



**SPECIAL MEETING AGENDA
MANDAN CITY COMMISSION
MARCH 24, 2015
ED "BOSH" FROELICH MEETING ROOM,
MANDAN CITY HALL
5:30 P.M.
www.cityofmandan.com**

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- A. ROLL CALL:
1. Roll call of all City Commissioners.
- B. OLD BUSINESS:
1. Discussion regarding facility needs and potential sales tax ballot language and consider the call of an election for the sales tax vote.
- C. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:
1. April 7, 2015
2. April 14, 2015 – Special Board of City Commission Meeting convening as Board of Equalization - noon
3. April 21, 2015 – with Board of Equalization at 7 p.m.
4. May 5, 2015
- D. ADJOURN

A

NOTICE OF BALLOT MEASURE

At a special election on June 9, 2015, the following proposed amendment to the Mandan Code of Ordinances will be placed on the ballot:

Shall the City of Mandan amend its Mandan Code of Ordinances to adopt an additional one percent (1.00%) tax on gross receipts of retailers from all sales at retail and use tax as permitted by NDCC Ch. 57-39.2, and as amended, from time to time, to be dedicated (i) to the financing and construction by the City of Mandan of:

- a) replacement or renovation of Mandan City Hall; and
- b) a new north side fire hall;

at an estimated cost of \$15,000,000;

and (ii) to the Mandan Park District for the financing and construction of:

- a) a new two-rink hockey arena, including gymnastics facilities;
- b) a new football and track field; and
- c) conversion of Lefty Faris football and track field into ball fields;

at an estimated cost of \$22,000,000.

Such sales and use tax revenues shall be pledged to the payment of bonds issued for such construction in anticipation of the collection and receipt of such sales and use tax, and as pledged, the sales and use tax may not be repealed so long as any such bonds or bonds refunding the bonds are outstanding.

The sales and use tax shall expire at the time all costs of the projects and the bonds issued to finance construction of the projects are paid.

A "YES" Vote on each project means you approve levying of the sales tax for that project.

A "NO" Vote on each project means you reject the levying of the sales tax for that project.

You may vote "Yes" or "No" on each project, or "Yes" for both projects, or "No" for both projects.

CITY OF MANDAN PROJECTS:

YES

NO

MANDAN PARK DISTRICT PROJECTS:

YES

NO

If either or both of the proposed projects receives a majority of "YES" votes in the election, it will be enacted by the City of Mandan by appropriate Ordinance.

B

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At a special election on June 9, 2015, the following proposed amendment to the Mandan Code of Ordinances will be placed on the ballot:

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- a) replacement or renovation of Mandan City Hall; and
- b) a new north side fire hall;

and (ii) to the Mandan Park District for the financing and construction of:

- a) a new two-rink hockey arena, including gymnastics facilities;
- b) a new football and track field; and
- c) conversion of Lefty Faris football and track field into ball fields;

The estimated cost of the projects is \$37,000,000. Such sales and use tax revenues shall be pledged to the payment of bonds issued for such construction in anticipation of the collection and receipt of such sales and use tax, and if so pledged, the sales and use tax may not be repealed so long as any such bonds or bonds refunding the bonds are outstanding.

The sales and use tax shall expire at the time all project costs are paid and the bonds issued to finance construction of the project are paid.

A **“YES”** Vote means you approve the city measure as summarized above.

A **“NO”** Vote means you reject the city measure as summarized above.

If this proposed amendment receives a majority of **“YES”** votes in the next election, it will be enacted by the City of Mandan.



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At a special election on June 9, 2015, the following proposed amendment to the Mandan Code of Ordinances will be placed on the ballot:

Shall the City of Mandan amend its Mandan Code of Ordinances to adopt an additional one percent (1.00%) tax on gross receipts of retailers from all sales at retail and use tax as permitted by NDCC Ch. 57-39.2, as amended, from time to time, to be dedicated (i) to the financing and construction by the Mandan Park District of:

- a) a new two-rink hockey arena, including gymnastics facilities;
- b) a new football and track field; and
- c) conversion of Lefty Faris football and track field into ball fields;

The estimated cost of the project is \$22,000,000. Such sales and use tax revenues shall be pledged to the payment of bonds issued for such construction in anticipation of the collection and receipt of such sales and use tax, and if so pledged, the sales and use tax may not be repealed so long as any such bonds or bonds refunding the bonds are outstanding.

The sales and use tax shall expire at the time all project costs are paid and the bonds issued to finance construction of the project are paid.

A **“YES”** Vote means you approve the city measure as summarized above.

A **“NO”** Vote means you reject the city measure as summarized above.

If this proposed amendment receives a majority of **“YES”** votes in the next election, it will be enacted by the City of Mandan.

R

**RESOLUTION CALLING ELECTION
TO INCREASE THE SALES AND USE TAX**

WHEREAS, the City of Mandan, North Dakota (the "City"), currently imposes a sales and use tax in the amount of one percent (1.0%) as authorized by North Dakota Century Code ("NDCC") Chapter 57-39.2, as amended, within the City pursuant to Chapter 3.03 of the Municipal Code; and

WHEREAS, the City intends to undertake the replacement or renovation of the Mandan City Hall and construction of a new north side fire hall, and has determined to finance the projects with bonds payable from future sales tax collections; and

WHEREAS, the Park District of the City of Mandan, North Dakota (the "Park District") intends to undertake the construction of a new two-rink hockey arena, including gymnastics facilities, a new football and track field and conversion of Lefty Faris football and track field into ball fields, and has requested to finance the projects with bonds payable from future City sales tax collections; and

WHEREAS, City and Park District wish to provide for the cooperative financing and construction of the projects by levying an additional one cent city sales and use tax dedicated to these purposes; and

WHEREAS, Article 3 of the City's Home Rule Charter requires any sales and use tax shall be subject to approval of the majority of the people voting in the City wide election.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City as follows:

1. There shall be submitted to the electors of the City at a special election to be held Tuesday, June 9, 2015, the question of whether the proposed amendment to the Mandan Code of Ordinances relating to increasing the City sales tax, as proposed by the City Commission, shall be approved.
2. The City Administrator is hereby authorized and directed to cause typed or printed ballots to be prepared for use at the election which ballots shall be in substantially the form attached hereto as Attachment 1.
3. The City Administrator is hereby authorized and directed to give notice of the election by causing a notice thereof to be published once each week for at least two weeks in the official newspaper of the City, the first of such publications to be at least 15 days before the date of the election. The notice shall state the date of the election, the polling places and polling hours, and shall contain a statement that the question to be submitted at the election shall be whether the sales tax shall be approved.

4. That _____ and _____ shall serve as Inspectors at the polling location at The Brave Center, 901 Division Street NW, Mandan, ND, and Spirit of Life Parish, 801 1st Street SE, Mandan, ND, which are the polling places designated for the City Special Election to be held on June 9, 2015.

5. That City staff shall initiate and complete the naming of Judges and Clerks for this special election, to be held on June 9, 2015.

6. That the polls shall remain open from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m., Central Daylight Time, for the Special Election.

7. That the Special Election shall be conducted pursuant to the terms and provisions of NDCC Chapter 40-21.

Dated: March____, 2015.

CITY OF MANDAN, NORTH DAKOTA

Attest:

President, Board of City Commissioners

City Administrator

The governing body of the City acted on the foregoing resolution at a properly noticed meeting held in Mandan, North Dakota, on March _____, 2015, with the motion for adoption made by _____ and seconded by _____, and the roll call vote on the motion was as follows:

"Aye" _____

"Nay" _____

Absent _____

Abstain _____

Revised March 24, 2015, 4:14 p.m.

C-R

**RESOLUTION CALLING ELECTION
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"Aye" _____

"Nay" _____

Absent _____

Abstain _____

