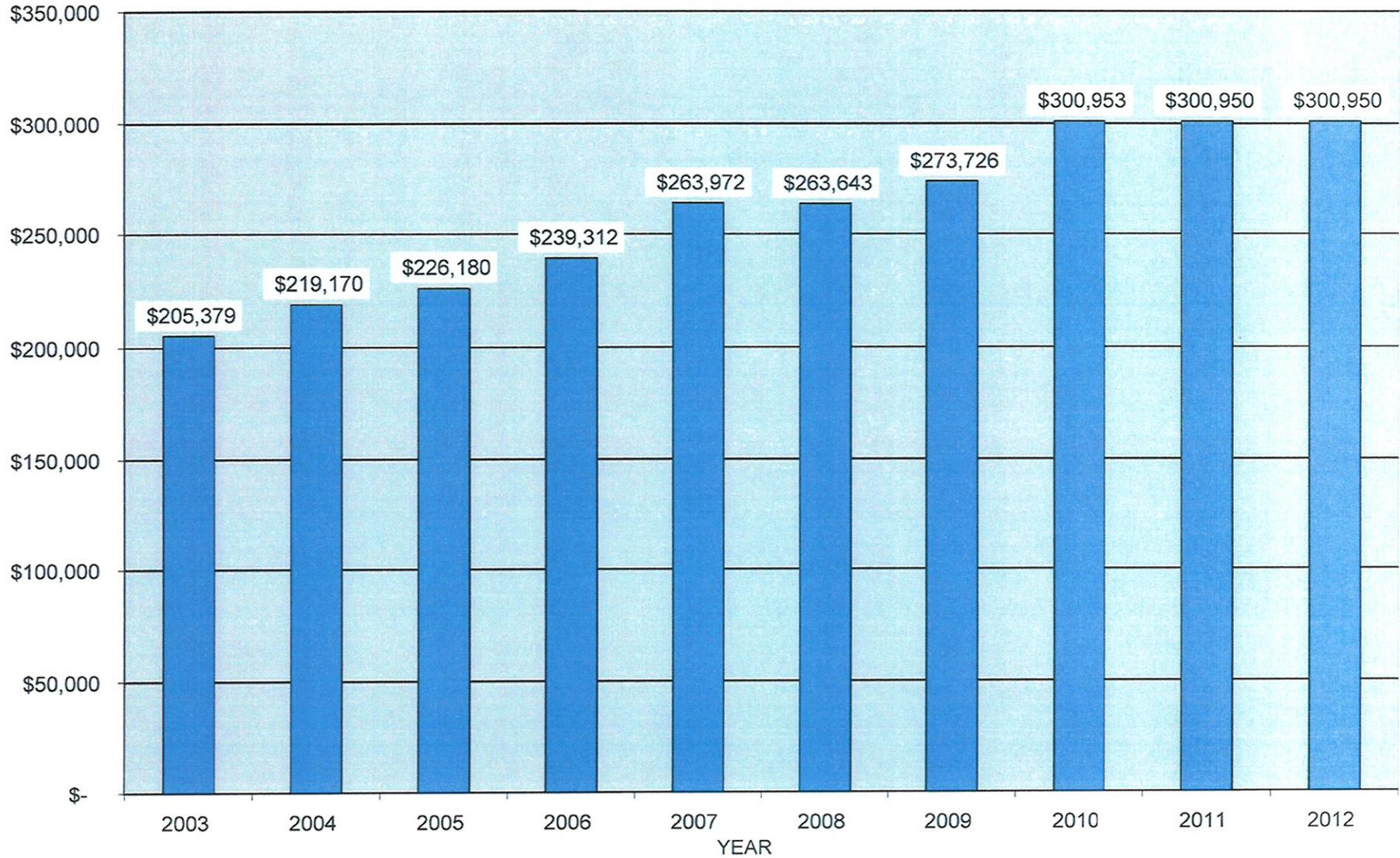
SALE OF CEMETERY LOTS



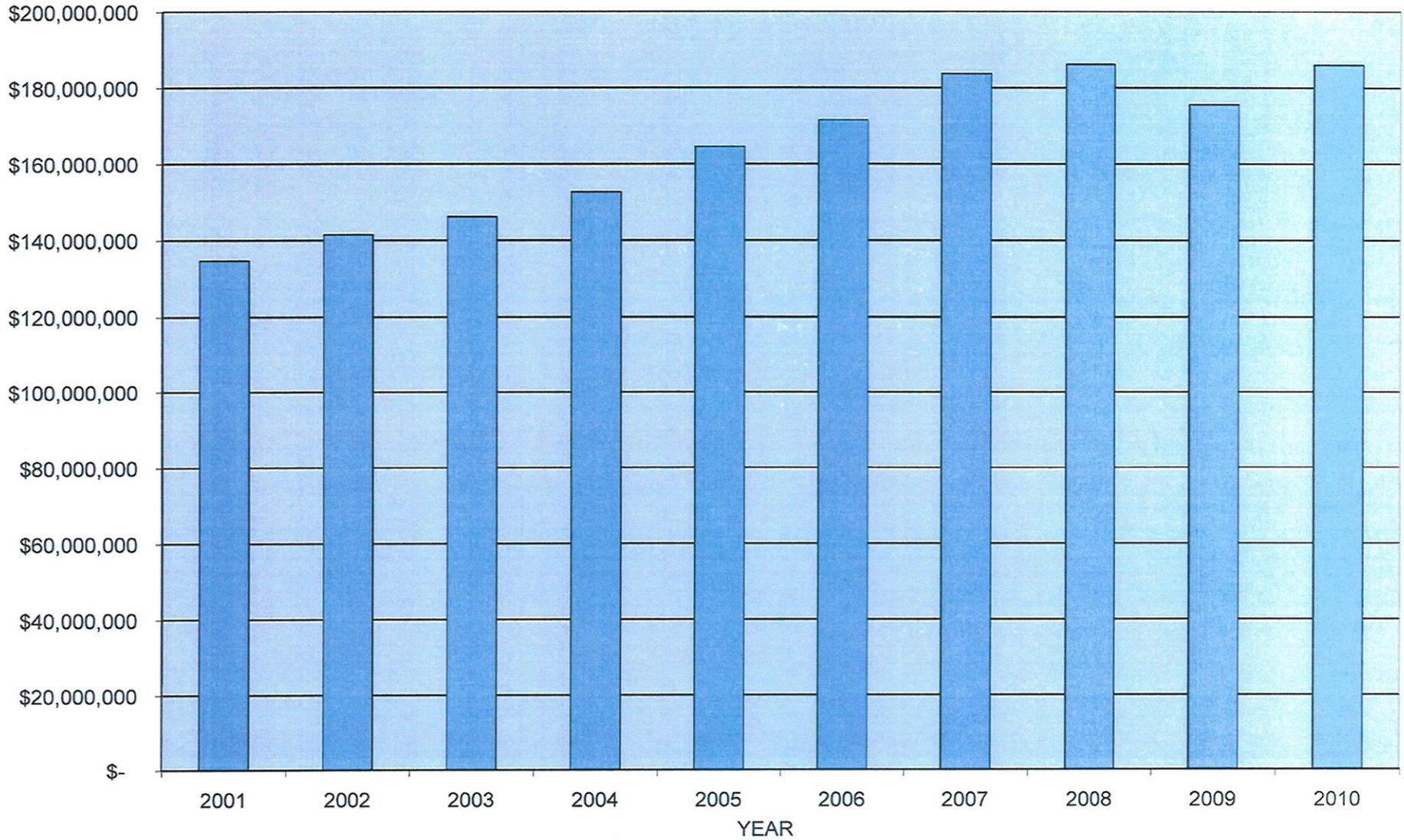
CITY OF MANDAN OCCUPANCY TAXES



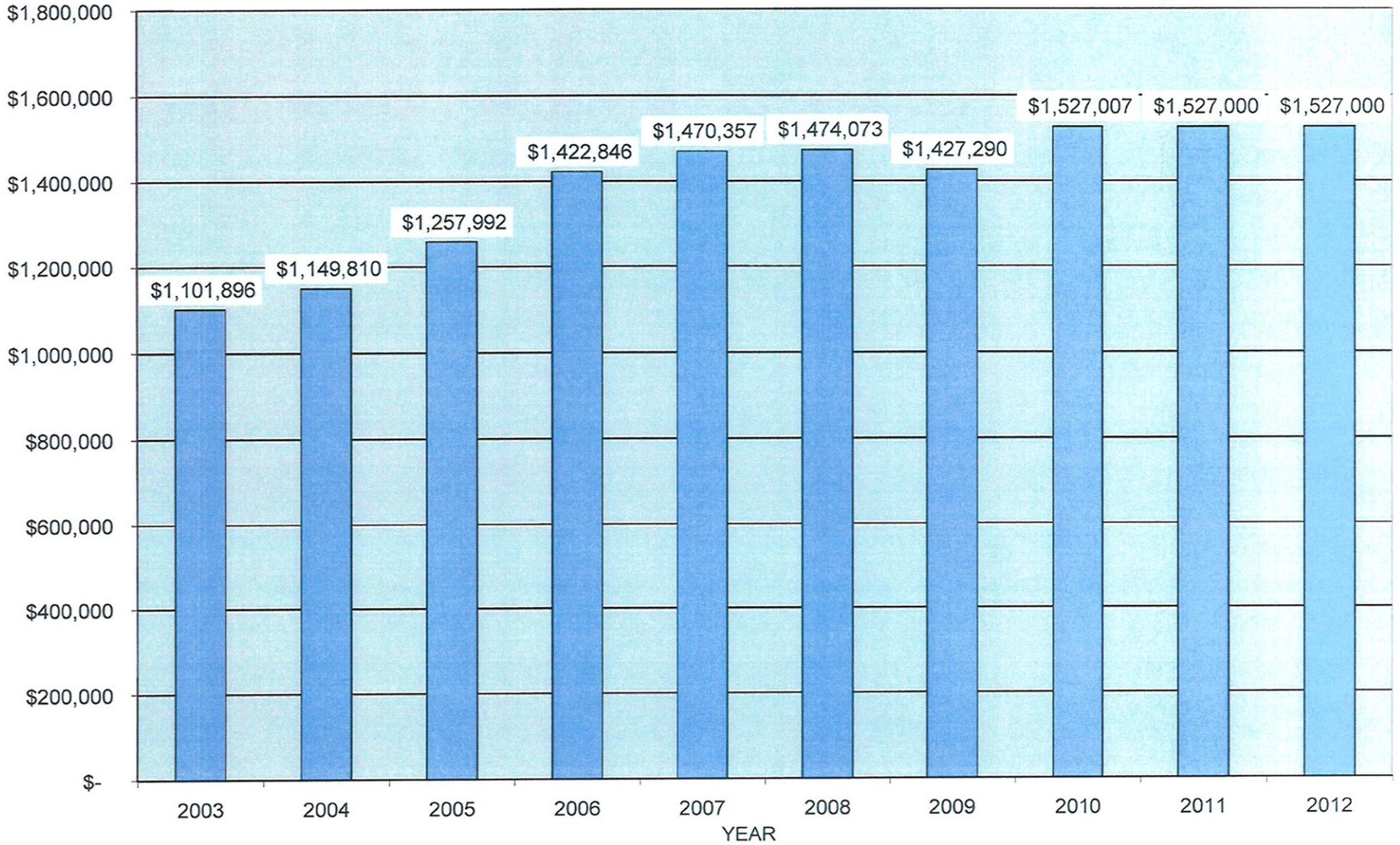
CITY OF MANDAN RESTAURANT & LODGING TAXES



CITY OF MANDAN TAXABLE SALES AND PURCHASES



CITY OF MANDAN SALES TAXES



**CITY OF MANDAN
WATER AND SEWER UTILITY FUND
(UTILITY BILLING)**

WATER

GALLONS SOLD			
YEAR	CITY OF MANDAN	MISSOURI WEST WATER SYSTEM	TOTAL GALLONS
2000	725,638,119 84.5%	133,223,700 15.5%	858,861,819 100%
2001	738,127,595 83.5%	145,827,600 16.5%	883,955,195 100%
2002	828,478,063 83.5%	163,711,800 16.5%	992,189,863 100%
2003	823,623,205 82.7%	172,123,800 17.3%	995,747,005 100%
2004	738,650,482 82.5%	156,891,500 17.5%	895,541,982 100%
2005	725,320,942 81.8%	161,802,200 18.2%	887,123,142 100%
2006	861,895,790 82.1%	187,915,800 17.9%	1,049,811,590 100%
2007	771,937,300 82.0%	169,562,700 18.0%	941,500,000 100%
2008	782,909,726 81.7%	175,196,187 18.3%	958,105,913 100%
2009	741,148,227 81.6%	167,189,823 18.4%	908,338,050 100%
2010	699,788,434 80.5%	169,724,070 19.5%	869,512,504 100%

**CITY OF MANDAN
WATER AND SEWER UTILITY FUND
(UTILITY BILLING)**

WATER

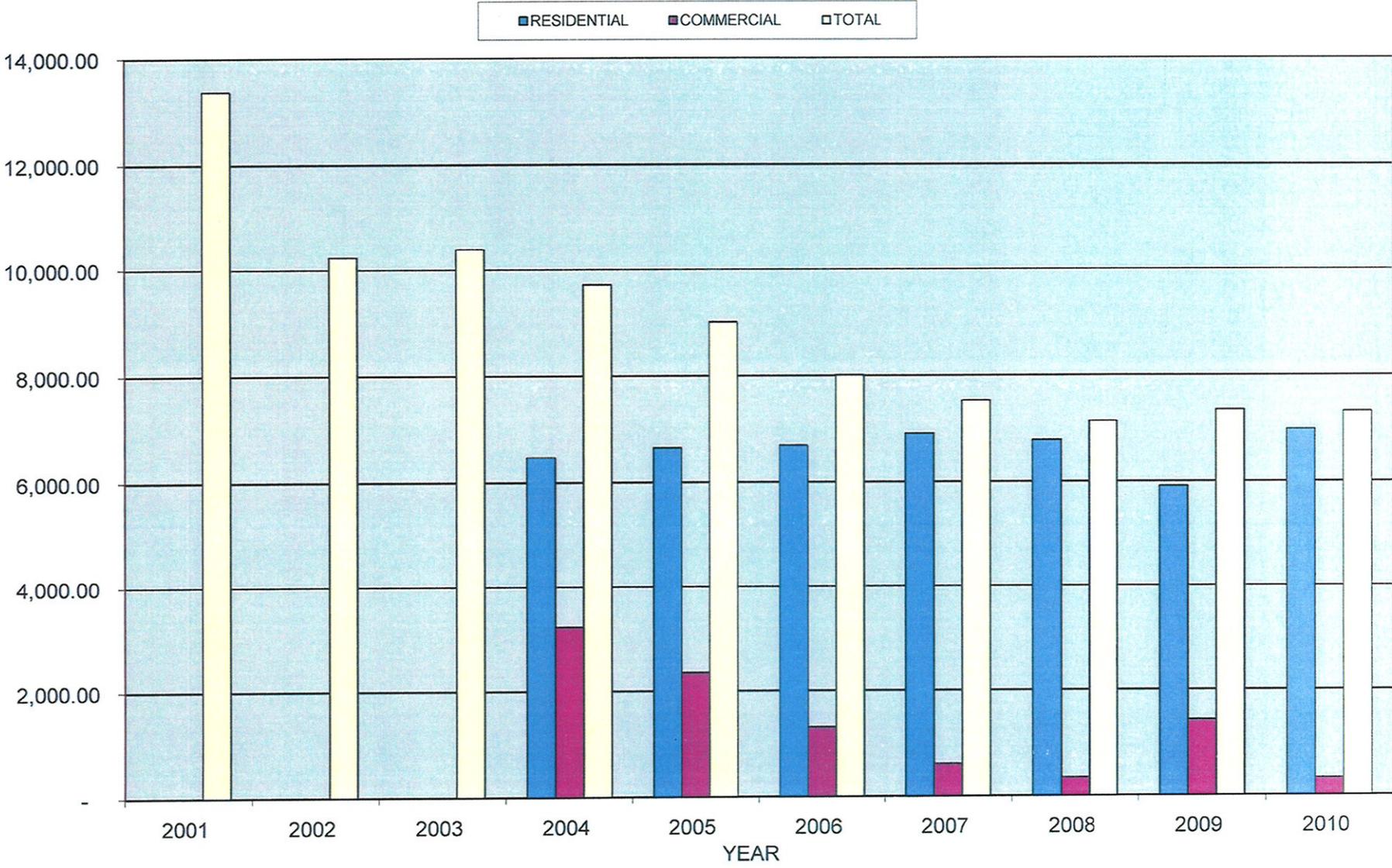
CITY CONSUMPTION-CUBIC FEET						
YEAR	APARTMENT	COMMERCIAL	MOBILE HOME	RESIDENTIAL	TRAILER PARK	TOTAL CUBIC FEET
2000	1,391,611 1.4%	24,716,124 25.5%	457,641 0.5%	55,977,622 57.7%	14,460,703 14.9%	97,003,700 100%
2001	1,391,834 1.4%	24,109,843 24.4%	739,263 0.7%	60,102,827 60.9%	12,329,533 12.5%	98,673,300 100%
2002	1,290,121 1.2%	27,480,723 24.8%	680,822 0.6%	66,566,284 60.1%	14,733,449 13.3%	110,751,400 100%
2003	1,198,209 1.1%	26,015,357 23.6%	699,014 0.6%	66,924,785 60.8%	15,265,035 13.9%	110,102,400 100%
2004	1,061,408 1.1%	24,648,914 25.0%	585,769 0.6%	57,566,727 58.3%	14,880,381 15.1%	98,743,200 100%
2005	1,040,770 1.1%	23,037,012 23.8%	559,543 0.6%	59,782,924 61.7%	12,541,051 12.9%	96,961,300 100%
2006	787,464 0.7%	26,864,719 23.3%	661,317 0.6%	72,978,833 63.3%	13,926,367 12.1%	115,218,700 100%
2007	990,577 1.0%	25,634,723 24.8%	671,333 0.7%	63,489,627 61.5%	12,406,741 12.0%	103,193,000 100%
2008	922,158 0.9%	25,347,400 24.2%	634,745 0.6%	64,753,549 61.9%	13,001,949 12.4%	104,659,800 100%
2009	1,023,171 1.0%	25,450,903 25.7%	661,575 0.7%	60,182,844 60.7%	11,758,607 11.9%	99,077,100 100%
2010	1,056,164 1.1%	28,171,584 30.1%	562,662 0.6%	54,249,607 58.0%	9,508,084 10.2%	93,548,100 100%

**CITY OF MANDAN
WATER AND SEWER UTILITY FUND
(UTILITY BILLING)**

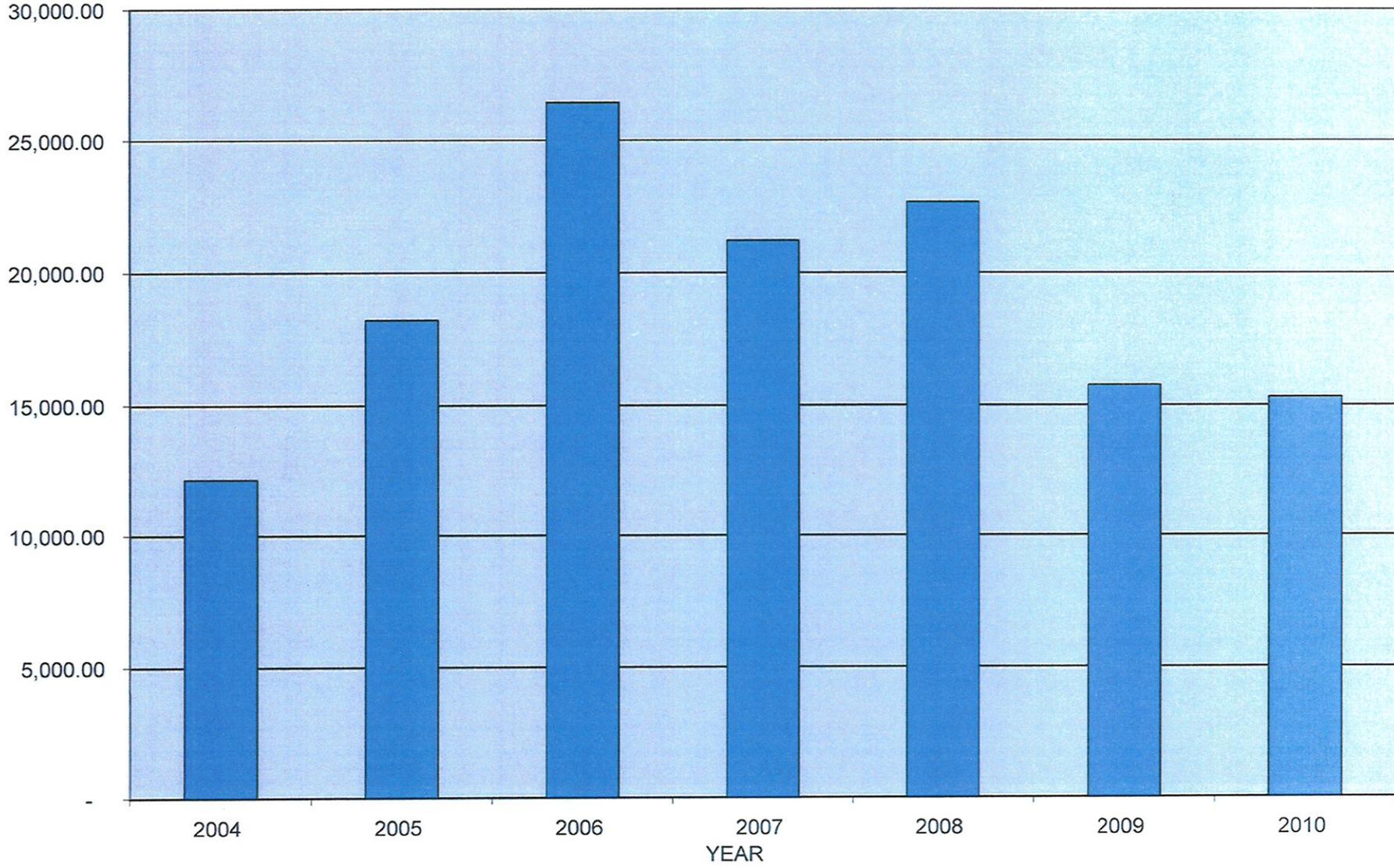
SEWER

YEAR	TOTAL RESIDENTIAL/ COMMERCIAL CUBIC FEET	TOTAL INDUSTRIAL CUBIC FEET	TOTAL CUBIC FEET	TOTAL GALLONS
2000	70,911,071 89.4%	8,365,503 10.6%	79,276,574 100%	593,030,000
2001	74,802,329 91.2%	7,241,433 8.8%	82,043,762 100%	613,730,000
2002	67,484,311 89.8%	7,669,288 10.2%	75,153,599 100%	562,188,000
2003	66,782,163 91.1%	6,484,401 8.9%	73,266,564 100%	548,072,000
2004	65,998,313 91.3%	6,285,298 8.7%	72,283,611 100%	540,719,000
2005	67,073,754 90.7%	6,872,772 9.3%	73,946,526 100%	553,158,467
2006	67,985,570 91.6%	6,195,387 8.4%	74,180,957 100%	554,912,130
2007	66,964,831 91.3%	6,412,266 8.7%	73,377,097 100%	548,898,841
2008	68,627,694 91.7%	6,242,367 8.3%	74,870,061 100%	560,066,987
2009	66,291,417 91.6%	6,068,625 8.4%	72,360,042 100%	541,290,745
2010	64,553,288 93.8%	4,282,981 6.2%	68,836,269 100%	514,931,085

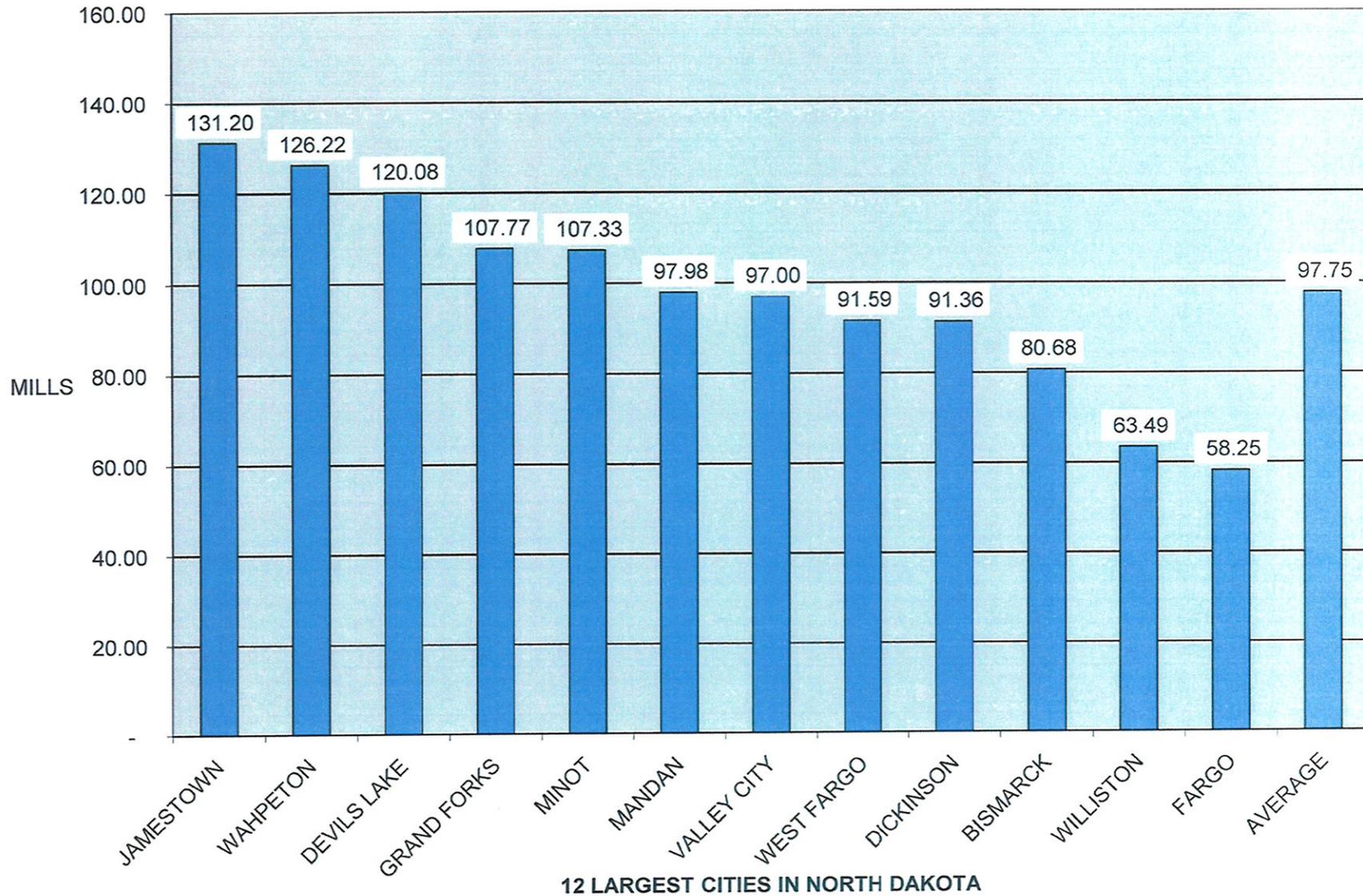
SOLID WASTE TONS HAULED FROM TRANSFER STATION



INERT LANDFILL TONS

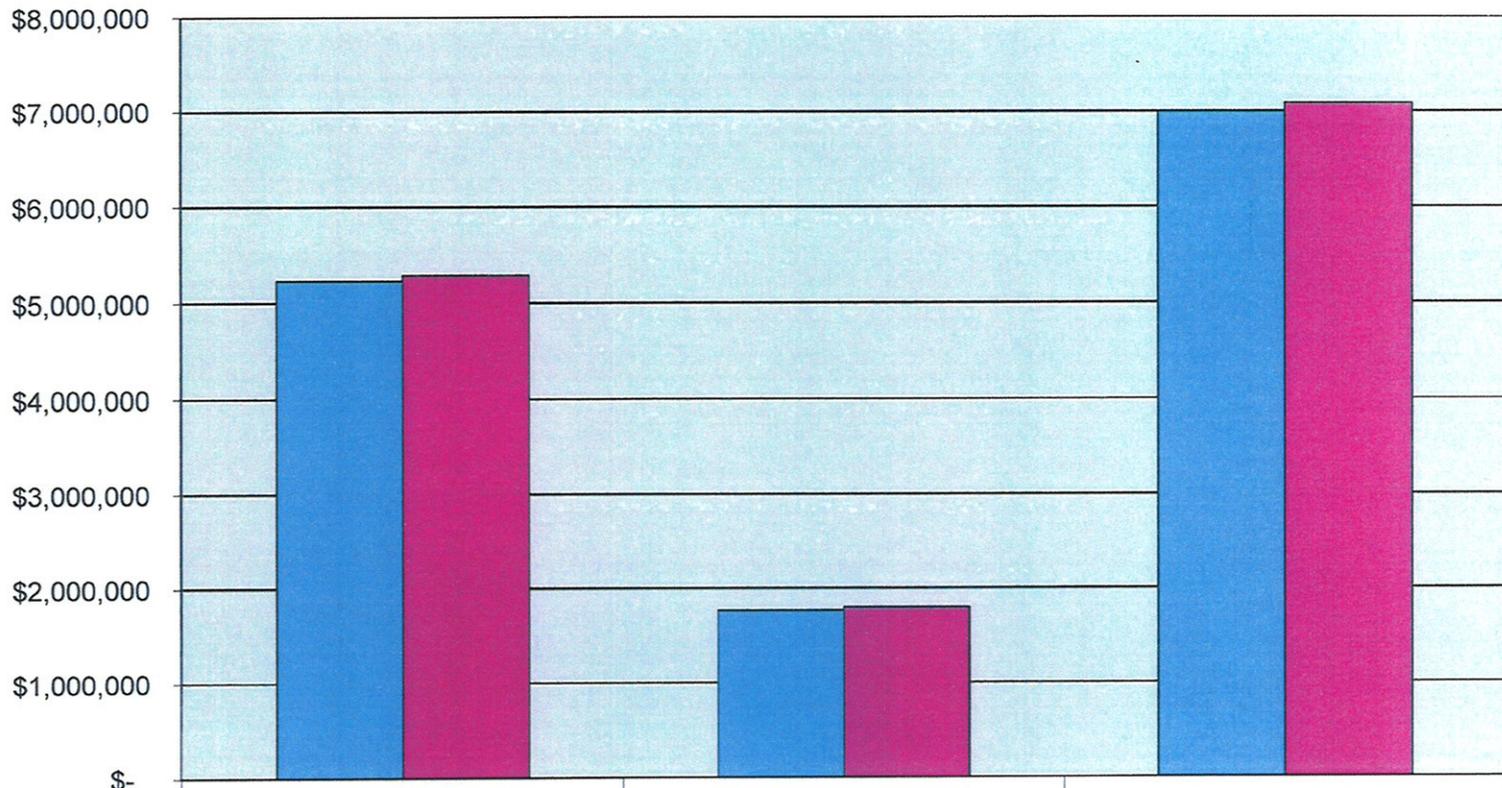


CITY MILL LEVY TAX YEAR 2010



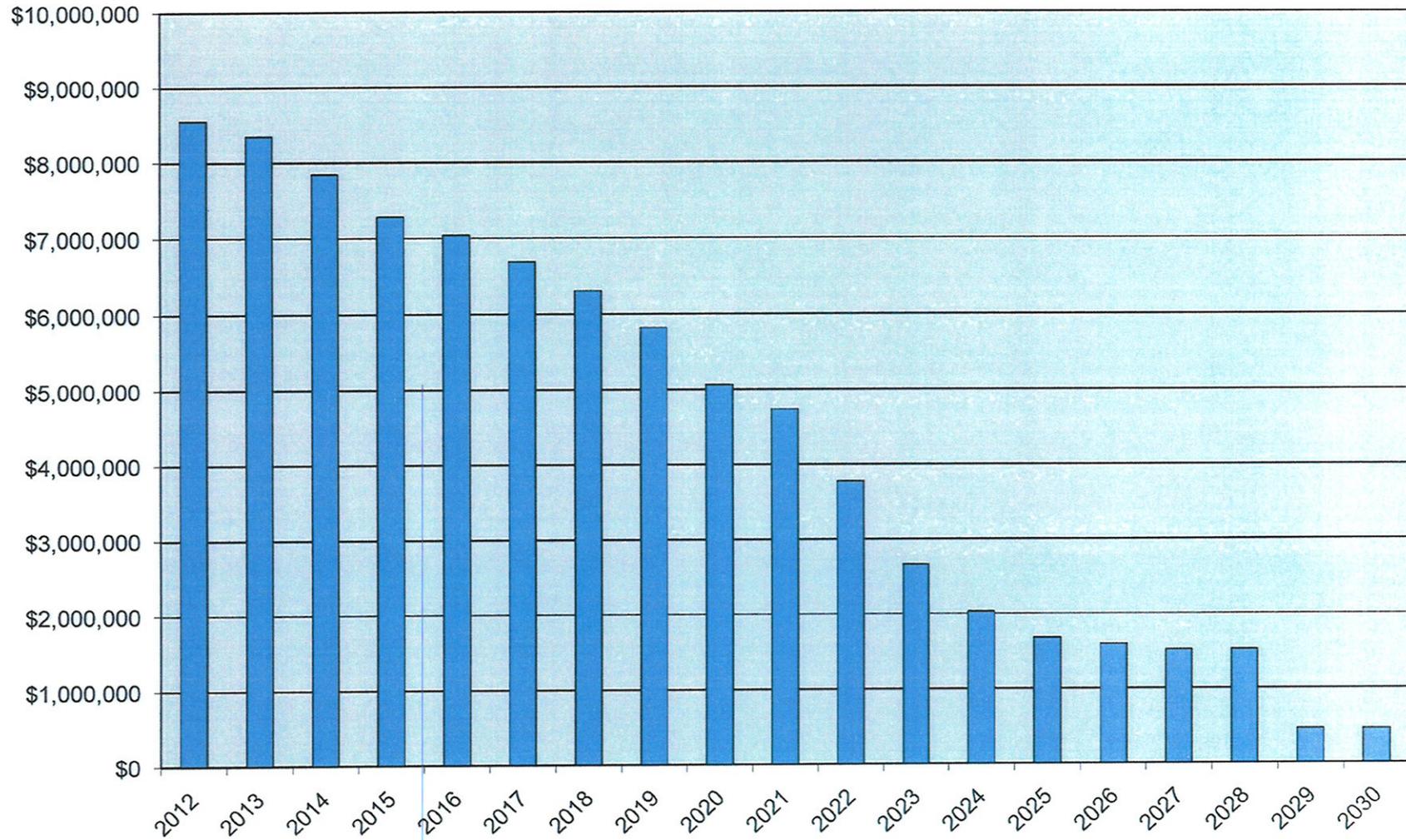
12 LARGEST CITIES IN NORTH DAKOTA

CITY OF MANDAN SALARIES AND BENEFITS



	SALARIES	BENEFITS	TOTAL
■ 2011 BUDGET (REVISED)	\$5,233,000	\$1,765,600	\$6,998,600
■ 2012 BUDGET	\$5,288,950	\$1,797,150	\$7,086,100

CITY OF MANDAN DEBT SERVICE



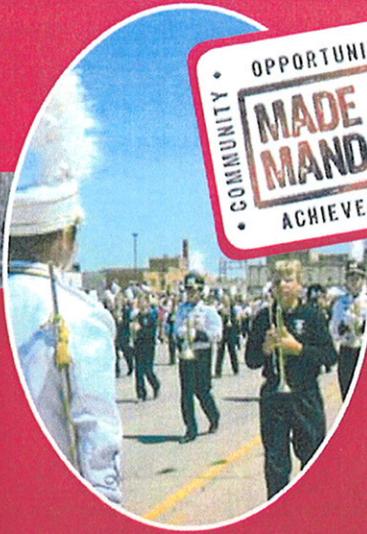


Photo credit: Rick Scharf

Measurements & statistics

MANDAN TOMORROW COMMUNITY STRATEGIC PLAN

2010 Accomplishments

Leadership, Pride and Image

- Candidate info forum held to encourage interest in serving on county, city, school and park boards.
- Great things "Made in Mandan" community marketing launched for purposes of business, resident and visitor attraction. Learn more at www.madeinmandan.com.
- Brochure created for people considering relocation to Mandan and potential home buyers.

Economic Opportunity and Prosperity

- Worked with local legislators on bills to provide incentives for targeted retail recruitment and expansion as well as formation of investment groups.
- Surveyed businesses to identify needs and opportunities.

Quality Places & Destinations

- Fueled launch of two new annual events: Sport and Recreation Rendezvous and Wild West Grill Fest.
- Facilitated relocation of farmers' market to Heritage Park for increased visibility, future enhancements and synergies with business community.
- Mandan Parks and Recreation rejuvenating Winter Daze and incorporating favored activities such as a sledding hill and outdoor summer movies into 2011-13 activity plans.

Education and Work Force

- Three dual credit courses now offered at Mandan High School for 30 percent of Bismarck State College tuition rate.
- Mandan Public Schools Foundation for Education formed with \$18,000 in donations received between July and December. Student assistance and scholarship programs up and running.

For more information, visit www.mandantomorrow.com.

Population

- 18,331 according to the 2010 U.S. Census, growth of 9.6% or 1,613 people since the year 2000.

Ratings

A1: MOODY'S INVESTORS SERVICE

"The A1 rating reflects the region's diverse and steadily growing economy, sound financial operations, and above average but rapidly retired debt."

Reaffirmed February 9, 2011

Employment

Bismarck-Mandan Metropolitan Statistical Area

- Total employment of 59,614 as of December 2010, up 1.9% from the year prior.
- 3.9% unemployment, down from 4.3% in December 2009.

Morton County

- Total employment of 14,249 as of December 2010, up 1.9% from a year ago.
- 4.6% unemployment, down from 5.6% in December 2009.

North Dakota Job Service

Tree City USA

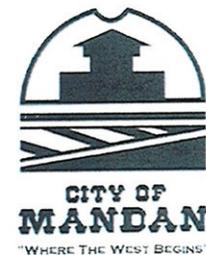
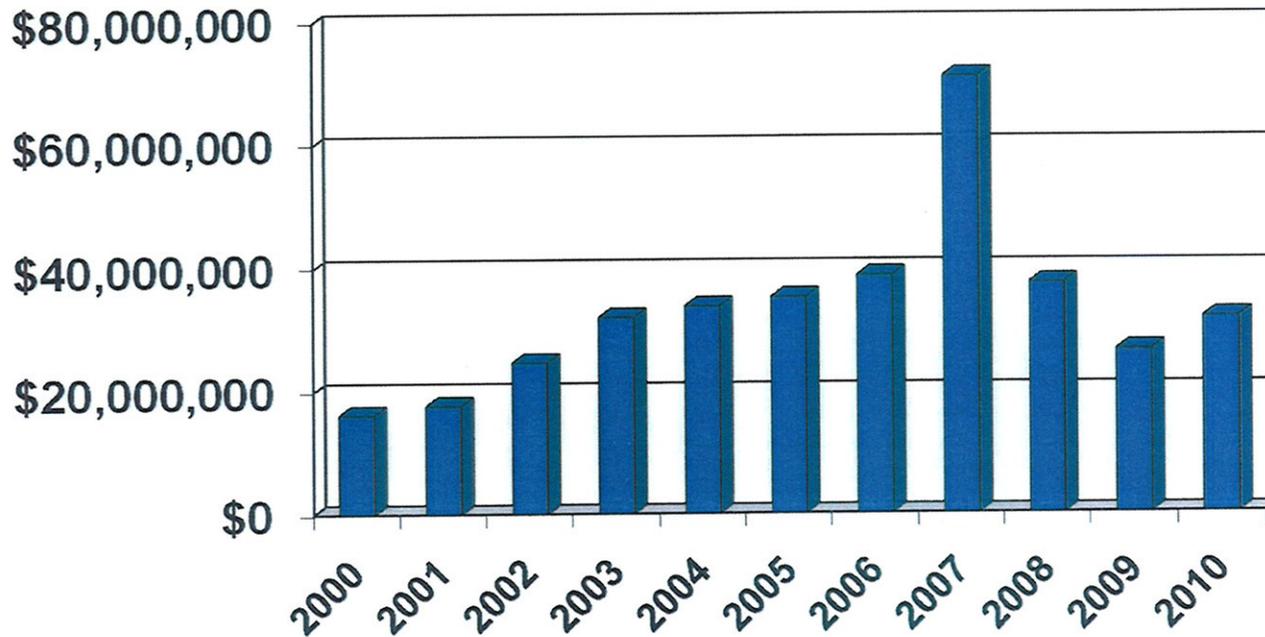
For 35 years



TOTAL VALUE OF ALL BUILDING PERMITS

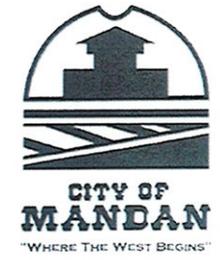
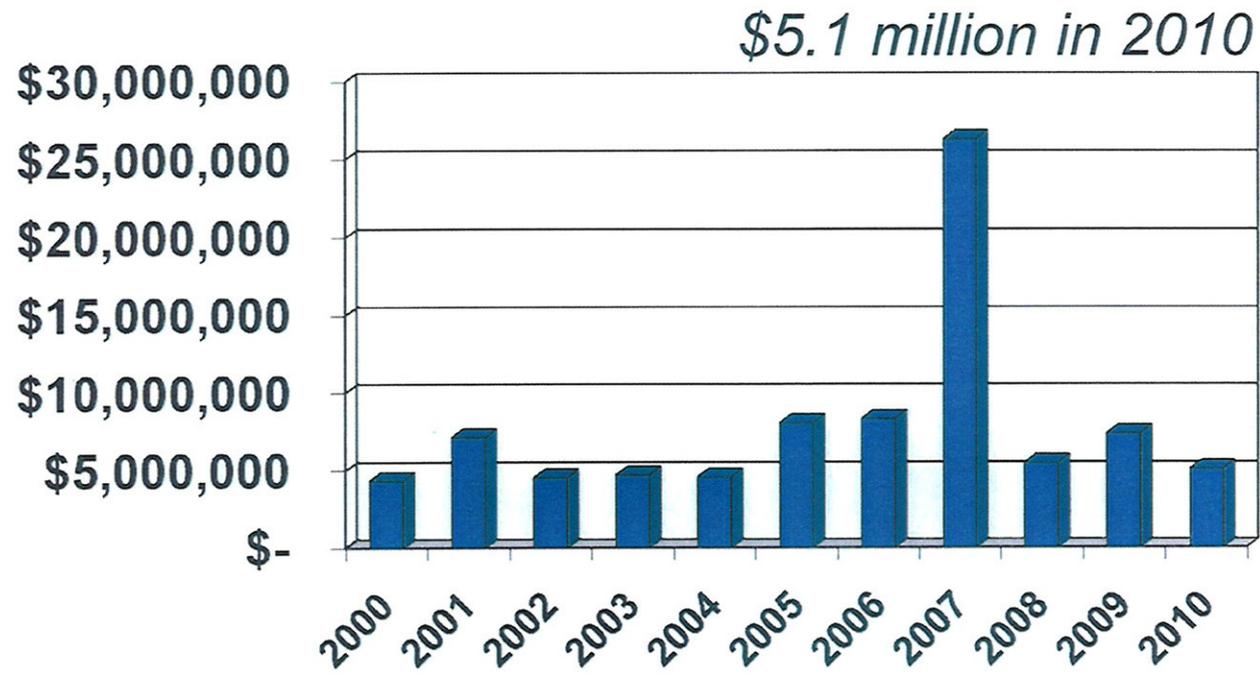
Residential, commercial & public buildings

\$32.0 million in 2010

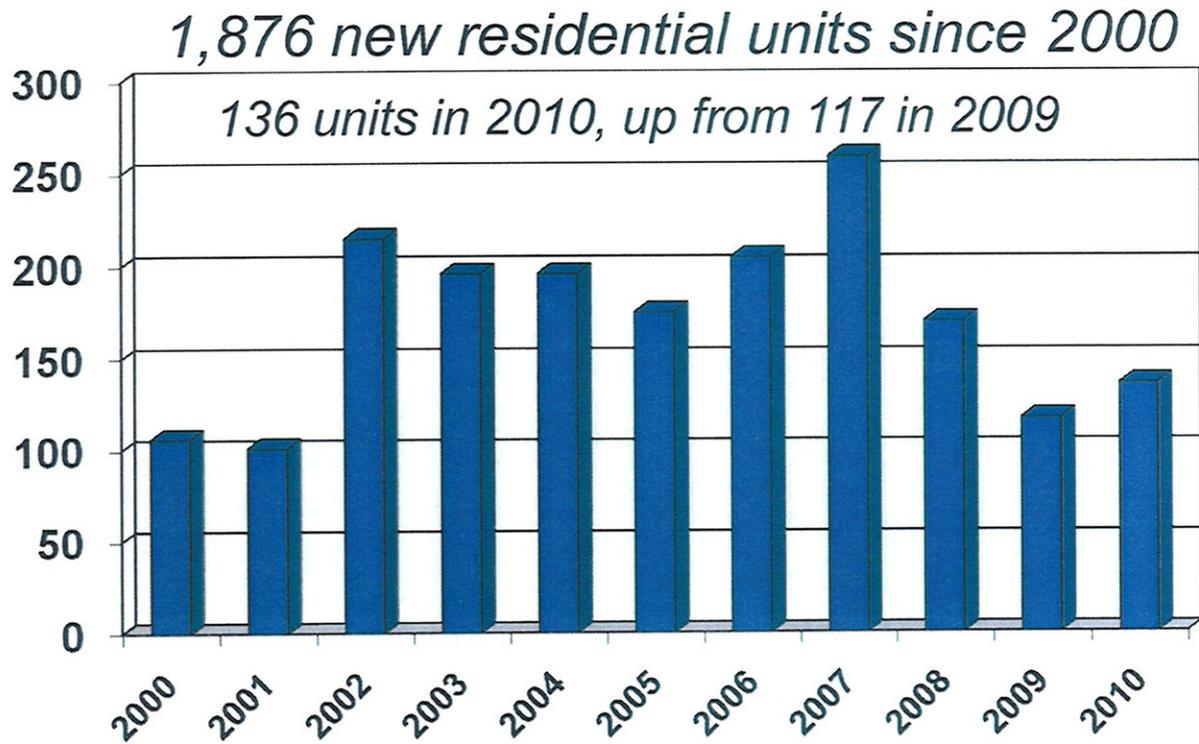


COMMERCIAL & INDUSTRIAL BUILDING PERMITS

New, Remodel & Additions



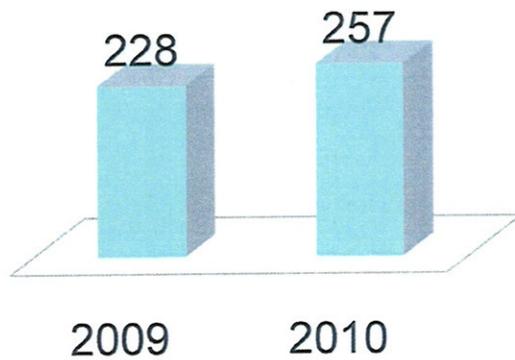
PERMITS FOR NEW RESIDENTIAL UNITS



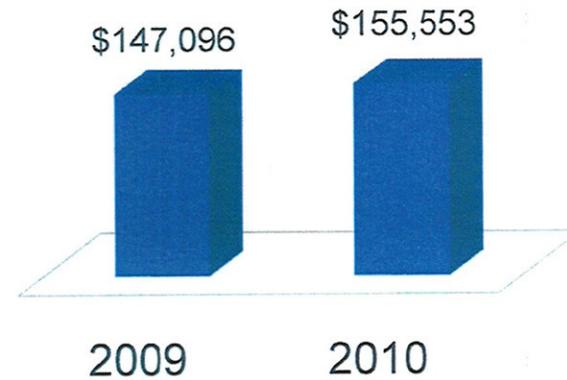
RESIDENTIAL REAL ESTATE SALES IN MANDAN

Includes single family, condos, twin homes & duplexes

Units Sold



Average Sales Price

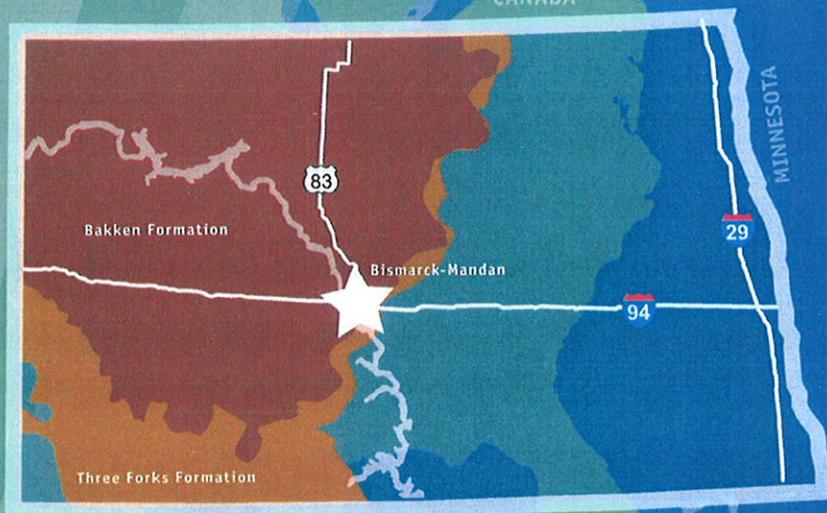


Source: Bismarck Mandan Board of Realtors



Bismarck-Mandan, North Dakota

Community Profile



Community

Population

	2000 Census	2010 Census
Bismarck-Mandan MSA	94,719	108,779
Bismarck	55,532	61,272
Burleigh County	69,416	81,308
Mandan	16,718	18,331
Morton County	25,303	27,471
<i>U.S. Census</i>		

Climate

Average Daily Temperature (degree F)

	High	Low	Average
Annual	54.1	28.4	41.4
January	22.3	-1.8	10.3
July	84.5	54.3	69.4

Average rainfall per year in inches	16.5
Average snowfall per season in inches	35.5

Location

South Central North Dakota. Bismarck is located on the east side and Mandan on the west side of the Missouri River.

Latitude:	46 degrees, 46 minutes north
Longitude:	100 degrees, 45 minutes west
Elevation:	1,647 feet (average)
Area:	Bismarck 27.4 square miles Mandan 10.3 square miles

Housing

Average real estate selling price 2010

	Bismarck	Mandan
Single Family		
All	\$184,790	\$159,890
2 or less bedroom	144,278	115,298
3-bedroom	165,116	143,638
4 or more bedroom	200,743	175,868
Condos & Town/Twin Homes	147,715	141,624

Apartment rental rates 2010

2-bedroom	\$550 - \$800
3-bedroom	\$750 - \$950

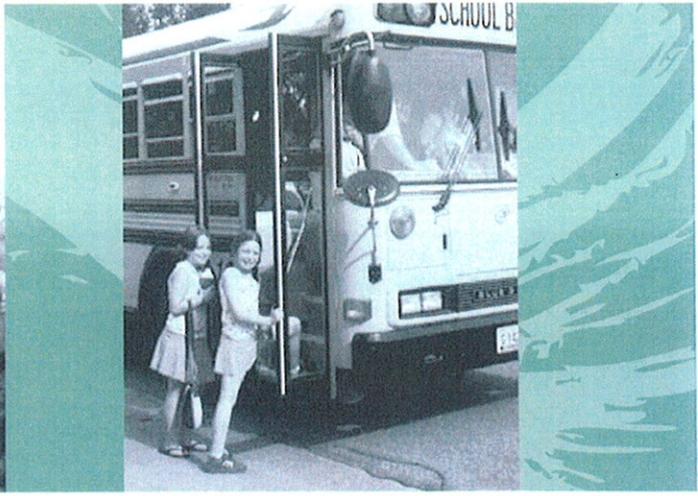
Bismarck-Mandan Board of Realtors

Crime Rate

Crime rates in Bismarck-Mandan are consistently ranked among the lowest in the nation. The state of North Dakota regularly ranks as "America's Safest State" and FBI crime statistics consistently place Bismarck-Mandan among the MSAs with the lowest rate of violent and property crimes of all metropolitan areas. In addition, Bismarck ranks #2 in a national survey conducted by a Harvard University professor to measure "community attitudes and relative levels of civic engagement." Among the findings is that "social trust" among residents inclines them to rate their community as an excellent place to live.

Crime	Bismarck MSA Rate <small>(per 100,000 population)</small>	National Rate <small>(per 100,000 population)</small>
Violent Crime	206.6	429.9
Property Crime	2,093.5	3,036.1
Forcible Rape	33.7	28.7
Robbery	12.2	133.0
Aggravated Assault	158.0	262.8
Burglary	288.0	716.3
Larceny theft	1,655.9	2,060.9
Motor vehicle theft	149.6	258.8

Federal Bureau of Investigation, Index of Crime, 2009



Education

Bismarck-Mandan K-12

2010-11 Enrollment

	Bismarck Public Schools	Mandan Public Schools	Bismarck/Mandan Private Schools	2010 Graduates (total)
K-8	7,373	2,273	1,179	
9-12	3,479	1,109	410	1,103

Higher Education

Bismarck State College —

Community college with an enrollment of nearly 4,000 students and 1,080 graduates in 2010. Provides 40 technical programs and transfer degrees, online classes and programs, corporate and continuing education, and workforce training. Home to the National Energy Center of Excellence (NECE).

United Tribes Technical College —

2-year institution with a 2010 enrollment of 1,000+ and more than 100 graduates. Offers associate degrees and certificate programs.

University of Mary —

Private college with an enrollment of approximately 3,000 and 940 degrees granted in 2010. Offers 44 undergraduate programs, seven master's degrees and one doctoral program.

Rasmussen College —

Private degree-granting college with a 2010 enrollment of over 500 and 125+ graduates.

Medcenter One College of Nursing —

Offers an upper division professional nursing program.

UND Graduate Center —

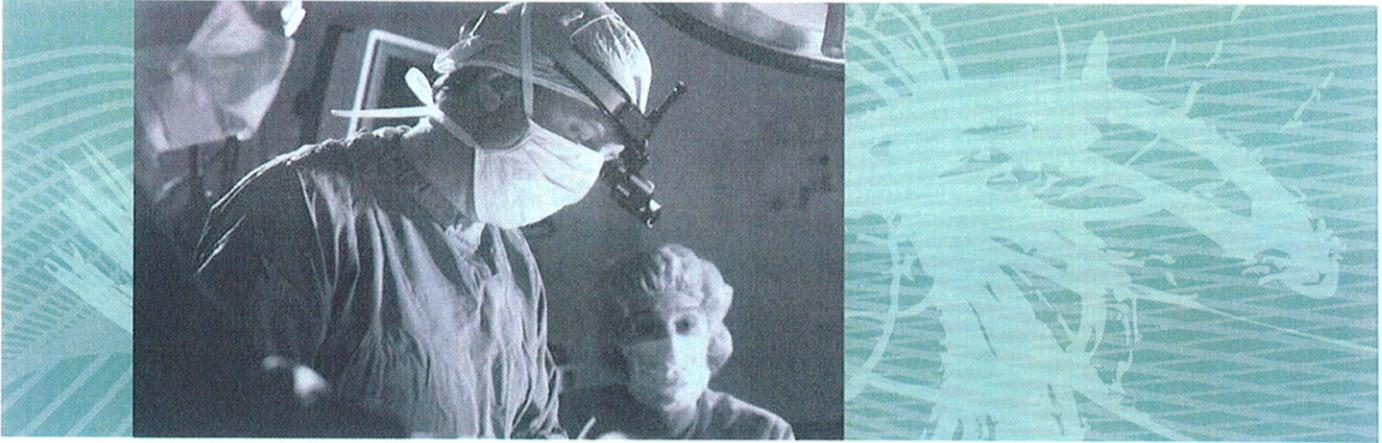
Offers master degree programs through the ND Interactive Video Network.

UND School of Medicine —

Third and fourth year students train at the Bismarck clinical campus.

St. Alexius Medical Center —

Home to ND School of Respiratory Care, St. Alexius School of Radiological Technology, and EMT-Paramedic Technology Program in conjunction with Bismarck State College.



Healthcare

Two regional medical centers, Medcenter One Health Systems and St. Alexius Medical Center, as well as a wide array of clinics are located in Bismarck. In addition, Triumph Hospital Central Dakotas in Mandan offers long-term acute care, and an array of options are available for assisted living and long-term nursing care in the greater community. The hospitals and clinics are state-of-the-art, with 575+ beds available, over 350 physicians and more than 7,000 total healthcare professionals to serve you. At the Bismarck Cancer Center, St. Alexius and Medcenter One combine to form a team of highly-skilled healthcare professionals with cutting-edge equipment.

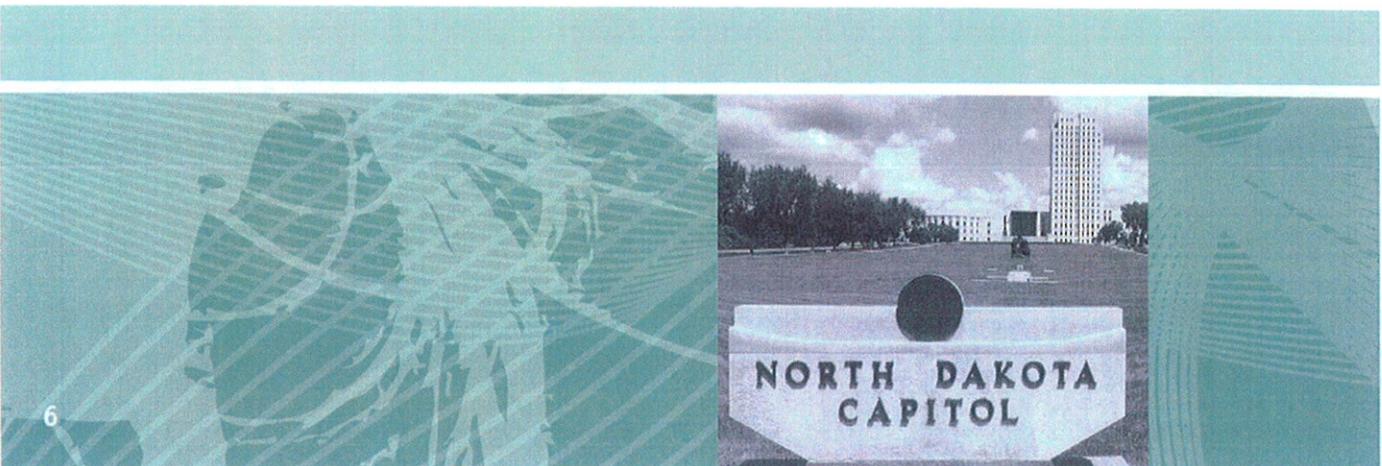
Medcenter One Health Systems is an integrated health system that consists of a 232-bed hospital, a multi-specialty clinic, a college of nursing, six primary-care clinics, three kidney dialysis centers and four long-term care facilities in western and central North Dakota. Medcenter One has been recognized by Thomson Reuters as one of the 100 Top Hospitals for Cardiovascular Care.

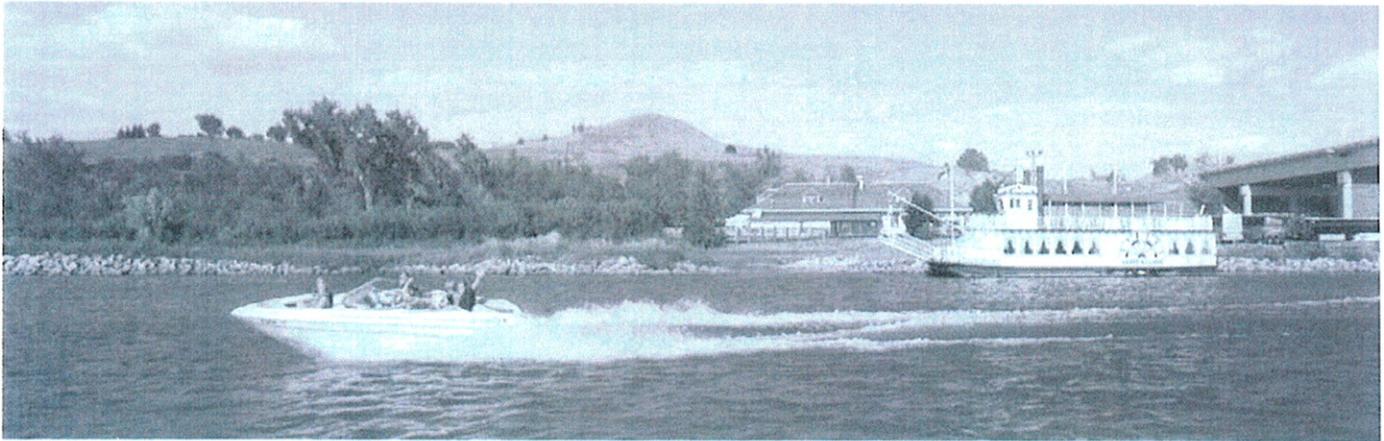
St. Alexius Medical Center is a 306-bed, full-service, acute-care medical center offering a full line of inpatient and outpatient medical services, including primary and specialty physician clinics, home health and hospice services, durable medical equipment services and a fitness and human performance center. St. Alexius has been awarded HealthGrades Distinguished Hospital Award for Clinical Excellence and for Excellence in Patient Safety.

Government

The cities of Bismarck and Mandan both utilize a city commission structure. Both cities have adopted Home Rule Charters and are official Home Rule Cities under the North Dakota Constitution and North Dakota State Law.

Bismarck is the state capital, and serves as the center of government for most agencies, Burleigh County, and most of the federal agencies serving North Dakota. Mandan is the Morton County seat.



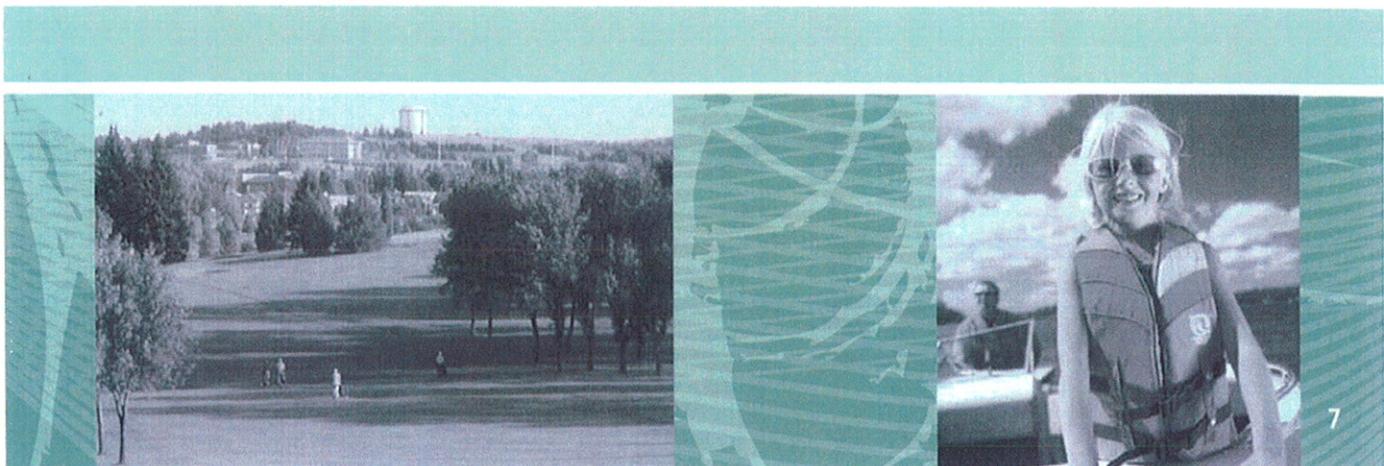


Recreation

Recreational activities abound in Bismarck-Mandan. From theater, ballet and symphony performances to golf, boating, fishing and hunting, Bismarck-Mandan has something to entertain you.

To mention a few:

- :: A vibrant arts community provides opportunities for participants, students and spectators alike.
- :: Bismarck-Mandan boasts over 50 miles of paved trails for walking, running, biking or roller blading.
- :: Excellent golf courses – seven of them – await you in Bismarck-Mandan.
- :: Bismarck and Mandan’s Parks and Recreation Departments provide a wealth of activities to choose from year round for all ages, and maintain a top-notch park system throughout the cities.
- :: The Missouri River and Lake Sakakawea provide every opportunity for water sports.
- :: Frontier history is alive and well in Bismarck-Mandan and throughout the region. Fort Abraham Lincoln, where Lt. Col. George Armstrong Custer and the 7th Calvary rode out on their ill-fated expedition to Little Big Horn, and the On-A-Slant Indian Village’s reconstructed earthlodges offer visitors a trip back in time.
- :: Bismarck-Mandan is home to basketball champions Dakota Wizards and AWWHL’s Bismarck Bobcats.





Transportation

Bismarck and Mandan are centrally located in North America. North Dakota is located at the US-Canada border, an ideal location for companies looking for a central North American location that allows access to markets in the United States and Canada. A combined system of air, rail, and ground transportation provides the connections needed for your business to anywhere in North America and the world.

- :: Daily service to Minneapolis, Denver and Chicago, plus additional flights to Las Vegas and Phoenix, provide connections to anywhere within the United States, or worldwide.
- :: Rail service by Burlington Northern Santa Fe Railroad Company and the Dakota, Missouri Valley and Western Rail provides a high level of service and access to markets.
- :: Bismarck-Mandan is located on U.S. Interstate 94 (I-94) and U.S. Highway 83, the backbones of a system of high quality, toll free roads.



Utilities / Energy

Utilities

Bismarck and Mandan are fortunate to have an almost unlimited supply of high quality water from aquifers and the Missouri River. Capacities of treated water and waste-water treatment facilities exceed current demands in order to stay ahead of projected residential and commercial/industrial needs.

Water Treatment

	Bismarck	Mandan
Rated Capacity (mgd)	30	12
Average Daily Demand (mgd)	8.8	2.9
Peak Demand (mgd)	20.5	6.6

Waste Water Treatment

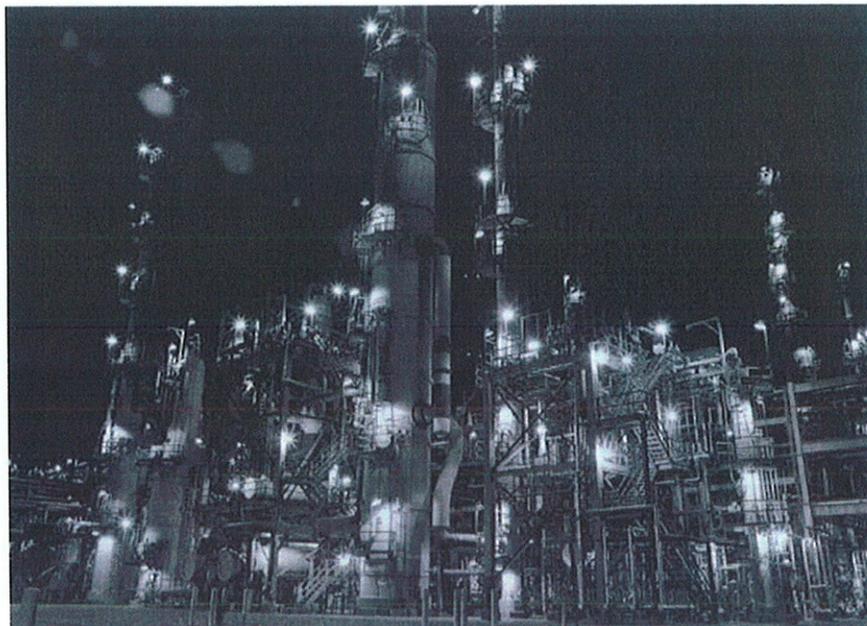
Type of Service	Bismarck Secondary treatment - trickling filters	Mandan Extended aeration activated sludge
Rated Capacity (mdg)	7.5	2.2
Average Daily Demand (mgd)	6.8	1.6
Peak Demand (mgd)	9.2	1.95

Sanitation

Method of solid waste disposal in the two city area is landfill.

Telecommunications

Bismarck-Mandan enjoys state-of-the-art telecommunications services. Local service providers include AT&T, Midcontinent Communications, and Qwest. Services available include digital switch technology, fiber service, remote and on-site monitoring, ISDN and DSL available from the switch, central offices on self-healing fiber rings, and dual fiber feed.





Energy Resources

The large reserves of lignite coal, natural gas and oil in the Bismarck-Mandan area make North Dakota a net exporter of natural gas and electricity. Our energy is competitively priced, often with reduced industrial rates for large energy users.

Western North Dakota is part of a region that contains over a 1,000-year supply of lignite that is economically feasible to recover. The region northwest of Bismarck-Mandan is home to four lignite coal mines that produce over 30 million tons annually. Seven power plants use that lignite coal to generate 4,000 megawatts of low-cost, abundant and reliable electricity used by over 2 million homes, farms and businesses. Power plants using lignite coal generate electricity 24 hours a day.

About 13.5 percent of the lignite coal produced is used to generate synthetic natural gas. The only commercial-size coal gasification plant in the United States is the Great Plains Synfuels Plant near Beulah, North Dakota (80 miles northwest of Bismarck). The Great Plains Synfuels Plant supplies synthetic natural gas made from lignite to 225,000 homes and businesses in the eastern United States. Bismarck-Mandan's natural gas supplier is Montana-Dakota Utilities.

North Dakota is also home to vast oil resources. The names Bakken Formation and Three Forks Formation have become recognizable nationwide. Technological advances have made the once unreachable crude in these shale formations obtainable. Existing wells already produce 350,000 barrels of oil per day (BOPD). Experts in the industry believe that in five years, oil production in the Bakken Formation could range from a conservative 500,000 to a potentially staggering 1,500,000 BOPD.

Bismarck-Mandan also has an abundant supply of water — the Missouri River flows between the two cities, and there's even more water in an immense, nearly untapped aquifer. In addition, Lake Sakakawea (the third largest man-made reservoir in the U.S. in terms of storage volume) and the Garrison Dam (with a storage capacity of 23.8 million acre-feet and five turbines) are within an hour's drive of Bismarck-Mandan.

Labor

Major Employers

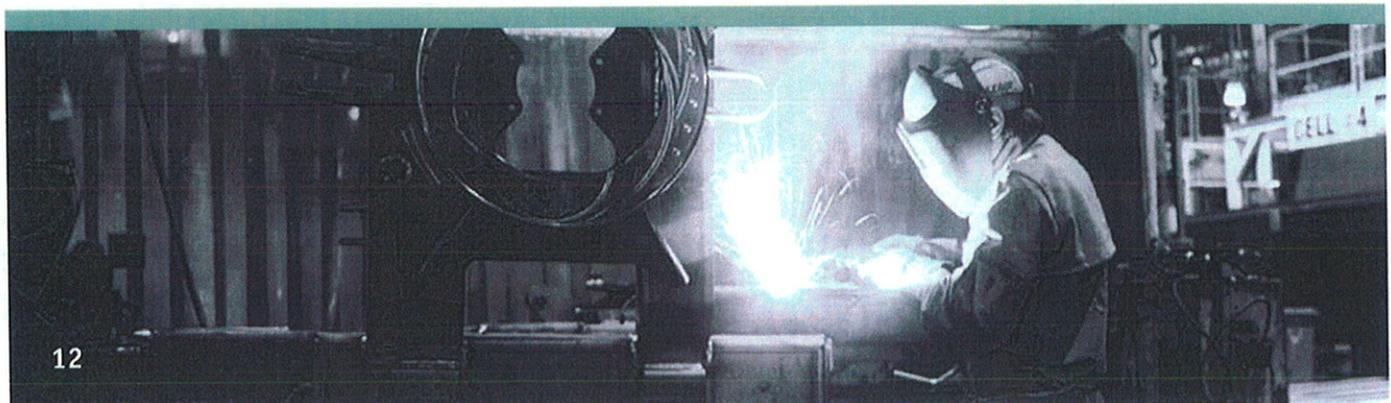
State of North Dakota :: 4,400
Medcenter One Health Systems :: 3,038
St. Alexius Medical Center :: 2,176
Bismarck Public School District :: 1,200
City of Bismarck :: 864
Aetna :: 618
Mandan Public School District :: 572
MDU Resources Group :: 537
Missouri Slope Lutheran Care Center :: 530
Housing Industry Training (HIT) :: 501
Coventry Health Care, Inc. :: 475
Dan's Supermarkets :: 470
Mid-Dakota Clinic :: 465
Basin Electric Power Cooperative :: 459
University of Mary :: 435
National Information Solutions Cooperative (NISC) :: 404
Burlington Northern Railroad :: 378
Pride, Inc. :: 365
Walmart South :: 343
Bismarck-Mandan Parochial Schools :: 340
Bismarck State College :: 334
Walmart North :: 325
United Tribes Technical College :: 286
Missouri Valley YMCA :: 263
Burleigh County :: 250
Cloverdale Foods :: 250
Tesoro Petroleum :: 246
Target :: 240
Unisys Corporation :: 221
Central Market :: 209
Laducer & Associates :: 189
Bismarck Tribune :: 175
Kadmas, Lee & Jackson :: 164
Bobcat Company :: 125
Sykes Enterprises :: 100

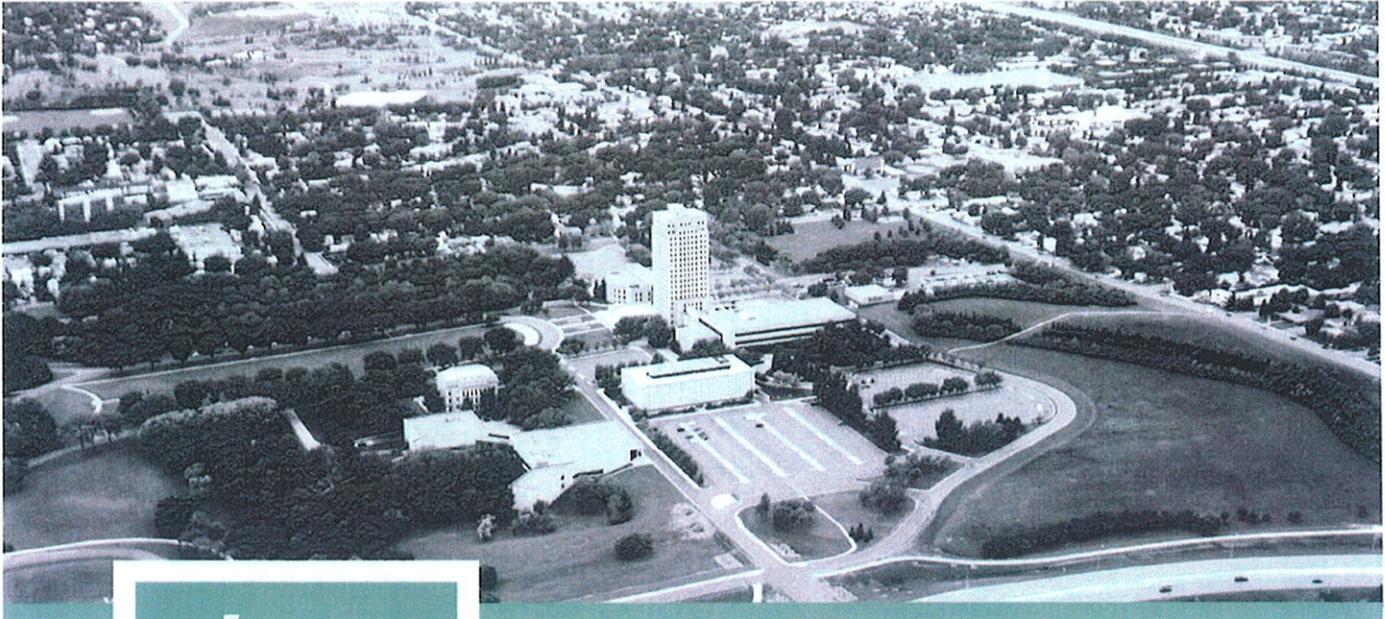
Wage Rates

Title	Hourly Median
Accountants and Auditors	22.93
Administrative Service Managers	26.70
Automotive Service Tech and Mechanics	16.01
Bookkeeping, Accounting and Audit Clerks	14.91
Cashiers	7.86
Claims Adjuster, Examiner and Investor	25.04
Computer Operators	11.94
Computer Support Specialists	22.50
Computer Systems Analysts	28.83
Counter and Rental Clerks	7.86
Customer Service Representatives	12.68
Financial Managers	41.75
Heating, Air Cond and Refrig Mechanics	17.92
Executive Secretaries & Administrative Assistants	16.03
Loan Officers	23.30
Machinists	17.63
Maintenance and Repair Worker (General)	17.61
Network and Computer Systems Admin	21.47
Plumbers, Pipefitters and Steamfitters	18.62
Receptionists and Information Clerks	11.14
Retail Salespersons	11.33
Sheet Metal Workers	17.60
Stock Clerks and Order Fillers	9.56
Surveying and Mapping Technicians	15.31

Job Service North Dakota Occupational Employment Survey, 2010 Edition

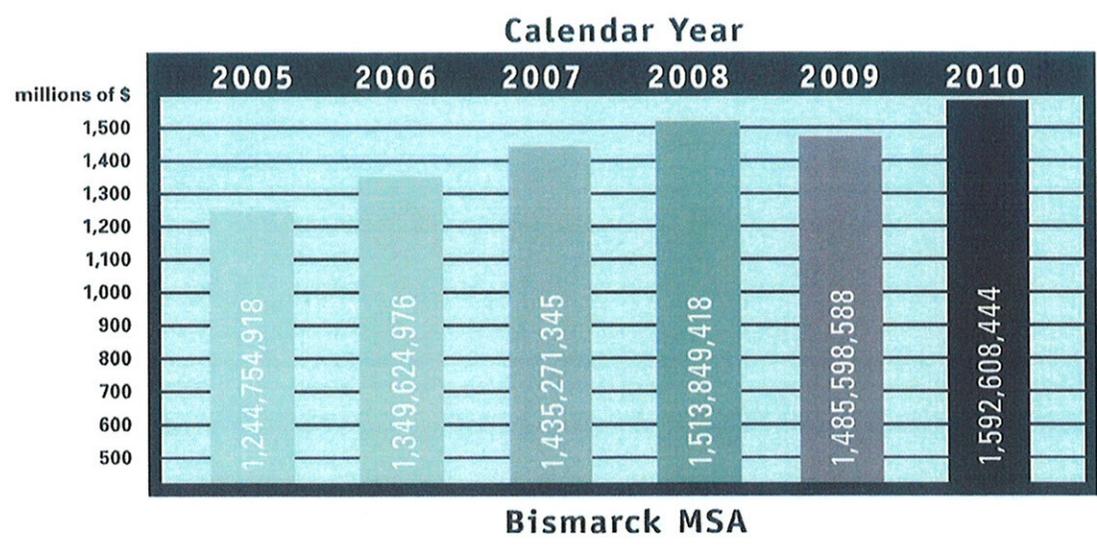
March 2011





Economy

Taxable Sales & Purchases



Construction Activity

	2010 Total Value	Single Family	Other Residential	Commercial	Public
2010 Total Value	\$151,917,458	\$86,272,873	\$17,162,173	\$46,500,729	\$1,981,683
Bismarck	102,306,533	53,903,566	7,827,091	38,594,193	1,981,683
Bismarck ETA	16,119,223	15,168,767	0	950,456	0
Burleigh County	1,899,221	1,899,221	0	0	0
Mandan (includes ETA)	23,938,091	11,814,329	9,302,682	2,821,080	0
Morton County	7,654,390	3,486,990	32,400	4,135,000	0



Tax Structure

North Dakota has clear, concise tax codes and a competitive state tax structure for corporate and individual income tax as well as sales and use tax.

Individual Income Tax

Individual income tax rates from 1.84% to 4.86%. In FY 2007, North Dakota ranked 40th of the 43 states that levy an individual income tax with an average per capita collection of \$495. *US Dept. of Commerce, Bureau of the Census*

Sales & Use Tax

State sales and use tax rate of 5%, plus local rate of 1%. Restaurants charge an additional 1% hospitality tax while hotels and motels charge an additional 3% lodging tax. *Office of State Tax Commissioner*

Corporate Income Tax

Corporate income tax rates of 2.1% to 6.4%. *Office of State Tax Commissioner*

Property Tax Rate in Mills, 2010

	Bismarck	Mandan		Bismarck	Mandan
City (includes park)	120.50	135.88	Assessment Ratio (%)		
County	55.44	120.20	Commercial Property	50%	50%
School District	142.03	157.17	Effective Rate per \$100	1.57%	1.95%
State (special medical)	1.00	1.00	Assessment Ratio (%)		
Total Mill Rate	142.18	155.69	Residential Property	50%	50%
			Effective Rate per \$100	1.39%	1.79%

City of Bismarck, City of Mandan

Incentives for Business

Financial Incentives

The Bismarck Vision Fund and the Mandan Growth Fund are city sales tax supported funds that provide assistance to businesses that wish to locate or expand in Bismarck or Mandan. The Bismarck Vision Fund and the Mandan Growth Fund can offer a flexible assortment of financing opportunities, such as interest buy downs, reduced interest loans, equity positions, grants, and other individually tailored financial incentives and exemptions.

In addition, North Dakota is the only state in the nation to own, control, and operate its own development bank. The capacity to arrange financing was a benefit when the bank was established in 1919, and it remains so today. The Bank of North Dakota and other state and local programs can offer an array of financing opportunities, such as interest buy downs, reduced interest loans, equity positions, and other individually tailored financial incentives and exemptions.



Bismarck Industries, Inc. — A private, for-profit stock corporation offering supporting participation in construction/leasing of buildings and equipment purchases.

PACE Fund — Accessible through the Bank of North Dakota (BND). BND participation in the buydown may be between 65% and 85% with the balance coming from community sources. Qualifying projects must request BND participation in 50% to 80% of the loan as well.

CAPITAL Funds — Available to for-profit businesses in Mandan and rural areas. Loan limits are \$5,000 to \$150,000.

Community Development Loan Fund (CDLF) — Capitalized from a portion of CDBG funds. Available to Mandan and rural areas to assist in finance infrastructure needed for economic development, or loans and/or equity investments needed by businesses creating jobs. \$15,000 to \$500,000 loan limits for primary sector businesses.

North Dakota Development Fund — Provides flexible gap financing through debt and equity investments for new or expanding primary sector businesses. The fund makes investments through direct loans, participation loans, and subordinated debt and equity investments.

MATCH Program — Accessible through the Bank of North Dakota (BND). Qualifying borrowers must have a long term credit rating of "A" or better as determined by a recognized rating agency, or an equivalent credit enhancement acceptable to BND. Financing of up to \$15 million may be available at the U.S. Treasury rate plus .25% to .50%.

New Venture Capital Fund — The Bank of North Dakota may provide funding for early stage companies which can show clear proof of completed product development and market acceptance as evidenced by growing sales.

Beginning Entrepreneur Loan Guarantee Program — The Bank of North Dakota may provide an 85% loan guarantee to a financial institution to assist qualified applicants in business start-up financing.

SBA 504 Loan Program — Long term, fixed-rate financing. SBA contributes up to 40%, the borrower provides 10% in cash equity, and remaining fund requirements are obtained from local lending.

Renaissance Zones — Businesses and individuals may qualify for income and property tax exemptions and credits for purchasing, leasing or making improvements to real property located in a North Dakota renaissance zone. Both Bismarck and Mandan offer established renaissance zones.

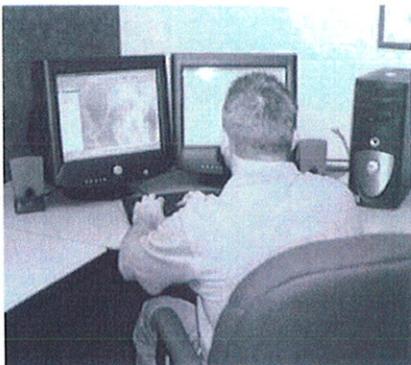
IRP Loan Program — Loans available to qualified applicants for up to 75% of an eligible project, up to \$150,000.

Build-to-Suit Capabilities — If a building that meets your specific needs is not readily available, the Bismarck-Mandan Development Association can assist in building a facility to your exact specifications.

The built-to-suit facility can be constructed and owned by the company, or constructed and leased by a local investment group. Depending on the specifics of the building, the construction of the building could take approximately 180 days or less from the date that appropriate arrangements are in place and all design work is completed.

Tax Exemptions and Credits

- Exemption of up to 100% of local real estate property taxes can be obtained for up to five years for non-agriculture projects, and up to ten years for projects involving processing of ag products.
- A 5-year exemption on property taxes related to improvements on existing commercial properties is available to qualified projects.
- A North Dakota corporate income tax exemption of up to 100% can be obtained for qualified projects for up to five years.
- If the previously noted tax exemption is not claimed, a new business or industry may claim a state income tax credit equivalent to 1% of all wages and salaries paid for the first three years of operation and 1/2 of 1% of wages and salaries paid in the fourth and fifth year of operation.
- Machinery or equipment used solely and directly in a new and expanding manufacturing or agricultural processing plant is exempt from sales and use taxes.
- Computer and telecommunications equipment for new or expanding primary sector business is exempt from sales and use taxes.
- There is no warehouse tax in North Dakota. Inventory stored in or transferred through the state is not taxed.



Job Training

Job Service North Dakota administers many federally funded workforce training programs and two North Dakota state funded training programs. The type of training provided through these funding sources is company specific customized training, classroom training, on-the-job training, occupational upgrading, Workforce 20/20 new technology or new work methods training, North Dakota New Jobs Training and Work Opportunity Tax Credits. In addition, the community of Bismarck-Mandan is home to Rasmussen College, Bismarck State College, the University of Mary, and United Tribes Technical College. Each of these institutions participate with the community to provide comprehensive training programs responding to the needs of area business and industry. Bismarck State College and the University of Mary are two of the most active, industry focused colleges in North Dakota. These institutions are recognized for their relationship with private industry for education or training programs directed to meet industry needs. Both the University of Mary and Bismarck State College have provided scholarships and grants to expanding companies for employee training utilization.

Programs offered by Job Service North Dakota to employers include:

- North Dakota New Jobs Training Program** — The program is available to new or existing primary sector businesses for training newly hired employees. The program provides a mechanism for companies to recapture state income tax withholdings to help offset the cost of training new employees for business expansion and/or start-up. Training costs may include training which is deemed necessary by the employer. A company must meet a special wage requirement in order to access the funds.
- Workforce 20/20** — A North Dakota funded program designed to help upgrade the skills of current or future workers when new technology and/or new production work methods are introduced.
- On-The-Job-Training** — On-the-job training provides Bismarck-Mandan businesses with an alternative to the high cost of training new employees. Employers who hire eligible employees for such training will be compensated for up to 50% of the trainees wage during the training period.

ORDINANCE NO. 1102

AN ORDINANCE MAKING THE ANNUAL APPROPRIATIONS FOR EXPENDITURES OR EXPENSES OF THE CITY OF MANDAN, NORTH DAKOTA, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2012, AND ENDING DECEMBER 31, 2012, AND MAKING THE ANNUAL TAX LEVY FOR THE YEAR 2011.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA:

Section 1. There are hereby appropriated the following sums of money for so much thereof that may be necessary for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2012, and ending December 31, 2012.

General Fund	\$7,185,650
Highway Distribution Fund	1,099,600
City's Share of Special Assessments Fund	145,500
Cemetery Fund	141,900
City Visitors' Promotion Fund	46,150
Alarm-Equipment Reserve Fund	27,650
City Sales Tax Fund	1,155,100
Public Transportation System Fund	100,000
Mandan Growth Fund	146,900
Job Development Authority Fund	100,000
Narcotics Task Force Grant Fund	52,000
Police Equipment Reserve Fund	12,400
Traffic Safety Grants Fund	10,750
Under-age Drinking Enforcement Grant Fund	1,000
Narcotics Task Force Grant Fund-HIDTA	47,700
BNSF Settlement Fund	1,150
Mandan SEP Trust Fund	3,400
Downtown Redevelopment Fund	76,450
Mandan Community Center Revenue Bonds of 2005 Fund	142,450
Liberty Memorial Bridge General Obligations Bonds Fund	66,000
Refunding Improvement Bonds Fund	6,152,650
City Visitors' Promotion Capital Construction Fund	6,350
Water and Sewer Utility Fund	5,600,650
Solid Waste Utility Fund	1,322,300
Street Light Utility Fund	300,300
City Shop Fund	283,600
Morton Mandan Public Library	618,696
Mandan Airport Authority	692,935

Section 2. There are hereby levied the following sums of money on all taxable property in the City of Mandan, North Dakota, for the year 2011 for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota.

General Fund	\$3,450,142
City's Share of Special Assessments Fund	153,018
Cemetery Fund	82,632
Public Transportation System Fund	89,789
General Obligation Bonds Fund:	
Liberty Memorial Bridge	71,393
Refunding Improvement Bonds Fund:	
Street Improvement District #145	33,508
Street Improvement District #148	12,813
Mandan Airport Authority	179,578
Morton Mandan Public Library	314,261

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Taking Effect. This ordinance shall be in full force and effect from and after its final passage and adoption.

President, Board of City Commissioners

Attest:

City Administrator

First Reading: August 16, 2011

Second Reading: September 6, 2011

Final Passage and Adoption: September 6, 2011

CITY OF MANDAN, NORTH DAKOTA
Annual Budget for the Year Ended December 31, 2012
CERTIFICATE OF LEVY

COUNTY AUDITOR
COUNTY OF MORTON

You are hereby notified on the 6th day of September, 2011, the governing body of the City of Mandan, North Dakota, levied a tax of \$4,387,134, upon all the taxable property in the City for the calendar year ended December 31, 2012, which levy is itemized as follows:

<u>FUND</u>	<u>AMOUNT LEVIED</u>
General	\$3,450,142
City's Share of Special Assessments	153,018
Cemetery	82,632
Public Transportation System	89,789
General Obligation Bonds:	
Liberty Memorial Bridge	71,393
Refunding Improvement Bonds:	
Street Improvement District #145	33,508
Street Improvement District #148	12,813
Mandan Airport Authority	179,578
Morton Mandan Public Library	<u>314,261</u>
TOTAL AMOUNT LEVIED	<u>\$4,387,134</u>

You will duly enter tax upon the County tax list for collection upon the taxable property of the City of Mandan, North Dakota, for the ensuing year. Dated at Mandan, North Dakota this 6th day of September, 2011.

City Administrator

**RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES FROM THE
WATER AND SEWER UTILITY FUND**

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following monthly rates and charges are hereby established for services from the Water and Sewer Utility Fund:

a) Water and Wastewater Base Charge Per Meter

- 1) ~~\$13.57~~ \$16.10 for each single family dwelling
- 2) ~~\$13.57~~ \$16.10 for each mobile home
- 3) ~~\$27.14~~ \$32.20 for each duplex unit
- 4) ~~\$40.71~~ \$48.30 for all other multiple family units
- 5) ~~\$27.14~~ \$32.20 for all commercial and industrial enterprises
- 6) ~~\$40.71~~ \$48.30 for all apartment and commercial/apartment combination

b) Water Usage Charge Per Meter

- 1) Plus a water consumption charge shall be added at the rate of \$2.70 per one hundred cubic feet on each month's consumption as registered on each meter during the preceding monthly billing period.
- 2) The Missouri West Water System shall be charged at the rate of \$1.75 per one thousand gallons of water used as registered on each meter.

c) Wastewater Usage

- 1) For wastewater disposal service there shall be a charge of \$1.55 per one hundred cubic feet of water used except that for the billing statements prepared during the months of May through October the charge for residential wastewater disposal service shall not exceed the charge based upon the average water usage used during the months of December through March.
- 2) Industrial users will be levied a volume charge of \$1.55 per one hundred cubic feet of water used. Industrial users will also be levied a charge of \$.06 per pound of suspended solids and \$.10 per pound of five-day, twenty-degree Centigrade BOD.

d) Stormwater Base Charge Per Meter or Structure

- 1) \$2.00 for each meter or structure.

BE IT FURTHER RESOLVED that the rates and charges for services from the Water and Sewer Utility Fund shall be effective as of the first billing after January 1, 2012.

Dated this 6th day of September, 2011.

President, Board of City Commissioners

Attest:

City Administrator

**RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES FROM THE
SOLID WASTE UTILITY FUND**

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following rates and charges are hereby established for services from the Solid Waste Utility Fund:

- 1) Residential area. For garbage and rubbish collection and disposal services for residential areas, there shall be a charge of ~~\$10.00~~ \$10.05 per month, per family living unit. Residents who deliver garbage and rubbish, excluding inert materials, to the Mandan Municipal Landfill Facility will be charged \$37.00 per ton.
- 2) Non-residential area. For garbage and rubbish disposal services for non-residential establishments, there shall be a charge of \$37.00 per ton. Non-residents who deliver garbage and rubbish, excluding inert materials, to the Mandan Municipal Landfill Facility will be charged a minimum of \$7.00.
- 3) Other disposal charges:
 - a) Major appliances and furniture \$7.00
 - b) Refrigerated appliances \$20.00
 - c) Tires:

Auto	\$2.00
Truck	\$5.00
Tractor	\$10.00
 - d) Minimum charge (includes scale usage) \$2.00
 - e) Minimum monthly charge for services billed on account (includes scale usage) \$5.00
 - f) Untarped and unsecured garbage \$5.00

Grass clippings and leaves are exempt from all charges.

- 4) Inert materials. For disposal of inert materials there shall be a charge of \$12.00 per ton. Inert materials shall be materials so defined by the North Dakota State Department of Health including trees, lumber, demolition lumber, wooden furniture, metal, bricks, concrete, bottom ash from coal fired boilers and asphalt roofing.
- 5) No motor vehicle bodies or dangerous, flammable or hazardous material may be deposited at the Mandan Municipal Landfill Facility.



Board of City Commissioners

Agenda Documentation

MEETING DATE: September 6th, 2011
PREPARATION DATE: August 19th, 2011
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Dave Bechtel
PRESENTER: Dave Bechtel
SUBJECT: Vacation of a non-access control line on Lot 1, Block 1, of West River 1st Addition.

STATEMENT/PURPOSE: To vacate a non-access control line. There is already a driveway there. The non-access control line would place it in violation.

BACKGROUND/ALTERNATIVES:

ATTACHMENTS: 1. Resolution
2. Vicinity map

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

LEGAL REVIEW:

RECOMMENDATION: Approval of the vacation of the non-access control line.

SUGGESTED MOTION: Motion to approve the vacation of the non-access control line on Lot 1, Block 1, of West River 1st Addition.

**RESOLUTION OF VACATION
Board of City Commissioners
City of Mandan, North Dakota**

WHEREAS, the City of Mandan has submitted to the Board of City Commissioners of the City of Mandan a verified petition asking that a non-access control line as platted in Lot 1, Block 1, West River 1st Addition, lying in the SE ¼ of Section 8, T139N, R81W of the 5th Principal Meridian, City of Mandan, Morton County, North Dakota be vacated. More fully described as follows:

Beginning at the northeast corner of Lot 1, Block 1, West River 1st Addition; thence S00d00'00"E a distance of 120 feet to the southeast corner of said lot.

WHEREAS, The Board having deemed it expedient to consider such petition and having ordered that said petition be heard by the Board at its regular meeting held at City Hall in the City of Mandan, North Dakota, on September 6, 2011, at 5:00 o'clock p.m., CT, and the City Administrator having published notice of the filing of the petition and the object therein in the official newspaper once each week for four (4) consecutive weeks, as required by law, which notice stated that the petition would be heard and considered on the date and time aforesaid, at which time any persons interested might appear and be heard, and proof of such publication of the notice having been made and filed; and

WHEREAS, on the 6th day of September, 2011, at 5:00 o'clock p.m., CT, being not less than thirty days after the first publication of the notice aforesaid, the Board of City Commissioners proceeded to hear the testimony and evidence of persons interested and no one having appeared against said petition of vacation, and it appearing to the satisfaction of the Board of City Commissioners that said petitioners are the owners in fee simple of the property adjoining the access line to be vacated; that no objections by the immediately adjoining landowner to the requested vacation were raised at the public hearing, that said petition was accompanied by a map of the area proposed to be vacated; which map is on file in the office of the City Administrator of Mandan; and the facts and reason for the vacation of such area as established by the petition and the testimony and evidence are good and sufficient to justify the vacation of such area;

NOW, THEREFORE, BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, North Dakota, that the above described non-access control line as platted in Lot 1, Block 1, West River 1st Addition in the City of Mandan, Morton County, North Dakota be and the same are hereby vacated.

BE IT FURTHER RESOLVED, That the within and foregoing Resolution shall become effective from the time of its passage and publication.

Approved and passed September 6, 2011, by at least two-thirds vote of all the members of the Board of City Commissioners.

President, Board of City Commissioners

ATTEST:

City Administrator

Public Notice Dates: July 29, August 5th, 12th and 19th, 2011
Public Hearing: September 6, 2011
Final Passage: September 6, 2011
Publication Date: September 30, 2011



BID #1

Board of City Commissioners

Agenda Documentation

MEETING DATE: September 6, 2011
PREPARATION DATE: September 1, 2011
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider award of bids for Water & Sewer Improvement District #58, Project # 2011-07

STATEMENT/PURPOSE: This is an acceptance of bids and the recommendation to award the contract for the project to Kvamsdal Construction.

BACKGROUND/ALTERNATIVES: Bids were received on August 30th for the project. One bid proposal was received in total for the project and that bid was significantly over the Engineers estimate. The Engineers Estimate was approximately \$63,000 for the construction of the project. Basaraba Excavating was the lone bidder and submitted a bid of \$320,000.

The plan would be to reject the bids. Alternatives would be, that the landowners hire a contractor per a 3 way agreement and have the work done at their cost and be able to get quotes from those contractors for that work. Another alternative is for the one developer looking to build in the near future to hook to existing mains on 40th Avenue SE for his single property, at his expense. The 3rd alternative would be to keep the district open and to rebid it at another time.

ATTACHMENTS: 1. Bid tabulation

FISCAL IMPACT: Being bids were over the Engineers Estimate, we feel it would be prudent, not only to the landowners within the district, but to the City, as over depth excavation and dewatering would have been City expenses as part of this project, to reject the bids.

STAFF IMPACT: Minimal

LEGAL REVIEW: These documents have been forwarded to the City Attorney for his review.

RECOMMENDATION: I would recommend we reject the bid on the basis of one bidder and the bid being too high.

SUGGESTED MOTION: I move to reject the low bid for Water & Sewer Improvement District #58, Project # 2011-07.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 6, 2011

Subject: Consider award of bids for Water & Sewer Improvement District #58, Project # 2011-07

Page 2 of 3

ENGINEER'S REPORT AND RECOMMENDATION
FOR
CONTRACT AWARD
FOR
WATER & SEWER IMPROVEMENT DISTRICT NO. 58
CITY PROJECT NO. 2011-07
SHOAL LOOP WEST OF 40TH AVENUE SE
MANDAN, NORTH DAKOTA 58554
TECO #1240

Procedural:

Pursuant to due notice and call thereof, proposals for Water & Sewer Improvement, District No. 58 were received at the City Hall, Mandan, North Dakota 58554, on August 30, 2011, at 3:30 PM.

Proposals Submitted:

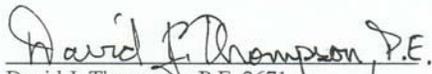
One Bid was submitted:
Basaraba Excavating, Wilton, ND 58579

Evaluation and Breakdown:

<u>Contractor</u>	<u>Total</u>
Basaraba Excavating	\$ 320,200.00

RECOMMENDATION

Upon review of the one proposal received from Basaraba Excavating and consultation with the City Administrator, City Engineering and the owners of the two adjacent lots to the project, Toman Engineering Company hereby recommends not to Award this project to Basaraba Excavating due to the high bid and irregular unit pricing.



David J. Thompson, P.E. 2671
TOMAN ENGINEERING CO.
501 1st Street NW
Mandan, North Dakota 58554

9/1/11
DATE

SEE ATTACHED BID TAB

Board of City Commissioners

Agenda Documentation

Meeting Date: September 6, 2011

Subject: Consider award of bids for Water & Sewer Improvement District #58, Project # 2011-07

Page 3 of 3

WATER & SEWER IMPROVEMENT
 DIST. NO. 58
 CITY PROJECT NO. 2011-07
 SHOAL LOOP FROM WEST RIGHT-
 OF-WAY LINE
 OF 40TH AVE. SE TO 250 LF WEST
 ON SHOAL LOOP
 AUGUST, 2011
 TECO #1240

NO.	DESCRIPTION	UNIT	QUAN	UNIT PRICE	TOTAL
1	8" SANITARY SEWERMAIN	LF	251	400	100,400
2	6" SANITARY SERVICE	LF	80	300	24,000
3	BEDDING MATERIAL	TON	120	50	6,000
4	DROP MANHOLE	EACH	1	25,000	25,000
5	8" WATERMAIN	LF	251	200	50,200
6	6" WATERMAIN	LF	83	200	16,600
7	4" WATERMAIN	LF	20	200	4,000
8	8" GATE VALVE & BOX	EACH	1	4,000	4,000
9	6" GATE VALVE & BOX	EACH	1	3,000	3,000
10	4" GATE VALVE & BOX	EACH	1	2,000	2,000
11	6" HYDRANT	EACH	1	10,000	10,000
12	DEWATERING	LOT	1	75,000	75,000

TOTAL BID

\$320,200



Bids #2

Board of City Commissioners

Agenda Documentation

MEETING DATE: September 1, 2009
PREPARATION DATE: August 26, 2009
SUBMITTING DEPARTMENT:
DEPARTMENT DIRECTOR:
PRESENTER:
SUBJECT: Consider award of bids for Flood Improvement
District #1, Project 2011-06

STATEMENT/PURPOSE: This is an acceptance of bids and the consideration to award the contract for the project.

BACKGROUND/ALTERNATIVES: Bids were received on September 2nd for the proposed project within the District. Due to the late bid opening time, preparation of this documentation was prior to the bid opening. Background will be given as part of the presentation during the meeting.

ATTACHMENTS: Bid Tabulation to be handed out at the meeting

FISCAL IMPACT: The district was created in order to special assess costs incurred under this project. Those costs and distribution by special assessment will need to be determined at another time once all flood related costs have been quantified and any mechanisms for reimbursement and amounts have been identified.

STAFF IMPACT: Minimal.

LEGAL REVIEW: All my Commission data has been forwarded to the City Attorney.

RECOMMENDATION: A recommendation will be presented at the meeting once the bids have been looked over.

SUGGESTED MOTION: To follow the recommendation presented at the meeting.



Board of City Commissioners

Agenda Documentation

MEETING DATE: September 6, 2011
PREPARATION DATE: August 23, 2011
SUBMITTING DEPARTMENT: Assessing Department
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Non-Profit Exemption for Pride, Inc.

STATEMENT/PURPOSE: To consider a non-profit exemption for the year 2010 from date of purchase (05-24-10).

BACKGROUND/ALTERNATIVES: Pride, Inc. has completed the necessary paperwork and meets all criteria, according to North Dakota Century Code 57-02-08(31), to receive a non-profit exemption on this property.

This parcel is also known as the Lot 3 (less w 10'), Block 1, Sunset 2nd Addition at 708 Boundary St NW on Parcel #8003.

ATTACHMENTS: Application.

FISCAL IMPACT: Approximately \$5,625.00.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the request by Pride, Inc. to receive a non-profit exemption for the year 2010 from the date of purchase (05-24-10).

SUGGESTED MOTION: I recommend a motion to approve the request by Pride, Inc. to receive a non-profit exemption for the year 2010 from date of purchase (05-24-10) by meeting all requirements according to North Dakota Century Code 57-02-08(31).

Application For Abatement And Settlement Of Taxes *Kelly 258-7838*
 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. *X -125*

State of North Dakota

County of Morton

Name PRIDE INC

Address 708 BOUNDARY ST NW

Legal Description of the property involved in this application
 LOT 3 LESS W 10'

Property ID Number

City 8003

County 65-5020000

Block: 001
 SUNSET 2ND

Total true and full value of the property described above for the year 2010 is:		Total true and full value of the property described above for the year 2010 should be:	
Land	\$29,600	Land	\$29,600
Improvements	\$428,400	Improvements	\$153,600
Total (1)	\$458,000	Total (2)	\$183,200

The difference of \$274,800 true and full value between (1) and (2) above is due to the following reason(s):

- 1. Agricultural property true and full value exceeds its agricultural value defined in N.D.C.C. § 57-02-27.2
- 2. Residential or commercial property's true and full value exceeds the market value
- 3. Error in property description, entering the description, or extending the tax
- 4. Nonexisting improvement assessed
- 5. Complainant or property is exempt from taxation (Attach a copy of Application for Property Tax Exemption)
- 6. Duplicate assessment
- 7. Property improvement was damaged by fire, flood or tornado (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit According to N.D.C.C. § 57-02-08.1 (Attach a copy of Homestead Credit Application)
- 10. Other (Explain) Fully Exempt (Non-Profit) from date of purchase.
 (05-24-10) 60% Reduction.

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

1. Purchase price of property: \$ _____ Date of purchase: _____
 Terms: Cash _____ Contract _____ Trade _____ Other (explain) _____
 Was there personal property involved in the purchase price? _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? _____ If yes, how long? _____
 Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: _____ Purpose of appraisal: _____
 Market value estimate: \$ _____
 Appraisal was made by whom? _____

4. The applicant's estimate of market value of the property involved in this application is \$ _____

5. The estimated agricultural productive value of this property is excessive because of the following condition(s): _____

The Applicant asks that _____

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 _____

Kelly Metz for Pride Inc 8-17-11
 Signature of Applicant _____ Date _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: September 6, 2011
PREPARATION DATE: August 30, 2011
SUBMITTING DEPARTMENT: Engineering/Planning
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider for approval the final plat of Acteva Living Center Addition.

STATEMENT/PURPOSE: To accept the subject final plat.

BACKGROUND/ALTERNATIVES: Request from Dennis Meyer, Terra Vallee Inc. Final plat was approved by the Planning and Zoning Commission August 22, 2011.

ATTACHMENTS: 1. Office Report
2. Final Plat
3. Vicinity Map

FISCAL IMPACT: Minimal

STAFF IMPACT: Minimal

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

RECOMMENDATION: This office supports the approval of the subject plat.

SUGGESTED MOTION: I move to approve the final plat of Acteva Living Center Addition.

MANDAN PLANNING OFFICE REPORT
August 18, 2011

Applicant: Dennis Meyer, Terra Vallee, Inc.

Owner: same

Developer:

Land Surveyor:

Requested Action: Final plat approval.

Name of Subdivision: Acteva Living Center

Legal Description: Parts of Auditor's Lots H, J and K, of the South ½ of the Southeast ¼ of Section 16, Township 139N, Range 81W.

Location: 31st Street NW and 12th Avenue NW

Parcel Acreage: 7.8

Number of Blocks: 1 Number of Lots: 3

Preliminary Plat Approval: Short Form

Existing Land Use: Vacant

Proposed Land Use: Assisted living development

Adjacent Land Use: Middle school, residential, agricultural

Existing Zoning: R7 (Single-Family Residential)

Proposed Zoning: RM (Multi-Family Residential)

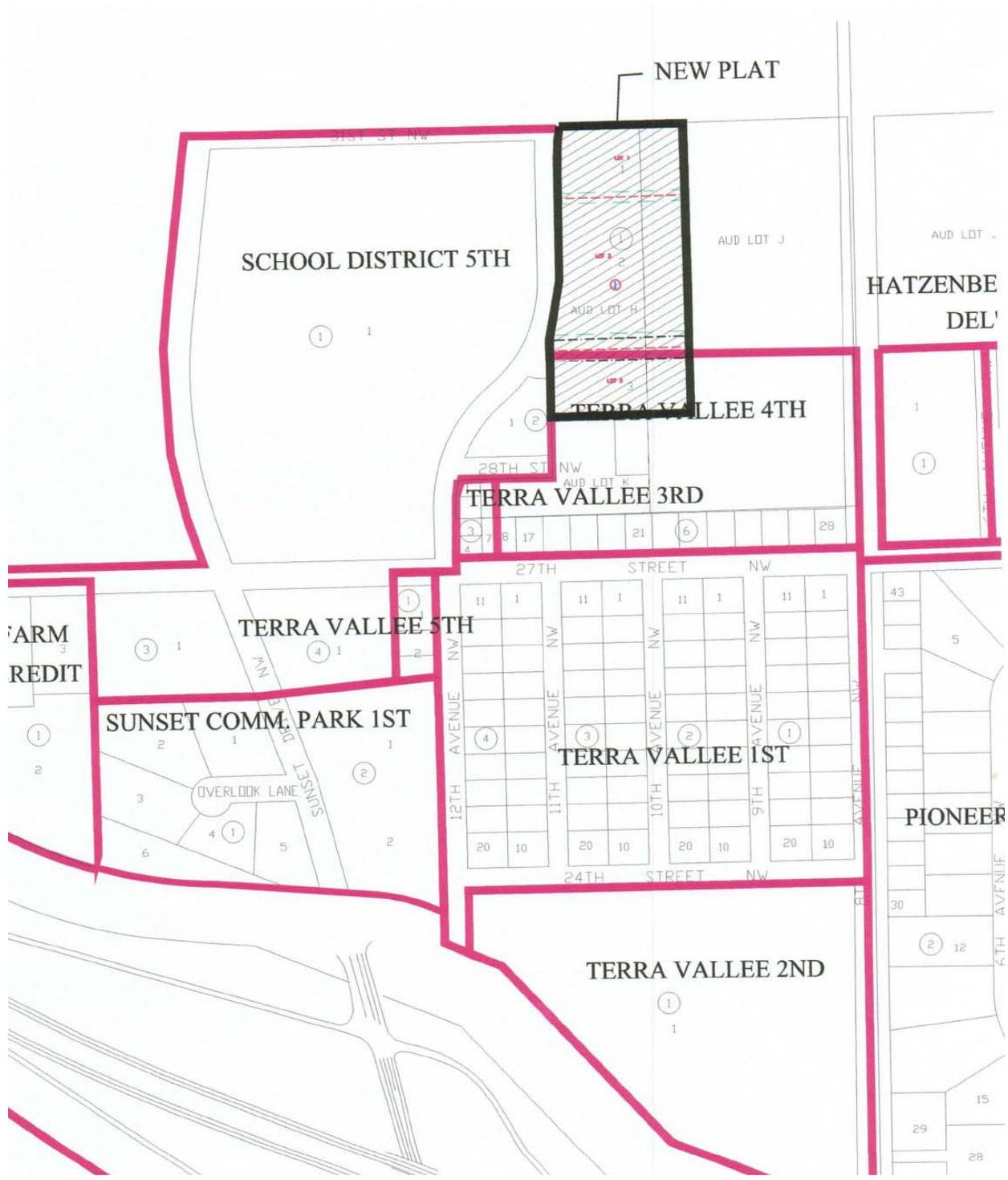
Adjacent Zoning: A (Agricultural) and R7 (Single-Family Residential)

Fee Required: \$150.00 Date Received: 8-3-2011

Adjacent Property Owner Notification: August 12, 2011

Dates of Legal Notices: August 12th & 19th, 2011

Recommendation: Planning office recommends approval.





Board of City Commissioners

Agenda Documentation

MEETING DATE: September 6, 2011
PREPARATION DATE: August 22, 2011
SUBMITTING DEPARTMENT: Fire Department
DEPARTMENT DIRECTOR: Steve Nardello, Fire Chief
PRESENTER: Steve Nardello Fire Chief
SUBJECT: Battalion Fire Chief

STATEMENT/PURPOSE – The Mandan Fire Department would like to create a full-time pay grade position of Battalion Fire Chief

BACKGROUND/ALTERNATIVES – The Mandan Fire Department has grown to just over 50 firefighters and two stations within the last ten years. The department growth has led to an increase in duties and responsibilities of the Fire Chief resulting in some needed assistance.

The position would be an exempt employee providing services beyond a normal work week and would consist of a promotional process. This position would NOT increase our current full-time staff.

ATTACHMENTS – Battalion Fire Chief Job Description.

FISCAL IMPACT – There would not be a budget increase for the fiscal years 2011 or 2012 as there are enough funds within the fire department salary and benefits line items to provide for the proposed salary pay grade increase. The increase for the promotional step will vary dependent upon the successful candidate but, a salary increase that includes benefits will range between \$1,483.00 and \$2,578.00. The proposed salary is Grade 20 from the City of Mandan Distribution of Classes.

STAFF IMPACT – The proposed position would assist the Chief in daily operations, emergency incident management, and provide better consistency within the different shifts. The position will also provide better supervision of station 2 staff and equipment.

LEGAL REVIEW – Human Resource has reviewed the proposed job description for the Battalion Chief position.

RECOMMENDATION – Approve the fire department request of creating a Battalion Chief pay grade position.

SUGGESTED MOTION – Move to approve the creation of a Battalion Fire Chief pay grade of 20.

JOB TITLE: Battalion Fire Chief

DEPARTMENT: Fire, City of Mandan

JOB SUMMARY: This position is responsible for assisting the fire chief with operations of the fire department that includes routine management of emergency personnel in a combination system, ensuring training and readiness of all personnel and equipment, and on-scene command and control of major incidents.

MAJOR DUTIES:

- o Responds to emergency and non-emergency incidents, including fire, hazardous materials, extrication, rescue, and other natural and man-made disasters; establishes command in the absence of the Fire Chief to ensure early incident stabilization and mitigation and to increase life safety/rescue operation results; implements initial action plan based on pre-plans, size-up, and life safety/property preservation priorities; supervises and directs full-time and part-time personnel; serves as liaison between the fire department and the public.
- o Plans, manages and coordinates the activities of the department, including supervising subordinate company officers and personnel.
- o Supports and assists the department's fire prevention, plan review, inspections and public fire safety education programs. Performs building inspections/preplans in buildings within the city.
- o Inspects equipment such as hose, trucks, self-contained breathing apparatus, turnout gear, hand power tools, saws, fans, and more. Ensures that such equipment is properly maintained and ready for use at all times.
- o Attends and leads training classes to improve fire fighting and emergency medical care skills; familiarizes staff with infrastructure in the city.
- o Supervises Captains; Maintains sufficient personnel on shift each twenty-four hour period for emergency responses, schedules daily shift assignments, authorizes leave, special assignments and overtime.
- o Observes performance of subordinate officers in order to conduct performance appraisals.
- o Participates in the development of goals and objectives for stations and personnel, and monitors progress toward achieving positive results.

- o Participates in the development, change, implementation and application of departmental policies, performance standards, rules, regulations and standard operating procedures.
- o Supervises weed control duties of each shift to ensure Mandan properties are properly maintained in accordance with City Weed Ordinance.
- o Performs other related duties as assigned.

KNOWLEDGE REQUIRED BY THE POSITION:

- o Knowledge of management and leadership theories and principles.
- o Knowledge of the incident command system.
- o Knowledge of the International Fire Code.
- o Knowledge of modern firefighting practices and procedures.
- o Knowledge of modern emergency medical practices and procedures.
- o Knowledge of modern forms of fire apparatus and equipment.
- o Skill in monitoring and supervising staff.
- o Skill in interpreting and enforcing policy and procedures.
- o Skill in the use of a variety of fire suppression and emergency rescue equipment and tools.
- o Skill in the use of computers and related software programs.
- o Skill in the provision of emergency medical care.
- o Skill in developing public relations and education programs

SUPERVISORY CONTROLS: The Fire Chief assigns work in terms of very general instructions. The Battalion Fire Chief ensures that subordinate officers and firefighters complete work for compliance with procedures and the nature and propriety of the final results. Responsibilities include providing on-the-job training; evaluating job performance; recommending selection of new staff members, promotions, status changes, and discipline; and planning, scheduling, and coordinating work operations.

GUIDELINES: Guidelines include the Mandan City Ordinance, the International Fire and Building Codes, National Fire Protection Association guidelines, department

operating procedures, and the North Dakota State Century Code. These guidelines require judgment, selection, and interpretation in application.

COMPLEXITY: The work consists of varied supervisory, administrative, and firefighting duties. The volume of work to be performed and potentially life threatening situations contribute to the complexity of the position.

SCOPE AND EFFECT: The purpose of this position is to supervise and participate in the work of assigned shifts of fire department personnel. Success in this position contributes to the safety of life and property.

PERSONAL CONTACTS: Contacts are typically with co-workers, elected and appointed officials, attorneys, emergency management personnel, school administrators, representatives of other emergency response agencies, health care providers, and members of the general public.

PURPOSE OF CONTACTS: Contacts are typically to give or exchange information, provide services, resolve problems, and motivate persons.

PHYSICAL DEMANDS: The work is typically performed while intermittently sitting, standing, stooping, or walking. The employee occasionally lifts light and heavy objects, climbs ladders, and uses tools or equipment requiring a high degree of dexterity.

WORK ENVIRONMENT: The work is typically performed in an office and at the scene of fire and emergency incidents. The employee may be exposed to noise, dust, dirt, grease, machinery with moving parts, irritating chemicals, cold or inclement weather, and hazards associated with fire and other emergency scenes. The work requires the use of protective devices such as masks, goggles, and gloves.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY: This position has direct supervision over all firefighters and subordinate officers.

MINIMUM QUALIFICATIONS:

- o Knowledge and level of competency commonly associated with completion of specialized training in the field of work, in addition to basic skills typically associated with a high school education.
- o Experience sufficient to thoroughly understand the work of subordinate positions to be able to answer questions and resolve problems, usually associated with two to five years fire captain experience.
- o Possession of or ability to readily obtain a valid driver's license issued by the State of North Dakota for the type of vehicle or equipment operated.

- Must have successfully completed the examination process for Fire Battalion Chief.

- Ability to satisfactorily complete a Fire Officer I & II curriculum as approved by the North Dakota Firefighter's Association, the National Fire Academy, or an equivalent program, which conforms to National Fire Protection Association 1021.

**Employment Contract for City Administrator
City of Mandan, North Dakota**

THE PARTIES to this Agreement are:

1. City of Mandan, North Dakota, party of the first part (hereafter Mandan).
2. James Neubauer, 801 25th Street SE, Mandan, ND (hereafter Neubauer).

Terms and Conditions of Employment Contract

The following recitals shall be deemed a part of this Agreement, and the parties agree that they accurately set forth the circumstances and basis upon which this Agreement has been executed:

1. Mandan, by resolution of the Board of City Commissioners, has appointed James Neubauer as its City Administrator for a period of three (3) years beginning January 1, 2012 and ending December 31, 2014. The annual salary for 2012 will be \$95,650 for 2013 the annual salary will be the pervious years salary plus a Cost of Living Adjustment (COLA) as approved in the 2013 budget plus 1% (the 1% would only apply if employee step increases are approved), the annual salary in 2014 will be the previous years salary plus a COLA as approved in the 2014 budget plus 1% (the 1% would only apply if employee step increases are approved). The contract may be renewed for a like or longer term by vote of the majority of the Board of City Commissioners.
2. The position of the City Administrator is not part of the Mandan's civil service system, and the City Administrator is an employee at will, serving at the pleasure of the Board of City Commissioners and is subject to dismissal with or without cause, upon notice.
3. A written performance review shall be conducted by each member of the Board on an annual basis and the results reviewed with the city administrator by the Mayor prior to August 31, 2012, 2013 and 2014.
4. Neubauer shall receive the same benefits relating to sick leave, sick family leave, funeral leave, personal leave, vacation, health insurance, term insurance, pension eligibility, holidays, and travel reimbursement as any other employee in accordance with his/her year of employment with the City of Mandan. The benefit package and continuing education reimbursement may be renegotiated at any time during the contract term as determined by Mandan and Neubauer.
5. In the event, Mandan cancels the terms of this Agreement at any time during the contract term, Neubauer shall be entitled to a severance payment equal to six months salary, payable on the last day of employment, and the City of Mandan will continue to pay the premium cost of health insurance and term insurance for the coverage in effect at the time of termination of employment for a period of six months.

A termination for cause, including by not limited to conduct specified below will not entitle Neubauer to either severance pay or insurance benefits post termination.

- a) Unlawful use of any drugs, narcotic or other controlled substance while on duty, or reporting to work when under the influence of intoxicants or any narcotic or controlled substance;
- b) Continued failure to perform the assigned work in a satisfactory manner;
- c) Conviction of a felony or conviction of a misdemeanor involving dishonesty or moral turpitude;
- d) Engaging in criminal, infamous, dishonest or notoriously disgraceful conduct, or other conduct prejudicial to the government;
- e) Engaging in conduct or making public statements which adversely affect the confidence of the public in the integrity of the board of city commissioners, the department heads or city government or which directly or indirectly condemns or criticizes the policies of the city or any of its departments;
- f) Taking any action which might prejudice the city's interest in a criminal or civil action.

Duties and Responsibilities of City Administrator

Neubauer, in his capacity as City Administrator of the City of Mandan shall exercise and perform the following duties and responsibilities:

1. Initiate a long and short term strategic planning process which identifies specific goals, objectives, and projects for Mandan in order to better deliver services to its citizens.
2. Serve in the legal capacity as auditor, although specific duties and responsibilities of the auditor's office may be assigned to others, as the city administrator determines is best for the operation of the office.
3. Direct the daily administration of the City of Mandan.
 1. Develop and expedite public policies and programs.
 2. Work with department heads to promote efficient and effective operations.
4. Make recommendations to the Board of City Commissioners and administer policies and guidelines adopted by the Board.
5. Attend all regular and special meetings of the Board and meetings of the department heads.

1. Deliver administrative and operational reports to the Board.
2. Develop and expedite the most economical and responsible achievement of public policy.
6. Direct, coordinate, prioritize and assign work to department heads and division managers as necessary in order to solve problems and accomplish specific operational goals, objectives and special projects.
7. Serve as Mandan's chief administrative officer and human resource manager which includes:
 1. Managing personnel issues;
 2. Developing and implementing Mandan's human resource manual; and
 3. Serving as clerk of the Mandan Civil Service Commission.
8. Prepare studies for the Board related to operational procedures, capital expenditures and strategic plan; prepare meeting memos and background reports for the Board on current issues facing the Board and Mandan.
9. Serve as Mandan's representative on the governing boards of community organizations, including the Mandan Growth Fund, and attend various meetings and group functions as deemed necessary by the Board and/or the city administrator.
10. Coordinate preparation of the annual budget and capital plan, and present proposed budgets and plans to the Board.
11. Participate in the selection process for department heads and other upper level administrative employee positions, and make hiring recommendations to the Board.
12. Conduct annual performance appraisals of department heads in cooperation with the portfolio city commissioner.
13. Perform such other duties as deemed necessary by the Board or the city administrator.

This written Agreement supercedes and merges all previous written and oral negotiations and commitments of the Parties with respect to the matters addressed. This Agreement may be waived or amended only in writing.

THIS AGREEMENT shall be binding upon and inure to the benefit of the Parties hereto, their successors and assigns, and is executed by the Parties.

CITY OF MANDAN

By: _____
Tim Helbling, President
Board of City Commissioners

Date: _____

ATTEST:

Malcolm Brown, City Attorney

Date: _____

PARTY OF THE SECOND PART

James Neubauer
801 25th Street SE, Mandan, North Dakota

Date: _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: Sept. 6, 2011
PREPARATION DATE: Sept. 1, 2011
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Ellen Huber, Business Development & Communications Director
SUBJECT: Extension of Agreements for 116 E Main

STATEMENT/PURPOSE: To consider a request for extension of the deadline for closing on the sale of 116 E Main in purchase and business incentive agreements.

BACKGROUND/ALTERNATIVES: At its meeting on June 21, 2011, the City Commission approved purchase and business incentive agreements with MM Restaurant Group for the transfer of the 116 E Main property on or before July 31, 2011. At its meeting on Aug. 2, 2011, the Commission approved an extension with DeLanis and Linda Thomas, owners of the restaurant, for closing on or before Aug. 31, 2011. The owners are now requesting an additional extension to on or before Oct. 4, 2011, in order to finalize financing.

ATTACHMENTS: Revised agreements will be available at the meeting.

FISCAL IMPACT: n/a

STAFF IMPACT: Minimal.

LEGAL REVIEW: Attorney Brown will prepare the revised agreements.

RECOMMENDATION: I recommend approval of revised purchase and business incentive agreements that extend the deadline for closing to on or before Oct. 4, 2011, for the transfer of the 116 E Main property to DeLanis and Linda Thomas.

SUGGESTED MOTION: I move to approve the revised purchase and business incentive agreements that extend the deadline for closing to on or before Oct. 4, 2011, for the transfer of the 116 E Main property to DeLanis and Linda Thomas.



MM Restaurant Group, Inc.
211 DeMers Avenue | East Grand Forks, MN 56721 | 218.773.2225
www.mammariasrestaurant.com

MM Restaurant Group
211 DeMers Ave
East Grand Forks, MN

August 31, 2011

RE: PURCHASE OF 116 E Main

Dear Mandan City Commission:

This letter is being sent to request an extension for our purchase of 116 E Main in Mandan. It is our intent to remodel the building and convert it into a restaurant per our original purchase agreement.

However, due to the current financial environment and our lack of business history in the Mandan Region, we have been having difficulty with the financing of this project. Restaurants are a risky investment and even in good financial times banks tend to shy away from financing restaurant projects. We want to make sure this project has enough capital to ensure its success in the City of Mandan.

Because of this situation, we would like you to consider our request for an extension of the closing for the building on or before October 4th, 2011. We appreciate your patience on this project. We are truly excited about joining and becoming part of your community. Thank you for time and consideration.

Best regards,

Linda Thomas, President



Board of City Commissioners

Agenda Documentation

MEETING DATE: September 6, 2011
PREPARATION DATE: September 1, 2011
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider allowing the negotiation of and enter into an Engineering Services Agreement for Street Improvement Project 2010-03 District #161 (North Mandan)

STATEMENT/PURPOSE: To allow staff to negotiate a cost and enter into an agreement for Engineering services on the above stated project.

BACKGROUND/ALTERNATIVES: At this time we have sat down with both firms and discussed the project and also toured the district to look at conditions. Toman/Wenck have come back with a scope of work, project parameters and schedules for the project as it goes forward. They have also provided a percentage of cost that would be based on the cost of the work to be done as a cost for their services. They have set their fees at 12.5% of the project cost. As no estimate has been worked up for the district it leaves the dollar costs up in the air. In talking with the engineering team, we agree that costs could be in the 3.5 to 4.5 million dollar range based on the district size and amount of work needing to be done. That would mean an approximate cost of \$425,000 to \$560,000, based on that estimate. Should construction costs be less or more those costs would change accordingly to meet that percentage.

In determining if this is a fair amount to pay for the services provided, we looked at historical engineering costs of similar projects. The amounts by percentage ranged from as low as 10% to high of 22% with average being approximately 15%. So looking at the percentage provided by the Toman/Wenck team, we feel comfortable with the quoted 12.5%.

In the letter, the Toman/Wenck team also provide a timeline for the project tasks.

ATTACHMENTS: scope and fees letter from Toman Engineering.

FISCAL IMPACT: As stated, Engineering services will cost 12.5% of the construction costs for this project.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 6, 2011

Subject: Consider allowing the negotiation of and enter into an Engineering Services Agreement for Street Improvement Project 2010-03 District #161.

Page 2 of 3

STAFF IMPACT: Minimal

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

RECOMMENDATION: Allow City staff to enter into a Engineering services agreement with the Toman/Wenck team for the outlined scope and fees as spelled out in their provided letter.

SUGGESTED MOTION: I move to enter into an Engineering Services Agreement for Street Improvement Project 2010-03 District #161.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 6, 2011

Subject: Consider allowing the negotiation of and enter into an Engineering Services Agreement for Street Improvement Project 2010-03 District #161.

Page 3 of 3

August 16, 2011

City of Mandan
Office of the City Administrator – Jim Neubauer
205 2nd Ave. NW
Mandan, ND 58554



RE: 2012 Street Improvements in North Mandan
TECo #02181

Mr. Neubauer,

Toman Engineering and Wenck Associates Inc., want to thank you for your recent consideration for selecting our firms for your proposed 2012 Street Improvement project.

As requested, we have met with City personnel to go over the scope of work, design perimeters, district boundaries, and schedules. Also we were directed to determine the related engineering fee's for this project.

We identified the scope, including the following activities, based on our experience, field review and meetings with City personnel. Our engineer fees will be 12.5% based on performing the following tasks:

- | | |
|--------------------------|--------------------------------------|
| 1. Survey/Investigations | 6. Project Administration/Management |
| 2. Preparing Estimates | 7. Project Staking |
| 3. Feasibility Study | 8. Construction Supervision |
| 4. Design/Plans | 9. Project Meetings |
| 5. Specifications | |

The above referenced tasks will be completed as proposed in our proposal by:

1. Plans and Specifications – February, 2012
2. Bid Letting in March, 2012
3. Construction – April-September, 2012

Our fee does not include Quality Control, Soils Investigation and Diane's/4th Ave. drainage plan that was previously performed.

Please feel free to call with any questions.

Respectfully Submitted,


Harvey Schneider
TOMAN ENGINEERING CO.

Cc Vince Vandertop, Wenck Associates, Inc.
Dave Bechtel, City Engineering

701-663-6483 | Fax: 701-663-0923 |
501 1st St NW | Mandan, ND 58554 |

TOMAN ENGINEERING
COMPANY
Civil Engineers & Land Surveyors

4/11/11 *50816*

PROCLAMATION

The undersigned, President of the City of Mandan Commission, pursuant to Sec. 6-03-07 of the Mandan Code of Ordinances, hereby proclaims:

That a State of Emergency exists within the corporate city limits of the City of Mandan, ND, considering the danger of flooding with said City which may seriously and substantially endanger the health, safety and property of the citizens of Mandan, and all of the provisions of said Sec. 6-03-07 relating to said State of Emergency are hereby in full force and effect.

The State of Emergency shall continue for a period of 30 days unless further extended by action of the Board of City Commissioners.

Dated this 6th day of September, 2011.

President, Board of City Commissioners

11. Have any of the individuals identified in answer to Questions 3, 4, and 5 ever engaged in the sale or distribution of alcoholic beverages (as an owner, manager, or employee) at a location other than in the City of Mandan at any time prior to this application. Yes: No: (If yes, explain in detail on a separate page location, type of business and dates of license or employment).

12. Have any of the individuals identified in answer to Questions 3, 4, and 5 ever had a license of any kind (including alcoholic beverage license, other business 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, listing the name of the individual, the time and place of cancellation, the authority which cancelled the license of any kind, including alcoholic beverage license, other business license, or motor vehicle license, and the reason for such cancellation).

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

14. Do any of the individuals named in answer to questions 3, 4 or 5 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.

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

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

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

EDMUND OLIVEIRA: SELF EMPLOYED (7 YEARS), STUDENT (3)
ZILA OLIVEIRA: ~~MANAGER~~ MANAGER RESTAURANT (2), RETIRED (8)

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

19. List the names, addresses of at least 3 business references.

LEWIS & CLARK: 200 1st AVE NW SUITE 100
US FOOD SERVICES: 3500 SARTOGA AVE BISMARCK
CAPITOL CITY: 1414 INTERSTATE LOOP BISMARCK 58502

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

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

EDMUND OLIVEIRA: 611 9th St NW Mandan 58554
ZILA OLIVEIRA: 420 2nd St NW Linton 58552

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

SAME AS # 21

INDIVIDUAL OR JOINT OWNERSHIP

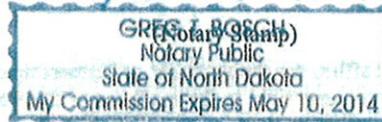
STATE OF NORTH DAKOTA)
) ss.
COUNTY OF MORTON)

EDUAR OLIVEIRA and ZILA OLIVEIRA
being first duly sworn, depose(s) and says that he/she is the individual(s) 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 his knowledge.

Dated this 29th day of August, 2011

Subscribed and sworn to before me on this 29th day of August, 2011.

(Notary Seal)



PARTNERSHIP

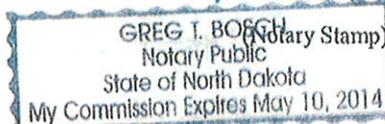
STATE OF NORTH DAKOTA)
) ss.
COUNTY OF MORTON)

We, EDUAR OLIVEIRA and ZILA OLIVEIRA
First being duly sworn, depose and say that they are the partners in the partnership identified herein, and who have executed the foregoing and above affidavit of application completeness and accuracy, sworn statement of licensure conditions and agreement of right of entry by city personnel, and that they have read each question and statement contained herein and know the contents thereof to be true and accurate, and that they have furnished the answers set forth in said application, and that each one of said answers is true to the best of our knowledge.

Dated this 29th day of August, 2011

Subscribed and sworn to before me on this 29th day of August, 2011.

(Notary Seal)



NOTE: If applicant desires to conduct business on Sundays, under the provision of North Dakota Law and the Ordinances of the City of Mandan, the applicant must submit a separate application for same, which is accompanied by certified copies of the most recently paid six month's state filings of the City Lodging and Restaurant Taxes and shall allow the City to verify with the ND State Tax Commissioner that said tax payments have been made and continue to be made throughout the term of the license.

STATE OF NORTH DAKOTA)
) ss. Affidavit of Application Completeness and Accuracy,
COUNTY OF MORTON) Sworn Statement of Conditions of Licensure,
) And Agreement to Right of Entry of City Personnel

I (We), EDGAR OLIVEIRA and ZIVA OLIVEIRA having been sworn and under oath, state that I (We) am (are) the named () Owner or () Partners, of the above named Business or Partnership which hereby applies for the above referenced alcoholic beverage license in the City of Mandan, and I (We) do hereby certify that the above information is true and correct to the best of my (our) knowledge and beliefs.

I (We) do further certify that said Individual or Partnership and employees will abide by the provisions of Chapter 12-01, 12-02 and 12-03 of the Mandan Code of Ordinances and any amendments thereto, as well as all applicable laws of the State of North Dakota, and the United States Government and that said Owner/Partners, and its employees will not permit the violation of any law, rule or regulation on the premises at which the license is authorized. I (We) further certify that I (the Partnership) 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, and limited by this application, at the premises designated in this application and depicted on the attached diagram.

I (We) do further certify and affirm on behalf of myself or the partnership and its employees that I (the partnership) 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 (We) do further certify and affirm that the applicant or Partnership 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 (We) do further certify and affirm that the applicant (partnership) and its 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 (We) further certify and affirm that I (the partnership), and its 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 28th day of August, 2011.

Individual or Joint Ownership

By: [Signature]
By: [Signature]

Partnership:

By: _____
By: _____
By: _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: September 6, 2011
PREPARATION DATE: September 2, 2011
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider the creation of, approve the feasibility report, approve the plans and specifications for Water & Sewer Improvement District No. 59, Project 2011-10 (5th Street NE).

STATEMENT/PURPOSE: To create a special assessment district and authorize paperwork for the requested project.

BACKGROUND/ALTERNATIVES: A request from Sam Towner and Habitat for Humanity was received and that request was to have lots that they own, be serviced with water and sewer, which at this time they have none. Mr. Towner had 5 lots on the north side of 5th Street NE between 1st Ave NE and 3rd Ave NE, and Habitat for Humanity has 2 lots on the south side of 5th St NE in that same location. Our City services only extend ½ block east of 1st Avenue NE and therefore we cannot serve these lots with water and sewer. They are requesting the City install the water and sewer and special assess them for the applicable portion of the utilities that serve their lots.

In looking at the area, some of the utilities or lack thereof was addressed with the Collins Avenue Project but additional work should be done in this area. In visiting with Public Works/Utility Maintenance, some of the water mains are not looped and some residences are served with grossly undersized mains that could be remedied at the same time as we provide new service to these requesting lots.

This type of project would typically be handled with the utility funds with no special assessments to the affected properties. Being as we have lots with no services, we see it prudent to special assess the requesting lots for their specific portion of the costs and the remainder of the costs would come from the utility fund as per usual.

ATTACHMENTS: 1. Feasibility Report
2. District Map

FISCAL IMPACT: Based on the costs the City will incur costs of \$281,190.00 which will be funded from the utility fund and the City would look to recover \$134,117.00 from

Board of City Commissioners

Agenda Documentation

Meeting Date: September 6, 2011

Subject: Consider the creation of, approve the feasibility report, approve the plans and specifications for Water & Sewer Improvement District No. 58, Project 2011-09 (5th Street NE).

Page 2 of 4

the special assessments to the requesting lots. Based on the district and there being 7 lots that could be special assessed, estimated specials for those 7 lots are approximately \$19,000 per lot. The requestors of those services are aware of those costs and requested that they being installed and assessed.

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 for the creation of the Street Improvement District and for the approval of the Feasibility Report, and the plans and specifications.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 6, 2011

Subject: Consider the creation of, approve the feasibility report, approve the plans and specifications for Water & Sewer Improvement District No. 58, Project 2011-09 (5th Street NE).

Page 3 of 4

**FEASIBILITY AND EVALUATION OF IMPROVEMENTS
FOR WATER & SEWER IMPROVEMENT DISTRICT #59
PROJECT # 2011-10**

1.) General Nature of Project

The District has been created to add improvements to the water and sewer distribution network and to provide utility services to the platted parcels that lie on 5th Street NE. The extension of the water and sewer mains from the intersection 1st Avenue NE to the west will provide utilities to the lots that are currently without. Construction will also take place on 1st Avenue NE also to construct a new water main to replace the 1" line serving the houses lying east and west of 1st Avenue NE. The water main that will be constructed on 5th Street NE and its subsequent connection to main on 3rd Avenue NE, will allow the main system in that area to loop providing improved water quality as well as redundancy in outage situations.

2.) Location of Proposed Construction

The proposed construction will take place on 5th Street NE from 1st Avenue NE to 3rd Avenue NE. Additional work will also take place on 1st Avenue NE to construct a new water main to correct problems with the current main configuration.

3.) Environmental Impact

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

4.) Feasibility of Project

In the opinion of the undersigned this project is feasible and needed for the area. This project will allow for housing growth in the allowance of utility to serve the now unable to serve lots. The new water mains will allow the existing system in that area to loop and connect providing improved water quality as well as redundancy in outage situations. Many of the existing main in that area are grossly undersized for the number of users on them. This paired with the confusion from the location of existing services and them being extremely long to access utilities for services, makes the improvements needed.

5.) Estimates of Costs

Attached is a map showing the area and district boundary. The construction costs are estimated at \$216,300.00. Other costs of making the improvement including necessary and reasonable change orders; engineering, fiscal agents' and attorneys' fees; publication of legal notices printing of warrants; contingency; and all expenses incurred in the making of the improvement and levy of assessments, and contingencies therefore are estimated at \$64,890.00. The total cost for the improvement is estimated at \$281,190.00.

Dave Thompson
Acting City Engineer

Board of City Commissioners

Agenda Documentation

Meeting Date: September 6, 2011

Subject: Consider the creation of, approve the feasibility report, approve the plans and specifications for Water & Sewer Improvement District No. 58, Project 2011-09 (5th Street NE).

Page 4 of 4





Individual or Partnership Liquor License Application

1. Type of License:

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

2. Duration of License: Annual: (July 1, 2011 to June 30, 2012)
 Part of Year : From _____, 20____ to _____, 20____.

3. Are you applying for an Individual X or Partnership _____

4. If business is owned by an individual, give name, address, and date of birth of Owner: Sean L Hopkins
210 1/2 N. Main St Mandan, ND

5. If business is owned by a partnership give the name of the partnership and the names, addresses, and dates of birth of each member of the partnership. N/A

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

Name: Sean L Hopkins Address: 210 1/2 W. Main St.
 City: Mandan State: ND Age: _____ DOB: _____ Citizenship: USA

If naturalized, give date and place of naturalization: _____

List all other places of residence within the last 5 years: Minot ND, Minn. MN.

7. Description of Licensed Premises: Address: 210 W. Main St. ND

Legal Description: (Lot & Block): Lot 9+10 Block 8 Mandan Proper (also submit on an attached page a diagram of the physical layout of the licensed premises including, at a minimum: doors, storage areas, & areas where liquor/beer is purchased and consumed.)

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

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

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

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

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

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

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

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

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

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

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

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

19. List the names, addresses of at least 3 business references. Scott McFarland - McFarland Publishing FIA
BN&E Railroad employee Sean Hopkins

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

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

Sean L. Hopkins
310 1/2 W. Main St. Mandan, ND

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

INDIVIDUAL OR JOINT OWNERSHIP

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF MORTON)

And _____

Being first duly sworn, depose(s) and says that he/she is the individual(s) 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 his/her knowledge.

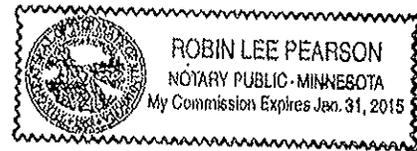
Dated this 15th day of September, 2011.

Dean R Hopson

Subscribed and sworn to before me on this 15th day of September, 2011.

(Notary Seal)

Robin Lee Pearson
(Notary Stamp)



PARTNERSHIP

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF MORTON)

We _____ And _____

Being first duly sworn, depose(s) and says that are the partners in the partnership identified herein, and who have executed the foregoing and above affidavit of application completeness and accuracy, sworn statement of licensure conditions and agreement of right of entry by city personnel, and that they have read each question and statement contained herein and know the contents thereof to be true and accurate, and that they have furnished the answers set forth in said application, and that each one of said answers is true to the best of his knowledge.

Dated this _____ day of _____, 20____.

Subscribed and sworn to before me on this _____ day of _____, 20____.

(Notary Seal)

(Notary Stamp)

ORDINANCE NO. 1102

AN ORDINANCE MAKING THE ANNUAL APPROPRIATIONS FOR EXPENDITURES OR EXPENSES OF THE CITY OF MANDAN, NORTH DAKOTA, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2012, AND ENDING DECEMBER 31, 2012, AND MAKING THE ANNUAL TAX LEVY FOR THE YEAR 2011.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA:

Section 1. There are hereby appropriated the following sums of money for so much thereof that may be necessary for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2012, and ending December 31, 2012.

General Fund	\$7,185,650
Highway Distribution Fund	1,099,600
City's Share of Special Assessments Fund	145,500
Cemetery Fund	141,900
City Visitors' Promotion Fund	46,150
Alarm-Equipment Reserve Fund	27,650
City Sales Tax Fund	1,155,100
Public Transportation System Fund	100,000
Mandan Growth Fund	146,900
Job Development Authority Fund	100,000
Narcotics Task Force Grant Fund	52,000
Police Equipment Reserve Fund	12,400
Traffic Safety Grants Fund	10,750
Under-age Drinking Enforcement Grant Fund	1,000
Narcotics Task Force Grant Fund-HIDTA	47,700
BNSF Settlement Fund	1,150
Mandan SEP Trust Fund	3,400
Downtown Redevelopment Fund	76,450
Mandan Community Center Revenue Bonds of 2005 Fund	142,450
Liberty Memorial Bridge General Obligations Bonds Fund	66,000
Refunding Improvement Bonds Fund	6,152,650
City Visitors' Promotion Capital Construction Fund	6,350
Water and Sewer Utility Fund	5,600,650
Solid Waste Utility Fund	1,322,300
Street Light Utility Fund	300,300
City Shop Fund	283,600
Morton Mandan Public Library	618,696
Mandan Airport Authority	692,935

Section 2. There are hereby levied the following sums of money on all taxable property in the City of Mandan, North Dakota, for the year 2011 for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota.

General Fund	\$3,450,142
City's Share of Special Assessments Fund	153,018
Cemetery Fund	82,632
Public Transportation System Fund	89,789
General Obligation Bonds Fund:	
Liberty Memorial Bridge	71,393
Refunding Improvement Bonds Fund:	
Street Improvement District #145	33,508
Street Improvement District #148	12,813
Mandan Airport Authority	179,578
Morton Mandan Public Library	314,261

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Taking Effect. This ordinance shall be in full force and effect from and after its final passage and adoption.

President, Board of City Commissioners

Attest:

City Administrator

First Reading: August 16, 2011
Second Reading: September 6, 2011
Final Passage and Adoption: September 6, 2011

RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES FROM THE WATER AND SEWER UTILITY FUND

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following monthly rates and charges are hereby established for services from the Water and Sewer Utility Fund:

a) Water and Wastewater Base Charge Per Meter

- 1) ~~\$13.57~~ \$16.10 for each single family dwelling
- 2) ~~\$13.57~~ \$16.10 for each mobile home
- 3) ~~\$27.14~~ \$32.20 for each duplex unit
- 4) ~~\$40.71~~ \$48.30 for all other multiple family units
- 5) ~~\$27.14~~ \$32.20 for all commercial and industrial enterprises
- 6) ~~\$40.71~~ \$48.30 for all apartment and commercial/apartment combination

b) Water Usage Charge Per Meter

- 1) Plus a water consumption charge shall be added at the rate of \$2.70 per one hundred cubic feet on each month's consumption as registered on each meter during the preceding monthly billing period.
- 2) The Missouri West Water System shall be charged at the rate of \$1.75 per one thousand gallons of water used as registered on each meter.

c) Wastewater Usage

- 1) For wastewater disposal service there shall be a charge of \$1.55 per one hundred cubic feet of water used except that for the billing statements prepared during the months of May through October the charge for residential wastewater disposal service shall not exceed the charge based upon the average water usage used during the months of December through March.
- 2) Industrial users will be levied a volume charge of \$1.55 per one hundred cubic feet of water used. Industrial users will also be levied a charge of \$.06 per pound of suspended solids and \$.10 per pound of five-day, twenty-degree Centigrade BOD.

d) Stormwater Base Charge Per Meter or Structure

- 1) \$2.00 for each meter or structure.

BE IT FURTHER RESOLVED that the rates and charges for services from the Water and Sewer Utility Fund shall be effective as of the first billing after January 1, 2012.

Dated this 6th day of September, 2011.

President, Board of City Commissioners

Attest:

City Administrator

RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES FROM THE SOLID WASTE UTILITY FUND

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following rates and charges are hereby established for services from the Solid Waste Utility Fund:

- 1) Residential area. For garbage and rubbish collection and disposal services for residential areas, there shall be a charge of ~~\$10.00~~ \$10.05 per month, per family living unit. Residents who deliver garbage and rubbish, excluding inert materials, to the Mandan Municipal Landfill Facility will be charged \$37.00 per ton.
- 2) Non-residential area. For garbage and rubbish disposal services for non-residential establishments, there shall be a charge of \$37.00 per ton. Non-residents who deliver garbage and rubbish, excluding inert materials, to the Mandan Municipal Landfill Facility will be charged a minimum of \$7.00.
- 3) Other disposal charges:
 - a) Major appliances and furniture \$7.00
 - b) Refrigerated appliances \$20.00
 - c) Tires:

Auto	\$2.00
Truck	\$5.00
Tractor	\$10.00
 - d) Minimum charge (includes scale usage) \$2.00
 - e) Minimum monthly charge for services billed on account (includes scale usage) \$5.00
 - f) Untarped and unsecured garbage \$5.00

Grass clippings and leaves are exempt from all charges.

- 4) Inert materials. For disposal of inert materials there shall be a charge of \$12.00 per ton. Inert materials shall be materials so defined by the North Dakota State Department of Health including trees, lumber, demolition lumber, wooden furniture, metal, bricks, concrete, bottom ash from coal fired boilers and asphalt roofing.
- 5) No motor vehicle bodies or dangerous, flammable or hazardous material may be deposited at the Mandan Municipal Landfill Facility.



Board of City Commissioners

Agenda Documentation

MEETING DATE: September 6, 2011
PREPARATION DATE: August 18, 2011
SUBMITTING DEPARTMENT: Building Inspections
DEPARTMENT DIRECTOR: Richard L Barta
PRESENTER: Richard L Barta
SUBJECT: Revised Building Permit Fee Schedule

STATEMENT/PURPOSE: To consider changes to the City of Mandan building permit fees, effective January 1, 2012.

BACKGROUND/ALTERNATIVES: I have checked with other cities and have determined the proposed changes to be within a reasonable parameter.

ATTACHMENTS: Proposed fee schedule and resolution amending permit fees.

FISCAL IMPACT: The changes, as proposed, are projected to generate an estimated additional \$40,000 revenue for the year 2012. This additional revenue is projected in the 2012 budget.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval of the proposed fee schedule changes commencing as of January 1, 2012.

SUGGESTED MOTION: I recommend a motion for the approval of the proposed fee schedule changes commencing January 1, 2012.

**RESOLUTION AMENDING PERMIT FEES ADMINISTERED
BY THE OFFICE OF THE BUILDING INSPECTOR
FOR THE CITY OF MANDAN, NORTH DAKOTA**

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

WHEREAS, the City of Mandan is empowered to regulate and supervise the construction, alteration, moving, repair and use of structures on property located within the City's corporate limits and within the extraterritorial zoning jurisdiction of the City of Mandan through the use of permits; and

WHEREAS, the City of Mandan has provided by Ordinance the fees for such permits may be determined from time to time by resolution of the Board of City Commissioners; and

WHEREAS, it is the desire of the Board of City Commissioners to establish such fees as may be necessary for the orderly cost effective administration of the permits;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA, AS FOLLOWS:

1. The permit fees for all permits administered and regulated by the City of Mandan Building Inspections Department, shall be amended as denoted on the attached schedules, and as so amended shall be adopted.
2. The amended fee schedule shall be in full force and effective from and after the 1st day of January, 2012.
3. A copy of the amended fee schedule shall be filed in the office of the Building Official.

Dated this ____ day of September, 2011.

President, Board of City Commissioners

Attest:

City Administrator

MANDAN BUILDING PERMIT FEE SCHEDULE

FEE SCHEDULE FOR COST FACTOR

Up to \$500.....	\$35
Up to \$1000.....	\$35 \$40
Up to \$2000.....	\$40 \$45
\$2001 - \$500,000.....	\$40 + \$4.00 /1000 \$50 + 4.50
<u>\$500,001 to \$750,000</u>	<u>\$2,490 + 4.50/1000</u>
\$500,001 – over.....	\$2,032 + \$3.25/1000
<u>\$750,000 over.....</u>	<u>\$3,000 + 4.00/1000</u>

PROJECTS

Additions.....	Cost Factor
Carports.....	\$35 - \$50
Decks.....	\$35 - 200sf \$40 - 201sf-500sf \$50 - Over 500sf
Enclosed Decks.....	Cost Factor
Demolitions/Res.....	\$45 or Cost Factor
Demolitions/Com.....	Cost Factor
Entries.....	\$1,000 Dep. Required \$35 \$40 - 120sf or less \$45 \$50 - 121sf to 170sf See Addition if over 170sf
Fences over 8'.....	\$100 first 5' \$1/ft after
Fireplaces.....	\$45
Garages.....	\$65 \$75 - single \$75 \$85 - double \$85 \$100 - triple
3+ Stalls	Cost Factor
Miscellaneous.....	\$35
Moving.....	\$40 Res + 1,000 Dep \$35 Garage
Commercial.....	Cost Factor + \$1,000 Dep
Mobile Home.....	\$35 - Owned Lots
New Mobile Home....	\$300 - All Lots
Older Mobile Home	\$150 \$200 - All Lots
Patio Doors.....	\$35
Pole Barns.....	\$55 (minimum) Cost Factor
Satellite Dish.....	\$100 - 4' and larger
Sheds.....	\$35 \$40 - 120sf 9x 16 –Garage Fee \$45 \$50 - 121sf to 144sf
Signs.....	\$45
Swimming Pools.....	Cost Factor
Towers.....	\$100 (1 st 40' + \$5/ft after)
Underground tanks..	Cost Factor
Wind Generators.....	\$100 (1 st 40' + \$5/ft after)

\$100 Park Fee for any addition est. after 1982 unless a re-plot - per each unit.

COST FACTOR PER SF

Main Floor.....	\$70 \$80
Second Floor.....	\$55 \$65
Basements.....	\$20 - unfinished \$30 - finished
Additions.....	\$45 - \$55 - residence \$25 \$33 - mobile home
Garages.....	\$25 \$20 - 3+ or oversized
Breezeway.....	\$15 \$20
Carports.....	\$15 \$20
Cold Storage.....	\$35 or bid
Crawl Space.....	\$15
Decks.....	\$20
Entries.....	\$20
Sheds.....	\$15
Pole Barns.....	\$15 \$20

UTILITY PERMITS

Gas.....	\$45 \$50
Plumbing.....	\$45 \$50
Apts only.....	\$45 \$50 - 1 st unit \$30
\$40/add.units	
Sewer.....	\$65 \$75
Water.....	\$65 \$75
Water Heater.....	\$35 \$50
Lawn Sprinkler.....	\$35 - \$50
Septic System.....	\$65 \$75
Propane Tanks.....	\$45 \$50

ADDITIONAL FEES

Certificate of Occ.	\$40 \$50 - Res & Com
Variance.....	\$55
Mileage.....	\$.45 \$.50
Reports.....	\$60 \$75 /yr
Park Fees.....	\$100
Water Meter.....	\$466.04 or current cost
Additional Inspect....	\$55/hr

PENALTY FEES

Residential.....	Fee Doubled
Commercial.....	Fee Doubled - min \$100
Water Heater.....	\$100
Lawn Sprinkler.....	\$100

Minimum fee on all permits is \$35.00
 Revised (09-06-11)
 Effective Date (01-01-12)



Board of City Commissioners

Agenda Documentation

MEETING DATE: September 6, 2011
PREPARATION DATE: August 11, 2011
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR:
PRESENTER: Dave Bechtel
SUBJECT: Consider for approval the Resolution amending fees and charges administered by the Office of Planning and Zoning, and Engineering

STATEMENT/PURPOSE: To approve the amending of fees and charges by Planning and Zoning, and Engineering Department.

BACKGROUND/ALTERNATIVES:

ATTACHMENTS: 1. Resolution
2. Fee List

FISCAL IMPACT: None

STAFF IMPACT: Minimal

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

RECOMMENDATION: This office supports the amended fees and charges.

SUGGESTED MOTION: I move to approve the amended fees and charges.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 6, 2011

Subject: Consider for approval the Resolution amending fees and charges administered by the Office of Planning and Zoning, and Engineering.

Page 2 of 3

**RESOLUTION AMENDING FEES ADMINISTERED BY THE OFFICE OF
ENGINEERING AND PLANNING FOR THE CITY OF MANDAN, NORTH
DAKOTA**

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

WHEREAS, the City of Mandan is empowered to charge fees relating to Engineering and Planning services and material; and

WHEREAS, the City of Mandan has provided by Ordinance the fees for such services and materials may be determined from time to time by resolution of the Board of City Commissioners; and

WHEREAS, it is the desire of the Board of City Commissioners to establish such fees as may be necessary for the orderly cost effective administration of services and materials;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, AS FOLLOWS;

1. The fees for services and materials administered and regulated by the City of Mandan Engineering and Planning Department, shall be amended as denoted on the attached schedules, and as so amended shall be adopted.
2. The amended fee schedule shall be in full force and effect from and after the 1st day of January, 2012.
3. A copy of the amended fee schedule shall be filed in the office of the city auditor.

Dated this 6th day of September, 2011.

President, Board of City Commissioners

Attest:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: September 6, 2011

Subject: Consider for approval the Resolution amending fees and charges administered by the Office of Planning and Zoning, and Engineering.

Page 3 of 3

Mandan Engineering Fee List

Annexation	\$100.00 150.00	City Ordinance (Planning & Zoning Book)	\$20.00
Platting	\$150.00 250.00	Uses Permitted Booklet	\$10.00
Zone Change	\$150.00 250.00	Street Index	\$7.50
Special Use Permit	\$150.00	Plans & Specs	\$25.00
Vacation	\$100.00 150.00	AutoCAD Disk	\$25.00
Variance	\$50.00 100.00	Extra Layers Dist	\$10.00
Mailing Plans & Specs	\$15.00	CD's	\$50.00

Employee search of records \$25.00 per hour. (1 hour minimum)

Photo Copies \$.25 per page

Maps

Size	Price	Roll	Price
18 x 24	\$.75	400 Scale	\$4.50 per map
24 x 36	\$1.50	800 Scale	\$3.00 per map
		1200 Scale	\$3.00 per map
		1600 Scale	\$3.00 per map

~~Plotter \$5.00 per sheet~~

~~11 x 17 Plotter \$1.00 per page~~

~~Black & White Plotter \$5.00 per running foot~~

~~Color Plotter \$7.50 per running foot~~

~~City Map w/Street Index \$15.00~~

~~Sidewalk Permits \$20.00~~

ORDINANCE NO. 1103

An Ordinance to Amend
Section 4-07-03 (9) of the Mandan Code of Ordinances
Relating to Employee's Annual Leave

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

1. Section 4-07-03 (9) of the Mandan Code of Ordinances is hereby amended as follows:

Section 04-07-03 Annual Leave.

9. Unused annual leave up to a total of one hundred twenty hours (fifteen days) may be carried forward at the end of each year. The cutoff date for leave purposes shall be ~~January 1st~~ the employee's date of hire for new employees after September 6, 2011. For current employees as of September 5, 2011, carryover will take effect on their hire date beginning after December 31, 2011.

By: _____

President, Board of City Commissioners

Attest:

City Administrator

First Consideration:

August 16, 2011

Second Consideration and Final Passage:

September 6, 2011

ORDINANCE NO. 1104

An Ordinance to Amend Chapter 17-04 to the Mandan Code of Ordinances
Relating to Noxious Weeds

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

SECTION 1. Amendments to Chapter 17-04 of the Mandan Code of Ordinances, Weed Control, is hereby enacted as follows:

17-04-03. Notice by Publication of Ordinance.

It shall be the duty of the City Weed Officer to cause a notice of the contents of this chapter to be published in the official newspaper of the city once within three days of April 15, May 15, June 15, July 15, August 15 and September 15. These publications shall serve as notice to all landowners, occupants, or persons in charge of maintaining any parcel of land within the city limits to comply with the requirements of this chapter. These publications shall also serve as the official notice to property owners to cut weeds and tall grass other methods of notification, such as the media and the City of Mandan's website may also be used to notify landowner, occupants, or persons in ~~ehange~~ charge to control tall grass and weeds.

17-04-04. Eradicating, Cutting, or Control of Weeds and Tall Grasses by the City Weed Officer.

At a minimum, all property shall be mowed by May 1, June 1, July 1, August 1, September 1 and October 1 of each year. In addition to the minimum requirements, the City Weed Officer may order more frequent cuttings, eradication, or controlling of noxious weeds, tall grasses, ~~and~~ or any other unhealthy vegetation if necessary for compliance with this chapter and such notice ~~may~~ shall be given in person, via telephone or by letter.

1. Whenever any person, firm or corporation owning, occupying or in charge of any premises, lot, or parcel of land within the city, shall fail, neglect, or refuse to mow the property at least once by May 1, June 1, July 1, August 1, September 1 and October 1 of each year in accordance with the provisions of this section or shall fail to eradicate, cut or control weeds, tall grasses or any other unhealthy vegetation exceeding six inches in height within seven days of receipt of notice from the City Weed Officer, the City Weed Officer shall order the nuisance to be abated by eradicating, cutting or controlling the weeds, tall grasses or any other unhealthy vegetation exceeding six inches in height in a manner as specified by

the City Weed Officer, if the City Weed Officer has first complied with the notice requirements of Section 17-04-03.

A person, firm, or corporation notified of impending city action may cause the eradication, cutting, or control of weeds, tall grasses, or any other unhealthy vegetation exceeding six inches in height at any time before the City Weed Officer takes action due to noncompliance with this chapter.

By: _____
President, Board of City
Commissioners

Attest:

City Administrator

First Consideration:

August 16, 2011

Second Consideration and Final Passage:

September 6, 2011