

AGENDA
MANDAN CITY COMMISSION
JANUARY 3, 2017
ED "BOSH" FROEHLICH 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. APPROVAL OF AGENDA:
- C. MINUTES:
1. Consider approval of the following Board of City Commission meetings:
 - i. December 13, 2016 - Regular Meeting (*Rescheduled from December 6, 2016)
 - ii. December 20, 2016 – Regular Meeting
- D. PUBLIC HEARING:
- E. BIDS:
- F. CONSENT AGENDA:
1. Consider approval of Cost Participation and Maintenance (CPM) Agreement with NDDOT for signs project.
 2. Consider approval of Preliminary Engineering Reimbursement (PER) Agreement with NDDOT for Main Street Signals project.
 3. Consider approval of the following Corrections to 2016 True & Full Value abatements:
 - i. Leo Snider
 - ii. Kent & Gail Jacobson
 4. Consider approval of the following PD out of state training requests:
 - i. Det. Matthew Graves – Fire Investigation training in Emmitsburg, MD
 - ii. Lt. Pat Haug – Improving Criminal Justice Response (Domestic Violence) orientation in Alexandria, VA Jan. 24-26, 2017.
 5. Consider approval for reimbursement money from the ND Department of Emergency Services (NDDDES), which has been paid to the City of Mandan, be added back into the Fire Department's 2016 budget.
- G. OLD BUSINESS:

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H. NEW BUSINESS:

1. Consider Growth Fund Committee appointments

I. RESOLUTIONS AND ORDINANCES:

J. OTHER BUSINESS:

1. Consider declaring a state of emergency to include costs and damages from severe storm activity to limit the hardships and impact of this emergency upon the citizens of the City of Mandan.

K. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. January 17, 2017 (5 p.m.)
2. February 7, 2017
3. February 21, 2017 (5 p.m.)

L. ADJOURN

The Mandan City Commission met in regular session at 5:30 p.m. on December 13, 2016 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. This is a rescheduled meeting from December 6, 2016. Commissioners present were Helbling, Rohr, Braun, Davis, and Laber. Department Heads present were Police Chief Ziegler, City Attorney Brown, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, Planning & Engineering Director Froseth, Principal Planner Decker, and Building Official Lalim. Absent: Finance Director Welch, City Administrator Neubauer, and Assessor Shaw.

B. APPROVAL OF AGENDA:

C. MINUTES:

1. *Consider for approval of the minutes from the November 15, 2016 regular City Commission meeting.* Commissioner Laber moved to approve the minutes as presented. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

Mayor Helbling extended a thank you to the Public Works Department for the street snow removal and road maintenance over the last several days during the heavy snowfalls.

D. PUBLIC HEARING:

E. BIDS:

F. CONSENT AGENDA

1. *For information, approved change order for Lakewood 9th Street Improvement District.*
2. *Consider site authorization for Ducks Unlimited at Baymont Hotel for June 15, 2017 and also waive \$100 fee.*
3. *Consider SSBCI Allocation Agreement Amendment to receive an additional \$44,030 for the Mandan-led consortium*
4. *Consider approval of minor plat for Replat of Lot 1, Block 2, Lakewood Commercial Park 4th Addition*
5. *Consider approval of Mandan Athletic & Recreation Club games of chance at Mandan Public Schools for Dec. 5, 2016 through May 31, 2017.*
6. *Consider Converting the Youth Worker - Truancy Services Specialist position into a second School Resource Officer position.*
7. *Consider site authorization for Special Olympics North Dakota at Midway Lanes for Oct. 31-Nov. 4, 2016 and also waive \$100 fee.*
8. *Consider emergency repair work for water transmission line. (Moved to New Business #8.)*
9. *Consider Approval of MOU's with Bismarck, Burleigh and Morton Counties.*

Commissioner Rohr moved to approve the Consent Agenda as presented. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes;

Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

G. OLD BUSINESS:

1. *Discuss Transportation Improvement Program (TIP) applications submitted and selection committee's rankings for the Urban Roads Program (URP) projects.* Justin Froseth, Planning and Engineering Director led the discussion on the Transportation Improvement Project (TIP) noting that this issue was discussed at the last meeting in November. He explained that the Metropolitan Planning Organization (MPO) coordinates funding requests for NDDOT TIP roadway projects. These are the projects that would be eligible for federal funding assistance because of their existing functional classification or future expected classification.

At the last commission meeting, discussion was had regarding several projects as possible candidates to apply for the Urban Roads Programming (URP) funding and possible approval of rankings. Three of those projects went to the MPO as projects to compete for those federal funds in the year 2021, the year solicited for since the DOT programs projects four years before the year of bid.

On Monday, November 28, 2016 a meeting was held with other jurisdictions within the Selection Committee to evaluate all projects submitted and to score them against each other using guidance set forth by the MPO. Each jurisdiction that applied for projects took turns presenting their projects in addition to the information each submitted on their project's applications.

For Mandan's applications, there was discussion at the last commission meeting that our projects came without rankings because we were unable to come to a consensus with desired rankings at this time. A summary was provided of the Selection Committee discussions that occurred.

The Selection Committee's rankings are required to go through approvals by the MPO policy Board and then on to the DOT for their programming. With an annual allotment of approximately \$4 million to the MPO from the Federal Highway Administration for URP projects, it is unlikely the DOT will move forward with programming any more than the highest ranked project. There is \$26.6 million worth of projects that ranked higher than Mandan's at the conclusion of the rankings process. A recap of the City of Mandan applications includes the following:

2021 Urban Roads Applications. These projects are eligible for approximately 80% federal funding with about a 20% local match required, only three projects were permitted:

- ~ Extension of Boundary Road to the west from its current terminal
- ~ Reconstruction of 8th Ave. NW from Old Red Trail to 27th St. NW
- ~ Extension of Division Street east from 8th Ave. NE to Mandan Avenue

Director Froseth said that it is possible that none of these three projects will be approved in 2021. This is an update on the projects, and for the 2021 application it will not matter how the projects are prioritized. However, to be consistent for the future, the projects should still be prioritized. Mayor Helbling recommended waiting to prioritize these projects until a later time in order to see what can be done with 8th Avenue under another funding mechanism (by the City of

Mandan). Commissioner Laber recommended putting something out there that we think is important just in case with the improvements and infrastructure funding that appears to be approved. Perhaps the City of Mandan wants to get on the board with some of these in preparation of pulling them forward in case additional funding becomes available. She said she has a problem with Division Street going west because there is a scenic view shed easement and nothing can go in the property other than housing. That would be a 3rd project on the list. She suggested looking at the Reconstruction of 8th and then Boundary Road construction project which is the road that goes west of 6th, as the 3rd priority.

Commissioner Laber moved to approve the Urban Roads Regional project ranking priorities as:

- 1) 8th Avenue Reconstruction
- 2) Division Street going east

Mayor Helbing commented that he does not believe 8th Avenue will hold up until 2021 stating that the City will have to deal with that road before submitting anything. He is not sure that it should even be put on the list of future projects for 2021. He suggested leaving the 8th Avenue project on the list, but move it to the 2nd or 3rd on the list. He suggested waiting to discuss this matter when the HUB City funding is discussed. Director Froseth explained that if we have a project on the list and then we decide to take it off the list it would have very little positive or negative reaction.

The motion died due to lack of a second.

Mayor Helbling suggested putting this matter on the Agenda after a meeting is held to prioritize the projects.

Director Froseth stated that the 2021 Urban Regional Applications should be addressed. He explained that these projects are eligible for approximately 80% federal funding and 10% state funding with about a 10% local match required. He said that two projects fit that criteria and the Selection Committee meeting held today, recommended for application were, not ranked, are:

- ~ Main Street Concrete Pavement spot repair from 10th Avenue West to Twin City Drive of \$400,000
- ~ Memorial Highway, Phase 1 (similar to the three phases of the West Fargo Main Street Project)

Director Froseth recommended for the 2021 Urban Regional projects with the priorities being:

- (1) Reconstruct Memorial Highway, Phase I of a likely three phase approach.
- (2) Concrete Pavement Repair (spot corrections) of Main Street from 10th Avenue west to Twin City Drive.

Mayor Helbling commented that Memorial Highway is a state highway and he has a concern if it will take 9 years to complete wherein it should be one to two years. This is a state/federal problem. However, when it is completed it will be turned over to the City of Mandan for maintenance. Thus he questioned the urgency of this particular project. Commissioner Rohr stated that a study was done on Memorial Highway in 2010, of which Director Froseth commented that study would probably be referenced for any upcoming plans rather than doing a

whole new study to come up with recommended plans.

Mayor Helbling stated that the rankings of the two projects listed will work for the City of Mandan recommendations at this time. He will contact the state to discuss this matter again.

H. NEW BUSINESS:

1. *Presentation by Mike Manstrom, Dougherty & Company LLC, regarding the sale of \$420,000 Refunding Improvement Bonds of 2016, Series B. (See Resolutions #1i, #1ii, #1iii.)* – Item removed from agenda.

2. *Consider Restaurant Rewards sales tax rebate agreement.* Business Development & Communications Director Huber presented a request to consider a sales tax rebate agreement for use in the Restaurant Rewards program. The City Commission approved the Restaurant Rewards program on April 5, 2016, and an application process on April 19, 2016. The program allows for a sales tax rebate, subject to application approval, at a rate of 100% for 5 years for new and expanding restaurants locating in Mandan. As part of this program, an agreement between the City of Mandan and the recipient restaurant business is needed to allow authorization for the release of records from the N.D. Tax Department for purposes of verifying sales tax remittances as needed. City Attorney Brown, City Administrator Neubauer and Director Huber have worked on this over the last several months. Attorney Brown prepared the agreement and had it reviewed by personnel at the N.D. Tax Department to assure congruity with its policies and practices. Director Huber recommended approval of the sales tax rebate agreement for use with the Restaurant Rewards Program.

Commissioner Braun moved to approve the sales tax rebate agreement for use with the Restaurant Rewards Program. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

3. *Consider recommendations of appointments to Mandan Architectural Review Commission.* Doug Lalim, Building Official, said there are two expiring seats on the Mandan Architectural Review Commission (MARC) Board. He presented a recommendation of Daniel Walter to the Mandan Architectural Review Commission (MARC). Amber Larson has showed interest to continue a second term on the MARC Commission. Walter and Larson would be filling 3-year terms starting January 1, 2017.

The Mandan Architectural Review Commission (MARC) consists of nine members who are Miles Mehlhoff, Doug Lalim, Kim Fettig, James Jeromchek, Leonard Bullinger, Katie Wiedrich, Amber Larson, Lee Pierce and Steve Nardello. There are currently two positions up for appointment, which are Miles Mehlhoff and Amber Larson. In order to solicit interested parties, announcements were posted on the City of Mandan's website and social media. Two letters of interest were received. The Mandan Architectural Review Commission (MARC) interviewed the applicants. MARC recommended appointment Daniel Walter and Amber Larson to fill the two vacant positions.

Commissioner Laber moved to approve the appointments of Daniel Walter and Amber Larson to

fill 3-year terms starting January 1, 2017 to end January 1, 2020 on the MARC Commission.

Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

4. *Consider Community Beautification Committee (CBC) recommendations for appointments.* Business Development & Communications Director Huber presented a request in the absence of City Administrator Neubauer for the recommendations from the Community Beautification Committee (CBC) for committee member appointments for consideration to the City Commission for two expiring terms. There are two, 3-year terms available on the CBC. Public notice was provided on October 13, 2016, with a deadline by November 1, 2016. Four letters of interest were received. Two members terms are expiring: Laurie Leingang (1st term) and Damian Huettl (1st term). The CBC reviewed four letters of interested parties from Susan Beehler, Sharon Gallagher, Damian Huettl and Laurie Leingang. The CBC recommends the appointment of Sharon Gallagher and the re-appointment of Laurie Leingang both for 3-year terms ending December 31, 2019.

Commissioner Davis moved to approve the re-appointment of Laurie Leingang and the appointment of Sharon Gallagher to the Community Beautification Committee for 3-year terms ending December 31, 2019. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

5. *Consider Mandan Airport Authority recommendations for appointment.* Marc Taylor, Treasurer of the Mandan Airport Authority presented a request for appointments to the Mandan Airport Authority. The Mandan Airport Authority consists of five members who are Mike Wagner, Commissioner Mike Braun, Marc Taylor, Lee Weinhandl and Chris Brown. The Airport Authority is tasked with managing the affairs of Mandan Airport. There is currently one position up for appointment due to a term expiration of Lee Weinhandl. The term would be January 1, 2017 through December 2021. In order to solicit interested parties for these positions announcements were placed in the Mandan News on November, 2015, on the Mandan Airport and City of Mandan's website and by word of mouth. Four letters of interest were received from Shannon Boehm, Jody Leingang, Robert Reimers and David Tomlinson. The Mandan Airport Authority met and interviewed 3 of the 4 applicants and recommended the appointment of Robert Reimers to the Mandan Airport Authority for a 5-year term ending December 31, 2021.

Commissioner Laber moved to approve the appointment of Robert Reimers to the Mandan Airport Authority for a 5-year term ending December 31, 2021. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

6. *Consider moving forward with City Stormwater Masterplan given the outline of goals and objectives.* Planning and Engineering Director Froseth outlined the goals and objectives of a Stormwater Master Plan and to seek approval for Request for Proposals (RFP) development. Proper stormwater management is a common complaint to the department. If not properly controlled, runoff water from springs melt, and from powerful storms have the potential to cause

a substantial amount of property damage. A formal effort towards stormwater management was implemented in 2006 with the City adopting an ordinance to require stormwater management planning. The City's ordinance requires that multi-family, commercial, and industrial sites, along with residential subdivisions submit a stormwater management plan before proceeding with development. HUB City funds have been discussed to be used for this project. If not HUB City funding, the Utility Fund could be used to fund this project. Director Froseth explained that this study would take a look at growth areas throughout the City and see if a regional pond might work for those areas. In addition, the study should take it further and size such potential ponds and come up with preliminary estimates to construct. It was suggested to recommend a process to recoup the costs of building any regional pond from the benefitting properties to come from the study. Other aspects of the master plan would include an audit of the department's current stormwater management practices and recommendations to improve efficiency. It is anticipated that this study would be conducted in 2017 and 2018.

Director Froseth reviewed the goals and objectives of this master plan:

1. Consider areas of town where large scale development is most likely to occur and provide guidance for implementation of regional ponds including;
 - a. Location
 - b. Size, considering type of development
 - c. Hydraulic Impact
 - d. Administrative setup and funding

2. Address existing stormwater management problems throughout the City;
 - a. Analyze areas where problems are apparent and complaints are common
 - b. Audit past plans for proper adherence to stormwater ordinance.
 - c. Audit past project construction for adherence to plans.
 - d. Form recommendations for the city to cost effectively correct problem areas

3. Make recommendations for the engineering office to improve its handling of stormwater management;
 - a. Suggest ways to bring our system of stormwater management in continuity with our MS4 permit. An MS4 (Municipal Separate Stormwater Sewer System) permit is a permit that is required of all cities of our size in order to ensure the EPA that the city is doing our part to ensure quality discharge of City stormwater to nearby lakes, rivers and streams.
 - b. Audit current ordinance and corresponding stormwater manual to suggest changes to streamline and improve.
 - c. Audit our technical review of submitted Stormwater Management Plans and suggest improvements for consistent quality control of each plan.

Director Froseth recommended moving forward with the creation of a Stormwater Master Plan RFP with a goal of completion sometime next month.

Mayor Helbling stated that this is a budgeted item in the Sewer and Water Utility Fund. He recommended going ahead with this project and leave it in the Utility Fund for now because of the 30-inch water main coming due for an emergency repair and we do not want to deplete the

funds. If Public Works comes in within budget and the 30-inch is within repair, then we would consider if HUB City funding is needed.

Commissioner Laber moved to approve the creation of a city-wide Stormwater Master Plan RFP with funding to initially come out of the Utility Fund. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

7. *Consider adoption of the 2015 International Fire Code.*

Fire Chief Nardello presented an update on the International Fire Code. The City of Mandan adopted the 2006 edition of the International Fire Code on October 3, 2006. The International Fire Code (IFC) publishes new editions every three years. The City has adopted the updated editions when they are issued. The City of Mandan currently uses the 2012 version. The Mandan Fire Department would like to adopt and begin using the 2015 edition beginning January 1, 2017. The Mandan Fire Department would also like to begin enforcing the 2015 version of the IFC. The Mandan Building Inspections will be enforcing the 2015 edition when it adopts the North Dakota State Building Code and the fire department should be enforcing the same edition. Although there are 75 changes within the 2015 edition, it is Chief Nardello's opinion that none would have any significant impact to business properties. Most changes are for clarification purposes of the current 2012 edition. There were some minor amendments to the 2015 code that will create a better "fit" with the City of Mandan and other North Dakota communities.

Chief Nardello recommended allowing the fire department to implement the 2015 IFC to include appendixes A, B, C, & D with proposed amendments as set forth in agenda item Resolutions and Ordinances No. 5.

Commissioner Laber moved to approve the first consideration of Ordinance No. 1255 establishing the 2015 International Fire Code as the Fire Code for the City of Mandan to include appendixes A, B, C, & D with proposed amendments. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

8. *Consider emergency repair work for water transmission line (moved from Consent Agenda).* Mayor Helbling stated that a document has already been signed authorizing the repair. Planning and Engineering Director Froseth reported that on November 20, 2016, staff recognized a water main break on one of the main arteries to serve the City. The 30-inch transmission water line that carries water from the Water Treatment Plant to the Sunset Booster Station takes about half of the water available. Without that line we are down to about half our capacity. If it were down during the summer, water restrictions would be implemented. Due to the circumstances involved it was decided that it should be addressed right away with a plan to fix this, namely 30 inch materials to install and fix the pipe. Weisz and Sons submitted the lowest bid and subsequently a verbal approval to go ahead was given to fix the problem. There have been prior problems with this pipe and there may be a near term project to fix the whole pipe. Weisz and Sons has made some progress with the replacement pipe. Also, recently on December 5th there was another segment that broke near a release valve wherein the pipe broke. In essence there are two areas that need to be fixed on the water line. At this time it is unknown how far Weisz will

have to go to fix the immediate breaks. On the east side a joint was found, but the west side has not yet been assessed. The request is to replace existing pipe while there is available manpower to do the work and secondly to make sure they do not run out of pipe materials.

Mayor Helbling said that since an emergency declaration has already been established, the extra 1,000 feet of pipe will need to be approved. City Attorney Brown concurred with Mayor Helbling and stated that the additional pipe is part of the emergency declaration. Commissioner Laber commented that the pipe is priced at \$98 per foot and inquired if that is within the normal price range. Director Froseth stated that three price quotes were obtained for the project and \$98 was the low bid and that pricing is within normal limits. If the 1,000 feet are not used for this project, it can be used in the future for other projects. Director Froseth inquired if the second break is to be included within the emergency declaration.

Attorney Brown stated that the emergency declaration speaks to the repair and placement of a 30-inch water transmission line due to a break located between the Water Treatment Plant and the Sunset Avenue Reservoir. Director Froseth stated that will also cover AE2S fees as well, who has assisted in the coordination of this emergency project and inspecting the installation. AE2S reported today that the cost of this project is approximately \$15,000 per day for the construction and approximately \$1,500 per day for AE2S services. Mayor Helbling stated that the total estimate is approximately \$560,000. Director Froseth did remind the Commission that the estimate was for the installation of all that 1200 feet, but it was put together before we had two snowstorms and the temperatures fell.

Commissioner Braun moved to approve the purchase of 1,000 feet of 30 inch pipe. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

I. RESOLUTIONS AND ORDINANCES:

1. *Consider Resolutions for refunding Improvement Bonds of 2016, Series B. (See New Business No. 1)* Item removed from agenda.

2. *First consideration of Ordinance 1242, an ordinance to amend and re-enact Sec. 101-1-3, add and enact Article 3 of Chapter 101 and amend and re-enact Sec. 105-1-3, Sec. 105-1-4, Article 3 of Chapter 105 and Sec. 109-2-5 of the Mandan Municipal Code related to definitions, appeals, accessory dwelling units, use groups, residential zoning districts and utility service.*

Principal Planner Decker presented an ordinance update and revision regarding requirements related to a residential zoning. He said that the last major update of the City of Mandan Municipal Code occurred in 1994. Development standards have changed in the last 22 years. This proposed ordinance addresses single-family zones and other related requirements. Other ordinances will be presented later that modify multi-family, commercial, industrial and special purpose zones. The current code has three single-family zoning districts, R7, R3.2 and RMH. Planner Decker reviewed and addressed the questions that were received. The changes proposed include:

- R7 allows standalone single-family dwellings on minimum 7,000 square foot lots. It also

allows several other uses.

- R3.2 allows single-family and two family dwellings (commonly referred to as twin homes) on minimum 7,000 square foot lots. The code allows a twin home lot to be split, thus creating two single-family units on separate lots with no side yard between the units. It also allows several other uses.
- RMH allows single family mobile homes on minimum 7,000 square ft. lots. It also allows several other uses.

Commissioner Laber stated that the Planning and Zoning Committee did not have any objections to the changes as presented.

Commissioner Laber moved to approve the first consideration of Ordinance 1242, an ordinance to amend and re-enact Sec. 101-1-3, add and enact Article 3 of Chapter 101 and amend and re-enact Sec. 105-1-3, Sec. 105-1-4, Article 3 of Chapter 105 and Sec. 109-2-5 of the Mandan Municipal Code related to definitions, appeals, accessory dwelling units, use groups, residential zoning districts and utility service. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

3. *Second consideration and Final Passage of Ordinance No. 1241 amending and reenacting Sec. 105-1-2 and adding and enacting Sec. 105-1-15 of the Mandan Municipal Code related to fences, sight triangles and signs.* Principal Planner Decker stated that this matter pertains to the City of Mandan Sign Code. A review was done to make sure the fences and sight triangles matched. This has been under review for about a year with many discussions and meetings held. It is as limited as necessary in the standards applied. The goal is to be able to manage signs throughout the City.

Commissioner Laber moved to approve the second consideration and Final Passage of Ordinance No. 1241 amending and reenacting Sec. 105-1-2 and adding and enacting Sec. 105-1-15 of the Mandan Municipal Code related to fences, sight triangles and signs. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

4. *First consideration of Ordinance 1254 amending and reenacting PUD District 2015-01 related to Lakewood 9th Addition.* City Planner Decker presented a request to modify a requirement in PUD District 2015-01 related to the uses allowed on Lots 1, 24 and 25 of Block 2. He said that when this area was created there were several large parcels that were zoned commercial. Since the adoption of the PUD the Good Samaritan Health Complex has been constructed on one of those parcels and the other two have generated interest in development. It is recognized by this update that the one parcel houses a health facility. The other two have added a requirement for a buffer on that property line between the commercial property and the residential parcel. The third parcel is behind the fire station along 40th and that parcel does not need any restrictions on the commercial uses on that parcel because there are no residential lots

adjoining. Since Lot 24 is adjacent to residential lots, restrictions have been added to limit the time of day for uses on Lot 24. Since Lot 25 is not adjacent to any residential uses, there is no need to restrict commercial uses on this lot.

Commissioner Rohr moved to approve the first consideration of Ordinance 1254 amending and reenacting PUD District 2015-01 related to Lakewood 9th Addition. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

5. *First consideration of Ordinance 1255 adopting the 2015 International Fire Code with amendments.* See New Business item discussed above.

J. OTHER BUSINESS:

Mayor Helbling stated that he has the Bismarck Mandan Development Association Portfolio and he would like to have another Commissioner take that over due to being unable to attend many of the meetings. He requested Commissioners to consider taking this over.

Commissioner Laber requested clarification of the TIP projects discussed. Are they going to be reviewed after the next HUB City funding meeting? Mayor Helbling stated that the matter can be discussed when HUB City funding is discussed. Administrator Neubauer will be requested to put it on the Agenda for further discussion at a later time.

1. *Consider moving into executive session pursuant to North Dakota Century Code § 44-04-19.1(9) to discuss litigation related to Dundon, etal vs. Morton County & City of Mandan.*

A motion was made by Commissioner Laber to move into Executive Session pursuant to Agenda Other Business Item No. J(1). Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

The Board went into Executive Session at 7:22 p.m.

L. ADJOURNMENT:

There being no further actions to come before the Board of City Commissioners, Commissioner Laber moved to adjourn the meeting at approximately 7:35 p.m. Commissioner Braun seconded the motion. The motion received unanimous approval of the members present. The motion passed.

James Neubauer
City Administrator

Tim Helbling
President, Board of City Commissioners

The Mandan City Commission met in regular session at 5:30 p.m. on December 20, 2016 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Helbling, Rohr, Braun, and Davis. Department Heads present were Finance Director Welch, Police Chief Ziegler, City Attorney Brown, City Administrator Neubauer, Fire Chief Nardello, Business Development and Communications Director Huber, Planning & Engineering Director Froseth, Principal Planner Decker, Assessor Shaw, and Building Official Lalim. Absent: Commissioner Laber and Director of Public Works Wright.

B. APPROVAL OF AGENDA:

C. MINUTES:

D. PUBLIC HEARING:

1. *Consider approval of plat for Sylvester’s Industrial Park 10th Addition:* Principal Planner Decker presented a request for the approval of a plat stating that a minor plat is typically less than four acres in size and that this plat is a little larger than that as this is a lot split. There is no new construction involved in this request. The property owners wish to transfer ownership separately of the building and the storage units. It was decided to handle this as a standard plat. Notices have been published in the newspaper and letters have been sent to the neighbors and it was presented at the Planning and Zoning Commission who have signed off on the request. This is simply a transfer of property ownership. City Attorney Brown confirmed that the proper notice was given.

Mayor Helbling announced this is a public hearing and invited anyone to come forward to speak for or against the approval of the plat for Sylvester’s Industrial Park 10th Addition project. A second announcement was made to come forward. Hearing none, this portion of the public hearing was closed.

Commissioner Braun moved to approve of plat for Sylvester’s Industrial Park 10th Addition. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

E. BIDS:

F. CONSENT AGENDA

1. *Consider approval of monthly bills.*

2. *Consider approval of Vietnam Vets/Legacy Vets Chapter B games of chance at the Vietnam Vets/Legacy Vets Clubhouse from Dec. 20, 2016 through May 6, 2017.*

3. *Consider approval of the following abatements: (i) Correction in 2016 True & Full Value for John & Lois Kihne; (ii) Correction in 2016 True & Full Value for Adeline Boehm Klapprodt; (iii) Kern Properties LLC – Correcting 2016 market value of property to reflect that Land Values should be at zero as already included in Parent Parcel; (iv) Kern Properties LLC – Correcting 2016 market value of property to reflect the \$2.39 per square foot value used on entire commercial property for 2016; (v) Correction in 2016 True & Full Value for Patty Moilane /*

Sunrise Delivery to correct 2016 market value of property to reflect the lot split and separation of 2 existing structures, that now have 2 separate owners.

5. *Consider the approval of the towing and wrecker service contract for the City of Mandan Police Department for 2017.*
6. *To discuss and recommend a legal retainer agreement between Crowley Fleck PLLP and the City of Mandan, effective January 1, 2017.*
7. *Consider 2016 Forestry budget amendment for Dutch Elm Disease removal prior to receiving grant reimbursement.*
8. *Consider Fees and Special Event Application Process.*
9. *Consider PD Salary Range Adjustments.*
10. *Consider Budget Amendment -NDDDES Reimbursements.*
11. *Consider Amendment No. 2 for time extension on Emergency Generator Project.*

Commissioner Rohr moved to approve the Consent Agenda items 1 thru 3 and 5 thru 11 as presented. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

Consent Agenda Item No. 4 was removed for discussion:

4. *Consider Consulting and Services Agreement for payroll and human resource services with Central Billing, Inc.* Commissioner Rohr asked whether there will be someone on site certain days of the week with the new contract. City Administrator Neubauer replied that it is the same agreement as before other than a time extension that is currently in place. They will be someone on site 2 days per week as they currently are. This agreement runs through 6/30/17, as long as we give a 60 days' notice in which to terminate.

Commissioner Rohr moved to approve the Consent Agenda item No. 4 as presented.

Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

G. OLD BUSINESS:

1. *Update on the 30 inch water pipe:* Planning & Engineering Director Froseth reported that the project is going well with the emergency repairs to the water main that was approved previously. All of the break section has been replaced with new pipe wherein about 140 ft. of new PVC pipe was installed. Some challenges have been seen with the ponds on the sides; wherein the contractor had to put in special piping to keep water out of the pit. The key point is the area is buttoned up and the pipe is in the ground and the area has been graded. Area No. 2 located $\frac{3}{4}$ mile west of the break, was an air release valve that broke and needed to be replaced. The contractor was able to mobilize and work in that area and work is progressing well. The pipe has been laid and has been joined to the old pipe on both sides. The old pipe removed was put in back in 1975. Photos of the old pipe were reviewed and also photos of the new pipe were provided. It is expected that water will be run through it on Thursday and flushed out and pressure tested and it will be disinfected to make sure it is safe. The water main should be in full operation by this weekend or early next week.

H. NEW BUSINESS:

1. Presentation by Mike Manstrom, Dougherty & Company LLC, regarding the sale of \$420,000 Refunding Improvement Bonds of 2016, Series B. (See Resolutions #1i, #1ii, #1iii).

Mike Manstrom from Dougherty & Company explained the purposes of this action:

- (i) Consider the sale of \$420,000 Refunding Improvement Bonds of 2016, Series B;
- (ii) Consider the Resolution Awarding Sale of Warrants and Bonds; (iii) Consider the Financing Resolution for Street Improvement Districts #198, #200 Definitive Improvement Warrants;
- (iv) Consider the Resolution Authorizing Issuance of \$420,000 Refunding Improvement Bonds of 2016, Series B.

Mr. Manstrom explained that the sale of warrants and bonds are necessary to finance the improvements for the following infrastructure projects:

- Street Improvement District #198 (New asphalt street construction took place on Action Drive SE in the Midway 14th Addition. The improvements also include the installation of curb & gutter, storm sewer, street lights, chip seal and related work) (\$190,000)
- Street Improvement District #200 (New asphalt street construction took place on 24th Street NW between 6th Avenue NW and 8th Avenue NW. The improvements also included the installation of curb & gutter, storm sewer, chip seal and related work) (\$230,000)

On September 6, 2016, the Board of City Commissioners approved the confirmation of the assessment list for these Districts. On October 4, 2016, the Board of City Commissioners approved the Letter of Intent and Rule G-17 letter from Dougherty & Company LLC as the Underwriter for the Refunding Improvement Bonds of 2016, Series B. On October 31, 2016, the City certified the special assessments to the Morton County Auditor. The proceeds from the sale of warrants and bonds are summarized as follows: \$408,129.52 for construction, engineering, legal, administration, testing and inspection; \$11,870.48 for bonding and financing related costs. The assessment period for these Districts will be 15 years to match the term of the Bonds. The interest rate on the bonds is projected to be 2.2532% and the interest rate on the assessments is projected to be 3.7532% with no assessment interest the first year.

It was recommended to approve the Resolution Awarding Sale of Warrants and Bonds; To approve the Financing Resolution for Street Improvement Districts #198, #200 Definitive Improvement Warrants; To approve the Resolution Authorizing Issuance of \$420,000 Refunding Improvement Bonds of 2016, Series B. The resolutions are required to be approved separately. (See Resolutions #1i-1iii below.)

2. Consider extension for Storefront Improvement project at 3420 Memorial Highway.

Business Development & Communications Director Huber presented a request for an extension for Schmidt Sales LLP at 3420 Memorial Highway to complete planting of trees, shrubs and/or perennials as part of a Memorial Highway Storefront and Landscape Improvement project.

The Mandan City Commission approved up to \$30,000 in matching funds for a project by Schmidt Sales LLP on January 19, 2016. The owner has completed nearly all components of the project with \$99,848 in eligible program expenditures submitted to date. The exception is the planting of trees, shrubs or perennials, which was part of the project as required and approved by the Mandan Architectural Review Commission, Mandan Growth Fund Committee and City

Commission. The deadline for project completion is one year from date of approval on 6/18/17. The matter has not yet been presented to the Growth Fund Committee because it is more procedural in nature.

Commissioner Braun moved to approve a Storefront Improvement Program reimbursement to Schmidt Sales LLP for 90% of approved matching funds with a 10% withholding to assure completion of required landscaping by an extended deadline of May 31, 2017. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

3. *Consider Community Beautification Committee recommendation to participate in an alliance for litter prevention.* Business Development & Communications Director Huber presented a request to consider City of Mandan involvement in a possible state litter prevention alliance. The Community Beautification Committee (CBC) over the last three years has led the efforts of the community clean-up day. Discussions in 2016 included the topic of litter control and prevention including informative and educational signage as well as state laws and ordinances, such as enforcing fines and enforcement to require proper disposal of litter. There are possibilities for collaborative efforts with Keep North Dakota Clean and the Theodore Roosevelt Expressway Association clean-up efforts for Hwy 85. Executive Director Cal Klewin is interested in organizing a meeting in Bismarck to discuss how organizations and agencies can work together on litter control strategies. At its November 10, 2016 meeting the CBC voted to support an alliance to prevent litter in North Dakota and to appoint CBC member and citizen volunteer Amy Schmidt to represent the City of Mandan. The CBC recommended the City Commission approve Community Beautification Committee involvement in a statewide alliance to improve litter prevention and that Amy Schmidt be the designated representative for Mandan. There is no financial impact to the City of Mandan. The meetings will be held in Bismarck.

Commissioner Braun moved to approve the City Commission approve Community Beautification Committee involvement in a statewide alliance to improve litter prevention and that Amy Schmidt be the designated representative. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

4. *Consider proposal for a redevelopment plan for the 400-500 blocks of W Main Street.* Business Development & Communications Director Huber presented a request to consider approval of a proposal to provide a redevelopment plan for the 400 and 500 blocks of West Main Street. A representative of Icon Architectural Group which opened an office in Mandan in 2016, approached Mayor Helbling and Director Huber earlier this fall with preliminary ideas and concepts for redevelopment of West Main Street, at the Central Market (504 W Main) and Thrifty White Drug (511 First St NW) buildings and the adjacent block, former Elks building.

The former grocery store building has been vacant since December 2013 with a continuing lease that expires December 31, 2016. The other building has been vacant since the pharmacy relocated to north Mandan the summer of 2014. Recent activity in the larger building has

been related to the tenant restoring the building as per lease obligations. There had been interest by a grocery company through March 2016, but that has been unsuccessful. Grocery and other retail recruitment efforts will continue, but other uses and options may need to be more closely examined to help stimulate interest.

Director Huber has been in contact with property owners and property representatives on the subject blocks to let them know about the proposal for a redevelopment plan. Contacts were supportive and comments heard were to “do something.” The subject properties for the 400 Block and 500 Block were outlined in the presentation materials. The Business Development and Communications Department Budget for 2016 included \$11,000 under the line item of professional services, primarily for a hotel feasibility study. This was not executed due to the number of hotels that had opened in the metro area by the end of 2015 as well as overall reduced occupancy rates. These dollars could be transferred to the 2017 budget to cover this redevelopment plan and any additional associated expenses. Director Huber stated she has worked with the Icon Architectural Group previously. They are a company based in Grand Forks and have established an office in Mandan. They have a vested interest in the community. It was recommended to approve the proposal by Icon Architectural Group for a redevelopment plan for the 400-500 blocks of West Main Street.

Commissioner Braun moved to approve the proposal by Icon Architectural Group for a redevelopment plan for the 400 and 500 blocks of West Main Street. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

I. RESOLUTIONS AND ORDINANCES:

1. Consider Resolutions for Refunding Improvement Bonds of 2016, Series B:

(i) Resolution Awarding Sale of Warrants and Bonds. Commissioner Rohr moved to approve the Resolution Awarding Sale of Warrants and Bonds. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

(ii) Financing Resolution for Street Improvement Districts #198, #200 Definitive Improvement Warrants. Commissioner Braun moved to approve the Financing Resolution for Street Improvement Districts #198, #200 Definitive Improvement Warrants. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

(iii) Resolution Authorizing Issuance of \$420,000 Refunding Improvement Bonds of 2016, Series B. Commissioner Braun moved to approve the Resolution Authorizing Issuance of \$420,000 Refunding Improvement Bonds of 2016, Series B. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

2. *Second Consideration and Final Passage of Ordinance 1255 adopting the 2015 International Fire Code with amendments.* Fire Chief Nardello reported that there have been no comments received in opposition to the passage of this Ordinance from any of the public.

Commissioner Braun moved to approve the Second Consideration and Final Passage of Ordinance 1255 adopting the 2015 International Fire Code with amendments. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

3. *Consider Resolution authorizing filing of application with the North Dakota Department of Health for a Loan under the Clean Water Act.* Finance Director Welch presented for consideration a Resolution authorizing filing of an application with the North Dakota Department of Health for a Loan under the Clean Water Act. He stated this matter relates to the update provided by Director Froseth regarding the breaks and repairs of the 30 inch transmission line site.

The emergency project consists of rehabilitation of approximately 1,400 linear feet of existing 30" PCCP transmission pipeline that extends from the water treatment facility to Sunset Reservoir for the current project and also into next year. This transmission main is a critical component of the City's water distribution system and over the past few years the City has experienced catastrophic failures of the pipeline. The City previously replaced 3,500 linear feet of the transmission main. The project includes proposed construction activities to rehabilitate the pipe in place, including lining, addition of valves for isolation and air release valves. On December 13, 2016 the Board of City Commissioners approved an Emergency Declaration and entered into an Agreement with Weisz and Sons contractors for the immediate repair; approved to order the remainder of the replacement pipe; and approved to enter into an Agreement with Advanced Engineering and Environmental Services for engineering services for the 30" Transmission Line Emergency Repair Assistance.

To finance the emergency project, the City will apply for a loan from the State Revolving Fund Program (SRF) through the North Dakota Public Finance Authority. The loan will be for a period of 20 years at an interest rate of 1.5% plus a 0.5% administrative fee. The loan will be repaid from user fees. The City is only obligated for the loan draw requests.

Commissioner Rohr moved to approve the Resolution authorizing filing of application with the North Dakota Department of Health for a loan under the Clean Water Act. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

4. *Second consideration and final passage of Ordinance 1242, an ordinance to amend and re-enact Sec. 101-1-3, add and enact Article 3 of Chapter 101 and amend and re-enact Sec. 105-1-3, Sec. 105-1-4, Article 3 of Chapter 105 and Sec. 109-2-5 of the Mandan Municipal Code related to definitions, appeals, accessory dwelling units, use groups, residential zoning districts and utility service.* Principal Planner Decker stated that this action is an update of the single family residential zones and all the other items that were necessary to be updated. There was one comment received which was brought forward at the last meeting. The comments were minimal

and did not affect the language in the ordinance. A review of the multi-family residential zones will be looked at in the upcoming month.

Commissioner Rohr moved to approve the Second consideration and final passage of Ordinance 1242, an ordinance to amend and re-enact Sec. 101-1-3, add and enact Article 3 of Chapter 101 and amend and re-enact Sec. 105-1-3, Sec. 105-1-4, Article 3 of Chapter 105 and Sec. 109-2-5 of the Mandan Municipal Code related to definitions, appeals, accessory dwelling units, use groups, residential zoning districts and utility service. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

5. *Second consideration and final passage of Ordinance 1254 amending and reenacting PUD District 2015-01 related to Lakewood 9th Addition.* Principal Planner Decker stated that Lakewood 9th is along 40th Street immediately behind the fire station. This project had anticipated several options for development and one of them finally came to fruition.

Commissioner Braun moved to approve the Second consideration and final passage of Ordinance 1254 amending and reenacting PUD District 2015-01 related to Lakewood 9th Addition. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Absent; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

6. *Second consideration and final passage of Ordinance 1253 amending and reenacting Sec. 105-1-2 (5) of the Mandan Code of Ordinances related to accessory buildings.* (Item removed from agenda until a later time.)

J. OTHER BUSINESS:

1. *Announcement of road projects' current solicitation of public input.*

Planning & Engineering Director Froseth requested opinions and guidance of some road projects that are in the early stages of future planning. The first project is Main Street Traffic signals. There is Federal funding allotted for this project. The public input meeting was held on December 8, 2016. The presentation slides can be found on the City's website under the Announcements tab. The official comment period ends 12/24/16.

The second project is the McKenzie Drive reconstruction project. Federal funds have been received for this project. This project is located at 46th and the Expressway on-and-off ramps. It also includes the long term solution for traffic control at 46th Avenue and McKenzie Drive SE. The public input meeting for this project is scheduled for 12/21/16 from 5 – 7 p.m. with a formal presentation at 5:30 at the Mandan Parks and Recreation Office Building at the Raging Rivers facility. The presentation slides will be posted tomorrow. The official comment period for this project ends on 1/5/17.

2. Commissioner Rohr stated he has had calls about the Christmas lights at Dykshoorn Park. The City will need to take a look at the downtown display to see if configurations with better lighting would be possible. That may have to occur in the near future. He noted that the Mandan

Progress Organization (MPO) will be the proper entity to bring that forward. The lights are getting old and the process of putting them up and taking them down has taken a toll on them.

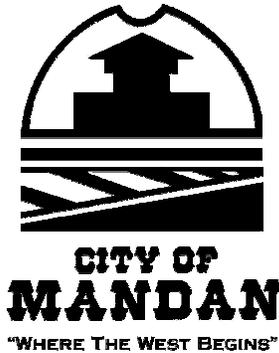
3. Mayor Helbling announced that tax statement brochures were included inside the water bills sent out this week. He said there is information contained within the brochure that includes how the taxes are broken down. He commented that the City of Mandan taxes appear to be on the lower end of most taxes throughout the State of North Dakota. He encouraged everyone to review that publication.

L. ADJOURNMENT:

There being no further actions to come before the Board of City Commissioners, Commissioner Rohr moved to adjourn the meeting at 6:20 p.m. Commissioner Braun seconded the motion. The motion received unanimous approval of the members present. The motion passed.

James Neubauer
City Administrator

Tim Helbling
President, Board of City Commissioners



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 3, 2017
PREPARATION DATE: December 30, 2016
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Retroreflectivity Signing Improvement Cost Participation and Maintenance (CPM) Agreement

STATEMENT/PURPOSE: To consider approval of the ND 1806, ND 810 and I-94B signing and retro reflectivity project Cost Participation and Maintenance (CPM) Agreement.

BACKGROUND/ALTERNATIVES: The DOT continually identifies and addresses sign maintenance and reflectivity. For the year 2017, the DOT has identified signs needing this type of work along the ND 1806, ND 810 and I-94 Business corridors within the City of Mandan.

In order for the DOT to bid this project through their system, a requirement of receiving funding, the CPM Agreement must be agreed to. The CPM Agreement lays out which entity is responsible for each task of the project and is a standard DOT agreement. The local share of this project is to be funded by the Mandan sales tax fund.

ATTACHMENTS:

1. Cost Participation and Maintenance (CPM) Agreement with accompanying appendices

FISCAL IMPACT: The attachment lays out a project cost of \$16,932 within the City of Mandan. The city's expected match is 5% for a total local share estimate of \$847. The city's local share would be paid for by the 1% City Sales Tax Fund.

STAFF IMPACT: Minimal

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

RECOMMENDATION: Approve of the Cost Participation and Maintenance Agreement.

SUGGESTED MOTION: I move to approve of the Cost Participation and Maintenance Agreement with the DOT for the 2017 Retroreflectivity Signing Improvement project.

NDDOT Contract No. 38162109

**North Dakota Department of Transportation
COST PARTICIPATION AND MAINTENANCE AGREEMENT**

Federal Award Information – to be provided by NDDOT	
CFDA No: 20.205	CFDA Title: Highway Planning & Construction
Award Name: Federal Aid Highway Program	Awarding Fed. Agency: Federal Highway Admin
NDDOT Program Mgr: Ardin Striefel	Telephone: 701-328-2559
Notice to Subrecipients: Federal awards may have specific compliance requirements. If you are not aware of the specific requirements for your award, please contact your NDDOT Program Manager.	

Project No. SHE-9-999(367)

WHEREAS, the North Dakota Department of Transportation intends to proceed with the construction of the following-described street improvement:

Location: Mandan - ND 1806, ND 810, and I-94B
Type of Improvement: Retroreflectivity Signing Improvement

NOW, THEREFORE, in consideration of the mutual benefits to be derived therefrom, it is agreed between the state of North Dakota, acting by and through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and the city of Mandan, North Dakota, hereinafter referred to as the City, that NDDOT will construct the project in accordance with the current edition of NDDOT's *Standard Specifications for Road and Bridge Construction* and with the plans approved by the City, identified as project SHE-9-999(367), and incorporated into this agreement by reference.

1. The City
 - a. Will pay 5 percent of the cost of rights of way and easements acquired for the project; and
 - b. Will pay 5 percent of the total cost of all items which are determined eligible for federal aid participation. This total cost will include the actual construction cost plus 10 percent for the preliminary and construction engineering; and
 - c. Will pay 100 percent of the construction costs plus 10 percent for the preliminary and construction engineering of all items not eligible for federal aid participation.
2. The City will pay to NDDOT as the work progresses or when completed its share of the total cost of the project as defined in paragraph 1.
3. It is specifically agreed that if at any time the City fails to pay the amount billed to NDDOT within 60 days after billings, this document shall constitute an assignment of funds derived from the State Highway Tax Distribution Fund now or hereafter coming into the hands of the State Treasurer to the credit of the City, and the State Treasurer is hereby directed to deliver and pay over to NDDOT



all funds credited to the City until the total thereof equals the sum billed pursuant to this agreement. The preliminary cost estimate of the project is \$16,932, with the City's estimated share being \$847.

4. All signs, signals, markings, and other protective structures erected on or in connection with the project, including those installed at the sole cost and expense of the City or by others, shall be approved by NDDOT. All traffic control devices will be in conformance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways.
5. The City will not change any speed limit signs as shown on the plans without prior approval of NDDOT.
6. Appendices A and E of the Title VI Assurances, attached, are hereby incorporated into and made a part of this agreement.
7. The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.
8. Entities that receive federal funds through NDDOT may be required to obtain an audit in accordance with 2 C.F.R. Part 200, Subpart F. A copy of such audit shall be submitted to NDDOT. Entities that spend less than \$750,000 of federal funds from all sources may be subject to reviews by NDDOT at its discretion. Additionally, all entities receiving federal funds through NDDOT shall certify whether a Single Audit has been completed as part of the annual Federal award process. These requirements are applicable to counties, cities, state agencies, Indian tribes, colleges, hospitals, and non-profit businesses.
9. The City is advised that its signature on this contract or agreement certifies that any person associated therewith is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency within the past three years; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction on any matter involving fraud or official misconduct within the past three years.
10. NDDOT is not responsible for any Property Taxes or Special Assessments on property which has been acquired as part of the roadway reconstruction project. The City is responsible to make arrangements for deferral or payment of such Taxes and/or Special Assessments.
11. The City will, at its own expense, continue to maintain or cause to be maintained, all signs as agreed on the previous maintenance agreements within this project area. The maintenance will be in a manner satisfactory to NDDOT and FHWA.



Board of City Commissioners
Agenda Documentation
Meeting Date: January 3, 2017
Subject: Retroreflectivity Signing Improvement Cost Participation and Maintenance
(CPM) Agreement
Page 4 of 8

APPROVED:

City of _____

CITY ATTORNEY (TYPE OR PRINT)

NAME (TYPE OR PRINT)

SIGNATURE

SIGNATURE

DATE

*

TITLE

DATE

ATTEST:

CITY AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

Executed for the North Dakota Department of Transportation by the Director at Bismarck, North Dakota,
the last date below signed.

APPROVED as to substance by:

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

DIVISION DIRECTOR (TYPE OR PRINT)

DIRECTOR (TYPE OR PRINT)

SIGNATURE

SIGNATURE

DATE

DATE

*Mayor or President City Commission

CLA 17058 (Div. 38)
L.D. Approved 11-07; ; C.M. 12/14/201602-16



AUTHORIZATION

At a _____ meeting held on the _____ day of _____, 20____, it was moved by _____ and seconded by _____ that the attached certification and agreement be approved, and that the * _____ and City Auditor be authorized to execute in behalf of the City of _____ and that two executed copies be returned to the NDDOT Director.

Adopted on a vote of ____ aye, ____ nay, ____ absent.

ATTEST:

APPROVED:

CITY AUDITOR (TYPE OR PRINT)

City of _____

SIGNATURE

NAME (TYPE OR PRINT)

DATE

SIGNATURE

* _____
TITLE

DATE

CERTIFICATION

It is hereby certified that the City of _____ will issue improvement warrants to finance the amounts that the City is obligated to pay under terms of the attached agreement with the North Dakota Department of Transportation and that authority to do so has been obtained in accordance with the Section 40-22-06 of the North Dakota Century Code.

Executed at _____, North Dakota, the last date below signed.

ATTEST:

APPROVED:

CITY AUDITOR (TYPE OR PRINT)

City of _____

SIGNATURE

NAME (TYPE OR PRINT)

DATE

SIGNATURE

* _____
TITLE

DATE

*Mayor or President City Commission



Project SHE-9-999(367)

CERTIFICATION OF LOCAL MATCH

It is hereby certified that the City of _____ will provide non-federal funds, whose source is identified below, as match for the amount the City is obligated to pay under the terms of the attached agreement with the North Dakota Department of Transportation. The certified amount does not duplicate any federal claims for reimbursement, nor are the funds used to match other federal funds, unless expressly allowed by federal regulation.

Non-Federal Match Funds provided by City. Please designate the source(s) of funds in the city budget that will be used to match the federal funds obligated for this project through the North Dakota Department of Transportation.

Source:

Executed at _____, North Dakota, the last date below signed.

ATTEST:

CITY AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

APPROVED:

City of _____

NAME (TYPE OR PRINT)

SIGNATURE

*

TITLE

DATE

*Mayor or President of City Commission

CLA 17058 (Div. 38)
L.D. Approved 11-07; ; C.M. 12/14/201602-16



NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX A OF THE TITLE VI ASSURANCES

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

1. Compliance with Regulations: The Contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. Non-discrimination: The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. Information and Reports: The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.



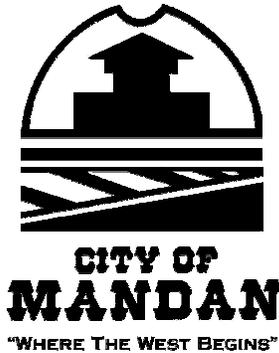
**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX E OF THE TITLE VI ASSURANCES**

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).





Board of City Commissioners

Agenda Documentation

MEETING DATE: January 3, 2017
PREPARATION DATE: December 30, 2016
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Main Street Traffic Signals Preliminary
 Engineering Reimbursement Agreement

STATEMENT/PURPOSE: To agree to fully reimburse the NDDOT for cost associated with the design of traffic signals along Main Street from 10th Avenue West (Highway 6) to 6th Avenue East (Highway 1806).

BACKGROUND/ALTERNATIVES: City staff and NDDOT staff are in agreement with the need to replace and improve the traffic signals along Main Street from 10th Avenue West to 6th Avenue East. The project would replace where warranted with all new poles, mast arms, signal heads and likely controllers at each location. Additionally, this project would implement Intelligent Transportation System (ITS) elements such as vehicle detection and pedestrian push button crossings instead of the existing timed only phasing method of control. Given this corridor's classification as being on the primary regional system, the funding for this project will be about 80% federal funds, 10% state and 10% local (City of Mandan). This agreement assures the NDDOT that if the city changes their mind and decide not to move forward with the project for any reason, that the NDDOT would be fully reimbursed for design costs.

ATTACHMENTS:

1. Preliminary Engineering Reimbursement Agreement

FISCAL IMPACT: Total project estimate is for \$1.5M. The local share is estimated to be about \$150K. The local share for this project is to be paid for by the 1% City Sales Tax Fund.

STAFF IMPACT: Minimal

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

Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Main Street Traffic Signals Preliminary Engineering Reimbursement Agreement

Page 2 of 8

RECOMMENDATION: Approve the Preliminary Engineering Reimbursement Agreement.

SUGGESTED MOTION: I move to approve of the Preliminary Engineering Reimbursement Agreement for the Main Street Signals project.

Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Main Street Traffic Signals Preliminary Engineering Reimbursement Agreement

Page 3 of 8

NDDOT Contract No. 38162124
Project No. NHU-1-094(182)915

**North Dakota Department of Transportation
PRELIMINARY ENGINEERING REIMBURSEMENT AGREEMENT**

This agreement is between the state of North Dakota, acting by and through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and City of Mandan, North Dakota, hereinafter referred to as the City.

WHEREAS, the City has requested that NDDOT proceed with Signals project on Main Street from ND6 to 1806; and;

WHEREAS, the City requests that the project be designed in accordance with Appendices A and E, attached hereto and incorporated by reference.

NOW, THEREFORE, it is agreed that NDDOT will take all necessary steps to design and construct the project in accordance with the Environmental Document and plans approved by the City, and schedule a bid opening at such time as funding and plan completion allows.

The City agrees that should it unilaterally and voluntarily terminate this agreement by whatever means or action, it shall reimburse NDDOT for any and all costs it has incurred for engineering services under this agreement.

The City further agrees that should it request or otherwise cause a material alteration to, or a reduction of the scope of the project, it shall reimburse NDDOT for any and all costs it has incurred for engineering services under this agreement.

In the event the City fails to reimburse NDDOT, such failure shall constitute an assignment of funds, derived from the State Highway Tax Distribution Fund now or hereafter coming into the hands of the State Treasurer to the credit of the City, and that the State Treasurer is hereby directed to deliver and pay over to NDDOT all funds credited to the City until the total thereof equals the sum billed pursuant to this agreement.

Appendices A and E of the Title VI Assurances, attached, are hereby incorporated into and made a part of this agreement.

The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.



Board of City Commissioners
Agenda Documentation
Meeting Date: January 3, 2017
Subject: Main Street Traffic Signals Preliminary Engineering Reimbursement Agreement
Page 4 of 8

Executed by the city of Mandan, at Mandan North Dakota, the last date below signed.

APPROVED:

CITY ATTORNEY (TYPE OR PRINT)

City of _____

SIGNATURE

NAME (TYPE OR PRINT)

DATE

SIGNATURE

*

TITLE

DATE

ATTEST:

CITY AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

Executed for the North Dakota Department of Transportation by the Director at Bismarck, North Dakota, the last date below signed.

APPROVED as to substance by:

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

LOCAL GOVERNMENT ENGINEER (TYPE OR PRINT)

DIRECTOR (TYPE OR PRINT)

SIGNATURE

SIGNATURE

DATE

DATE

*Mayor or President City Commission

CLA 17057 (Div. 38)
L.D. Approved 7-17-89; 10-14



Project No. NHU-1-094(182)915

North Dakota Department of Transportation
AUTHORIZATION

At a _____ meeting held on the ____ day of _____ 20____, it was moved by _____ and seconded by _____ that the attached agreement be approved and that the * and city auditor be authorized to execute in behalf of the city of _____ and that two executed copies be returned to the North Dakota Department of Transportation Director.

Adopted on a vote of _____ aye, _____ nay, _____ absent.

ATTEST:

APPROVED:

CITY AUDITOR (TYPE OR PRINT)

SIGNATURE

DATE

City of _____

NAME (TYPE OR PRINT)

SIGNATURE

*

TITLE

DATE

*Mayor or President City Commission



NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX A OF THE TITLE VI ASSURANCES

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

1. Compliance with Regulations: The Contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. Non-discrimination: The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. Information and Reports: The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.



**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
APPENDIX E OF THE TITLE VI ASSURANCES**

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).



Risk Management Appendix

Routine* Service Agreements With Sovereign Entities and Political Subdivisions of the State of North Dakota:

Parties: State – State of North Dakota, its agencies, officers and employees

Governmental Entity – The Governmental Entity executing the attached document, its agencies, officers and employees

Governments – State and Government Entity, as defined above

Each party agrees to assume its own liability for any and all claims of any nature including all costs, expenses and attorney's fees which may in any manner result from or arise out of this agreement.

Each party shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds, authorized to do business in North Dakota, the following insurance coverages:

- 1) Commercial general liability and automobile liability insurance – minimum limits of liability required of the Governmental Entity are \$250,000 per person and \$500,000 per occurrence. The minimum limits of liability required of the State are \$250,000 per person and \$1,000,000 per occurrence.
- 2) Workers compensation insurance meeting all statutory limits.
- 3) The policies and endorsements may not be canceled or modified without thirty (30) days prior written notice to the undersigned State representative.

The State reserves the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

Each party that hires subcontractors shall require any non-public subcontractors, prior to commencement of work set out under an agreement between that party and the non-public subcontractor, to:

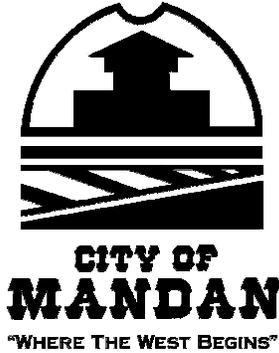
Defend, indemnify, and hold harmless the Governments, its agencies, officers and employees, from and against claims based on the vicarious liability of the Governments or its agents, but not against claims based on the Government's contributory negligence, comparative and/or contributory negligence or fault, sole negligence, or intentional misconduct. The legal defense provided by the Subcontractor to the Governments under this provision must be free of any conflicts of interest, even if retention of separate legal counsel for the Governments is necessary. Subcontractor also agrees to defend, indemnify, and hold the Governments harmless for all costs, expenses and attorneys' fees incurred if the Governments prevail in an action against Subcontractor in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of this agreement.

Subcontractor shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota: 1) commercial general liability; 2) automobile liability; and 3) workers compensation insurance all covering the Subcontractor for any and all claims of any nature which may in any manner arise out of or result from this agreement. The minimum limits of liability required are \$250,000 per person and \$1,000,000 per occurrence for commercial general liability and automobile liability coverages, and statutory limits for workers compensation. The Governments shall be endorsed on the commercial general liability policy and automobile liability policy as additional insureds. Said endorsement shall contain a "Waiver of Subrogation" waiving any right of recovery the insurance company may have against the Governments as well as provisions that the policy and/or endorsement may not be canceled or modified without thirty (30) days prior written notice to the undersigned representatives of the Governments, and that any attorney who represents the State under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08. Subcontractor's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the Governments. Any insurance, self-insurance or self-retention maintained by the Governments shall be excess of the Contractor's insurance and the Subcontractor's insurance and shall not contribute with them. The insolvency or bankruptcy of the insured Subcontractor shall not release the insurer from payment under the policy, even when such insolvency or bankruptcy prevents the insured Subcontractor from meeting the retention limit under the policy. Any deductible amount or other obligations under the Subcontractor's policy(ies) shall be the sole responsibility of the Subcontractor. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A-" or better by A.M. Best Company, Inc. The Governments will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Subcontractor in excess of the minimum requirements set forth above. The Government Entity that hired the Subcontractor shall be held responsible for ensuring compliance with the above requirements by all Subcontractors. The Governments reserve the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time.

*See *North Dakota Risk Management Manual*, section 5.1 for discussion of "unique" and "routine" agreements.

RM Consulted 2007
Revised 5-09





Board of City Commissioners

Agenda Documentation

MEETING DATE: January 3, 2017
PREPARATION DATE: December 20, 2016
SUBMITTING DEPARTMENT: Assessing
DEPARTMENT DIRECTOR: Shirley Shaw
PRESENTER: George Railsback/Deputy Assessor
SUBJECT: Correction to 2016 Values

STATEMENT/PURPOSE: To consider a correction in 2016 True & Full Value for Leo Snider

BACKGROUND/ALTERNATIVES: This parcel is also known as Parcel #65-2866000 Lot 3 Block 51 Mandan Proper (OT)

Reason for abatement: To correct the 2016 market value of the property to reflect reappraisal

ATTACHMENTS: Property Record Sheets

FISCAL IMPACT: \$177

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to approve to correct values as presented for 2016 for Leo Snider

SUGGESTED MOTION: A motion to approve to correct values as presented for 2016 for Leo Snider

Application For Abatement Or Refund Of Taxes

North Dakota Century Code § 57-23-04

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

State of North Dakota Assessment District City of Mandan
County of Morton Property L.D. No. 65-2866000
Name Leo Snider Telephone No.
Address 407 Collins Ave. Mandan, ND

Legal description of the property involved in this application:
Lot 3 Block 51 Mandan Proper OT

Total true and full value of the property described above for the year 2016 is:
Land \$ 18,200
Improvements \$ 108,900
Total \$ 127,100

Total true and full value of the property described above for the year 2016 should be:
Land \$ 18,200
Improvements \$ 94,200
Total \$ 112,400

The difference of \$ 14,700 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 destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04 (1)(g))
8. Error in listing payment of taxes, taxes erroneously paid
9. Property qualifies for Homestead Credit according to N.D.C.C. § 57-02-08.1. Attach a copy of Homestead Credit Application.
10. Other (explain)

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly 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? yes/no Estimated value: \$
2. Has the property been offered for sale on the open market? yes/no If yes, how long?
Asking price: \$ Terms of sale:
3. The property was independently appraised: yes/no 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):

Applicant asks that: The reduction of \$14,700 be approved to reduce dwelling value for 2016. Property had reappraised done 12-19-2016.

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 governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Signature of Preparer (if other than applicant) Date Signature of Applicant Date
Marilyn Ducklman 12/19/16 Leo Snider 12-19-16

PDF#PIN: 001+65-2866000
 407 COLLINS AVE, MANDAN
 Mail To: 407 COLLINS AVE
 MANDAN, ND 58554-0000

City of Mandan
 WORKING Tue, 12/29/2016, 11:10 AM Page 1

Map Area: Zone 1 - Res
 Route: 000-000-000
 Tax Dist: M1
 Plat Page: MANDAN PROPER (OT)
 Subdiv: MANDAN PROPER (OT)

Deed: SNIDER, DOUGLAS
 Contract: SNIDER, LEO LIFE ESTATE
 CID#: 03797
 DBA:
 MLS:

Urban/Residential
 Legal: LOT 3 BLOCK 51 MANDAN PROPER (OT)

Checks/Tags: MA, 12/29/2015
 Lister/Date: SS, 01/12/2016
 Review/Date: Inspected
 Entry Status:

Land		Land		Land		Land		Land		Land	
Front	Rear	Side 1	Side 2	R. Lot	SF	Acres	Depth	EFF	Qual./Land	Unit Price	Total
					7,000.00	0.161					\$18,200
Lump Sum					7,000.00	0.161					\$18,200
Grand Total											\$18,200

Street		Utilities		Zoning		RM		Building Permits		Values	
City	City	City	City	City	City	City	City	City	City	City	City
Lump Sum											
Date											
10/07/2015											

Res. Structure		Finish		Plumbing		Addition		Garage	
Occ. Code	101	Tl Rooms Above #	7	Full Bath	1	Addition	1 of 1	Garage	1 of 1
Occ. Descr.	Single-Family/	Tl Rooms Below #	2	Shower Stall Bath		Year Built	1939	Det Frm	0' X 0'
Year Built	1939	Bdrms Above #	0	Toilet Room		Style	W XL	Year Built	1939
EFA / EFTYr	76 / 1939	Bdrms Below #	2	Lavatory		EFA Year	76	Area (SF)	576
Arch. Dsgn	Conventional	Bent Fin Area #1	320	Water Closet		Style	1 Sty Frm	Year Built	1939
Style	1 1/2 Story Frame	Bent Fin Area #2	Table	Sink		Area (SF)	144	EFA	76
Area/SF/TLA	712 / 1,354	Bent Fin Area #3	Table	Shower Stall/Tub		Condition	Below Normal	EFF Year	1939
GLA 1st/2nd	856 / 498	Foundation		Mtl St Sh Bath		Phy-Depr. %	38.00	Grade	4
Grade	4-5	Exterior Walls		Mtl Stall Shower		Bemt (SF)		Condition	NML
Grade Mult.	1.140	Roof		No Bathroom		Heat	HW - Baseboard	Qtrs Over (SF)	None
Condition	NML	Interior Finish		Whet Bar		Attic (SF)		Qtrs AC (SF)	60.00-0-0
Phy-Depr. %	33%	Flooring		Whirlpool Bathroom		Door Opnrs		%Phy/Fobal/Ecbs	1
Basement	Full	Non-base Heating		Whirlpool Tub		Bemt Stalls			
No Bemt Fr	0	Floor/Wall #	0	No Hot Water Tank					
Heat	HW - Baseboard	Pipeless #	0	No Plumbing					
AC	None	Hand Fired (V/N)	0	Sewer & Water Only					
Attic	None	Space Heat #	0	Water Only w/Sink					
		Appliances		Hot Tub					
		Range Unit		Bidet					
		Oven - Single		Frigle Service Sink					
		Oven - Double		Urinal					
		Dishwasher		Sauna					
		Microwave		WPool Bath w/Shower					
		Trash Compactor							
		Jennair							
		Security System							



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 (rev. 20.03.27.16)

Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Consider a correction in 2016 True & Full Value for Leo Snider

Page 4 of 8

PDF#PIN: 001+65-2866000 (RCN \$138,578) Tue, 12/20/2016, 11:10 AM Page 2

Base / Adm	Description (RCN \$138,578)	Units	Price	Base Value	Grade Mult	Year	Phys%	Fds%	Ecks%	Ownr%	Depreciated Total (Rd nearest dollar)	Map	Assessed Value (Rd nearest \$100)
	101 - Single-Family / Owner Occupied	712		\$103,010									
#1	1 1/2 Story Frame	320 Tbl	\$21.50	\$6,880									
	Bsmnt Fin - Living Qtrs. (Multi) (Avg)												
	Base Heat: HW - Baseboard												
#1	Porch: 1S Frame Enclosed	78 SF	\$3,920.00	\$3,920									
#1	Fireplace: , 1 Story	1	\$0.00	\$0									
	Building Sub Total			\$113,810									
Actn	1 Story Frame	144 SF		\$7,750	1.140	1939	33.00	3	0	0	\$84,320		
	Garage: Det Frame	0' X 0'		\$11,360	1.140	1939	38.00	3	0	0	\$5,314		
	Building TOTAL Value				4	1939	60.00	0	0	0	\$4,544		
											\$94,178	1.000	\$94,200

Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Consider a correction in 2016 True & Full Value for Leo Snider

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Prior Year	Comment	Value Type	Location	Class	Land Value	Dwelling Value	Improvement Value	M & E Value	Total Value
1981		Import	Urban	Res	\$9,800	\$26,800	\$0	\$0	\$36,600
1982		Import	Urban	Res	\$9,900	\$27,100	\$0	\$0	\$37,000
1983		Import	Urban	Res	\$9,900	\$28,200	\$0	\$0	\$38,100
1984		Import	Urban	Res	\$9,500	\$27,100	\$0	\$0	\$36,600
1985		Import	Urban	Res	\$9,200	\$30,900	\$0	\$0	\$40,100
1986		Import	Urban	Res	\$9,200	\$35,700	\$0	\$0	\$44,900
1987		Import	Urban	Res	\$9,200	\$40,700	\$0	\$0	\$49,900
1988		Import	Urban	Res	\$9,200	\$45,300	\$0	\$0	\$54,500
1989		Import	Urban	Res	\$9,200	\$51,900	\$0	\$0	\$61,100
2000		Import	Urban	Res	\$9,200	\$52,600	\$0	\$0	\$61,800
2001		Import	Urban	Res	\$9,100	\$55,500	\$0	\$0	\$64,600
2002		Import	Urban	Res	\$9,200	\$53,300	\$0	\$0	\$62,200
2003		Import	Urban	Res	\$6,900	\$56,700	\$0	\$0	\$66,200
2004		Import	Urban	Res	\$9,500	\$57,800	\$0	\$0	\$67,500
2005		Import	Urban	Res	\$9,700	\$56,900	\$0	\$0	\$66,600
2006		Import	Urban	Res	\$9,700	\$57,700	\$0	\$0	\$67,400
2007		Import	Urban	Res	\$9,600	\$57,100	\$0	\$0	\$66,700
2008		Import	Urban	Res	\$10,100	\$59,800	\$0	\$0	\$69,900
2009		Import	Urban	Res	\$10,400	\$59,800	\$0	\$0	\$70,200
2010		Import	Urban	Res	\$10,400	\$63,200	\$0	\$0	\$73,600
2011		Import	Urban	Res	\$10,800	\$66,000	\$0	\$0	\$76,800
2012		Import	Urban	Res	\$11,300	\$65,700	\$0	\$0	\$77,000
2013		Import	Urban	Res	\$11,300	\$66,600	\$0	\$0	\$77,900
2014	Import from County file.	Import	Urban	Res	\$12,400	\$68,600	\$0	\$0	\$81,000
2015		Appr	Urban	Res	\$18,200	\$88,400	\$0	\$0	\$107,600
2016		Appr	Urban	Res	\$18,200	\$108,900	\$0	\$0	\$127,100

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Tue, 12/20/2016, 11:10 AM Page 4



65-2866000

Photo 1 of 7, 01/04/2016

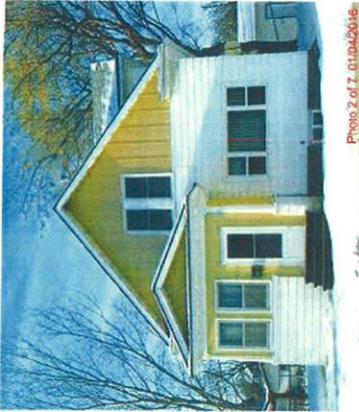


Photo 2 of 7, 01/04/2016



Photo 3 of 7, 01/04/2016

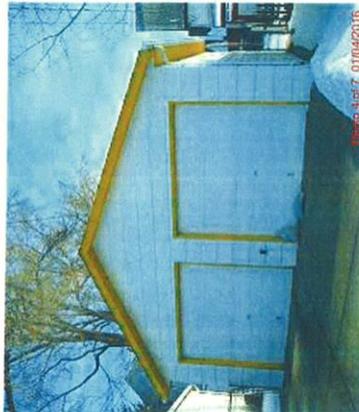


Photo 4 of 7, 01/04/2016



Photo 5 of 7, 01/04/2016



Photo 6 of 7, 01/04/2016

Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Consider a correction in 2016 True & Full Value for Leo Snider

Page 7 of 8

PDF+PIN: 001+65-2866000
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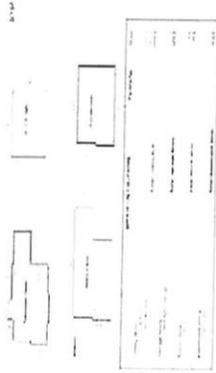


Photo 7 of 7 - 12/04/2013

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Notes:

Note Title: Original AS400 Notes

12/19/2016-REASSESSED HOME FOR 2016 TAX YEAR- BSMT FIN WAS REDUCED IN SIZE-CURRENTLY HAS 25X8 AND 10X12 FAM RM AREA WITH 6'5" CLG HEIGHT, 8X12 MECHANICAL/LAUNDRY COMBO AREA LOW FIN, MAIN FLR: KIT: ORIG CABS WITH A EAT IN KIT AREA, DINRM AND LIVRM, 12X12 ADDITION (PORCH) UPON REAR ENTRY, 2ND FLR: BEDRM, SMALL RM (OFFICE), MSTR BEDRM HAS DROP TILE CLG, FULL BATH IN ORIG COND, (APPLIED FUNCTIONAL OBSLAYOUT) ISSUE: THE ONLY BATHROOM IS LOCATED OFF THE MSTR BEDRM ON THE 2ND FLR) HOME IS IN ORIG COND WITH PANELING ON THE WALLS, VINYL FLRS AND DATED CRPT, MASONARY FP IS NO LONGER FUNCTIONING- REMOVED FROM VALUE. MELANIE

12/29/2015- PER APPRAISER PREV NOTE HOME HAS AN UPSTAIRS FIN-THIS HOME WAS PREVIOUSLY LISTED AS A 1 STORY HOME WITH ATTIC/STAIRS. PER PICS & PREV COMMENT-THIS APPRAISER CHANGED HOME TO A 1 1/2 STORY AND REMOVED THE ATTIC, THIS INCREASED THE VALUE SIGNIFICANTLY HOWEVER THEY WERE ONLY PAYING PREVIOUSLY FOR A 1 STORY HOME. UPDATED SKETCH-MA

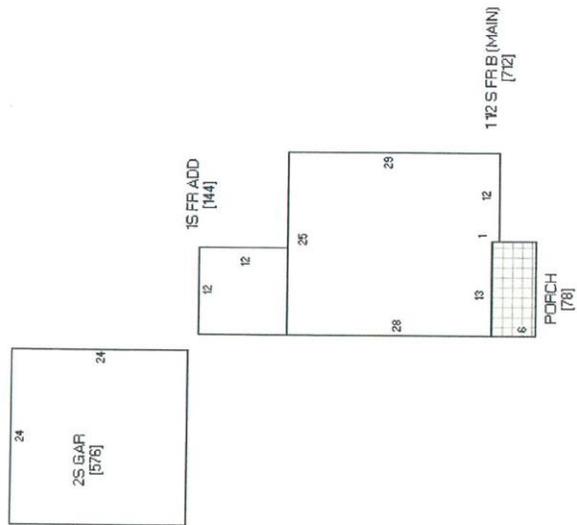
2014 - TAGGED 6/29/11 INSPECTED 7/5/11, HOME OVER 100 YEARS OLD 67/5/11 ONLY 1 BATHROOM IN HOUSE, IT IS UPSTAIRS 7/5/11 LEADED GLASS 7/5/11 SOME WINDOWS REPLACED 7/5/11

Land Depreciation Notes:

Land basis 1: 50 X 140, ALLEY, UTIL, STDWK, INLAND

PDF+PIN: 001+65-2866000

Tue, 12/20/2016, 11:10 AM Page 6



Sketch 1 of 1



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 3, 2017
PREPARATION DATE: December 20, 2016
SUBMITTING DEPARTMENT: Assessing
DEPARTMENT DIRECTOR: Shirley Shaw
PRESENTER: George Railsback/Deputy Assessor
SUBJECT: Correction to 2016 Values

STATEMENT/PURPOSE: To consider a correction in 2016 True & Full Value for Kent & Gail Jacobson

BACKGROUND/ALTERNATIVES: This parcel is also known as Parcel #65-6107645 Lot 14 Block 1 Heart Ridge

Reason for abatement: To correct the 2016 market value of the property to reflect reappraisal

ATTACHMENTS: Copy of Tax Statement; Property Record Sheets; Comparable Sales Sheets

FISCAL IMPACT: \$257

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend a motion to approve to correct values as presented for 2016 for Kent & Gail Jacobson

SUGGESTED MOTION: A motion to approve to correct values as presented for 2016 for Kent & Gail Jacobson

Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Consider a correction in 2016 True & Full Value for Kent & Gail Jacobson

Page 2 of 13

Application For Abatement Or Refund Of Taxes
North Dakota Century Code § 57-23-04

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

State of North Dakota Assessment District City of Mandan
County of Morton Property I.D. No. 65-6107645
Name Kent & Gail Jacobson Telephone No. _____
Address 1608 Ridge Dr. SE

Legal description of the property involved in this application:
Lot 14 Block 1 Heart Ridge

Total true and full value of the property described above for the year 2016 is:
Land \$ 40,000
Improvements \$ 217,200
Total \$ 257,200

Total true and full value of the property described above for the year 2016 should be:
Land \$ 40,000
Improvements \$ 195,800
Total \$ 235,800

The difference of \$ 21,400 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 destroyed or damaged by fire, flood, tornado, or other natural disaster (see N.D.C.C. § 57-23-04(1)(g))
- 8. Error in noting payment of taxes, taxes erroneously paid
- 9. Property qualifies for Homestead Credit according to N.D.C.C. § 57-02-08.1. Attach a copy of Homestead Credit Application.
- 10. Other (explain) _____

The following facts relate to the market value of the residential or commercial property described above. For agricultural property, go directly 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? yes/no _____ Estimated value: \$ _____

2. Has the property been offered for sale on the open market? yes/no _____ If yes, how long? _____
Asking price: \$ _____ Terms of sale: _____

3. The property was independently appraised: yes/no _____ 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): _____

Applicant asks that Corrections be made to reflect the correct 2016 Market Value for this property

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 governmental matter, that this application is, to the best of my knowledge and belief, a true and correct application.

Shirley Shaw 12-20-16 Date
Signature of Preparer of other than applicant Date
Signature of Applicant Date
on behalf of the property owner

2016 MORTON COUNTY REAL ESTATE TAX STATEMENT

Parcel Number: 65-6107645
Jurisdiction: CITY OF MANDAN
Physical Location: KENT W & GAIL M JACOBSON
 1608 RIDGE DR SE
Legal Description: LOT- 14 BLK-001
 HEART RIDGE ADDITION
 (10978)
 ACRES: .38

Statement No: 8914

2016 TAX BREAKDOWN
 Net consolidated tax 2,728.08
 Plus: Special Assessments 1,635.11
 Total tax due 4,363.19
 Less: 5% discount 136.40
 if paid by Feb. 15th
Amount due by Feb. 15th 4,226.79
 Or pay in two installments(with no discount)
 Payment 1: Pay by Mar. 1st 2,999.15
 Payment 2: Pay by Oct. 16th 1,364.04
 Special Assessment Balance 12,310.48
 Special Assessment Interest 509.44
 Please call 701-667-3271

Legislative tax relief (3-year comparison):	2014	2015	2016
State school levy reduction	.00	.00	1,446.75
12% state-paid tax credit	.00	.00	372.01
Total legislative tax relief	<u>.00</u>	<u>.00</u>	<u>1,818.76</u>

Please Indicate Address Change, if Any
 Providing a check as payment you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or process the payment as a check transaction. Inquiries please call 701-667-3310

Tax distribution(3-year comparison):	2014	2015	2016
True And Full Value	N/A	N/A	257,200
Taxable Value	N/A	N/A	11,574
Less: Homestead credit Veterans' credit			
Net Taxable Value	<u>N/A</u>	<u>N/A</u>	<u>11,574</u>
Mill Levy	<u>N/A</u>	<u>N/A</u>	<u>267.850</u>

Penalty on 1st Installment & Specials	
March 2.....	3%
May 1.....	6%
July 3.....	9%
October 17.....	12%
Penalty on 2nd Installment	
October 17.....	6%

Taxes By District(in dollars):			
State	N/A	N/A	11.57
County	N/A	N/A	865.04
City/Twp CITY OF MANDAN	N/A	N/A	681.01
School MANDAN PUBLIC SCHOOL	N/A	N/A	1,172.56
CO WIDE	N/A	N/A	18.29
CITY PARKS 65			320.95
WATER RES 2			30.67

FOR ASSISTANCE, CONTACT:

Office: Morton County Treasurer
 Phone: 701-667-3310
 Website: www.co.morton.nd.us

Credit cards and Visa debit cards will be accepted at the office or www.co.morton.nd.us.
 To pay by phone: 1-888-272-9829(Code 4402).
 Service Fees will apply to all credit/debit card payments.

Consolidated Tax	<u>N/A</u>	<u>N/A</u>	<u>3,100.09</u>
Less: 12% state-paid credit	<u>.00</u>	<u>.00</u>	<u>372.01</u>
Net consolidated tax	<u>N/A</u>	<u>N/A</u>	<u>2,728.08</u>
Net effective tax rate			<u>1.06%</u>

Detach here and mail with your payment

2016 Morton County Real Estate Tax Statement

Your canceled check is your receipt for your payment.
 No receipt will be issued.

Parcel Number: 65-6107645 **MP #** 72969
Statement Number: 8914 **Taxpayer #** 72969

Total tax due 4,363.19
 Less 5% discount 136.40
Amount due by Feb. 15th 4,226.79
 Or pay in two installments (with no discount):
 Payment 1: Pay by Mar. 1st 2,999.15
 Payment 2: Pay by Oct. 16th 1,364.04

KENT W & GAIL M JACOBSON
 3417 CLARIMONT RD
 BISMARCK ND 58503

MAKE CHECK PAYABLE TO:
MORTON COUNTY TREASURER
 210 2ND AVE NW
 MANDAN ND 58554

was 2016

City of Mandan
 1608 RIDGE DR SE, MANDAN ND 58554-0000
 Current Owner/Address DBA: JACOBSON, KENT W & GAIL M (D)
 1608 RIDGE DR SE
 MANDAN ND 58554-0000

Plat Map:
 Subdivision: HEART RIDGE
 Comp ID: 10978

Route #: 000-000-000 PDF 9 WORKING
 Map Area: Zone 9 - Res
 Block: 1
 Lot: 14

Range: 05/18/2016
 Reviewer/Dates: GR, 05/18/2016
 Entry Status: Inspected

Section: 1608 RIDGE DR SE
 Loc/Class: Urban/Residential

Front: Rear: Side 1: Side 2: R Lot: SF: Acres: Unit Price: T/E/O%
 0.000

Sub Total: 16,729.00 0.384
 Grand Total*: 16,729.00 0.384

Legal: LOT 14 BLOCK 1 HEART RIDGE

Notes
 2016 QUALIFIES FOR 2 YEAR TAX EXEMPTION 2016-2017
 01/14/2016- LIST 100% COMPLETE NEW CONSTRUCT-1 STRY SLAB ON GRADE HOME, 2/5 FIN GAR WIRE FOR HEAT, H20 & FL DR, 9' CLG MAIN: KIT/DINRM/LIVRM W/ VAULT CLG, KIT PREFAB MAPLE CABS, LAM CTOPS, ISLAND, LARGE WALKIN PANTRY, 2 BEDRMS (1 W/VAULT CLG), FULL BATH, MSTR BEDRM W/ 3 FIX MASTR BATH HAS MARLITE SHWR, XTRA SINK AND WALKIN CLOSET OFF BATH THROUGHOUT. WIDE SM PAINTED Residential Dwelling

Occupancy	Single-Family / Owner Occupied
Style	1-Story Frame
Arch Style	Ranch
Year Built	2015
Area SF	1,416
Condition	NML
Ttl Rms 4	Ttl Bdrms 2
Bsmnt/Ac	None / None
Heat/AC	FHA - Gas / Yes AC
Bsmnt Finish 1	
Bsmnt Finish 2	
Fireplace 1	
Fireplace 2	
Fireplace 3	
Full/Hair Baths	1/0
Porches	Other/Total Fixtures 0/8
Ext Wall	1S Frame Open-151 SF/1S Frame Open-144 SF
Vaneer 1	Vinyl
Vaneer 2	1/2 Story Sim Stone 280 8
Bsmnt Stalls/Total Garages	0/1
Ttl Additions	0

Area	Year	Depr	Garages	Att	Frame
1,108	0/00	0	0	0	3*10

Area	F/E/O%	W	L	Year	Grade
1,108	0/00	0	0	0	2015

Base Price	Basement Adjustment	Attic Adjustment	No Hear Adjustment	Central AC Adjustment	Adjusted Base	Finish	Single Siding	Exterior	Fireplaces	Plumbing/Appliances	Attached Garages	Basement Stall	Base Total	Graded (1,620)	Physical Value	Total Less Obsolescence	Extras	Additions	RCN	Detached Garages	Map Factor (1,000)	Total (Bldg (RND))
\$116,050	(\$19,160)	\$0	\$0	\$0	\$99,450	\$2,560	\$0	\$8,700	\$3,600	\$23,691	\$0	\$0	\$135,441	\$219,414	\$217,221	\$217,221	\$0	\$0	\$219,414	\$0	\$0	\$217,200

Sale Amt	Sale Date	Nut Code	Recording
\$272,436	03/29/2016		470183
\$49,900	05/19/2014		457119

Appraised	Board of Review	State Equalized	With Exemptions
\$40,000			\$40,000
Land			
Land C			
Impr			
Total			\$142,200

PrYr 2016	PrYr 2015	PrYr 2014
\$257,200	\$25,000	\$26,100
Land	\$0	\$0
Land C	\$0	\$0
Dwelling	\$0	\$0
Impr	\$0	\$0
Total	\$25,000	\$26,100

Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Consider a correction in 2016 True & Full Value for Kent & Gail

Jacobson

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New 2016

PDF #PIN: 009-65-6107645
 1608 RIDGE DR SE, MANDAN
 Mail To: 1608 RIDGE DR SE
 MANDAN, ND 58554-0000

City of Mandan
 Deed: JACOBSON, KENT W & GAIL M
 Contract: 10978
 CID#: 10978
 DBA:
 MLS:

Map Area: Zone 9 - Res
 Route: 000-000-000
 Tax Dist: M1
 Plat Page: HEART RIDGE
 Subdiv: HEART RIDGE

WORKING
 Tue, 12/20/2016, 3:11 PM Page 1
 Checker/Tags: MA, 01/14/2016
 Lister/Date: MA, 01/14/2016
 Review/Date: GR, 05/18/2016
 Entry Status: Inspected

Land		Land		Land		Land		Land		Land	
Front	Rear	Side 1	Side 2	R. Lot	SF	Acres	Depth	EFF	Qual/Land	Unit Price	Total
					16,729.00	0.384					\$40,000
					16,729.00	0.384					\$40,000
Lump Sum		Hd Surface		Utilities		Zoning		Land Use		Values	
				City		R7		Residential			

Sales		Building Permits	
Date	\$ Amount	NUTC	Tag \$ Amount
03/29/2016	\$272,436	D013	470183
05/15/2014	\$49,900	D017	457119
			9/22/2015 RESN-15-07C \$209,731 New Dwlg

Res. Structure		Finish		Plumbing		Addition		Garage	
Occ. Code	Occ. Descr.	Tot Rooms Above #	Tot Rooms Below #	Bedrooms Above #	Bedrooms Below #	Full Bath	Shower Stall Bath	Addition	No Additions
101	Single-Family / Owner Occupied	4	0	0	0	1	1	1	1
2015	1 / 2015	Bmnt Fin Area #1	Bmnt Fin Area #2			Toilet Room	Laundry	EFA	EFA Year
2015	1 / 2015	Bmnt Fin Area #3	Foundation			Water Closet	Sink	EFA Year	EFA
Ranch	1 Story Frame	Exterior Walls	Roof	Conc	Vinyl	Shower Stall/Tub	Mtl St Sh Bath	Area (SF)	EFF Year
1,416 / 1,416	1,416 / 1,416	Interior Finish	Flooring	Gable/Asph Comp	DwI	Mtl Stall Shower	No Bathroom	Condition	Grade
GLA 1st/2nd	0	Non-base Heating	Fireplace			Wet Bar	Whirlpool Bathroom	Bmnt (SF)	Phys-Dep: %
Grade	3	Floor/Wall #	0			Whirlpool Tub	No Hot Water Tank	Nebsmt Fin(SF)	Bmnt (SF)
Grade Mut.	1,460	Pipeless #	0			No Plumbing	Sewer & Water Only	Heat	Heat
Condition	NML	Hand Fired (YN)	No			Water Only w/Sink	Hot Tub	Qtrs Over (SF)	Qtrs Over (SF)
Phys-Dep: %	1%	Space Heat #	0			Water Only w/Sink	Bidet	Attic (SF)	Attic (SF)
Basement	None	Range Unit				Hot Tub	Fbglis Service Sink	%Phy/Fcbs/Ecbs	1.00-0-0
No Bmnt FR	0	Oven - Single				Urinal	Sauna	Door Opns	2
Heat	FHA - Gas	Oven - Double				WPool Bath w/Shower	WPool Bath w/Shower	Bmnt Stairs	
AC	Yes	Dishwasher	1						
Attic	None	Microwave	1						
		Trash Compactor							
		Jenmail							
		Security System							

Obsolence
 Functional % 0%
 Economic % 0%
 Other % 0%
 None
 None
 None
 None

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Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Consider a correction in 2016 True & Full Value for Kent & Gail Jacobson

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Entry Year	Comment	Value Type	Location	Class	Land Value	Dwelling Value	Improvement Value	M & E Value	Total Value
2012		Import	Urban	Other	\$5,000	\$0	\$0	\$0	\$5,000
2013		Import	Urban	Other	\$12,800	\$0	\$0	\$0	\$12,800
2014	Import from County file.	Import	Urban	Other	\$26,100	\$0	\$0	\$0	\$26,100
2015		Appr	Urban	Res	\$25,000	\$0	\$0	\$0	\$25,000
2016	FILED ABATEMENT DEC. 2016 FOR REAP	Appr	Urban	Res	\$40,000	\$195,800	\$0	\$0	\$235,800



Photo 1 of 7 01/13/2016
65-61076-65

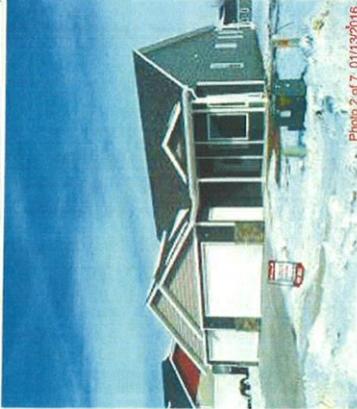


Photo 2 of 7 01/13/2016

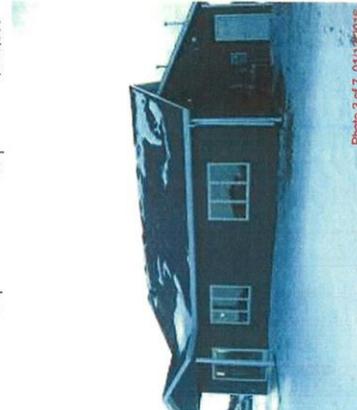


Photo 3 of 7 01/13/2016



Photo 4 of 7 01/13/2016

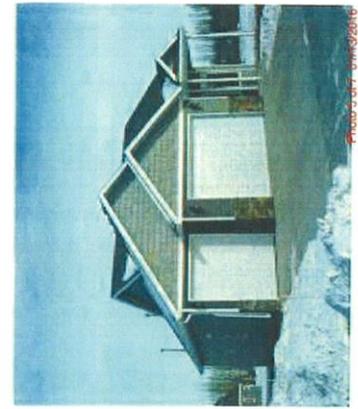


Photo 5 of 7 01/13/2016

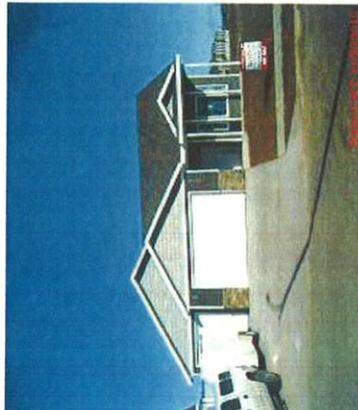


Photo 6 of 7 01/13/2016

PDF+PIN: 009+65-6107645



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Notes:

2016; DOES NOT QUALIFY FOR 2 YEAR TAX EXEMPTION 2016-2017; HOME IS USED AS A RENTAL.

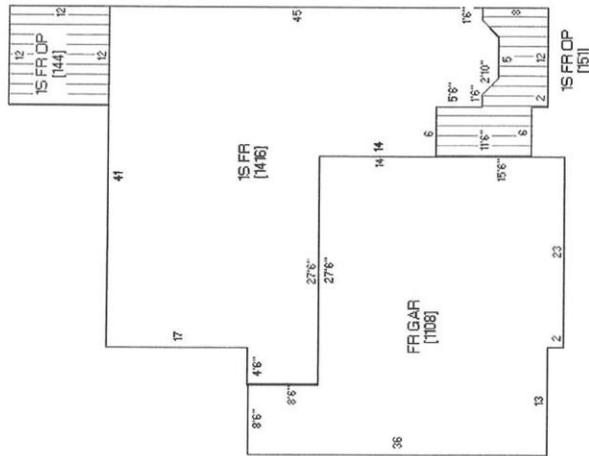
01/14/2016- LIST 100% COMPLETE NEW CONSTRUCT-1 STRY SLAB ON GRADE HOME, 2/5 FIN GAR WIRED FOR HEAT, H2O & FL DR, 9' CLG MAIN; KIT/DINRM/LIVRM W/ VAULT CLG KIT PREFAB MAPLE CABS, LAM CTOPS, ISLAND, LARGE WALKIN PANTRY, 2 BEDRMS (1 W/VAULT CLG), FULL BATH, MSTR BEDRM W/ 3 FIX MASTR BATH HAS MARLITE SHWR, XTRA SINK AND WALKIN CLOSET OFF BATH THROUGHOUT; WIDE SM PAINTED TRIM, 2PNL MASONITE DRS, HRDWD MAPLE FLRS & CRPT, LAM CTOPS-MA

Land Depreciation Notes:

Land basis 1: 70 X 198, UTIL, UNDRGRND UTIL, SIDEWK, INLAND

PDF+PIN: 008+65-6107645

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Sketch 1 of 1

Board of City Commissioners
 Agenda Documentation

Meeting Date: January 3, 2017

Subject: Consider a correction in 2016 True & Full Value for Kent & Gail Jacobson

Comparable Search for 65-6107645

City of Mandan

Subject/Comparables

Rank:	Parcel Information	Building Information
 Rank: PIN: (009) 65-6107645 Deed: JACOBSON, KENT W & GAIL M Contract: Address: 1608 RIDGE DR SE Map: Zone 9 - Res Tax Dist: M1 Land (SF): 16,729.00	SUBJECT (009) 65-6107645 JACOBSON, KENT W & GAIL M 1608 RIDGE DR SE Zone 9 - Res M1 16,729.00	1416 A 1 Story Frame 2015 1,416 / 1,416 None / None Rooms/Bdrms: 4/2 Baths: 2.50 AC: Yes Sale: 03/29/2016 - \$272,436 NUTC: D013 Recording: 470183 Slab on grade 3 Stall garage 2 1/2 Bath 2 Bedrooms
 Rank: PIN: (009) 65-6107680 Deed: SOBOLIK, BARBARA J Contract: Address: 605 14 ST SE Map: Zone 9 - Res Tax Dist: M1 Land (SF): 12,211.00	1,85% (009) 65-6107680 SOBOLIK, BARBARA J 605 14 ST SE Zone 9 - Res M1 12,211.00	1706 A 1 Story Frame 2012 1,708 / 1,706 Crawl / None Rooms/Bdrms: 5/3 Baths: 2.50 AC: Yes Sale: 01/15/2016 - \$252,000 NUTC: D000 Recording: 469033 3 Stall garage 2 1/2 Baths 3 Bedrooms 1 Story Frame crawl space/NO BSMT
 Rank: PIN: (009) 65-6108635 Deed: YANTZER, DARYL R & BILLIE R Contract: Address: 716 14 ST SE Map: Zone 9 - Res Tax Dist: M1 Land (SF): 6,043.00	2,82% (009) 65-6108635 YANTZER, DARYL R & BILLIE R 716 14 ST SE Zone 9 - Res M1 6,043.00	1348 A 1 Story Townhouse 2012 1,362 / 1,348 Crawl / None Rooms/Bdrms: 5/3 Baths: 2.25 AC: Yes Sale: 03/15/2016 - \$225,139 NUTC: D000 Recording: 469940 2 Stall garage 2 1/4 Bath 3 Bedrooms 1 Story Townhouse crawl space/NO BSMT

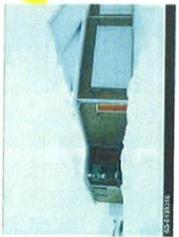
Board of City Commissioners
 Agenda Documentation

Meeting Date: January 3, 2017

Subject: Consider a correction in 2016 True & Full Value for Kent & Gail Jacobson

Comparable Search for 65-6107645
 City of Mandan

Subject/Comparables

Rank:	Parcel Information	Building Information
 Rank: 3.74% PIN: (009) 65-6108330 Deed: MITTELSTADT, THOMAS J & BRIANNA L Contract: 1709 RIDGE DR SE Address: Zone 9 - Res Map: M1 Tax Dist: 14,865.00 Land (SF):	Style: Split Foyer Frame Year built: 2012 Base Area/TLA: 1,196 / 1,206 Bsmi/Attic: Full / None Rooms/Bdrms: 7 / 4 Baths: 2.25 AC: Yes Sale: 03/18/2016 - \$270,798 NUTC: D000 Recording: 468992	
 Rank: 4.70% PIN: (009) 65-6108685 Deed: SEIFERT, THOMAS & ELIZABETH Contract: 704 14 ST SE Address: Zone 9 - Res Map: M1 Tax Dist: 15,253.00 Land (SF):	Style: Split Foyer Frame Year built: 2013 Base Area/TLA: 1,204 / 1,213 Bsmi/Attic: Full / None Rooms/Bdrms: 7 / 4 Baths: 2.00 AC: Yes Sale: 06/25/2015 - \$269,900 NUTC: D000 Recording: 465225	
 Rank: 5.68% PIN: (009) 65-6108310 Deed: LEWIS, TODD & PAMELA Contract: 1907 RIDGE DR SE Address: Zone 9 - Res Map: M1 Tax Dist: 6,117.00 Land (SF):	Style: 1090A Year built: 1 Story Townhouse Base Area/TLA: 2014 Bsmi/Attic: 1,090 / 1,119 Rooms/Bdrms: Full / None Baths: 2.75 AC: Yes Sale: 04/24/2015 - \$268,000 NUTC: D000 Recording: 463827 3 Bedrooms 2 3/4 Bath 3 stall garage full bsmt	

Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Consider a correction in 2016 True & Full Value for Kent & Gail

Jacobson

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Comparable Search for 65-6107645

City of Mandan

Subject/Comparables



Rank: 6.64%
PIN: (009) 65-6107705
Deed: MOON, GARRETT & KATIE
Contract:
Address: 713 14 ST SE
Map: Zone 9 - Res
Tax Dist: M1
Land (SF): 15,914.00

Building Information
Style: 1 Story Frame
Year built: 2013
Base Area/TLA: 1,550 / 1,550
Bsmt/Attic: Full / None
Rooms/Bdrms: 8 / 5
Baths: 3.50
AC: Yes
Sale: 01/20/2016 - \$396,424
NUTC: D000
Recording: 469127

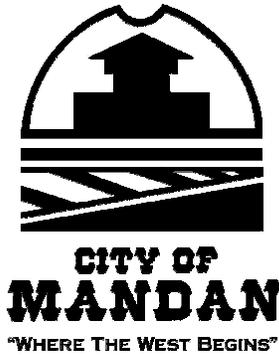
1550 A
1 Story Frame
5 Bedrooms
3 1/2 Bath
3 Stall garage
full Bsm't



Rank: 7.51%
PIN: (009) 65-6108350
Deed: BRANDT, RONALD & KATHERINE
Contract:
Address: 1609 RIDGE DR SE
Map: Zone 9 - Res
Tax Dist: M1
Land (SF): 15,396.00

Building Information
Style: 1 Story Frame
Year built: 2013
Base Area/TLA: 1,650 / 1,669
Bsmt/Attic: Full / None
Rooms/Bdrms: 7 / 4
Baths: 3.25
AC: Yes
Sale: 08/01/2016 - \$390,432
NUTC: D000
Recording: 472586

1650 A
1 Story Frame
4 Bedrooms
3 1/4 Bath
3 Stall garage
full Bsm't



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 3rd, 2017
PREPARATION DATE: December 21st, 2016
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler
SUBJECT: Out of State Training

STATEMENT/PURPOSE: Seeking authorization for Detective Matthew Graves to attend Fire Investigation training in Emmitsburg, Maryland.

BACKGROUND/ALTERNATIVES: The Mandan Police Department is responsible for investigating fires that involve criminal activity and assisting the Fire Department when needed. The specialized training necessary to investigate fires is not typically offered in North Dakota, but it is available through the National Fire Academy in Emmitsburg, Maryland.

The training lasts two weeks and the costs are reimbursed. The exact dates of the training are unknown because there are multiple sessions throughout the year and students are assigned by the academy.

ATTACHMENTS: None

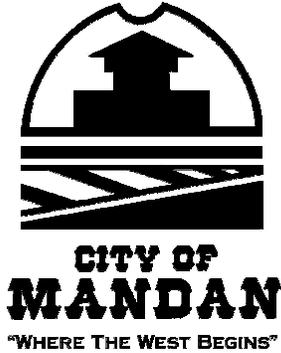
FISCAL IMPACT: The initial costs will be paid for out of the Police Departments 2017 Training Budget and when reimbursement is obtained we are requesting those funds be deposited back into the Police Departments training budget.

STAFF IMPACT: None

LEGAL REVIEW: None

RECOMMENDATION: Recommend the approval of out of state travel/training.

SUGGESTED MOTION: I make a motion to approve out of state travel for Detective Matthew Graves in 2017 for the purpose of attending the Fire Investigation training in Emmitsburg, Maryland.



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 3rd, 2017
PREPARATION DATE: December 21st, 2016
SUBMITTING DEPARTMENT: Police Department
DEPARTMENT DIRECTOR: Jason Ziegler
PRESENTER: Jason Ziegler
SUBJECT: Out of State Training

STATEMENT/PURPOSE: Seeking authorization for Lieutenant Pat Haug to attend orientation for Improving Criminal Justice Response in Alexandria, Virginia on January 24-26, 2017.

BACKGROUND/ALTERNATIVES: In October of 2016 the Abused Adult Resource Center and the Mandan Police Department obtained a Federal grant to address Domestic Violence, Sexual Assault, Stalking and Dating Violence. A requirement of the grant is attendance at the orientation for Improving Criminal Justice Response for grantees. The cost of the travel and training will be paid for out of the grant.

ATTACHMENTS: None

FISCAL IMPACT: The cost of travel and training will be paid for out of the grant.

STAFF IMPACT: None

LEGAL REVIEW: None

RECOMMENDATION: Recommend the approval of out of state travel/training.

SUGGESTED MOTION: I make a motion to approve out of state travel and training for Pat Haug to attend the orientation for Improving Criminal Justice Response for grantees.

December 6, 2016

To: New Recipients of Improving Criminal Justice Response (ICJR) Grants

From: Sujata Warriar PhD, Director of Training and TA, Battered Women's Justice Project (BWJP)

The Office of Violence Against Women is pleased to announce that the Orientation for New *Improving Criminal Justice Responses* Grantees will take place in Alexandria, VA on January 24-26, 2017. Below is some additional information related to the orientation.

The meeting will open Tuesday morning and end around noon on Thursday, so that most participants can fly home that day.

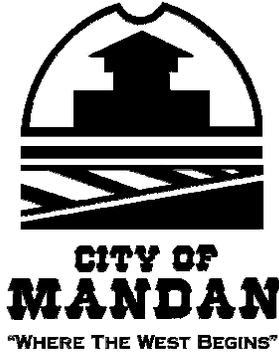
New grantees are required to attend this mandatory Orientation session that covers valuable information about grant compliance issues, project development, available technical assistance, and grant reporting/data collection forms and procedures.

Each grantee should send 2-3 representatives, including:

- the person responsible for general oversight of the project and submission of progress reports, typically the Project Director.
- the Project Manager from the governmental agency most involved in the project if the Project Director does not oversee the daily activities that were funded, e.g., the prosecutor who will manage the new DV prosecution unit, or the Police Lieutenant who will manage a new project on improved investigation of DV stalking.
- the Director, or her/his designee, of the independent domestic and/or sexual violence advocacy organization partnering on the grant.

Additional registration information will be sent later.

If you have any questions about whom you should send, feel free to contact me at 612-824-8768, x116, or swarrier@bwjp.org.



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 3, 2017
PREPARATION DATE: December 22, 2016
SUBMITTING DEPARTMENT: Fire Department
DEPARTMENT DIRECTOR: Chief Steve Nardello
PRESENTER: Chief Steve Nardello
SUBJECT: Budget Amendment -NDDDES Reimbursements

STATEMENT/PURPOSE: To request approval for reimbursement money from the ND Department of Emergency Services (NDDDES), which has been paid to the City of Mandan, be added back into the Fire Department's 2016 budget.

BACKGROUND/ALTERNATIVES:

Expenses directly related to the Mandan Fire Department's assistance to the Morton County Sheriff's Department have initially been paid from the fire department's budget. These expenses include wages and equipment expenses. The personnel reimbursement will be placed into the 2016 payroll expenses and the equipment reimbursement into the fire department equipment reserve account.

ATTACHMENTS: None

FISCAL IMPACT: As of this date, the reimbursement totals for the fire department are:

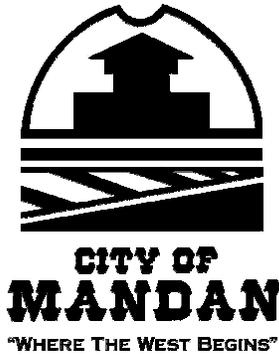
- Personnel Costs = \$9,630.10
- Equipment Costs = \$26,520.00
- Total = \$36,150.10

STAFF IMPACT: None

LEGAL REVIEW: None

RECOMMENDATION: Move to approve for the reimbursement dollars from NDDDES, for fire department expenses, be moved into the Fire Department's 2016 budget.

RECOMMENDED MOTION: Move to approve the fire department 2016 revenue budget amendment request with reimbursement funds from NDDDES. \$26,520 to equipment reserve and \$9,630.10 to salaries & benefits.



Board of City Commissioners

Agenda Documentation

MEETING DATE: January 3, 2017
PREPARATION DATE: December 28, 2016
SUBMITTING DEPARTMENT: Business Development & Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development & Communications Director
PRESENTER: Ellen Huber, Business Development & Communications Director
SUBJECT: Appointments to Mandan Growth Fund Committee

STATEMENT/PURPOSE: Consider appointments to the Mandan Growth Fund Committee (MGF).

BACKGROUND/ALTERNATIVES: The MGF is a nine-member committee that considers requests for economic development incentives. It makes recommendations to the City Commission related to applications for assistance to businesses desiring to expand or locate in the Mandan area with a focus on economic diversification, enhancing employment opportunities, expanding the local tax base, increasing capital investment and improving the entrepreneurial climate.

There are two positions up for consideration with the following preferences: one representing the Memorial Highway/east Mandan area, and one representing the community at large. Terms are three years. Growth Fund Committee members may be representatives of the Mandan business community through ownership or employment with a Mandan business or Mandan residents. Letters of interest were sought through an Oct. 13, 2016, news release with a requested deadline for responses of Nov. 1 or until positions are filled.

Members whose terms are expiring are:

- Jeremy Bauer (1st term)
- Curtis Patzell (1st term)

The MGF met Dec. 22, 2016 to consider letter of interests from the following persons:

- Jeremy Bauer
- Susan Beehler
- Curtis Patzell

ATTACHMENTS:

- Letters of interest

FISCAL IMPACT: n/a

STAFF IMPACT: n/a

LEGAL REVIEW: n/a

RECOMMENDATION: The MGF recommends the re-appointment of Jeremy Bauer and Curtis Patzell to a second term of three years, from 2017 through Dec. 31, 2019.

SUGGESTED MOTION: I move to approve the recommendation, reappointing Jeremy Bauer and Curtis Patzell to the Mandan Growth Fund Committee for three-year terms from 2017 through 2019.

Board of City Commissioners

Agenda Documentation

Meeting Date: January 3, 2017

Subject: Appointments to Mandan Growth Fund Committee

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Ellen Huber

From: Bauer, Jeremy - ARS <Jeremy.Bauer@ARS.USDA.GOV>
Sent: Monday, October 31, 2016 2:31 PM
To: Jim Neubauer
Cc: Ellen Huber
Subject: Mandan Growth Fund letter of interest

Jim,

I am writing this letter in regards to the end of my 1st term on the MGF committee. I would like to be considered for another 3 year term as I believe over the last 3 years we have been able to accomplish many things for the betterment of the city of Mandan. I hope to continue with the committee and assist with the progress of the city of Mandan.

Thank you,

Jeremy Bauer
Purchasing Agent
USDA-ARS
PO Box 459
1701 10th Ave SW
Mandan ND 58554
701-667-3002

December 6, 2013

Mandan City Commission
205 Second Avenue NW
Mandan, ND 58554

To the Members of the Growth Fund Committee:

I would like to express my interest in applying for one of the two open seats on the Growth Fund Committee. I think that I am a strong candidate for this position for several reasons, below is a little about myself and what I may bring to this committee:

1: I have a great stake in our community as a resident of Mandan for 17 years and a parent of two children who currently attend Lewis and Clark Elementary. My wife, Cassie, was born and raised in Mandan and she's an active member on the Parent Teacher Organization at the school. I am also a volunteer coach for the Mandan Youth Football.

2: I am currently employed with Coco-Cola as an Account Manager and have been for two years, prior to that I was employed with Bobcat Co. With Bobcat I was in a leadership role, I have strong communication skills, verbally and via email. I've worked with a diverse group and handle myself diplomatically with professionals of all levels. I have a strong work ethic, loyal and dependable.

3: A driving factor in my interest in serving on the Board is to continue moving Mandan forward. I believe our community has come far but this is an exciting time in our history and I would like to assist in that continued movement.

I'd very much like to be part of the growth and I appreciate you taking the time to review my letter of intent. If you have any questions please call me at 391-5460. I hope that you will find me to be a worthwhile addition.

Thank you,

Jeremy Bauer
2701 11th Ave NW
Mandan, ND 58554
391-5460

Susan Beehler Mandan Resident for 24 years

Mandan business owner of ShopSuzyB (formerly Suzy Shuzen Starz) a Pride of Dakota fashion accessories company creating gifts to “Whisper to the Heart”. Focus is on marketing my products wholesale, currently servicing stores, shops and boutiques in North Dakota, Montana and Minnesota. My products have reached customers in all 50 states, DC, Puerto Rico and the Virgin Islands.

Business email suzyb@shopsuzyb.com

Personal email suzybbuzz@gmail.com

Work Experience

over 20 years in retail and customer service

over 18 years in the hospitality industry

over 13 years as a small business owner of two Mandan businesses

over 9 years in test administration with an international company

over 4 years in shipping/postal industry

Current Organizations

board member for the Bismarck/Mandan Professional Woman

board member Bismarck Urban Harvest

council member of the West Central Human Services Regional Council

Social media lead for a national mom’s organization

Member of:

Bismarck Historical Society

Bisman Stilettos

Mandan Progress Organization

North Dakota State Railroad Museum in Mandan

North Dakota Women’s Network

Pride of Dakota

Past Experience

Participant in Innovate North Dakota program

Presenter at 1Million Cups

Founding board member of the Mandan Historical Society

Writer of grant for our Mandan Heritage Homes

National Trust for Historical Preservation

Busy Committee

Girl Scout leader for 8 years

Over 8 years as a church youth leader

Camp director

Christmas program director

Curtis Patzell

3905 Edgewater PL SE
Mandan ND 58554
C- (701)400-6637
H- (701)663-3545
Curtispat@aol.com

October 28, 2016

Commissioners,

I'm contacting you in regards to the open positions on the Mandan Growth Fund Committee.

The past two years I have served on the Mandan Growth Fund Committee and would like to be considered to be appointed for a full three year term. During my term on the committee I have been an active and supportive member in promoting the needs and business environment of Mandan.

As a resident of Mandan, I believe that it is important to support the community, and give back to a community that has provided me with so much. In addition to being a resident of Mandan, I also have over 32 years of retail experience. Including 23 years as store manager of the Wal-Mart Store in Bismarck ND. I have retired from that position and I am interested in using my knowledge and experience to provide guidance in other areas.

During my time as Store manager, I have always been involved in committees and groups, as I feel that it is important to give back to the communities that have provided for me and my family over the years. In addition to my experience in retail and leadership, I also have a Bachelors degree in Business Administration from Kansas State University.

Please accept this letter as confirmation of my continued interest in serving on the Mandan Growth Fund for the City of Mandan. I believe that the Committee would continue to benefit from my experience, leadership and vision.

Thank you for your consideration.
Best regards,

Curtis Patzell

**CITY OF MANDAN
EMERGENCY DECLARATION**

WHEREAS, the City of Mandan has suffered damages from Severe Winter Weather that was caused by wet heavy snow, winds, and blizzard conditions that occurred on November 29, December 5, December 25, 2016 and January 2, 2017; and

WHEREAS, this storm blocked city roads and streets requiring the expenditure of excess amounts of money for snow removal; and

WHEREAS, the impact of these damages raise concerns and threaten the health, well-being, and public safety of citizens in the City of Mandan due to said storms; and

WHEREAS, the cost of snow removal and the cost of repair, replacement and cleanup of damaged property is in excess of available citizen and city resources.

NOW, THEREFORE, BE IT RESOLVED that the Mandan City Commission declares a state of emergency to include costs and damages from severe storm activity to limit the hardships and impact of this emergency upon the citizens of the City of Mandan.

DATED at Mandan, North Dakota, this _____ day of January, 2017.

CITY OF MANDAN

By: _____
President