

AGENDA
MANDAN CITY COMMISSION
JUNE 2, 2015
ED "BOSH" FROEHLICH MEETING ROOM,
MANDAN CITY HALL
5:30 P.M.
www.cityofmandan.com

-
- A. ROLL CALL:
1. Roll call of all City Commissioners.
- B. APPROVAL OF AGENDA:
- C. PUBLIC COMMUNICATIONS:
- D. MINUTES:
1. Consider approval of the minutes from the May 19, 2015 Board of City Commission Regular Meeting.
- E. PUBLIC HEARING:
1. Conduct public hearing to consider approval of Land Use & Transportation Plan adopted by Planning and Zoning Commission
- F. BIDS:
1. Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 198, Project 2015-03 (Midway 14th Addition Phase II).
2. Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 200, Project 2015-09 (24th Street NW between 6th Avenue NW and 8th Avenue NW).
3. Consider bid proposals for the hauling of municipal waste to an approved Municipal Waste Facility.
- G. CONSENT AGENDA:
1. Consider plat for Lakewood Commercial Park Third Replat
2. Consider approval of the following site authorizations for the Mandan Hockey Club, Inc. from July 1, 2015 through June 30, 2016:
i. The Silver Dollar
ii. Old Town Tavern
iii. The Ridge Motel Corp.
iv. Vicky's Sports Bar
3. Consider approval of Sales & Use Tax Collection Agreement with the ND Office of State Tax Commissioner for 2015-2017.
4. Consider Fire Department 2015 equipment reserve budget amendment.

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5. Consider Master Meter installation agreement between the City of Mandan and Missouri West Water System.
 6. Consider appointment of Inspectors and Judges for June 9, 2015 Special Election.
- H. OLD BUSINESS:
1. Consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).
- I. NEW BUSINESS:
1. Consider Growth Fund Committee recommendation regarding an application from Malloy Electric for a Flex PACE interest buy-down.
 2. I-94 Corridor Study presentation and consideration for adoption.
- J. RESOLUTIONS AND ORDINANCES:
1. Second Consideration and Final Passage of Ordinance No. 1208 rezoning Lakewood 8th Addition.
- K. OTHER BUSINESS:
- L. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:
1. June 16, 2015
 2. July 7, 2015
 3. July 21, 2015
- M. ADJOURN

Public Communication

A scheduled time for public participation has been placed on the agenda at Mandan City Commission meetings. The Board desires to hear the viewpoints of citizens throughout the City. Individuals wishing to address the Board are encouraged to make arrangements with the Board President or the City Administrator prior to the meeting. Comments should be made to the Board and not to individuals in the audience and be related to City operations and programs. The Board will not hear personal complaints against any person connected with the City. If a citizen would like to add a topic to the agenda, arrangements must be made in advance with the City Administrator or Board President. The Board reserves the right to eliminate or restrict the time allowed for public participation. The Board requests that comments are limited to three (3) minutes or less. Groups of individuals addressing a common concern are asked to designate a spokesperson.

The Mandan City Commission met in regular session at 5:30 p.m. on May 19, 2015 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Van Beek, Tibke, Rohr, Laber, and Braun. Department Heads present were Finance Director Welch, Paul Leingang – Mandan Police Dept., City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Planning & Engineering Director Froseth, Planner Decker, Assessor Shaw, and Building Official Lalim. Absent: Police Chief Bullinger, Fire Chief Nardello, and Business Development & Communications Director Huber.

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

C. PUBLIC COMMUNICATIONS: Mayor Van Beek invited anyone interested to speak for or against any items on the Agenda to come forward.

Susan Beehler, a Mandan resident since 1992, came forward to speak. She requested the Commission to vote “No” on the proposed Cemetery Policy and to ask the Commission to reconsider the policy by including input from those who are most affected by the policy that have loved ones that are buried there or have purchased plots. She stated this is a community cemetery and community members grieve differently. What some may think as gaudy or messy may be a comfort to another. In comparing this cemetery to others, you will find that this cemetery is unique. In the photos that the Maintenance Department shared, they showed policies like the ones they want to adopt. One of the things people enjoy about this cemetery is that it is unique and is different. She thinks this is a characteristic that Mandan should champion and not ban. She provided some recommendations for the policy such as allowing solar lights or stating how far they should be placed from an adjoining plot or from another headstone. For those who make it difficult to mow around, have them sign an agreement for upkeep and have them pay a fee or fine if they are non-compliant with the policy. She asked if trees and bushes will be removed in order to not have to mow around them.

What about the items that are going to be removed by September 1st? Who will store and label them? How will out of town visitors know of this change? If a complaint is to be filed, have a place available to file the complaint and a way to dispute it. People should have the opportunity to remove an item from a gravesite in their timeframe, not when a policy dictates them to do so. She provided photos of items that were in certain locations in 2010 (windmill, bench, arch) that have since been removed. She said that the cemetery is not just a storage place for the dead. It serves a vital purpose of those that are living to those who have lost a loved one. She said that as a community we should not deny residents something they have been allowed to do in the past. She thinks people will cooperate if they have been included in the policy process. Mandan needs policies that are inclusive, not exclusive when paid for with tax dollars. If a change is going to be made, those directly affected by the policy should be involved. She said that cemeteries in Bismarck and one in Garrison were contacted about this. She does not think any Mandan residents were contacted because she has plots there and was not contacted. She

requested the Commission reconsider and allow the residents to have input. She provided pictures of examples of how graves are marked if the owners so chooses until headstones are placed. She suggested having designs to give to people who purchase plots showing them what would be acceptable items to put on a plot. She requested clarification of the policy contents and again requested that interested parties be allowed to have input in the policy. She will submit the above information to be included within the record of these minutes.

Leroy Volk came forward to speak. He said his wife has family members buried at this cemetery. He explained what they have placed at the gravesites in order to put flowers there every year and he does not feel that is doing any harm. He complained about the holes in the grounds throughout the cemetery that need to be fixed.

Mary Wald came forward and stated she has family and friends buried there and she takes care of those plots. The items she has placed on the graves should not bother the mowing. She thinks the policy should be written so that those who want to put stuff on the graves be allowed to do so, but she also thinks trash items should be removed. She said she visits the cemetery at least once a month, sometimes more.

Mandy Dendy came forward to speak and stated she opposes the proposed changes to the Mandan Union Cemetery because they are unnecessarily restrictive. She said the restrictions are a complete reversal of the cemetery rules that have been in place for approximately 77 years. She said she and her husband have lots at the Union Cemetery and she has children buried there. She explained how she maintains and takes care of their graves. She said the gravesite is a remembrance for her, her husband and her four other children. She said the proposed regulations do not take into account the times when loved ones physically want to remember their deceased with mementoes outside of the designated times. She requested the proposed changes be rejected and that a much less restrictive change be placed for ease in maintenance and preserving the cemetery's beauty and the cemetery tradition of allowing freedom of how people can decorate their loved one's gravesite. The new regulation should give each plot owner a certain amount of space around the headstone that could be maintained with personal items with a uniform size and shape that would be separated by mulch or rock that would not interfere with the mowing and trimming of grass.

Items placed at the gravesite would have to be attached, fixed, or contained and left within the bordered area to prevent them from blowing around. There would be no restrictions on the items left in the bordered area but the cemetery would reserve any right to remove any items that impede mowing and trimming outside of the area. For the benches at the cemetery she would suggest that those who own the benches be liable for moving the benches during the mowing season. She also suggested that perhaps a contract of owner's responsibilities be drafted to include items such as that. She encouraged the Commission to look beyond what other cemeteries are doing because there are people who purchased plots at Mandan Union Cemetery because of its personal atmosphere and to avoid restrictions that other local cemeteries have. The local Veteran's Cemetery is a beautiful example of a military precision cemetery. But that

should not be the standard all cemeteries are held to. The drastic changes will literally change the cemetery's landscape. But are they reasonable? She encouraged the Commission to consider the suggestions she presented.

A second announcement was made for anyone to come forward to speak. Hearing none, this portion of the Public Communications was closed.

D. MINUTES:

1. *Consider approval of the following minutes from the Board of Equalization meeting held on April 21, 2015 @ 7 pm and the Board of City Commission regular meeting held on May 5, 2015.* Commissioner Laber moved to approve the minutes as presented. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present. The motion passed.

E. PUBLIC HEARING:

1. *Consider plat and rezoning for Lakewood 8th Addition.* Planner Decker presented this request stating that this is a continuation of the Lakewood project. The original request was for a larger area by a developer who had purchased additional land and this was backed down to a smaller area. He presented a draft plat stating the final plat will be presented at the next meeting. The request before the Commission at this time is to move forward with the re-zoning for this area. This area is currently an agricultural zone and the request is to move it to an R7 and R3.2, a continuation of the residential development in this area.

Mayor Van Beek announced this is a public hearing to consider the platting and rezoning for Lakewood 8th Addition. He invited anyone interested in speaking for or against the matter to come forward. A second announcement was made for anyone to come forward. Hearing none, this portion of the Public Hearing was closed.

2. *Consider an application for Property Tax Incentives for a New and Expanding Business by National Information Solutions Cooperative (see New Business No. 1).* City Administrator Neubauer stated this matter is a public hearing regarding the application for Property Tax Incentives for a New and Expanding Business by National Information Solutions Cooperative (NISC). NISC has requested a Tier 2 Exemption which allows for a 100% exemption in years 1 and 2, 75% in year 3, 50% in year 4 and 25% in year 5. The first step for NISC would be to obtain a primary business sector certification which is obtained from the ND Department of Commerce. NISC is planning to build a 33,000 sq. ft. addition which will allow the company to expand in Mandan. This is an application for a Tier 2 Property Tax Exemption which will allow NISC to hire 15 more full time jobs in the 1st year. They currently employ over 300 full and part time individuals. The total approximate project cost is \$5.8 million with an estimated value of an annual 100% exemption of \$91,060 and based on the Tier 2 formula, the total estimated value of the exemption over five years is \$318,710.

Legal notices were published in the Mandan News on April 24, 2015 and May 1, 2015 and email notices sent to the Mandan Public School District, Morton County Auditor and

the Mandan Park District regarding comments to this request and no comments have been received to-date. NISC representative Tracy Porter was present to answer any questions. He stated NISC has offices in 3 other locations in Iowa and Missouri and they have chosen to expand in Mandan rather than the other locations.

Mayor Van Beek announced this is a public hearing to consider the application for Property Tax Incentives for a New and Expanding Business by National Information Solutions Cooperative. He invited anyone interested in speaking for or against the matter to come forward. A second announcement was made for anyone to come forward. Hearing none, this portion of the Public Hearing was closed. Commissioner Rohr commented that he favors this request and that he looks at this as an investment into the future of Mandan.

F. BIDS:

1. *Consider bid opening results for Street Improvement District No. 199, Project 2014-28(NE Downtown Area).* Planning & Engineering Director Froseth stated that two bids were received on 5/14/15 for this project. Northern Improvement Company submitted the low bid in the amount of \$3,513,389. The Engineer's Estimate was \$2,507,000 which makes the bid 40.1% higher than was estimated for the project. Per North Dakota Century Code, constructing a project by special assessment method, the City must reject a bid amount of 40% over the estimate. Meetings were held today with the bidders and the consulting engineer, Stantec, to understand why the bid amount was so much higher than the estimate. As a result, one of the notables was that there is a manhole included within this project, (one underground component) and both contractors bid that much higher due to questions as to how much of a trunk sewer was coming into that and what kind of coordination efforts it will take to replace that manhole. There were also concerns with the constructability issues in the alleyways.

There were concerns about it being a 2-phase project with about 2/3 of the project being done this year, (as proposed), with the remainder being carried over to next year and what oil prices might do in that time. There were also some sub grade prep concerns being part of the discussion since we didn't have it as a bid item. Director Froseth said that it is hoped that over the next couple weeks a better understanding of this project will be attained which will allow time to develop a better plan for the future. Under the circumstances they will probably propose doing less this year. It is hoped to open the bids in mid to late June with the bid award set for some time in early July. Director Froseth recommended rejecting the bid. As stated, the percent overestimate is really close to 40% and they aren't absolutely sure it is because this is the latest information. He indicated that the concerns include the cost of the base material directly under the asphalt material. Some of the concerns are if there will need to be 8-9 inches of aggregate base or if it should be a cement base stabilizer in lieu of that much base and whether sod is used versus hydro-seed. The manhole will be addressed outside of this contract.

Commissioner Laber motioned to reject the street improvement bids received for Street Improvement District No. 199, Project 2014-28 (NE Downtown Area). Commissioner Rohr seconded the motion.

Commissioner Laber amended the main motion to authorize the Planning and Engineering Department to have the plans and specs rebid as soon as they are prepared. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

Commissioner Rohr motioned to reject the bids as amended to authorize the Planning and Engineering Department to revise the plans and specs and rebid the project. Commissioner Tibke seconded the motion. The motion received unanimous approval of the members present. The motion passed.

2. *Consider concurrence of low bid for downtown sidewalk ADA ramp improvements as opened through the NDDOT bid opening system.* Planning & Engineering Director Froseth stated that on May 8, 2015, bids were opened for the Main Street ADA ramp improvements through the NDDOT bid opening system. Two bids were received and the low bidder was Ti-Zack Concrete in the amount of \$375,858.50. This bid is approximately 11.7% higher than the engineer's estimate of \$336,000. The City is responsible for 10% of this project of the cost share of the project which would be an estimate cost of \$58,350.40 after engineering and administrative costs. The NDDOT has indicated acceptance of the low bid and Director Froseth would recommend awarding the project contingent on concurrence with the City. This project would improve the sidewalk ramps from 10th Avenue West to Collins Avenue and the construction will occur in 2015. He said there is a plan to improve the east half of Main Street in 2016.

Commissioner Laber moved to concur with the NDDOT's intent to award the project to the low bidder Ti-Zack Concrete. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

G. CONSENT AGENDA

1. *Consider approval of monthly bills.*
2. *Consider request from Mary Himmelpach, Meter Reader II, to carryover 40.74 hours of annual leave for six months.*
3. *Consider approval of the following site authorizations for the Fort Abraham Lincoln Foundation from July 1, 2015 through June 30, 2016: (i) Midway Lanes (ii) Broken Oar (iii) Lonesome Dove (iv) Seven Seas.*
4. *Consider approval of beer garden street dance application for Buggies-n-Blues, all Class Reunion, Wild West Grill Fest and Oktoberfest all for Mandan Progress Organization.*
5. *Consider approval of the following site authorizations for the Cystic Fibrosis Association of ND from July 1, 2015 through June 30, 2016: (i) Stage Stop (ii) Colonial Lounge.*
6. *Consider Obligor Resolution for the Government Lease Contract for the Landfill Front End Loader.*
7. *Consider approval of MPO events' road closures consistent with past years.*

8. *Consider the following games of chance (i) Nylee Dimeo Cancer Fund at Dacotah Centennial Park from June 1-August 21, 2015 (ii) Morton County 4-H Council at Morton County Court House from July 15-September 30, 2015.*

9. *Consider NDDOT Consent Agreement for MPO Events Road Closures.*

Commissioner Laber moved to approve Consent Agenda as presented. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

H. OLD BUSINESS:

I. NEW BUSINESS:

1. *Consider Growth Fund Committee recommendations:* City Administrator Neubauer presented the following items for discussion and approval:

(i) *Application for Property Tax Incentives for a New and Expanding Business by National Information Solutions Cooperative (NISC):* Commissioner Tibke moved to approve the Property Tax exemption request by National Information Solutions Cooperative for a new building to be constructed on its Mandan campus for a 100% exemption in years 1 and 2, 75% in year 3, 50% in year 4 and 25% in year 5 respectively. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

(ii) *Application for PACE interest buy-down by NISC:* NISC has applied for a PACE interest buy-down for a \$1.5 million loan as part of their total project. As explained earlier, the building is a \$5.8 million project with a parking lot and other improvements for a total project cost of \$7.5 million. Regarding the interest buy down, part of it is funded through the Bank of ND (BND) through their program that requires a local match. The total amount of the buy down for the interest is \$212,020.72 and of that, approximately \$138,000 comes from the BND and approximately \$74,000 is the local match for the 65/35 project costs. This is a zero interest loan and NISC has paid the upfront costs. The Mandan Growth Fund has approximately \$465,000 and the \$75,000 is available within that fund to use. The Mandan Growth Fund Committee met on May 12, 2015 and voted to approve the interest buy down request from NISC.

Commissioner Laber moved to approve the interest buy-down for NISC for its expansion project with the local match of \$74,207.24 to be structured as a loan with the term and rate as recommended. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

(iii) *Request for an extension of the deadline for completion of a Storefront Improvement project at 112 Second Avenue NW:* City Administrator Neubauer stated that this is a request from former Dot Frank for the extension of a project due to unexpected work with a delay in delivering materials to complete this project by the June 17, 2015

deadline. She is requesting an extension until December 31, 2015. The Mandan Growth Fund met on May 12, 2015 and voted to support a recommendation to approve this extension to 12/31/15.

Commissioner Rohr moved to approve the request for an extension of the deadline for completion of a Storefront Improvement project at 112 Second Avenue NW to December 31, 2015. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Consider funding requests from the Mandan Progress Organization (MPO) Funding Committee:* Del Wetsch, MPO, presented funding request recommendations from the MPO Funding Committee from the City of Mandan Advertising Fund. He said there were 16 applications received for funding this year. The applicants will receive a grant from the City of Mandan in the form of 50% in Mandan dollars and 50% in a check and they need to meet certain criteria to qualify. The MPO Funding Committee met and reviewed the applications and subsequently the 16 applications were approved by the MPO Board. The MPO is recommending approval by the City Commission. He explained that the MPO has teamed up with the Mandan Park District to share the costs of bringing Slide the City to Mandan this summer.

Commissioner Tibke moved to approve the 16 application requests as presented from the MPO Funding Committee. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

3. *Consider new Rules and Regulations at Mandan Union Cemetery.* Director of Public Works Wright extended a thank you to the citizens of Mandan who are present at this meeting and expressed their feelings on the proposed Rules and Regulations for the cemetery. He said that the proposed Rules and Regulations are not meant to show any disrespect to any of the patrons of the cemetery. The main concern under the revised Rules and Regulations are meant to give cemetery staff a more effective means of maintaining the cemetery to the highest standards. He said that this matter has been a work in progress for quite some time. The Rules and Regulation changes that are presented are meant to assist the staff to maintain the cemetery in a respectful fashion. Director Wright said he is available to answer any questions with regard to this matter.

Commissioner Laber said she understands there is a burial license that people obtain to be buried there. She questioned whether that license has changed materially? She wants to make sure that anything that was done in the past has been reviewed, (if there are changes to the agreement), and that the City is not in violation of any kind throughout this process. City Attorney Brown stated that when one buys a burial plot you are buying a license to occupy that space in the cemetery. You are not buying the land or the property. He was not sure if there are any policies addressing what can or cannot be done. It was his recommendation that the Commission set new policy as it deems appropriate.

Commissioner Tibke stated that when listening to the testimony and also in discussion with Commissioner Rohr, she stated she agrees with Susan Beehler in that the Commission needs to take more time and set up a task force which could consist of four people. The task force could visit with cemetery staff to come up with compromises based on input from the citizens who have plots there and together they come up with a solution.

Commissioner Tibke motioned to start a Cemetery Task Force with the first meeting in June to have some discussions and try to come up with some compromises of the Rules and Regulations that would benefit both the Cemetery Staff and the citizens who have plots at the cemetery. Commissioner Laber seconded the motion.

Commissioner Laber motioned to amend the Main Motion to have a termination date of the first Commission meeting in July to review what the findings are by the Task Force. Commissioner Tibke seconded the amended motion. The amended motion received unanimous approval of the members present. The motion passed.

Commissioner Rohr stated that he has received over 20 emails regarding this matter. He stated that in the past there may have been polices or rules in place that were never enforced. He stated that even when one purchases a house you are not allowed to put whatever you want there. There has to be some decorum and it has to fit in where your property is located. It should be the same with the cemetery in that there are some standards that are reasonable. But you have to keep in mind that at times there are also unreasonable people to deal with. He stated that there has to be a balance of the needs of the people with the needs of the community. Mayor Van Beek concurred with Commissioner Rohr's statement indicating that there are always covenants, laws, or regulations of some nature when dealing with land and that the Mandan Cemetery should be no different. He agrees that the formation of the Task Force is an appropriate way so that both sides of the issues are taken care of.

Mayor Van Beek asked for a vote on the Main Motion to form the Task Force:
Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

Commissioner Tibke suggested that if anyone is interested in serving on the Task Force that they email her and she will arrange for the meetings. Administrator Neubauer stated that if this matter is to come back to the Commission by the July 7th meeting, individuals who are interested need to let Commissioner Tibke know and arrangements can be made for a meeting. They should anticipate some will and some may not be able to attend. Therefore, there may be a need for more than one meeting. Administrator Neubauer suggested setting a deadline of May 30th to contact Commissioner Tibke for anyone interested in sitting on the Task Force. From that list categories can be developed to see what the people's interest is and then pick one representative from each of the groups. An announcement will be posted on the City of Mandan's website and our Facebook page looking for people who would be interested in being on the Task Force. They would

include the contact date of May 30th so that sufficient time would be allowed for responses.

4. *Consider approval of Reassessment of property - Wachter Development, Inc. for 2014.* City Assessor Shaw stated that this was a standard reassessment review on some vacant land in the City. She said that when increases were given to a vacant land parcel starting in 2014, they were given across the board increases to the vacant lots for the 2014 assessment year to bring them up to the value, per the Board of Equalization guidelines. The land is not thought to be unbuildable; however it is used for storm water drainage at this time. A map was provided on the overhead for review and discussion. Commissioner Laber suggested this be re-evaluated because it seems unfair to give this applicant a break because there are trees on the lot. Assessor Shaw said other property owners have been given this type of break in the past because it is used for the drainage of water and then it is changed if an application for a building permit is granted. Assessor Shaw recommended reducing the land value of the vacant lot because when they do change the use, it will go to the value that it needs to be assessed at once that happens. Doug Lalim stated that if there was an application with the proper storm water review, the Engineering Department would have to approve it before a permit would be issued for the property. That whole lot is a tree line and a drainage area, it is not a flood plain and it does not have any drainage easements on the property.

Commissioner Rohr moved to approve the reduction in land value for 2014 from \$58,500 to \$10,000. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

5. *Water Treatment Plant Intake Study Update.* Planning & Engineering Director Froseth stated that in 2013 the City entered into an agreement with AE2S to study the need and possible location for a potentially new intake for the Water Treatment Plant. In the fall of 2014, AE2S updated the City Commission on findings on a recommended site and the probable cost of the project. Since that time the City and AE2S have been corresponding with permitting agencies and possible funding sources.

Ken Weber from AE2S presented an update on the project since last fall and what is currently happening with the progress of the project. He provided a brief recap. The project cost is expected to cost approximately \$13-15 million. They have been looking at potential impact to users and indicated that the preliminary numbers are in the ballpark of \$150 per year per user increase. They are working to get some grant dollars to help defray the costs of the project from the State Water Commission. He said they are hoping to get a 50% grant, which would cut the cost from \$150 down to \$75 per year per user. He indicated this is only a general picture of the project costs.

There is funding consideration in place wherein the City did receive from the State Water Commission a matching grant of \$1.27 million which means the City will have to come up with the same amount. If additional monies are made available, then both the State Water Commission and Legislative people will request the City to provide more details

and take it into a design scenario. The next steps include the following: Consideration of the proposed site indicating that the last piece of the site process is to sit down with the people who use that area and get their input. Secondly, does the City want to move forward without the funds and design scenario? Lastly, we will continue to search for funds to make this a viable project for the City. A project such as this is usually planned approximately 60 months out.

Commissioner Tibke commented that either way, there will have to be a project design developed. Weber explained that the permitting process would have to be put into place and the details of the design scenario will have to be done. He said that permits are usually good for 3-5 years, depending on what the actual permit requirements are. However, they are usually renewable. Commissioner Laber stated that the State Water Commission has already committed to a 50% match on initial design and permitting. Is the anticipated funding of concern? Weber stated that over the last couple years the State Water Commission has fluctuated with its policies wherein they are not awarding as much money as they thought was possible and they make it harder to qualify for grant dollars especially at the municipal level.

J. RESOLUTIONS AND ORDINANCES:

1. *Consider second consideration and final passage of ordinance 1206 renaming streets in Lakewood Commercial Park Second Replat.* Commissioner Tibke moved to approve the second and final passage of ordinance 1206 renaming streets in Lakewood Commercial Park Second Replat. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Consider Resolution Authorizing Undertaking for Municipal Improvement Consisting of Wastewater Treatment Facility Interim Optimization Improvements.* Finance Director Welch provided a brief background on Resolutions No. 2 and No. 3. He said that on December 2, 2014, the City Commission approved the Resolution authorized the filing of the application with the ND Department of Health for a loan under the Clean Water Act. Subsequently on January 9, 2015, the City was approved by the Industrial Commission for a loan in the amount of \$5.3 million from the State's Public Finance Authority's Clean Water State Revolving Program for financing the optimization project going on at the Waste Water Treatment Plant. The interest rate on the loan is at 2% plus one-half percent administration fee with a maturity date that is scheduled for September 1, 2035. The loan will be repaid from user fees and the City is only obligated for the loan draw requests. This project is included in the City's 2015 Budget. However, in order to receive reimbursement from the State, the City needs to go the final step and execute the loan agreements provided for in the Resolutions before the Commission at this time.

Commissioner Laber moved to approve the Resolution Authorizing Undertaking for the Municipal Improvement Consisting of Wastewater Treatment Facility Interim Optimization Improvements. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

3. *Consider Resolution Authorizing the Issuance of Sewer Improvement Interim Certificates of 2015, Series A and Sewer Improvement Revenue Bonds of 2015, Series A.* Commissioner Laber moved to approve the Resolution Authorizing the Issuance of Sewer Improvement Interim Certificates of 2015, Series A and Sewer Improvement Revenue Bonds of 2015, Series A. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

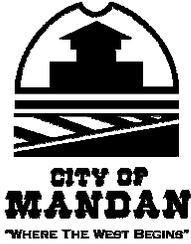
4. *First consideration of Ordinance No. 1208 rezoning Lakewood 8th Addition* Commissioner Tibke moved to approve the First consideration of Ordinance No. 1208 rezoning Lakewood 8th Addition. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

K. OTHER BUSINESS:

There being no further actions to come before the Board of City Commissioners, Commissioner Rohr moved to adjourn the meeting at 7:13 p.m. Commissioner Laber seconded the motion. The motion received unanimous approval of the members present. The motion passed.

James Neubauer,
City Administrator

Arlyn Van Beek,
President, Board of City
Commissioners



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 15, 2015
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Robert Decker, Principal Planner
SUBJECT: Consider for approval a Comprehensive Plan for development of the city

STATEMENT/PURPOSE: North Dakota Century Code §40-48-08 authorizes the city planning commission to adopt a plan for the physical development of the city and of those lands outside the city boundary which bear a relation to the planning of the city. A comprehensive plan meeting the requirements of the North Dakota Century Code was prepared with the assistance of Stantec over the last two years. On April 27, 2015, the Planning and Zoning Commission officially adopted the City of Mandan Land Use and Transportation Plan 2015.

N.D.C.C. requires that the city commission hold a public hearing to consider the plan adopted by the Planning Commission. The N.D.C.C. section that governs this action is stated below:

40-48-11. Hearing on plan by governing body - Notice - Changes in plan - Notice to planning commission - Disapproval of changes.

Upon receipt of an attested copy of the master plan or of any part thereof after the adoption thereof by the planning commission, the governing body shall hold a public hearing thereon. At least ten days' notice of such hearing shall be published in the official municipal newspaper. No change or addition to the master plan or any part of it as adopted by the planning commission shall be made by the governing body until the proposed change or addition shall have been referred to the planning commission for report thereon and an attested copy of the commission's report is filed with the governing body. The failure of the planning commission to report within thirty days after the date of the request for the report by the governing body shall be deemed to be an approval by the commission of the additions or changes. If the additions or changes are disapproved by the commission, a two-thirds vote of the entire governing body shall be necessary to pass any ordinance overruling such disapproval.

ATTACHMENTS:

1. Planning and Zoning Commission Resolution

Board of City Commissioners
Agenda Documentation
Meeting Date: June 2, 2015
Subject: Comprehensive Plan
Page 2 of 4

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

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

RECOMMENDED ACTION:

Open public hearing

Close public hearing

Move to approve the 2015 Mandan Land Use and Transportation Plan adopted by the Planning and Zoning Commission.



Planning and Zoning Commission

Agenda Documentation

MEETING DATE: April 27, 2015
PRESENTER: Robert Decker, Principal Planner
SUBJECT: Conduct a public hearing to seek citizen input prior to considering adoption of a Comprehensive Plan

The City has completed development of a Comprehensive Plan in conformance with the requirements of North Dakota Century Code Section 40-48-08. The document is a plan for the physical development of the city and of those lands outside the city boundary which bear a relation to the planning of the city.

Stantec was contracted to conduct the surveys and studies required to develop the plan. An extensive public input process was conducted. The draft plan has been presented at various public meetings.

This is the final step before adoption. Citizen input is encouraged.

Once the plan is adopted, there will be a formal update process to insure that the plan is kept current and reflects actual development.

RECOMMENDED ACTION:

Open public hearing
Close public hearing
Consider adoption of resolution

**RESOLUTION ADOPTING A COMPREHENSIVE PLAN FOR THE DEVELOPMENT OF
THE CITY OF MANDAN, NORTH DAKOTA**

BE IT RESOLVED BY the Planning and Zoning Commission of the City of Mandan, North Dakota, as follows:

WHEREAS, North Dakota Century Code Section 40-48-08 requires that the planning commission make and adopt a master plan for the physical development of the municipality and of any land outside its boundaries which, in the commission's judgment, bears a relation to the planning of the municipality; and

WHEREAS, North Dakota Century Code Section 40-48-09 requires that the planning commission make careful and comprehensive surveys and studies of present conditions and future growth of the municipality with due regard to its relation to neighboring territory; and

WHEREAS, North Dakota Century Code Section 40-48-10 requires that before adopting the master plan or any part of it or any substantial amendment thereof, the planning commission hold at least one public hearing thereon; and

WHEREAS, Stantec was contracted to assist the city in the development of a plan as required by N.D.C.C.; and

WHEREAS, Stantec conducted the surveys and studies required to develop the plan; and

WHEREAS, Stantec scheduled and conducted numerous public input meetings to discuss the plan; and

WHEREAS, City staff worked closely with Stantec to prepare the plan.

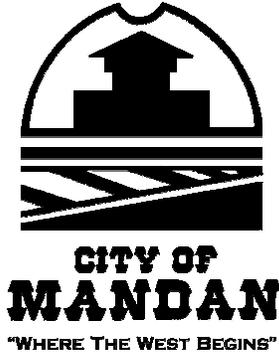
NOW THEREFORE BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF MANDAN, NORTH DAKOTA, THAT:

1. The Comprehensive Plan is hereby adopted; and
2. The Comprehensive Plan shall be presented to the City Commission for approval as required by North Dakota Century Code Section 40-48-11; and
3. Upon approval by the City Commission, staff is instructed to publish and distribute the plan; and
4. Staff is instructed to report back to the Planning and Zoning Commission at least annually regarding implementation of the plan.

Dated this 27th day of April, 2015

President, Planning and Zoning Commission

Attest:



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 29, 2015
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning & Engineering Director
SUBJECT: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 198, Project 2015-03 (Midway 14th Addition Phase II).

STATEMENT/PURPOSE: This is a review and possible award of bids for Street Improvement District No. 198, Project 2015-03 (Midway 14th Addition Phase II).

BACKGROUND/ALTERNATIVES: We received two bids on May 28 for the project and Northern Improvement Company was the low bidder. The bid amount was \$159,960.60. The Engineer's estimate was \$185,552.25.00. The bid is 13.8% lower than the engineer's estimate.

ATTACHMENTS:

1. Bid Tabulation
2. District Map
3. Resolution approving Contractor and Contractor's Bond

FISCAL IMPACT: The Project will be paid for by special assessments from the benefiting properties within the District. The construction cost of the project is \$159,960.60 plus the engineering and administrative cost of \$55,986.21 totaling \$215,946.81. The special assessments will be assessed to the benefiting property. There are 12.75 acres in this special assessment district which brings the amount to be assessed to an estimated \$0.39 per square foot.

STAFF IMPACT: Minimal

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

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 198, Project 2015-03 (Midway 14th Addition Phase II).

Page 2 of 5

RECOMMENDATION: We would recommend awarding the project.

SUGGESTED MOTION: Move to award the bid to Northern Improvement Company as the low bidder of Street Improvement District 198 Project 2015-03 (Midway 14th Addition Phase II) in the amount of \$159,960.60 and approve the Resolution approving Contract and Contractor's Bond.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 198, Project 2015-03 (Midway 14th Addition Phase II).

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BID TAB
STREET IMPROVEMENT DISTRICT NO. 198
CITY PROJECT NO. 2015-03
MIDWAY 14TH ADDITION - ACTION DRIVE
MANDAN, ND
TECO #2196-A
May 28, 2015

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	ENGINEERS EST.	UNIT PRICE	NORTHERN IMP.	UNIT PRICE	MARINER CONST.
202-4.1	UNCLASSIFIED EXCAVATION	1500	CY	\$ 12.00	\$ 18,000.00	\$ 8.30	\$ 12,450.00	\$ 5.00	\$ 7,500.00
203-3.1	WATERING	14	M GAL	\$ 18.00	\$ 252.00	\$ 14.50	\$ 203.00	\$ 80.00	\$ 1,120.00
204-3.1	SUBGRADE PREPARATION	1694	SY	\$ 4.75	\$ 8,046.50	\$ 3.50	\$ 5,923.00	\$ 3.60	\$ 6,098.40
205-3.1	SILT FENCE	100	LF	\$ 10.00	\$ 1,000.00	\$ 7.80	\$ 780.00	\$ 15.00	\$ 1,500.00
205-3.4	6" FIBER ROLLS	200	LF	\$ 4.00	\$ 800.00	\$ 3.40	\$ 680.00	\$ 3.35	\$ 670.00
302-4.1	STABILIZED GRAVEL BASE	530	TON	\$ 35.00	\$ 18,550.00	\$ 35.00	\$ 18,550.00	\$ 38.00	\$ 20,140.00
304-6.1B	AC STABILIZED BASE (CLASS B 1/2-1/2"	240	TON	\$ 135.00	\$ 32,400.00	\$ 110.00	\$ 26,400.00	\$ 124.00	\$ 29,760.00
401-6.2B	AC SURFACE COURSE (CLASS B)2"	200	TON	\$ 135.00	\$ 27,000.00	\$ 110.00	\$ 22,000.00	\$ 124.00	\$ 24,800.00
402-4.2	BITUMINOUS TACK COAT	100	GAL	\$ 3.00	\$ 300.00	\$ 2.10	\$ 210.00	\$ 5.00	\$ 500.00
403-4.1	BITUMINOUS SEAL COAT	1560	SY	\$ 3.50	\$ 5,460.00	\$ 4.00	\$ 6,240.00	\$ 4.20	\$ 6,552.00
603-5.3	STANDARD CURB & GUTTER	647	LF	\$ 18.25	\$ 11,807.75	\$ 25.00	\$ 16,175.00	\$ 18.50	\$ 11,965.50
802-4.3	18" RCP STORM SEWER PIPE	210	LF	\$ 80.00	\$ 16,800.00	\$ 44.80	\$ 9,408.00	\$ 45.00	\$ 9,450.00
802-4.4	18" HDPE STORM SEWER PIPE	174	LF	\$ 80.00	\$ 13,920.00	\$ 95.20	\$ 16,564.80	\$ 94.00	\$ 16,356.00
802-4.53	18" FLARED END SECTION GALV. METAL	1	EA	\$ 1,500.00	\$ 1,500.00	\$ 0.01	\$ 560.00	\$ 600.00	\$ 600.00
803-4.60	BEDDING MATERIAL	180	TON	\$ 18.00	\$ 3,240.00	\$ 1.80	\$ 1.80	\$ 0.01	\$ 1.80
1001-4.12	TRENCHING 27" DEEP	302	LF	\$ 5.50	\$ 1,661.00	\$ 5.60	\$ 1,691.20	\$ 5.50	\$ 1,661.00
1001-4.21	3-NO. 4 CONDUCTORS	302	LF	\$ 6.00	\$ 1,812.00	\$ 5.40	\$ 1,630.80	\$ 5.30	\$ 1,600.60
1001-4.25	NO. 6 COPPER GROUND	302	LF	\$ 1.50	\$ 453.00	\$ 1.10	\$ 332.20	\$ 1.10	\$ 332.20
1001-4.3	TYPE C STANDARD WITH COPPER NAVION NVMT3A LED LUMINAIRE 103 W LED	2	EA	\$ 4,100.00	\$ 8,200.00	\$ 4,368.00	\$ 8,736.00	\$ 4,290.00	\$ 8,580.00
1201-4.1	4" TOPSOILING TO INCLUDE SEEDING & HYDROMULCH	0.2	Acre	\$ 32,000.00	\$ 6,400.00	\$ 28,000.00	\$ 5,600.00	\$ 30,250.00	\$ 6,050.00
1205-4.8	TYPE 36" INLET	1	EA	\$ 4,500.00	\$ 4,500.00	\$ 3,696.00	\$ 3,696.00	\$ 3,630.00	\$ 3,630.00
1206-4.1	ADJ MANHOLE CASTING-ASPH PVMT	1	EA	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 800.00	\$ 800.00
1206-4.19	ADJUST VALVE BOX-UNPAVED AREA	2	EA	\$ 375.00	\$ 750.00	\$ 300.00	\$ 600.00	\$ 400.00	\$ 800.00
1206-4.7	ADJUST INLET CASTING ALL SIZES	1	EA	\$ 300.00	\$ 300.00	\$ 72.80	\$ 72.80	\$ 89.00	\$ 89.00
SP 10	SOIL STERILIZER	1	LS	\$ 1,750.00	\$ 1,750.00	\$ 800.00	\$ 800.00	\$ 2,000.00	\$ 2,000.00
					\$ 185,552.25		\$ 159,960.60		\$ 162,560.50

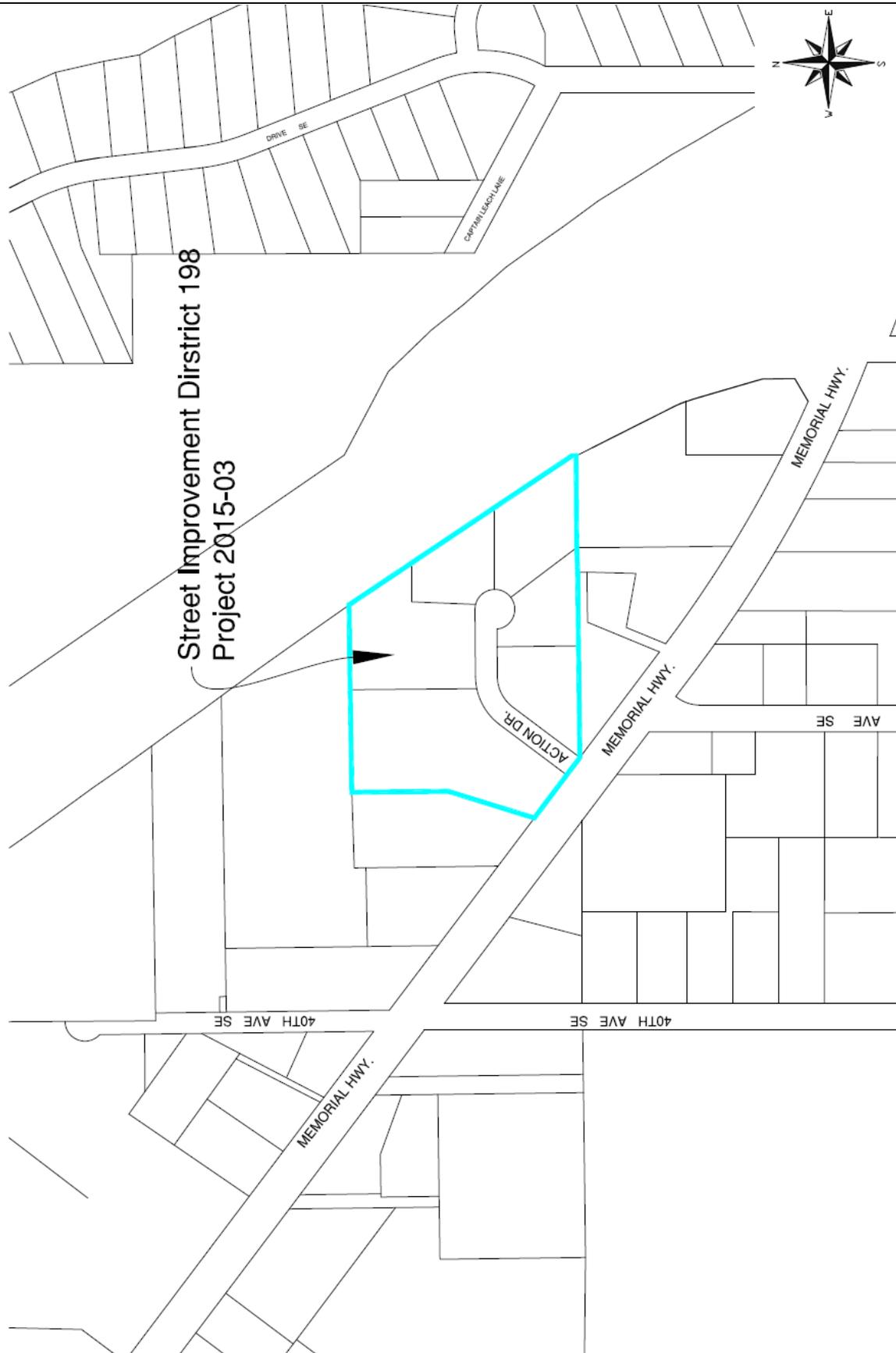
Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 198, Project 2015-03 (Midway 14th Addition Phase II).

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Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 198, Project 2015-03 (Midway 14th Addition Phase II).

Page 5 of 5

RESOLUTION
APPROVING CONTRACT AND CONTRACTOR'S BOND FOR
STREET IMPROVEMENT DISTRICT NO. 198
(Project No. 2015-03)

BE IT RESOLVED by the governing body of the City of Mandan, North Dakota (the "City"), as follows:

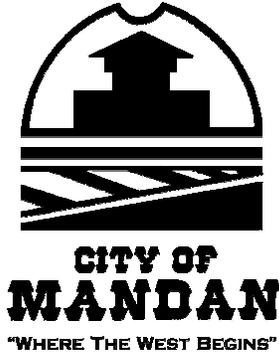
1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Street Improvement District No. 198 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement is hereby ordered to be constructed in accordance with the plans and specifications therefore as heretofore adopted by this Board pursuant to a resolution duly adopted by this Board.
3. It is hereby found and determined that the lowest responsible bidder for various categories of the work, material and skill required for said improvement is Northern Improvement Company whose bid provides for the construction of said improvement at a total estimated base price of \$159,960.60.
4. The President of the Board of City Commissioners of the City of Mandan and City Auditor are hereby authorized and directed to make and enter into a contract with said bidder on the part of the City, in the form prescribed by Sections 40-22-35 and 40-22-35, N.D.C.C. as amended, provided that said bidder shall within ten (10) days from this date execute said contract and a construction bond conditioned in accordance with the provisions of Sections 40-22-30 and 40-22-32 of said Code.

Dated this 2nd day of June, 2015

Arlyn Van Beek, President of the
Board of City Commissioners

Attest:

James Neubauer,
City Administrator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 29, 2015
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning & Engineering Director
SUBJECT: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 200, Project 2015-09(24th Street NW between 6th Avenue NW and 8th Avenue NW).

STATEMENT/PURPOSE: This is a review and possible award of bids for Street Improvement District No. 200, Project 2015-09 (24th Street NW between 6th Avenue NW and 8th Avenue NW).

BACKGROUND/ALTERNATIVES: We received two bids on May 28 for the project and Mariner Construction was the low bidder. The bid amount was \$210,454.05. The Engineer's estimate was \$216,899.65. The bid is 3% lower than the engineer's estimate.

ATTACHMENTS:

1. Bid Tabulation
2. District Map
3. Resolution approving Contractor and Contractor's Bond

FISCAL IMPACT: The Project will be paid for by special assessments from the benefiting properties within the District. The construction cost of the project is \$210,454.05 plus the engineering and administrative cost of \$73,658.92 totaling \$284,112.97. The special assessments will be assessed to the benefiting property. There are 33.22 acres in this special assessment district which brings the amount to be assessed to an estimated \$0.20 per square foot.

STAFF IMPACT: Minimal

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 200, Project 2015-09(24th Street NW between 6th Avenue NW and 8th Avenue NW).

Page 2 of 5

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

RECOMMENDATION: We would recommend awarding the project.

SUGGESTED MOTION: Move to award the bid to Mariner Construction as the low bidder of Street Improvement District 200 Project 2015-09 (24th Street NW between 6th Avenue NW and 8th Avenue NW) in the amount of \$210,454.05 and approve the Resolution approving Contract and Contractor's Bond.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 200, Project 2015-09(24th Street NW between 6th Avenue NW and 8th Avenue NW).

BID TAB
STREET IMP. DISTRICT NO. 200
CITY PROJECT NO. 2015-09
24TH STREET NW
MANDAN, ND
TECO #2201
May 28, 2015

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	ENGINEERS EST.	UNIT PRICE	MARINER CONST.	UNIT PRICE	NORTHERN IMP.
202-4.1	UNCLASSIFIED EXCAVATION	550	CY	\$ 8.00	\$ 4,400.00	\$ 11.04	\$ 6,072.00	\$ 12.80	\$ 7,040.00
203-3.1	WATERING	35	M GAL	\$ 15.00	\$ 525.00	\$ 60.00	\$ 2,100.00	\$ 14.00	\$ 490.00
204-3.1	SUBGRADE PREPARATION	3458	SY	\$ 4.00	\$ 13,832.00	\$ 3.25	\$ 11,238.50	\$ 3.30	\$ 11,411.40
205-3.1	SILT FENCE	100	LF	\$ 10.00	\$ 1,000.00	\$ 10.00	\$ 1,000.00	\$ 10.60	\$ 1,060.00
205-3.4	6" FIBER ROLLS	200	LF	\$ 5.00	\$ 1,000.00	\$ 3.30	\$ 660.00	\$ 8.40	\$ 1,680.00
302-4.1	STABILIZED GRAVEL BASE	1100	TON	\$ 32.50	\$ 35,750.00	\$ 32.50	\$ 35,750.00	\$ 31.90	\$ 35,090.00
304-6.1B	AC STABILIZED BASE (CLASS B)2-1/2"	450	TON	\$ 130.00	\$ 58,500.00	\$ 114.00	\$ 51,300.00	\$ 106.70	\$ 48,015.00
401-6.2B	AC SURFACE COURSE (CLASS B)2"	360	TON	\$ 130.00	\$ 46,800.00	\$ 114.00	\$ 41,040.00	\$ 106.70	\$ 38,412.00
402-4.2	BITUMINOUS TACK COAT	210	GAL	\$ 2.50	\$ 525.00	\$ 3.25	\$ 682.50	\$ 2.00	\$ 420.00
403-4.1	BITUMINOUS SEAL COAT	3077	SY	\$ 3.45	\$ 10,615.65	\$ 4.15	\$ 12,769.55	\$ 4.10	\$ 12,615.70
602-4.1	6" CONCRETE	1009	SF	\$ 7.00	\$ 7,063.00	\$ 6.50	\$ 6,558.50	\$ 11.30	\$ 11,401.70
603-5.3	STANDARD CURB & GUTTER	1206	LF	\$ 19.00	\$ 22,914.00	\$ 18.00	\$ 21,708.00	\$ 20.50	\$ 24,723.00
1201-4.1	4" TOPSOILING TO INCLUDE SEEDING & HYDROMULCH	0.4	Acre	\$ 20,000.00	\$ 8,000.00	\$ 30,500.00	\$ 12,200.00	\$ 29,700.00	\$ 11,880.00
1206-4.1	ADJ MANHOLE CASTING-ASPH PVMT	2	EA	\$ 500.00	\$ 1,000.00	\$ 850.00	\$ 1,700.00	\$ 845.00	\$ 1,690.00
1206-4.19	ADJUST VALVE BOX-UNPAVED AREA	7	EA	\$ 325.00	\$ 2,275.00	\$ 400.00	\$ 2,800.00	\$ 143.00	\$ 1,001.00
SP 8	SIGNS	3	EA	\$ 500.00	\$ 1,500.00	\$ 375.00	\$ 1,125.00	\$ 648.00	\$ 1,944.00
SP 9	ROAD CLOSED, BARRICADE (SALVAGED & RE-INSTALLED)	2	EA	\$ 600.00	\$ 1,200.00	\$ 875.00	\$ 1,750.00	\$ 810.00	\$ 1,620.00
				TOTAL =	\$ 216,899.65	TOTAL =	\$ 210,454.05	TOTAL =	\$ 210,493.80

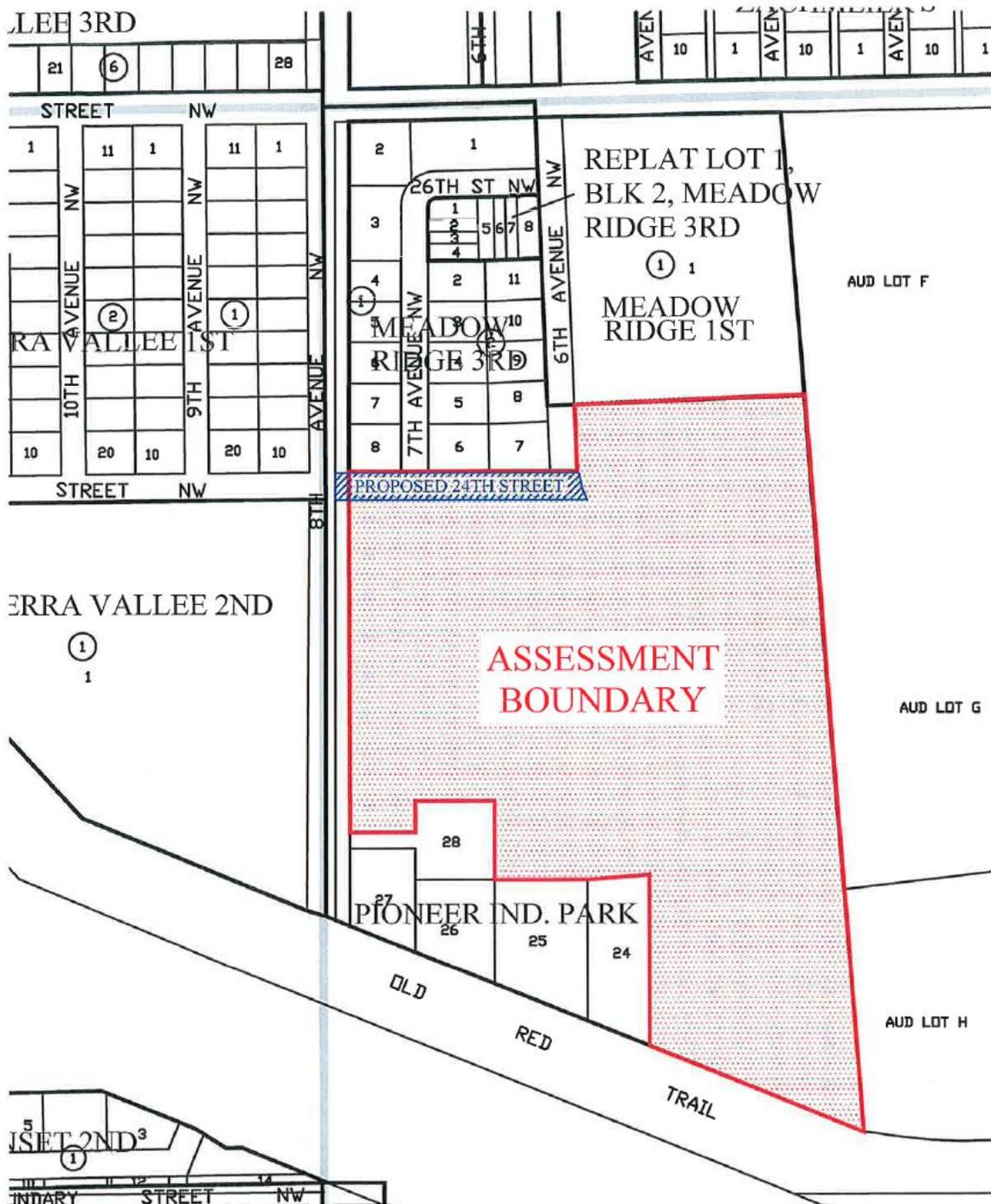
Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 200, Project 2015-09(24th Street NW between 6th Avenue NW and 8th Avenue NW).

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Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 200, Project 2015-09(24th Street NW between 6th Avenue NW and 8th Avenue NW).

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RESOLUTION
APPROVING CONTRACT AND CONTRACTOR'S BOND FOR
STREET IMPROVEMENT DISTRICT NO. 200
(Project No. 2015-09)

BE IT RESOLVED by the governing body of the City of Mandan, North Dakota (the "City"), as follows:

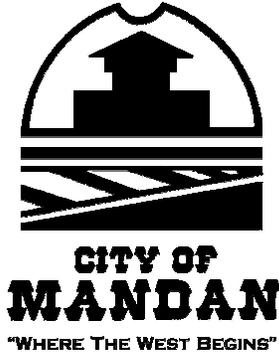
1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Street Improvement District No. 200 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement is hereby ordered to be constructed in accordance with the plans and specifications therefore as heretofore adopted by this Board pursuant to a resolution duly adopted by this Board.
3. It is hereby found and determined that the lowest responsible bidder for various categories of the work, material and skill required for said improvement is Mariner Construction whose bid provides for the construction of said improvement at a total estimated base price of \$210,454.05.
4. The President of the Board of City Commissioners of the City of Mandan and City Auditor are hereby authorized and directed to make and enter into a contract with said bidder on the part of the City, in the form prescribed by Sections 40-22-35 and 40-22-35, N.D.C.C. as amended, provided that said bidder shall within ten (10) days from this date execute said contract and a construction bond conditioned in accordance with the provisions of Sections 40-22-30 and 40-22-32 of said Code.

Dated this 2nd day of June, 2015

Arlyn Van Beek, President of the
Board of City Commissioners

Attest:

James Neubauer,
City Administrator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 27, 2015
SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Jeff Wright, Public Works Director
PRESENTER: Jeff Wright, Public Works Director
SUBJECT: Consider bid proposals for hauling municipal waste to an approved Municipal Waste Facility.

STATEMENT/PURPOSE: To consider awarding Armstrong Sanitation and Roll-Offs, Inc. the hauling contract to haul municipal waste to an approved Municipal Waste Facility.

BACKGROUND/ALTERNATIVES: The current contract with Waste Management expires on June 30, 2015. Waste Management currently hauls our municipal waste from the transfer station at the landfill to the Waste Management facility in Wishek. The automatic renewal option was not accepted by Waste Management stating the existing contract has not been keeping up with increasing transportation costs. We advertised for bid proposals in April to include hauling and recycling options for the City of Mandan to consider.

On May 6, 2015 the City of Mandan opened those bid proposals. Only the hauling proposals are for your consideration tonight, as the recycling proposals are still being reviewed. We received 3 hauling bid proposals, Armstrong Sanitation and Roll-Offs, Inc., Dakota Sanitation, Inc. and Roll-Off Service, and Waste Management.

Base Bid	Armstrong Sanitation	Dakota Sanitation	Waste Management
Year 1		\$57.00	\$55.71
Year 2		\$58.00	\$57.38
Year 3		\$59.00	\$59.10
Year 4		\$60.00	\$60.87
Year 5		\$61.00	\$62.70
			*Fuel Surcharge
**Alternate Bid	\$35/Load		

* Waste Management proposed a fuel surcharge if diesel prices go over \$4.00/gal.
 **Armstrong Sanitation's bid is \$35/load plus the City of Bismarck's tipping fee of \$45/ton. An average load is 6 ton (35 / 6 = \$5.83 + \$45 = \$50.83/ton) for a 1 year contract.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider bid proposals for hauling municipal waste to an approved Municipal Waste Facility.

Page 2 of 3

Armstrong's current household garbage collection contract would allow them to directly haul the garbage from the curb to Bismarck saving high transportation costs and minimizing maintenance costs on equipment and on the 20 + year old transfer station facility. Morton County residents and small surrounding communities would still utilize the transfer station and city staff would haul boxes directly to Bismarck's landfill at \$45/ton.

Armstrong's household garbage collection contract is set to expire on October 31, 2017, thus I would recommend we negotiate the hauling contract to coincide with the garbage collection contract expiration date.

ATTACHMENTS: Bid Tab

FISCAL IMPACT: Current Waste Management rate of \$39.33/ton or \$318,770, suggested contract with Armstrong Sanitation rate of \$50.83/ton or \$411,975, an increase of \$93,205. The 2015 fiscal impact is \$46,602.50.

Waste Management's proposal rate of \$55.71/ton is \$451,530 and Dakota Sanitation's proposal rate of \$57.00/ton is \$461,985.

The 2015 Solid Waste capital outlay budget includes \$70,000 for concrete repairs around the transfer station, minimizing the usage of the transfer station would allow us to reduce this maintenance item to cover the proposed \$46,602.50 increase for 2015. We will include the proposed increase for 2016 and 2017 in the upcoming budget processes.

STAFF IMPACT: Minimize maintenance costs at the transfer station facility.

LEGAL REVIEW: Attorney Brown will assist city staff in the new hauling contract.

RECOMMENDATION: Recommend to allow city staff and Attorney Brown negotiate a hauling contract with Armstrong Sanitation as proposed, with an expiration date of October 31, 2017.

SUGGESTED MOTION: Move to allow city staff and Attorney Brown negotiate a hauling contract with Armstrong Sanitation as proposed, with an expiration date of October 31, 2017.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider bid proposals for hauling municipal waste to an approved Municipal Waste Facility.

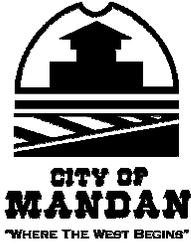
Page 3 of 3

BID TAB
HAULING PROPOSALS
6-May-15

HAULING BIDS	5 YR CONTRACT PRICE PER TON	ALTERNATE BID PROPOSAL
ARMSTRONG SANITATION & ROLL-OFFS, INC.		
<p>Proposal to transport the MSW to the Bismarck landfill at a rate of \$35 per load, approximately 6 tons per load, average of 4 loads a day for 1 year. Disposal paid by Armstrong Sanitation to be reimbursed by the City of Mandan. Current rate of \$45 per ton. No other escalators or service fees.</p> <p>\$35/6 TON LOAD (AVERAGE)= \$5.83 per ton</p> <p>Current Bismarck rate \$45+\$5.83=\$50.83 per ton</p> <p>**This option would include a reduced use of the transfer station, the MSW we receive from the county and commercial could be hauled to Bismarck by city staff at \$45 per ton.</p> <p>Would have to renew contract in 1 year, or could consider negotiating contract until October 31, 2017 when her collection contract ends.</p>	N/A	\$35/load

HAULING BIDS	5 YR CONTRACT PRICE PER TON	ALTERNATE BID PROPOSAL										
DAKOTA SANITATION, INC. & ROLL-OFF SERVICE												
<p>Proposal to transport the MSW to the Bismarck landfill at the current Bismarck rate of \$45 per ton Bismarck's rate is included in the proposal costs with no other escalators or service fees included.</p> <p>**This option would include the continued full use of the transfer station.</p>	<table border="1"> <tr><td>Year 1</td><td>\$57</td></tr> <tr><td>Year 2</td><td>\$58</td></tr> <tr><td>Year 3</td><td>\$59</td></tr> <tr><td>Year 4</td><td>\$60</td></tr> <tr><td>Year 5</td><td>\$61</td></tr> </table>	Year 1	\$57	Year 2	\$58	Year 3	\$59	Year 4	\$60	Year 5	\$61	N/A
Year 1	\$57											
Year 2	\$58											
Year 3	\$59											
Year 4	\$60											
Year 5	\$61											

HAULING BIDS	5 YR CONTRACT PRICE PER TON	ALTERNATE BID PROPOSAL																		
WASTE MANAGEMENT																				
<p>Proposal to transport the MSW to an approved NDDoH Solid Waste Disposal Site. Current landfill tipping fees are included in the proposal costs. There is an additional fueling surcharge fee table</p> <table border="1"> <tr> <td>Diesel price per gallon</td> <td>Surcharge</td> </tr> <tr> <td><\$4.00</td> <td>0%</td> </tr> <tr> <td>\$4.00-\$4.24</td> <td>2%</td> </tr> <tr> <td>\$4.25-\$4.49</td> <td>3%</td> </tr> </table> <p>For each additional \$0.25 surcharge will increase 1%</p> <p>In the event of increased landfill tipping fees, the unit price per ton for landfill solid waste would be adjusted to reflect the increase in tipping fee. After the first year of a new agreement the service charges, which are not outlined for each year, would increase annually by 3% on the anniversary date of the agreement.</p> <p>**This option would include the continued full use of the transfer station.</p>	Diesel price per gallon	Surcharge	<\$4.00	0%	\$4.00-\$4.24	2%	\$4.25-\$4.49	3%	<table border="1"> <tr><td>Year 1</td><td>\$55.71</td></tr> <tr><td>Year 2</td><td>\$57.38</td></tr> <tr><td>Year 3</td><td>\$59.10</td></tr> <tr><td>Year 4</td><td>\$60.87</td></tr> <tr><td>Year 5</td><td>\$62.70</td></tr> </table>	Year 1	\$55.71	Year 2	\$57.38	Year 3	\$59.10	Year 4	\$60.87	Year 5	\$62.70	N/A
Diesel price per gallon	Surcharge																			
<\$4.00	0%																			
\$4.00-\$4.24	2%																			
\$4.25-\$4.49	3%																			
Year 1	\$55.71																			
Year 2	\$57.38																			
Year 3	\$59.10																			
Year 4	\$60.87																			
Year 5	\$62.70																			



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 21, 2015
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Robert Decker, P.E., Principal Planner
SUBJECT: Consider for approval Lakewood Commercial Park
Third Replat

STATEMENT/PURPOSE:

Request is to reduce the number of lots from ten to six to create larger lots.

BACKGROUND/ALTERNATIVES:

This property is a PUD. The use is not changing. The proposal is to create some larger twin home lots.

ATTACHMENTS:

1. Subdivision Location Map
2. Existing lot layout
3. Plat

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

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

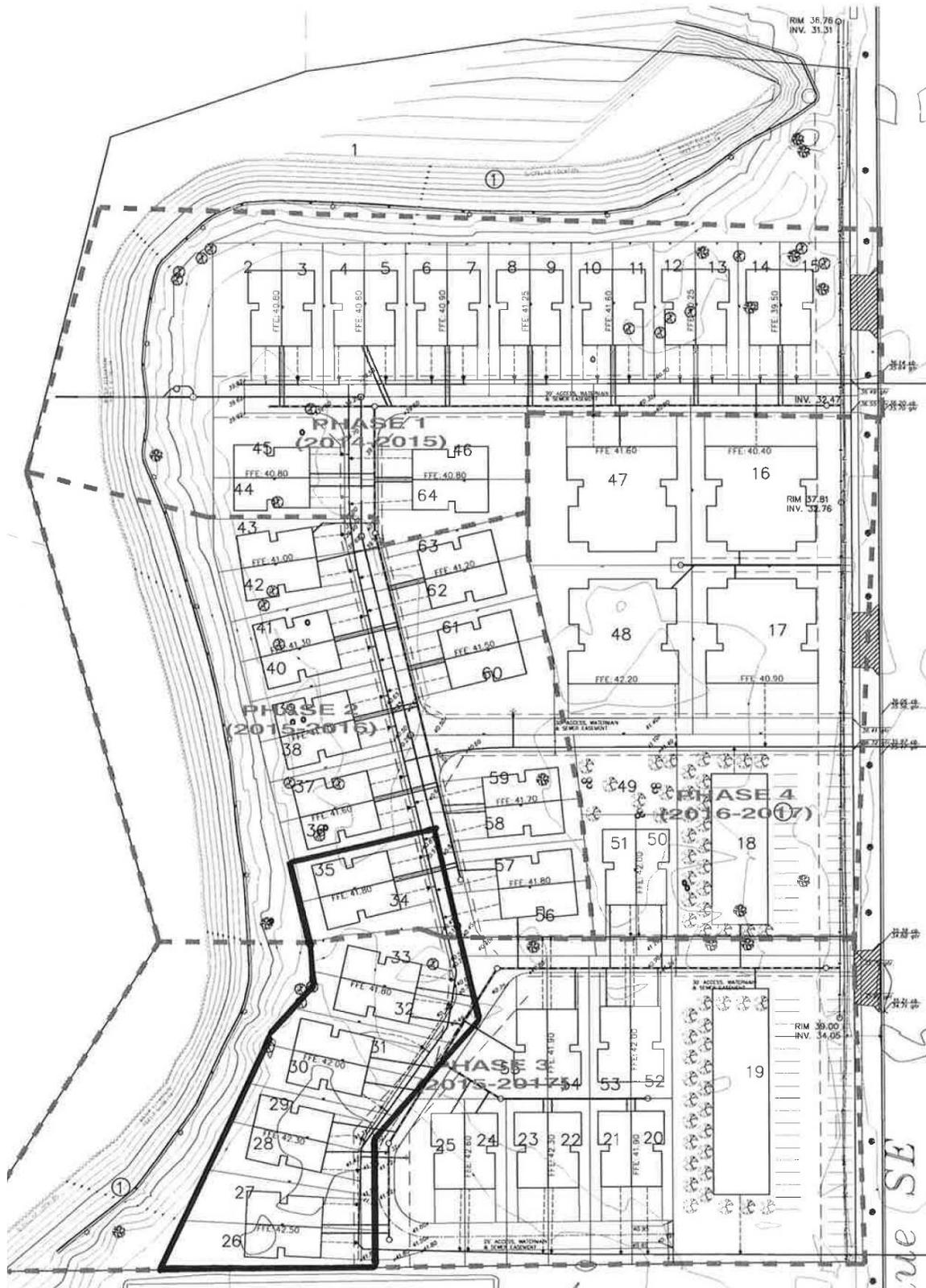
RECOMMENDATION:

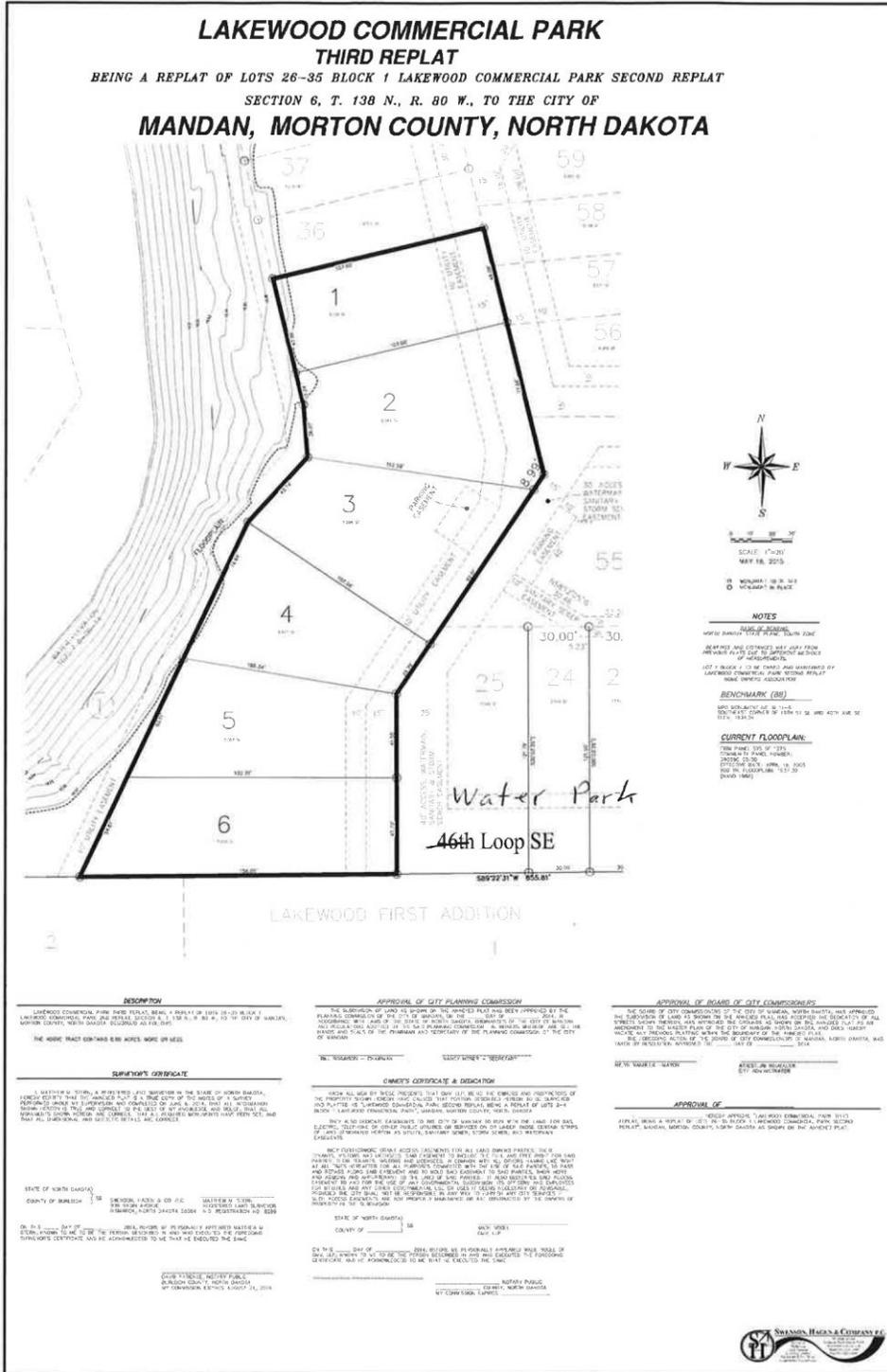
Recommend approval.

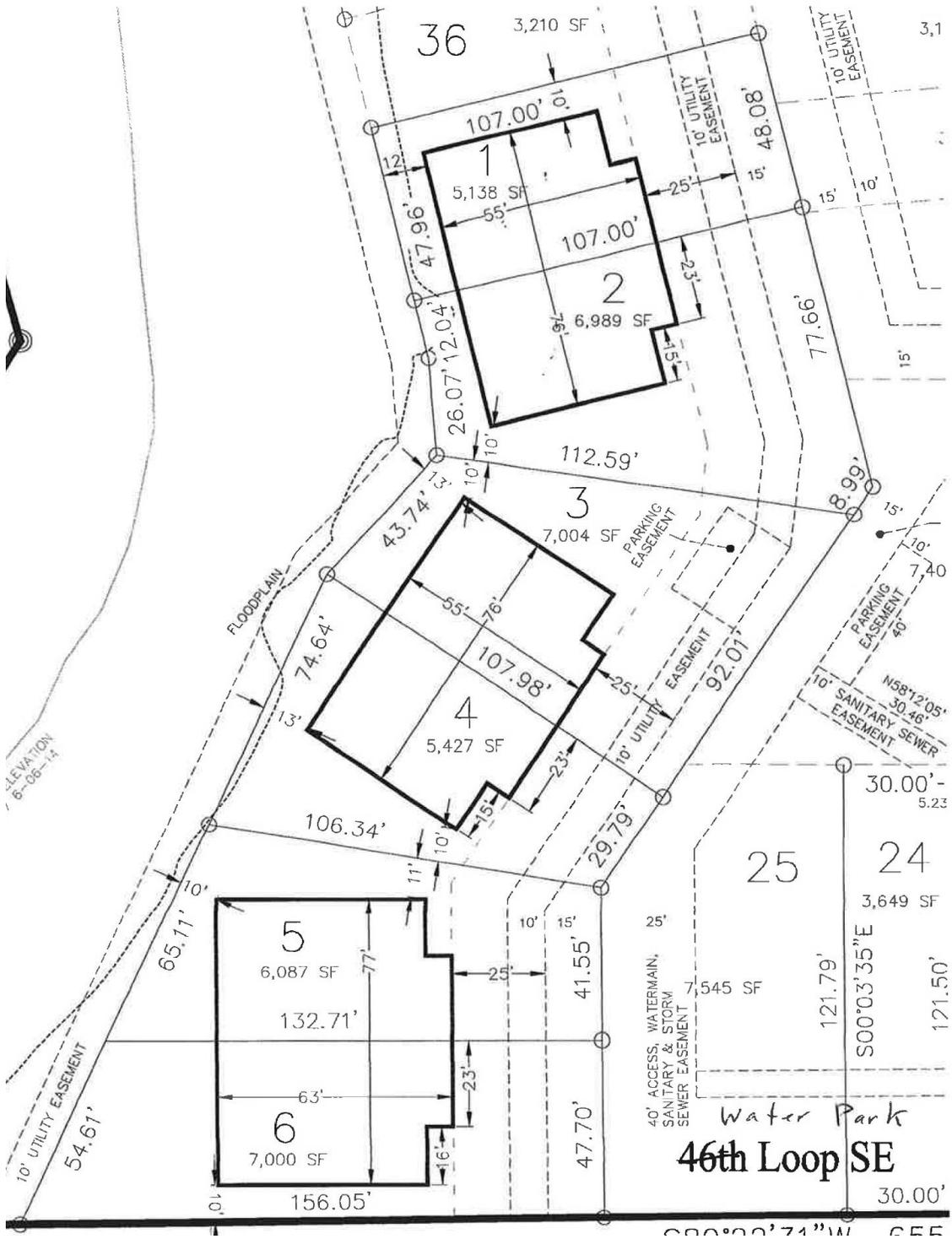
SUGGESTED ACTION:

Move to approve Lakewood Commercial Park Third Replat











GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

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

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

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: The Silver Dollar the address of which is:

200 W Main Street Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/15 Ending 6/30/16

Specific location where games of chance will be conducted and played at the site (required): Bar Area

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a copy of the Site Authorization for your files.
- 2. City/County Auditors - Return the original Site Authorization form to the Organization.
- 3. Organizations - Send the original, signed, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (Rev. 08-2013)

License Number (Office Use Only)

Site Owner (Lessor) Luke Berger		Site Name The Silver Dollar		Site Phone Number (701) 663-5428
Site Address 200 W. Main Street		City Mandan	State ND	Zip Code 58554
Organization (Lessee) Mandan Hockey Club, Inc.		Rental Period 7/1/2015	to 6/30/2016	
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
2. Is a raffle drawing going to be conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
3. Is Prize Boards involving a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 0.00
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300.00</u>				\$ 300.00
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
6. Is Pull Tabs involving either a jar bar and/or a dispensing device conducted at this site? Please check: <input type="checkbox"/> Jar Bar Only <input type="checkbox"/> Dispensing Device Only <input checked="" type="checkbox"/> Jar Bar and Dispensing Device		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 200.00
				Total Monthly Rent \$ 500.00

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Luke Berger</i>	Title <i>owner</i>	Date <i>4/11/15</i>
Signature of Lessee (Top Executive Official) <i>John [unclear]</i>	Title <i>President</i>	Date <i>5.12.15</i>

(over)



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

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

Mandan Hockey Club, Inc. is hereby authorized to conduct games of chance under the license granted by the Attorney General of the State of North Dakota at the following location: Old Town Tavern the address of which is:

109 1st Avenue NW Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/15 Ending 6/30/16

Specific location where games of chance will be conducted and played at the site (required): Bar Area

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date
PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
- 2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (Rev. 08-2013)

License Number (Office Use Only)

Site Owner (Lessor) Old Town Tavern		Site Name Old Town Tavern		Site Phone Number (701) 663-2840	
Site Address 109 1st Avenue N W		City Mandan	State ND	Zip Code 58554	County Morton
Organization (Lessee) Mandan Hockey Club, Inc.			Rental Period 7/1/2015 to 6/30/2016		Monthly Rent Amount
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.			<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
2. Is a raffle drawing going to be conducted at this site?			<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 0.00
3. Is Prize Boards involving a dispensing device conducted at this site?			<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____ Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300.00</u>			<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 0.00 \$ 300.00
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____			<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
6. Is Pull Tabs involving either a jar bar and/or a dispensing device conducted at this site? Please check: <input type="checkbox"/> Jar Bar Only <input type="checkbox"/> Dispensing Device Only <input checked="" type="checkbox"/> Jar Bar and Dispensing Device			<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 200.00
					Total Monthly Rent \$ 500.00

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Laura J. Thompson</i>	Title Owner/Manager	Date 4-18-15
Signature of Lessee (Top Executive Official) <i>Eric [Signature]</i>	Title President	Date 5-12-15

(over)



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17998 (02-2011)

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

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

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: The Ridde Motel the address of which is:

2630 Old Red Trail Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/15 Ending 6/30/16

Specific location where games of chance will be conducted and played at the site (required): Bar Area

Number of twenty-one tables (required) (if zero, enter "0") : 2

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a copy of the Site Authorization for your files.
- 2. City/County Auditors - Return the original Site Authorization form to the Organization.
- 3. Organizations - Send the original, signed, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (Rev. 08-2013)

License Number (Office Use Only)

Site Owner (Lessor) The Ridge Motel Corp.		Site Name The Ridge		Site Phone Number (701) 663-8686
Site Address 2630 Old Red Trail		City Mandan	State ND	Zip Code 58554
County Morton		Rental Period 7/1/2015 to 6/30/2016		Monthly Rent Amount
Organization (Lessee) Mandan Hockey Club, Inc.				
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
2. Is a raffle drawing going to be conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
3. Is Prize Boards involving a dispensing device conducted at this site?		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 0.00
Number of Tables with wagers over \$6 <u>2</u> X Rent per Table \$ <u>300.00</u>				\$ 600.00
5. Is Paddiewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____		<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		\$ 0.00
6. Is Pull Tabs involving either a jar bar and/or a dispensing device conducted at this site? Please check: <input checked="" type="checkbox"/> Jar Bar Only <input type="checkbox"/> Dispensing Device Only <input type="checkbox"/> Jar Bar and Dispensing Device		<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		\$ 175.00
				Total Monthly Rent \$ 775.00

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Carol Support</i>	Title <i>owner</i>	Date <i>4-12-15</i>
Signature of Lessee (Top Executive/Official) <i>Rich</i>	Title President	Date <i>5.12.15</i>

(over)



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (02-2011)

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

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

chance under the license granted by the Attorney General of the State of North Dakota at the following
location: Vickv's Sports Bar the address of which is:

106 2nd Avenue NW Mandan 58554 Morton
(Street) (City) (Zip Code) (County)

Date(s) Authorized: Beginning 7/1/15 Ending 6/30/16

Specific location where games of chance will be conducted and played at the site (required): Bar Area

Number of twenty-one tables (required) (if zero, enter "0") : 1

RESTRICTIONS: (to be completed ONLY if restrictions are set by the local governing body)
1. Days of week of gaming operations _____
2. Hours of gaming _____
3. List each specific game type prohibited _____

Attorney General Date Signature of City/County Auditor Date

PRINT Name / Official Position of person signing above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a **copy** of the Site Authorization for your files.
- 2. City/County Auditors - Return the **original** Site Authorization form to the Organization.
- 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

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Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (Rev. 08-2013)

License Number (Office Use Only)

Site Owner (Lessor) Vicky's Sports Bar		Site Name Vicky's Bar		Site Phone Number (701) 663-4877
Site Address 106 2nd Avenue N W	City Mandan	State ND	Zip Code 58554	County Morton
Organization (Lessee) Mandan Hockey Club, Inc.		Rental Period 7/1/2015	to 6/30/2016	
1. Is Bingo going to be conducted at this site? Ya. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes \$ 0.00
2. Is a raffle drawing going to be conducted at this site?				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes \$ 0.00
3. Is Prize Boards involving a dispensing device conducted at this site?				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes \$ 0.00
4. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____ Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300.00</u>				<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes \$ 0.00 \$ 300.00
5. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes \$ 0.00
6. Is Pull Tabs involving either a Jar bar and/or a dispensing device conducted at this site? Please check: <input type="checkbox"/> Jar Bar Only <input type="checkbox"/> Dispensing Device Only <input checked="" type="checkbox"/> Jar Bar and Dispensing Device				<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes \$ 200.00
				Total Monthly Rent \$ 500.00

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab or prize boards involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

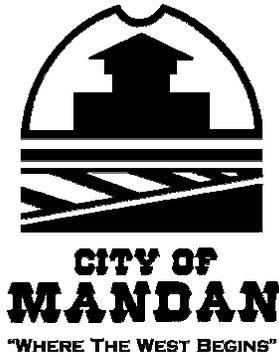
The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor (Top Executive Officer) 	Title President	Date 5-12-15
Signature of Lessor (Top Executive Official) 	Title Owner	Date 4-14-15

(over)



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 27, 2015
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: City Sales Tax Collection Agreement

STATEMENT/PURPOSE: Consider entering into an agreement with the North Dakota Office of State Tax Commissioner for the administration of Mandan's local sales, use and gross receipts taxes for the 2015-2017 biennium.

BACKGROUND/ALTERNATIVES: The attached contract is consistent with contracts in the past and allows the State Tax Commissioner and representatives to collect the local sales and use tax, audit such information and perform other ancillary duties required to carry out this function. The contract is for the period of July 1, 2015 through June 30, 2017.

The cover letter enclosed with this contract asks for us to notify the Tax Department of annexations in a timely manner and we will continue to do so.

ATTACHMENTS: Contract for the period of July 1, 2015 through June 30, 2017.

FISCAL IMPACT: The lesser of 3% of the tax collected or \$35/permit/per year.

STAFF IMPACT: n/a

LEGAL REVIEW: Information has been reviewed and City Attorney Brown has no issues.

RECOMMENDATION: I recommend the agreement with the North Dakota Office of State Tax Commissioner for the administration of Mandan's local sales, use and gross receipts taxes for the 2015-2017 biennium be approved.

SUGGESTED MOTION: I move to approve the agreement with the North Dakota Office of State Tax Commissioner for the administration of Mandan's local sales, use and gross receipts taxes for the 2015-2017 biennium.



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

Ref: L0603407616

ID: 45-6002118

(063)



Contract For Collection of city Sales, Use and Gross Receipts Taxes

This contract is entered into by the Tax Commissioner of the State of North Dakota and the governing body of the City of Mandan, North Dakota through the Mandan City Auditor, under the provisions of North Dakota Century Code § 57-01-02.1.

This contract provides for services to be furnished, as follows:

1. The Office of State Tax Commissioner (Tax Commissioner) hereby assumes the responsibility of administering Ordinance 775 of the Mandan Municipal Code of Ordinances (Ordinance). The administration by the Tax Commissioner must be carried out in accordance with the relevant provisions of North Dakota Century Code Chapter 57-39.2, including reporting and paying requirements, correction of errors, payment of refunds, and application of penalty and interest.
2. The Tax Commissioner, by letter and personal contact, will inform the appropriate permit holders of their collection and remission responsibilities imposed by the Ordinance.
3. The Tax Commissioner shall design tax reporting forms which will be made available to the appropriate permit holders prior to the filing due dates.
4. The Tax Commissioner shall make available the proper rate chart(s) to the appropriate permit holders for use in computation of the state and city taxes.
5. The Tax Commissioner shall collect the tax imposed by the Ordinance on a monthly, quarterly or other periodic basis deemed necessary by the Tax Commissioner.
6. The Tax Commissioner assumes the responsibility for collection of any civil penalties due or criminal prosecution required under the Ordinance to the extent not in conflict with state law.
7. The Tax Commissioner shall certify on a monthly basis to the North Dakota State Treasurer the amount of tax payable to the City of Mandan.
8. The Tax Commissioner shall refund to purchasers the difference between the amount of sales, use, or gross receipts tax paid and the amount that would have been due by application of a cap or threshold provided by the city's ordinance or home rule charter. The refund shall exclude any refund or credit provided by the retailer at the time of purchase.
9. At the Tax Commissioner's discretion, the Tax Commissioner shall audit the appropriate permit holders.

May 12, 2015
CITY OF MANDAN

Ref: L0603407616
Page: 6

The City of Mandan has the following responsibilities under this contract:

1. The city's Ordinance shall conform in all respects with regard to the taxable or exempt status of sales under chapters 57-39.2, 57-39.4, 57-39.5, 57-39.6, and 57-40.2.
2. The city's Ordinance shall provide for only one local tax rate; therefore, all sales, use, and gross receipts taxes will be imposed at the same rate.
3. Tax rate changes shall be effective on the first day of a calendar quarter and after ninety days notice which must be provided to the Tax Commissioner after final approval of the tax ordinance.
4. The City of Mandan shall provide the Tax Commissioner information about all boundary changes, which shall include all business addresses and zip codes within the changed area. For purposes of local sales, use and gross receipts taxes, boundary changes shall be effective on the first day of a calendar quarter and after ninety days notice which must be provided to the Tax Commissioner after final approval of the boundary change.
5. The City of Mandan shall provide notice to the Tax Commissioner on the continuation or termination of the local tax at least ninety days prior to the date the tax imposed by the ordinance is continued or terminated.

In consideration for the above-enumerated services for the period July 1, 2015 through June 30, 2017, the Tax Commissioner shall retain \$1,700.00 per month of the tax collected under the Ordinance.

This agreement, which supersedes any prior written or oral agreements between the parties, is effective upon the signature by the Mandan City Auditor, acting on behalf of the City of Mandan, and the Tax Commissioner for the State of North Dakota, and shall be effective July 1, 2015 through June 30, 2017.

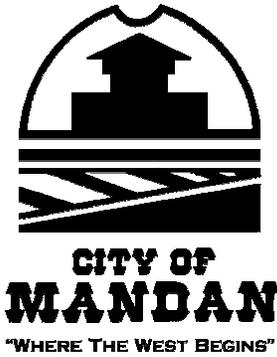
This agreement shall be subject to renegotiation for the purpose of renewal July 01, 2017.

Dated the 12nd day of May 2015, at Bismarck, North Dakota.


Ryan Rauschenberger
Tax Commissioner

Dated the _____ day of _____, 2015 at _____, North Dakota.

Jim Neubauer
Mandan City Auditor
E-Mail: _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 26, 2015
SUBMITTING DEPARTMENT: Fire
DEPARTMENT DIRECTOR: Steve Nardello, Fire Chief
PRESENTER: Steve Nardello, Fire Chief
SUBJECT: 2015 Budget Amendment

STATEMENT/PURPOSE: The Mandan Fire Department has received notification of approval for a North Dakota Workforce Safety & Insurance (WSI) grant. Our department would like to amend the 2015 equipment reserve budget to include \$18,967.00 for purchasing extrication equipment.

BACKGROUND/ALTERNATIVES: Our department applied WSI for a 25% matching grant to purchase new extrication equipment to reduce tool weight and hoses. The new equipment is much lighter, has no hoses, battery powered. The grant was designed to improve ergonomic safety of employees and this is clearly accomplished with the latest in technology of extrication tools. In addition to less weight and elimination of tripping hazards from hose it also eliminates gasoline being stored in our truck compartments. We now request to amend the Fire Department 2015 budget to include the grant and extrication equipment purchase.

ATTACHMENTS: Grant application, equipment quote and grant notification.

FISCAL IMPACT: Amend the 2015 fire equipment reserve budget to include \$18,967.00 for the purchase of extrication tools that includes a 25% local match of \$4741.75. There are sufficient funds available within the fire department equipment reserve budget to provide for the 25% matching funds and we will maintain a \$431,000 estimated balance by end of 2015.

STAFF IMPACT: Firefighters will experience better performing equipment with less weight and reduced tripping hazards.

LEGAL REVIEW: None

RECOMMENDATION: I recommend that we amend the Fire Equipment Reserve 2015 budget to include the WSI grant and purchase of new extrication equipment.

SUGGESTED MOTION: Motion to amend the Fire Equipment Reserve 2015 budget to include \$18,967.00 for the purchase of extrication equipment and \$14,225.75 revenue from North Dakota WSI.



**ERGO PHASE II
 GRANT APPLICATION**
 EMPLOYER SERVICES DIVISION
 SFN 60382 (08/2014)

1600 EAST CENTURY AVENUE, SUITE 1
 PO BOX 5585
 BISMARCK ND 58506-5585
 TELEPHONE NUMBER (701) 328-3800
 DIRECT FAX NUMBER (701) 328-6028
 TOLL FREE FAX NUMBER 1-888-786-8695
 TDD NUMBER (for the hearing impaired only)
 (701) 328-3786
 www.WorkforceSafety.com

Please type or print clearly. All employers must complete Sections 1-5 and the attached W-9. Thank you for your interest in providing an ergonomically safe workplace for your employees. The WSI Grant Review Committee will use the provider's assessment report along with this application to determine if the request will be approved. Therefore, the information you provide on this application must be filled out in its entirety. Please attach any and all supporting materials with this application. **Incomplete application forms will be returned.**

Are you currently, or have you in the past, had an ergonomic assessment completed through WSI's Ergonomic Initiative (EI) Program?

- Yes – Continue completing the application
 No – Not currently eligible for this grant, please do not submit application

SECTION 1 – EMPLOYER INFORMATION

Business Name Mandan City Fire Department			Employer Contact First Name Shane	Employer Contact Last Name Weltikol
Mailing Address 110 Collins Avenue			Title Firefighter/Paramedic	
City Mandan	State ND	Zip 58554	Telephone Number 701-667-3288 Ext 0	Fax Number 701-667-3289
Email Address sweltikol@cityofmandan.com			WSI Employer Account Number 98079	

SECTION 2 – DESCRIPTION OF ERGONOMIC HAZARD

Have you had any claims in the past 3 years that are directly related to the equipment being requested? If not, please explain how you see this equipment being of value in terms of reducing risk of injury and return on investment.

Attach additional sheets if needed

The Mandan Fire Department currently utilizes older extremely heavy and bulky hydraulic rescue tools for the purpose of patient rescue during vehicle extrication operations. It is often necessary to hold the tools at awkward angles away from the body, above the head, or near the feet in order to facilitate certain cuts and maneuvers on a vehicle. The extreme weight of the older tools makes this a danger ergonomically to our rescuers. In addition, some of the rescuers are shorter, or not as strong as others, and due to the weight, are forced to hold the tool in an unsafe area or stand in an unsafe position during its operation just to support its weight. Tool operators are also forced to hold that position and the weight of that tool for extended periods of time. The addition of newer, lighter, more powerful tools will enable us to operate the tools safer, allow us to hold them ergonomically correct during their use, and facilitate overall patient rescue safer by staying out of immediate danger areas while holding the tools. We have had injuries from the tools but not due to ergonomics. An older hydraulic hose burst causing hot hydraulic fluid to splash on some of the rescuers. We have had several near miss situations with the tools due to how they are being held and operated. As you know a single ergonomic injury can cost tens of thousands of dollars. We realize that what we are asking for is not cheap, BUT are very passionate in the fact that lighter, newer tools will reduce the extremely high risk we are currently taking.

Will the ergonomic equipment/service cause any other foreseeable hazards? If so, please explain?

Attach additional sheets if needed

Due to the nature of rescue operations there is always the risk of rescuer injury. We currently train our rescuers to be as ergonomically correct with the tools as much as possible, but unfortunately due to the weight of the tools themselves this is more often than not possible. Lighter tools and correct training on new tools should significantly decrease the risk to our rescuers.

Attach the provider's final report developed through the Ergonomic Initiative Program.

The report shall include:

- A description of the ergonomic issue(s).

ERGO PHASE II GRANT APPLICATION (cont'd)

- The plan to address the issue(s).
- Recommendations, photographs, etc., including equipment necessary to address the ergonomic hazard.

SECTION 3 – IMPLEMENTATION

Implementation plan – Explain the process you will use to implement your ergonomic intervention including a training and follow-up plan.
Attach additional sheets if needed
 If new tools are purchased and placed in service, each firefighter will be trained on their use and most importantly how to correctly hold and use the tool without having an injury. This will be recurring training that will at a minimum take place once a year if not more.

Please complete the itemized budget information for your project. Any equipment requested **must** be part of the recommendations found in the provider's final report. Attach additional sheets if necessary. Attach vendor price quotes for all proposed items.

SECTION 4 – BUDGET

Taxes, warranties, and shipping expenses are not eligible for reimbursement.

Item Description	Quantity	Cost/Unit	Total
S45 E-Force Spreader with 1 Battery & L Handle	1	9085.50	9085.50
15c E-Force Vario w/Removable Tips & 1 Battery	1	9085.50	9085.50
New AC adaptor for E-Force tools. 110 Volt	1	796.00	796.00
SEE ATTACHED ESTIMATE IF DESIRED			

ERGO PHASE II GRANT APPLICATION (cont'd)

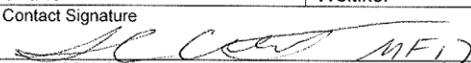
Grand Total	18,967.00
--------------------	------------------

(A) Standard Premium:	\$	(C) Total Amount of Project: Section 4 Above:	\$
(B) Maximum Award from Table Below:	\$	(D) WSI Contribution - 75% of total amount or maximum eligibility (whichever is less)	\$
If Standard Premium from Line (A) is:	Maximum Eligibility	(E) Employer Contribution (total amount of project – WSI's contribution)	\$
\$250 to \$5,000	\$5,000		
\$5,001 to \$20,000	\$10,000		
\$20,001 to \$50,000	\$15,000		
\$50,001 to \$150,000	\$20,000		
\$150,001 to \$300,000	\$30,000		
\$300,001 and above	\$50,000		

WSI does not endorse any particular vendor

Fraud Statement

The information contained in this application is accurate and true to the best of my knowledge. I agree that all applicable regulations will be adhered to in completing the proposed project(s). By my signature, I agree to fully comply with the terms and conditions of the program and to use all monies solely for the purpose intended. I further understand that I may be subject to civil, criminal and/or administrative penalties as the result of any false, fictitious and/or misleading or fraudulent statements made and/or if funds are not used, or are misused, misapplied, or misappropriated in any way and/or are used for purchases and/or services not associated with the approved budget and/or itemized proposal submitted.

SECTION 5 – EMPLOYER SIGNATURES		
Contact First Name (please print) Shane	Contact Last Name (please print) Weltikol	Position Title Firefighter/Paramedic
Contact Signature 		Telephone Number 701-667-3288 Ext 0
Name of Chief Executive Officer, President, or Authorized Official (please print) Shane Weltikol		Date 05/14/2015
Signature of Chief Executive Officer, President or Authorized Official		Title Firefighter/Paramedic

SECTION 6 – CHECKLIST
The following items must be included for your application to be considered for review. Incomplete applications will be returned.
<input checked="" type="checkbox"/> Sections 1-5 have been completed. <input checked="" type="checkbox"/> The final ergonomic report developed by the provider through the Ergonomic Initiative Program. <input checked="" type="checkbox"/> W-9 tax form. <input checked="" type="checkbox"/> Product quotes and product information (brochures, websites, etc).



22824 West Winchester Dr
 Channahon, IL 60410 USA

Phone: 815/467-8762
 Fax: 815/467-8763

Bill To:

CLAREY'S SAFETY EQUIPMENT
 1725 HIGHWAY 14 EAST
 ROCHESTER, MN 55904
 USA

www.emcfire.com

Sales Order B46409-A

Order Date 04/23/15

Customer CLAREY

Ship To:

MANDAN FIRE DEPARTMENT
 110 COLLINS AVE
 MANDAN, ND
 58554

THIS IS A BID/ESTIMATE

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.				
CLAREY	BESTWAY	ORIGIN	NET 20 DAYS		TSOL					
Order	Quantity	Ship	B.O.	Item Number	Unit of Measure	Required Date	Unit Price	Discount %	Tax	Extended Price
1	0			ART.105.870.7	EACH	04/23/15	9085.50			9085.50
				S45 E-Force Spreader w/1 battery Add Handle to the Left side					N	
1	0			ART.106.550.2	EACH	04/23/15	9085.50			9085.50
				15c eFORCE VARIO w/REMOV TIPS & 1 BATT					N	
1	0			ART.106.042.6	EACH	04/23/15	796.00			796.00
				New AC Adapter for the E-Force Tools 110 Volt					N	
1	0			MISC	EACH	04/23/15	0.00			0.00
				FREE BATTERIES EVERY 3 YEARS FOR THE LIFE OF THE TOOL					N	
1	0			FREIGHT		04/23/15	0.00			0.00
				Freight Will Be Billed Once Order has Shipped					N	
ANY CLAIMS FOR SHORTAGES OR ADJUSTMENTS MUST BE MADE WITHIN 15 DAYS FROM RECEIPT OF GOODS. RETURNS MAY BE SUBJECT TO RESTOCKING FEE NO RETURNS ACCEPTED WITHOUT OUR AUTHORIZATION. MOTOR FREIGHT WILL BE ADDED SEPERATELY IF NOT SHOWN ON THIS INVOICE *A LATE CHARGE OF 1.5% WILL BE INVOICED ON ALL DELINQUENT ACCOUNTS*										
								Non Taxable Subtotal		18967.00
								Taxable Subtotal		0.00
								Tax		0.00
								Total Order		18967.00

Print Date: 05/11/15 4:25 PM

Customer Original (Reprinted)

Page 1

AGREEMENT

ERGO PHASE II GRANT PROGRAM

(Revised 1/1/2015)

A. PARTIES

This Agreement between Workforce Safety & Insurance, hereinafter referred to as "WSI", and Mandan, City of (Fire Dept.) hereinafter referred to as "Grantee," with its principal place of business located at 110 Collins Avenue Mandan ND; agree to participate in the ERGO *PHASE II* Grant Program. The Agreement is effective when signed and dated by both parties.

Grantee shall perform as an independent entity under this Agreement. Grantee, its employees, agents and representatives, are not employees of the State or WSI, for any purpose, except as provided in this Agreement, including but not limited to, the application of the Social Security Act, the Fair Labor Standards Act, the Federal Insurance Contribution Act, the North Dakota Unemployment Compensation Law and the Workforce Safety & Insurance Act. No part of this Agreement shall be construed to represent the creation of an employer/employee relationship. Grantee shall retain sole and absolute discretion in the manner and means of carrying out the Grantee's activities and responsibilities under this Agreement, except to the extent specified in this Agreement.

B. PURPOSE

The purpose of the ERGO *PHASE II* Grant Program is to offer North Dakota employers financial assistance to purchase ergonomic equipment. The grants awarded are intended to help reduce the frequency and severity of ergonomic-related injuries in the work place.

C. ELIGIBILITY

Eligibility of an employer to participate in the ERGO *PHASE II* Grant Program is contingent upon the employer's:

- (a) Participation in WSI's Ergonomic Initiative Program;
- (b) Submission and approval of a completed application;
- (c) Active WSI coverage and be in "good standing" status for the most recently completed premium year

D. TERM AND TERMINATION

The Agreement is effective when fully executed by the parties and terminates two years from the date of execution.

This Agreement may be terminated before the end of the term by mutual consent of both parties, or by either party upon sixty (60) days' written notice delivered by certified mail or in person. In this event, Grantee agrees to repay any and all previously paid grant monies.

If for any reason the Grantee participating in ERGO *PHASE II* Grant Program fails to satisfy one or more of the criteria established in the application, the award letter or this Agreement, the Grantee may be disqualified from the program and shall repay any and all previously paid grant monies.

The Grantee's application and the award letter are incorporated into this agreement by reference. The Grantee acknowledges and agrees to the applicability of N.D.C.C. § 65-04-26.1.

If the Grantee moves out of state, transfers, merges, combines or closes its business after receiving a grant, but before the end of the two-year Agreement period, the Grantee may be disqualified as of the date of the move, transfer, merger, combination or closure, and the Grantee shall be liable to repay any and all previously paid grant monies. Finance No. 57472

The parties expressly agree that WSI may recover grant monies by legal action through WSI's legal department or through its outside counsel.

WSI may terminate this Agreement effective upon delivery of written notice to the Grantee, or at such later date as may be stated in the notice, under any of the following conditions:

1. If WSI funding from governmental or other sources is not obtained and continued at levels sufficient to allow for purchase of the services described in this Agreement, unless the Agreement is modified by agreement of the parties in writing to accommodate a reduction in funds.
2. If federal or state laws, rules or regulations are modified or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this Agreement or are no longer eligible for the funding proposed for payments authorized by this Agreement.
3. If any license, permit or certificate required by law, rule or regulation, or by the terms of this Agreement, is for any reason denied, revoked, suspended or not renewed.

Any termination of this Agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

E. DISTRIBUTION OF GRANT MONIES

Subject to WSI resources and Section O of this Agreement, the Grantee, and WSI mutually agree that any grant issued by WSI shall reflect a 3-to-1 ratio of monies contributed by WSI and the Grantee.

The parties agree that based on the award amount by WSI, the Grantee is obligated to contribute at least 25% of the total project cost.

WSI awards Grantee \$14,225.25 for this project identified as Finance ID 57472. Grantee's application received at WSI on 5/15/2015 and award letter dated 5/20/2015 are incorporated into this Agreement by reference.

WSI may, in its sole discretion, pay all or a portion of Grantee's submitted expenses that exceed the grant award amount when WSI determines the submitted expenses are reasonable and fulfill the purpose of the grant. In no event will WSI pay more than the maximum award amount Grantee is eligible for under the program. The 3-to-1 ratio applies to any excess dollars paid by WSI.

F. GRANTEE RESPONSIBILITIES

Grantee, in consideration of the grant award, promises to fully comply with the program requirements as outlined in this Agreement, the application, and the award letter.

1. All ergonomic **interventions must receive approval prior to purchase** in order to qualify for funding, and any proposed changes to the grantee's original application proposal must be agreed to in writing by both parties in advance of any change.
2. Equipment ordered, funds expended or invoices dated prior to the Agreement effective date are not eligible for reimbursement under this program.
3. The Grantee agrees to order or purchase the ergonomic equipment within 45 days from the date this Agreement is signed by the Grantee. Grantee agrees to full functionality of the intervention within three months of the date of this Agreement.
4. Grantee will submit all pertinent original invoices and statements, along with a request for reimbursement form and proof of payment (canceled checks, credit card receipts, etc.), to WSI substantially similar to its estimated costs as outlined in Grantee's application within 45 days of payment.

Finance No. 57472

5. The Grantee agrees to allow WSI staff access to the work site to observe, verify implementation of intervention, photograph and videotape affected processes before and after implementation of intervention.

6. The Grantee agrees to provide serial numbers of equipment purchased upon request.

G. REIMBURSEMENT

Upon purchase of the intervention and submission of a request for reimbursement, along with supporting invoices and payment documentation, WSI will process the reimbursement and mail funds directly to Grantee's address as indicated on the W-9 form. An award of funds must be exhausted by the grantee and reimbursed to the grantor within twelve (12) months of the date of award. Funds unexpended beyond twelve (12) months, absent exceptional circumstances determined and approved in advance by WSI, are not eligible for reimbursement.

H. EXCLUSIVE REMEDY

In the event of an injury or occupational disease arising from the implementation of the program, the Grantee and the employee's sole and exclusive remedy shall be the worker's compensation laws of North Dakota. In no event shall WSI be liable for any damages in contract or in tort.

I. ASSIGNMENT

The Grantee agrees not to assign or transfer its interests in this Agreement without the express, written consent of WSI.

J. INDEMNIFICATION

The Grantee agrees to comply with all federal, state and local laws and ordinances applicable to the work to be done under this Agreement. The Grantee shall save and hold harmless the State of North Dakota and WSI, its officers, agents, employees, and members, from all claims, suits, or actions of whatsoever nature resulting from or arising out of the negligence or misconduct of the Grantee.

K. APPLICABLE LAW AND VENUE

All Agreement limitations and stipulations are subject to North Dakota state laws and regulations, which are subject to change by legislation, administrative action or judicial interpretation. Venue for any actions brought regarding this Agreement shall be in Burleigh County District Court, North Dakota.

L. SEVERABILITY

If any term or provision of this Agreement is declared by a court having jurisdiction to be illegal or unenforceable, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties are to be construed and enforced as if the Agreement did not contain that term or provision.

M. MODIFICATION

The terms of this Agreement may not be waived, altered, modified, supplemented or amended, in any manner, except by written agreement signed by both parties.

N. FORCE MAJEURE

Grantee shall not be held responsible for delay or default caused by fire, riot, acts of God or war if the event is beyond the Grantee's reasonable control and the Grantee gives notice to WSI immediately upon occurrence of the event causing the delay or default or which is reasonably expected to cause a delay or default.

O. RIGHT TO AUDIT

WSI reserves the right to audit the financial and non-financial records of the Grantee as they pertain to the ERGO Grant Program. Audits may be performed by WSI personnel or by outside auditors selected by WSI. WSI may, with reasonable notice, observe, videotape, photograph, and verify the operations of the Grantee as they pertain to the ERGO Grant Program. Grantee agrees to grant access to WSI or their authorized agent. Finance No. 57472

P. AUTHORITY

The signator below states that he or she is the owner, chief financial officer, plant manager, or other person having fiduciary responsibilities with the Grantee, and has the authority to oversee the carrying out of the Grantee's responsibilities for two years after the program has been implemented. The signator's authority shall continue until the Grantee notifies WSI of the name of the successor.

Q. MERGER

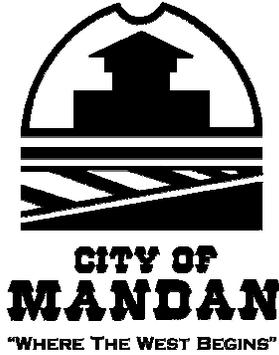
This document constitutes the entire agreement between the parties identified below. There are no understandings, agreements, or representations, oral or written, not specified within this Agreement. No waiver, consent, modification, amendment or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification, amendment or change, if made, shall be effective only in the specific instance and for the specific purpose given. WSI and the Grantee, by the signatures below of their respective authorized representatives, hereby acknowledge that they have read this Agreement, understand it, and agree to be bound to its terms and conditions.

Mandan, City of (Fire Dept)

Shane Weltikol Date
Firefighter

STATE OF NORTH DAKOTA BY AND THROUGH WORKFORCE SAFETY AND INSURANCE

Barry Schumacher Date
Chief of Employer Services



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 28, 2015
SUBMITTING DEPARTMENT: Public Works
DEPARTMENT DIRECTOR: Jeff Wright
PRESENTER: Jeff Wright, Director of Public Works
SUBJECT: Consider Master Meter installation agreement between the City of Mandan and Missouri West Water System.

STATEMENT/PURPOSE: Consider agreement between the City of Mandan and MWWS allowing the City of Mandan to install master meters with the new reading technology. The agreement was approved by the MWWS board on May 27, 2015.

BACKGROUND/ALTERNATIVES: The City of Mandan is finishing up on the meter replacement project and the 4 MWWS feed point master meters are some of the last larger meters yet to be installed. The attached agreement states the City will install and maintain the meters that work with our reading system, but will read in gallons for MWWS reading system. Once installed there is programming that needs to be done on MWWS monitoring system.

ATTACHMENTS: Agreement.

FISCAL IMPACT: To date, with all change orders, the project is \$33,188.48 under the original contract price.

STAFF IMPACT: Minimal

LEGAL REVIEW: Malcolm has reviewed the contract document and has no issues.

RECOMMENDATION: Recommend approving the Master Meter installation agreement between the City of Mandan and Missouri West Water System.

SUGGESTED MOTION: Move to approve the Master Meter installation agreement between the City of Mandan and Missouri West Water System.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider Master Meter installation agreement between the City of Mandan and Missouri West Water System.

Page 2 of 2

AGREEMENT

This Agreement, made this ____ day of ____ 2015, by and between Missouri West Water System ("MWWS") of 2816 37th Street NW, Mandan, ND 58554, and the City of Mandan ("Mandan") of 205 2nd Avenue NW, Mandan, ND 58554.

WHEREAS, Mandan and MWWS are parties to a Water Supply Contract dated May 21, 1997; and

WHEREAS, The parties have been mutually complying with the terms of said contract; and

WHEREAS, Mandan is in the process of changing the water meters for the residents of Mandan and desires to change the meters that deliver water to MWWS.

NOW, THEREFORE, The parties agree as follows:

1. Mandan will replace the water meters at the four (4) agreed upon delivery points to MWWS; namely, these four (4) delivery points are as follows: the "Captain's Landing Meter Vault," the "West Mandan Meter Vault," the "HWY 6/Airport Booster Station," and the "North Mandan Meter Vault."
2. Each new water meter at the four (4) connection points listed above will read flow in gallons and will have equipment attached to said meter so Mandan can read and bill MWWS's water consumption directly with Mandan's meter reading infrastructure.
3. The cost of the meters and the installation thereof will be paid by Mandan.
4. The new meters at the HWY 6/Airport Booster Station and the North Mandan Meter Vault will be connected and integrated into the MWWS's SCADA system so as not to impede MWWS's existing SCADA monitoring process at these locations post installation.
5. The new meters at the Captain's Landing Meter Vault and the West Mandan Meter Vault will be equipped with a second radio capable of being read by MWWS's radio read equipment so as not to impede MWWS's existing radio read process at these locations post installation.
6. Future maintenance, and replacement of these four (4) meters at the above locations will be the responsibility of Mandan, and MWWS agrees to provide access to these four connection points for Mandan to perform routine maintenance as Mandan reasonably sees fit.
7. The process for Calibration and Adjustments of Metering Equipment, shall continue forth as presented in the May 21, 1997 agreement.
8. Replacement of meters and equipment must be acceptable to MWWS. If MWWS wishes to request a meter be replaced, MWWS must submit a written request justifying their reasons for replacement, to which Mandan must reply by either proving the meter(s) in question are still satisfactory OR by replacing the meter(s) in question with a meter acceptable to MWWS.

MWWS:

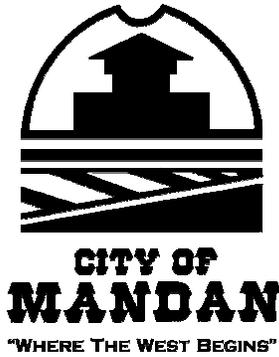
MISSOURI WEST WATER SYSTEM

By: _____
Its _____

MANDAN:

CITY OF MANDAN

By: _____
Its _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 29, 2015
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Appointment of Election Inspector and Judges

STATEMENT/PURPOSE: To consider the appointment of Inspectors and Judges for the upcoming special election.

BACKGROUND/ALTERNATIVES: Pursuant to the resolution passed on March 24, 2015, calling for a special election calling for an increase to the sales and use tax, the City Commission needs to appoint Inspectors and Judges for the election.

The Inspector at the Brave Center is suggested as follows: Sue Kihne
The Judges at the Brave Center are suggested as follows: Nancy Sperling & Carol Jorgenson
The Inspector at Sprit of Life is suggested as follows: James Marthaller
The Judges at Spirit of Life are suggested as follow: Roberta Brown & Regina Marthaller

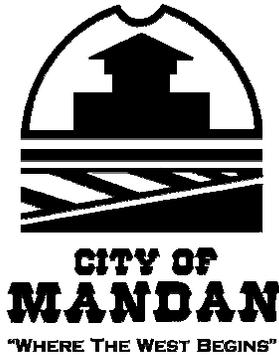
ATTACHMENTS: n/a

FISCAL IMPACT: hourly costs for workers

STAFF IMPACT: minimal

LEGAL REVIEW: Attorney Brown has been consulted on the appointments

RECOMMENDATION & SUGGESTED MOTION: Appoint the following:
The Inspector at the Brave Center: Sue Kihne
The Judges at the Brave Center: Nancy Sperling & Carol Jorgenson
The Inspector at Sprit of Life: James Marthaller
The Judges at Spirit of Life: Roberta Brown & Regina Marthaller



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 29, 2015
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning & Engineering Director
SUBJECT: Consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

STATEMENT/PURPOSE: To consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

BACKGROUND/ALTERNATIVES: On March 3, 2015 the Mandan City Commission approved the creation of Street Improvement District No. 199 and approved the Resolution of Engineer's Report and the Resolution of Necessity. On April 13, 2015 the protest period ended. The City of Mandan Engineering Department received protest letters amounting to 27.74% of the protest area for this project (17.87% being commercial and 9.87% being residential).

Plans and specifications were developed for this project, and on May 14th bids were opened. On May 19th, commission rejected the bids that were opened based on the low bid of \$3,513,389.40 being much higher than the engineer's estimate. Soon after bid opening, city staff along with our consulting engineers, Stantec, met with the bidders of the project to get a better understanding as to why the bid amounts were so far from the estimate, and how we may be able to save costs on this project while still assuring a quality job. Since those meetings, Stantec, under city staff direction, has revised the plans and specifications based on that feedback from the project bidders. Using those revised plans and specifications and the revised cost estimate, we would like to move forward with rebidding this project as soon as possible.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

Page 2 of 10

Going forward, the intended project schedule is as follows:

- June 5 and 12, 2015 Ad for bid published in Mandan News
- June 23, 2015 Bid Opening
- On or before July 7, 2015 Bid Awarded
- July 2015 Construction to begin
- 2016 Substantial Completion Date
- 2017 Special Assessments

ATTACHMENTS:

1. District Map
2. Resolution approving amended engineer's report
3. Resolution approving revised plans and specifications
4. Resolution directing advertisement for bid

FISCAL IMPACT: The estimated cost of construction is \$2,863,691.20, engineering and administration is estimated to add \$1,002,291.92 bringing the total project cost to \$3,865,983.12. The cost is to be special assessed to the benefitting properties. Note that the notices sent to the impacted properties in March were based on an estimate of \$2,706,146.60 for construction and a total project of \$3,653,297.91.

STAFF IMPACT: Time for planning and administrative duties.

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

RECOMMENDATION: We recommend approving the resolution approving the revised plans and specifications for, approving Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

SUGGESTED MOTION: I move to approve the resolution approving the revised plans and specifications for, approve Resolution approving amended engineer's report and approve Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

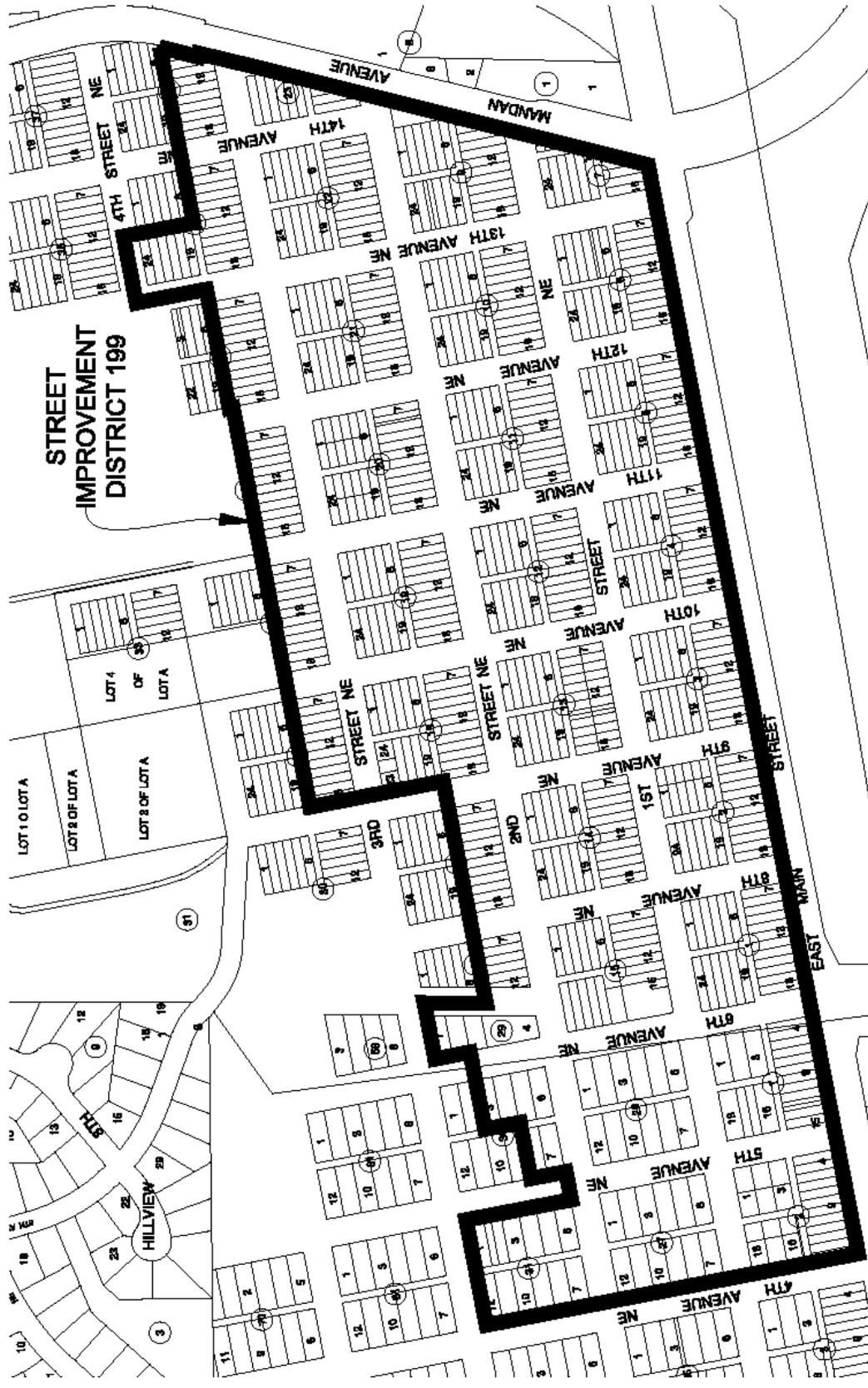
Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

Page 3 of 10



**RESOLUTION APPROVING AMENDED ENGINEER'S REPORT AND
AUTHORIZING PREPARATION OF THE DETAILED PLANS
AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE
IMPROVEMENT IN STREET IMPROVEMENT DISTRICT NO. 199**

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

1. That the report of the City Engineer with respect to the general nature, purpose, and feasibility of the proposed improvement and the estimate of the probable cost of the work to be done in Street Improvement District No. 199 (Project # 2014-28), as required by section 40-22-10 of the North Dakota Century Code, and hereto filed in the office of the City Administrator, is hereby accepted and approved and the proposed improvement project within said District is hereby determined and declared to be feasible.

2. The probable costs of the of the improvement project are estimated to be as follows:

a. Construction costs:	\$2,863,691.20
b. Other costs including necessary and reasonable change orders; engineering, fiscal agents' and attorneys' fees; cost of publication of legal notices; printing of warrant bonds; and all expenses incurred in the making of the improvement and levy of assessments therefor:	\$1,002,291.92
c. Total estimated costs of the improvement:	\$3,865,983.12

3. The Engineer is hereby authorized and directed to prepare detailed plans and specifications for the project to be constructed.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

Page 5 of 10

4. This resolution shall be in full force and effect from and after its passage.

Dated this 2nd day of June, 2015.

President, Board of City Commissioners

ATTEST:

City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

Page 6 of 10

**RESOLUTION APPROVING REVISED PLANS AND SPECIFICATIONS
FOR STREET IMPROVEMENT DISTRICT NO. 199
PROJECT # 2014-28**

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

Pursuant to the requirement of section 40-22-11 of the North Dakota Century Code, the Plans and Specifications for the improvement project in Street Improvement District No. 199 (Project # 2014-28) of said City be and the same are hereby approved, ratified and confirmed as the plans and specifications in accordance with which said improvement project will be constructed, except as modified by this Board in accordance with law, and the City Administrator shall file the same in his office, open for public inspection.

Dated this 2nd day of June, 2015.

President, Board of City Commissioners

ATTEST:

City Administrator

City Administrator

**RESOLUTION DIRECTING ADVERTISEMENT FOR BIDS
FOR STREET IMPROVEMENT DISTRICT NO. 199**

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

1. The City Administrator, Deputy Auditor and City Engineer shall meet at the time and place specified in the notice authorized in paragraph 2 hereof, for the purpose of opening sealed bids for the work and material needed for the improvement project to be made in Street Improvement District No. 199 (Project # 2014-28) of the City of Mandan, as more fully described and referred to in the resolution creating said improvement district passed and approved by the Board on March 3, 2015, and in the plans and specifications for said improvement now on file in the office of the City Engineer.

2. The City Administrator is authorized and directed to cause notice of advertisement for bids to be published once each week for two consecutive weeks in the Mandan News, the official newspaper, the first of such publications to be at least fourteen days before the date specified for receipt of bids, which notice shall be in the following form:

**“ADVERTISEMENT FOR BIDS FOR
STREET IMPROVEMENT DISTRICT NO. 199
MANDAN, NORTH DAKOTA**

Notice is hereby given, that the City of Mandan, North Dakota will receive sealed bids at the office of the City Administrator until Tuesday, June 23, 2015, at 10:00 a.m., local time for the purpose of furnishing of materials, labor and skill needed for the construction of asphalt streets and alleys, concrete curb and gutter and related work in accordance with the plans and specifications for Street Improvement District No. 199 (Project # 2014-28), for the City of Mandan. The Work consists of all labor, skill, and materials required to properly construct the improvement.

Contractors and vendors desiring plans and specifications for personal use may secure digital copies from www.questcdn.com for a fee of \$25.00. These documents may be downloaded by selecting this project from the “Bid Documents” tab and by entering Quest Project Number #3939488 on the “Search Projects” page.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

Subject: Consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

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For assistance and the free membership registration, contact QuestCDN at (952)233-1632 or info@questcdn.com. Paper copies of the bid documents may be obtained from the City of Mandan Engineering office, 205 2nd Avenue Northwest, Mandan, North Dakota 58554 upon non-refundable payment of \$50.00 for each set. If Plans are mailed out and additional fee of \$15.00 will be added for postage and handling.

The bid proposals must be submitted to the City Administrator by 10:00 a.m., local time, June 23, 2015 and shall be sealed and endorsed "Proposal for Street Improvement District No 199. Bids shall be delivered or mailed to: City Administrator, City of Mandan, 205 2nd Avenue NW, Mandan, ND 58554. Bids will be opened and read aloud in the City Commission Meeting Room at 10:00 a.m., local time, on Tuesday, June 23, 2015. All bidders are invited to be present at the public opening of the Bids.

All Bidders must be licensed for the highest amount of their Bids, as provided by Section 43-07-05 of the North Dakota Century Code. The Bidder shall include a copy of his license or certificate of renewal thereof enclosed in the required bid bond envelope as required pursuant to Section 43-07-12 of the North Dakota Century Code, as amended.

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

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

Construction work completion dates are as follows:

Interim Completion dates:

Phase 1 by October 16, 2015

Phase 2 by October 28th, 2016

Final Completion Date:

Chip Seal by August 15th, 2017

Subject: Consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

Liquidated damages of \$500.00 per calendar day will be assessed if any completion dates are exceeded.

Should the contractor fail to complete all of the work in a District according to the above date, or within such additional time as may have been granted by formal extensions of time approved by the City Engineer, there shall be deducted from any money due the contractor, the above mentioned sum for each calendar day the completion of the Work is delayed. Liquidated damages will continue to accumulate until the City Engineer determines winter weather prevents further construction. Liquidated damages will restart on the first day of construction in the Spring of 2015 and continue to accumulate until final project acceptance. The Contractor and his surety shall be liable for any excess. Such payments shall be deducted from the final payment and shall be charged as liquidated damages and not as a penalty.

The Board of City Commissioners will meet on or before Tuesday, July 7th, 2015, at 5:30 PM, local time, to review the Bids submitted, consider the engineer's recommendation, and to award the contract to the successful Bidder. The contract will be awarded on the basis of the low Bid submitted, on eligible areas, by a responsible and responsive Bidder deemed most favorable to the City's interest.

The City of Mandan reserves the right reject any or all bids, to waive any informality or irregularity, to hold all bids for a period of thirty (30) days after the date fixed for the opening thereof, and to accept the Bid deemed most favorable to the best interest of the City of Mandan.

Dated this 2nd day of June, 2015

City of Mandan, North Dakota
BY: James Neubauer
City Administrator"

3. Each and all of the terms and provisions of the foregoing notice are hereby adopted as the terms and conditions for the award of said contract.

4. The Board of City Commissioners shall meet on or before Tuesday, July 7, 2015 at 5:30 pm, local time, to review the bids submitted, consider the engineer's recommendation, and to award the contract to the successful bidder, subject to the Board finding that filed protests are insufficient to bar the work.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 2, 2015

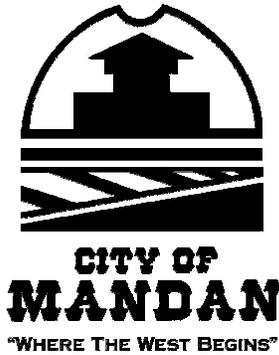
Subject: Consider Resolution approving revised plans and specifications for, Resolution approving amended engineer's report and Resolution directing re-advertisement for bid for Street Improvement District No. 199, Project No. 2014-28 (NE Downtown Area).

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ATTEST:

City Administrator

Passed: June 2nd, 2015



New Business No. 1 - REVISED

Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 28, 2015/Revised June 2, 2015
SUBMITTING DEPARTMENT: Business Development and Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development and Communications Director
PRESENTER: Ellen Huber, Business Development and Communications Director
SUBJECT: MGF Recommendation for Interest Buy-Down for E-C Investments/Malloy Electric

STATEMENT/PURPOSE: To consider a recommendation by the Mandan Growth Fund (MGF) Committee regarding an application for an interest buy-down for E-C Investments, LLC, which leases to Malloy Electric. Since the Growth Fund meeting, the applicant has formed a new real estate holding company, E-C ND Investments, LLC.

BACKGROUND/ALTERNATIVES: At a May 28, 2015, meeting, the MGF reviewed an application for an interest buy-down of permanent financing for a new 21,350 square-foot building to accommodate sales, service and warehousing of inventory. The buy-down is through the Bank of North Dakota (BND) Flex PACE program. The applicant is seeking the maximum buy-down amount of \$153,846. The Bank of North Dakota will provide 65 percent or \$100,000 of the amount, with the local community required to provide 35 percent or \$53,846. The buy-down is on a principal amount of \$1.6 million. The total project investment is estimated at \$2 million.

Malloy Electric provides sales and service of electrical equipment, electric motors, variable frequency drives, and mechanical equipment. Markets include agriculture, general industry and utility industries. The company is based in Sioux Falls, S.D.

Malloy Electric expects to initially employ 7 people at the Mandan location with plans of reaching 10 to 14 within three years and a projecting employment of 15 to 20 people by 2020.

ATTACHMENTS: Application available upon request.

FISCAL IMPACT: The Growth Fund unencumbered balance is \$391,398. If this application for \$53,846 is approved, the new balance would be \$337,552.

The local match is recommended to be structured as a loan, with an interest rate of 3 percent to begin accruing after the 43-month buy-down period ends, and repayable within an equal time thereafter, for a total maximum loan length of 7 years. The LCRDC will administer and service the loan for the City of Mandan for a 1 percent origination fee and all hard costs to be paid by the borrower and a 1 percent servicing fee on payments collected after the buy-down period ends.

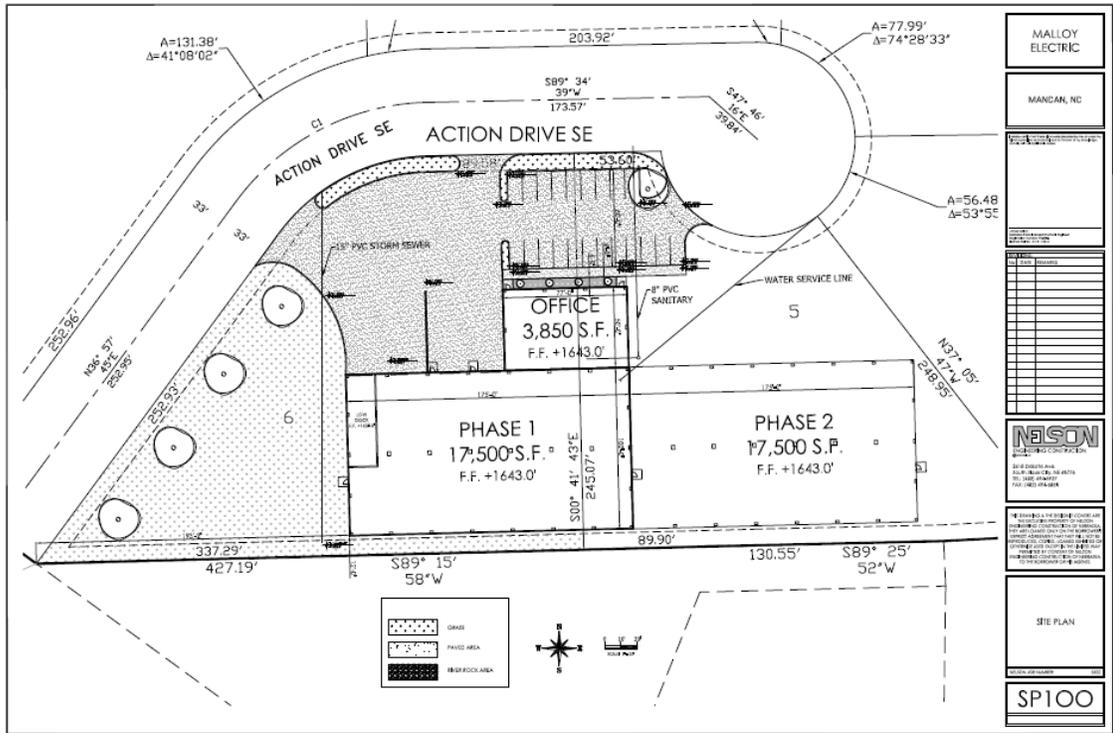
STAFF IMPACT: Minimal.

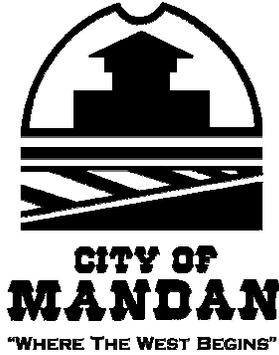
LEGAL REVIEW: City Attorney Malcolm Brown was in attendance at the MGF meeting for the review and consideration of the application. A separate agreement will be proposed with the Lewis and Clark Regional Development Council for administration and servicing of interest buy-downs structured as loans.

The applicant will need to enter into a business incentive agreement with the Bank of North Dakota and City of Mandan and will need to submit an annual jobs verification report for five years after receipt of the interest buy-down. An automatic door will also be required.

RECOMMENDATION: The MGF voted 6-0 to recommend approval of the interest buy-down for Malloy Electric with a local match of \$53,846 to be structured as a loan repayable within 43 months after the 43-month buy-down period with a 3 percent interest rate and all loan origination and filing fees paid by the borrower.

SUGGESTED MOTION: I move to approve the interest buy-down for E-C ND Investments, LLC with Malloy Electric as the operating company for its new building with the local match of \$53,846 to be structured as a loan with the term and rate as recommended.





New Business No. 1

Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 28, 2015
SUBMITTING DEPARTMENT: Business Development and Communications
DEPARTMENT DIRECTOR: Ellen Huber, Business Development and Communications Director
PRESENTER: Ellen Huber, Business Development and Communications Director
SUBJECT: MGF Recommendation for Interest Buy-Down for E-C Investments/Malloy Electric

STATEMENT/PURPOSE: To consider a recommendation by the Mandan Growth Fund (MGF) Committee regarding an application for an interest buy-down for E-C Investments, LLC, which leases to Malloy Electric.

BACKGROUND/ALTERNATIVES: At a May 28, 2015, meeting, the MGF reviewed an application for an interest buy-down of permanent financing for a new 21,350 square-foot building to accommodate sales, service and warehousing of inventory. The buy-down is through the Bank of North Dakota (BND) Flex PACE program. The applicant is seeking the maximum buy-down amount of \$153,846. The Bank of North Dakota will provide 65 percent or \$100,000 of the amount, with the local community required to provide 35 percent or \$53,846. The buy-down is on a principal amount of \$1.6 million. The total project investment is estimated at \$2 million.

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Malloy Electric expects to initially employ 7 people at the Mandan location with plans of reaching 10 to 14 within three years and a projecting employment of 15 to 20 people by 2020.

ATTACHMENTS: Application available upon request.

FISCAL IMPACT: The Growth Fund unencumbered balance is \$391,398. If this application for \$53,846 is approved, the new balance would be \$337,552.

The local match is recommended to be structured as a loan, with an interest rate of 3 percent to begin accruing after the 43-month buy-down period ends, and repayable within an equal time thereafter, for a total maximum loan length of 7 years. The LCRDC will administer and service the loan for the City of Mandan for a 1 percent origination fee and all hard costs to be paid by the borrower and a 1 percent servicing fee on payments collected after the buy-down period ends.

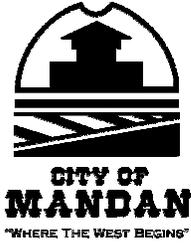
STAFF IMPACT: Minimal.

LEGAL REVIEW: City Attorney Malcolm Brown was in attendance at the MGF meeting for the review and consideration of the application. A separate agreement will be proposed with the Lewis and Clark Regional Development Council for administration and servicing of interest buy-downs structured as loans.

The applicant will need to enter into a business incentive agreement with the Bank of North Dakota and City of Mandan and will need to submit an annual jobs verification report for five years after receipt of the interest buy-down. An automatic door will also be required.

RECOMMENDATION: The MGF voted 6-0 to recommend approval of the interest buy-down for Malloy Electric with a local match of \$53,846 to be structured as a loan repayable within 43 months after the 43-month buy-down period with a 3 percent interest rate and all loan origination and filing fees paid by the borrower.

SUGGESTED MOTION: I move to approve the interest buy-down for E-C Investments with Malloy Electric as the operating company for its new building with the local match of \$53,846 to be structured as a loan with the term and rate as recommended.



New Business No. 2
REVISED 6-1-2015

Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 29, 2015
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Craig Vaughn, SRF
SUBJECT: Consider adoption of I-94 Corridor Study

STATEMENT/PURPOSE: A focused study on ways to improve the safety and functionality of the I-94 corridor through Mandan and Bismarck has been ongoing for about two years. This study has been managed through the Metropolitan Planning Organization (MPO) and is wrapping up. Craig Vaughn of SRF Consulting Group will present the study's findings and recommendations.

ATTACHMENTS:

1. Executive Summary

FISCAL IMPACT: Mandan's cost share for this project is about \$7,500.

STAFF IMPACT: minimal

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

RECOMMENDED ACTION:

Adopt the I-94 corridor study as presented.



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 2, 2015
PREPARATION DATE: May 29, 2015
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Craig Vaughn, SRF
SUBJECT: Consider for approval a Comprehensive Plan for development of the city

STATEMENT/PURPOSE: A focused study on ways to improve the safety and functionality of the I-94 corridor through Mandan and Bismarck has been ongoing for about two years. This study has been managed through the Metropolitan Planning Organization (MPO) and is wrapping up. Craig Vaughn of SRF Consulting Group will present the study's findings and recommendations.

ATTACHMENTS:

1. Executive Summary

FISCAL IMPACT: Mandan's cost share for this project is about \$7,500.

STAFF IMPACT: minimal

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

RECOMMENDED ACTION:

Adopt the I-94 corridor study as presented.



Bismarck-Mandan MPO I-94 Corridor Study

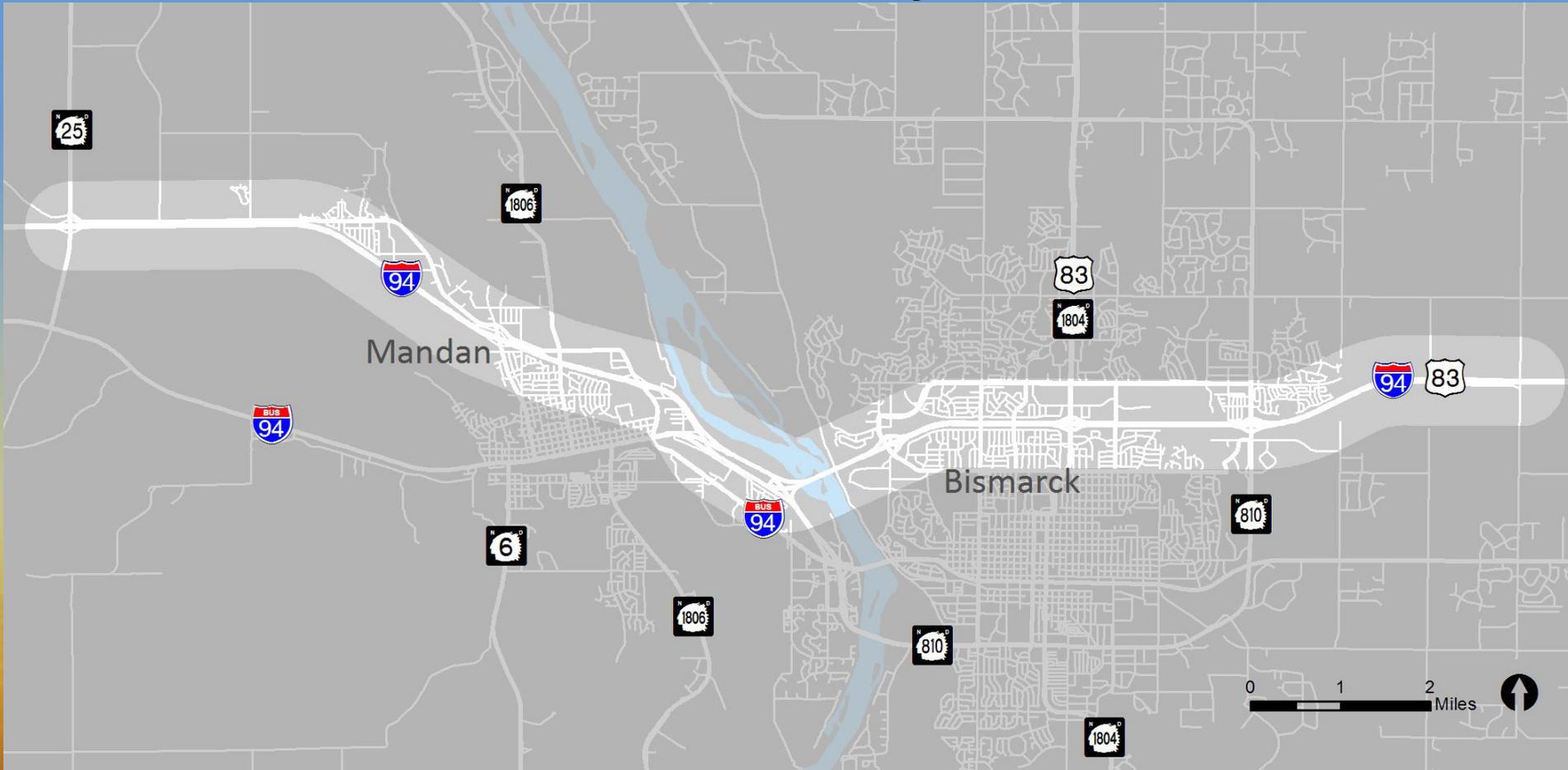
Commission Meeting for Study Adoption



ENGINEERS
PLANNERS
DESIGNERS



Corridor Study Limits



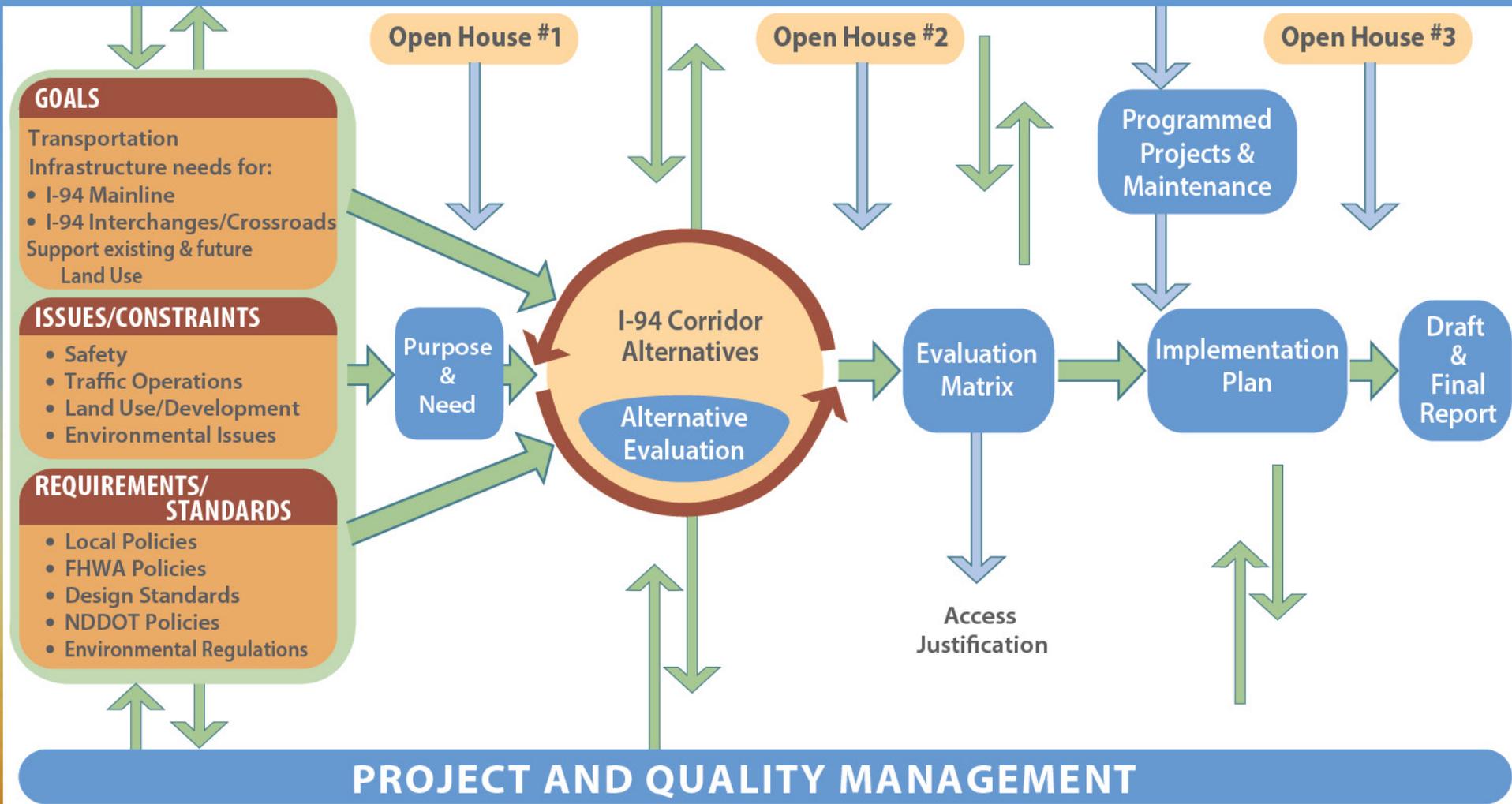
I-94 Corridor from ND Hwy 25 to 80th Street

Study Oversight

- Project Steering Committee (PSC)
- MPO Technical Advisory Committee (TAC)
- MPO Policy Board

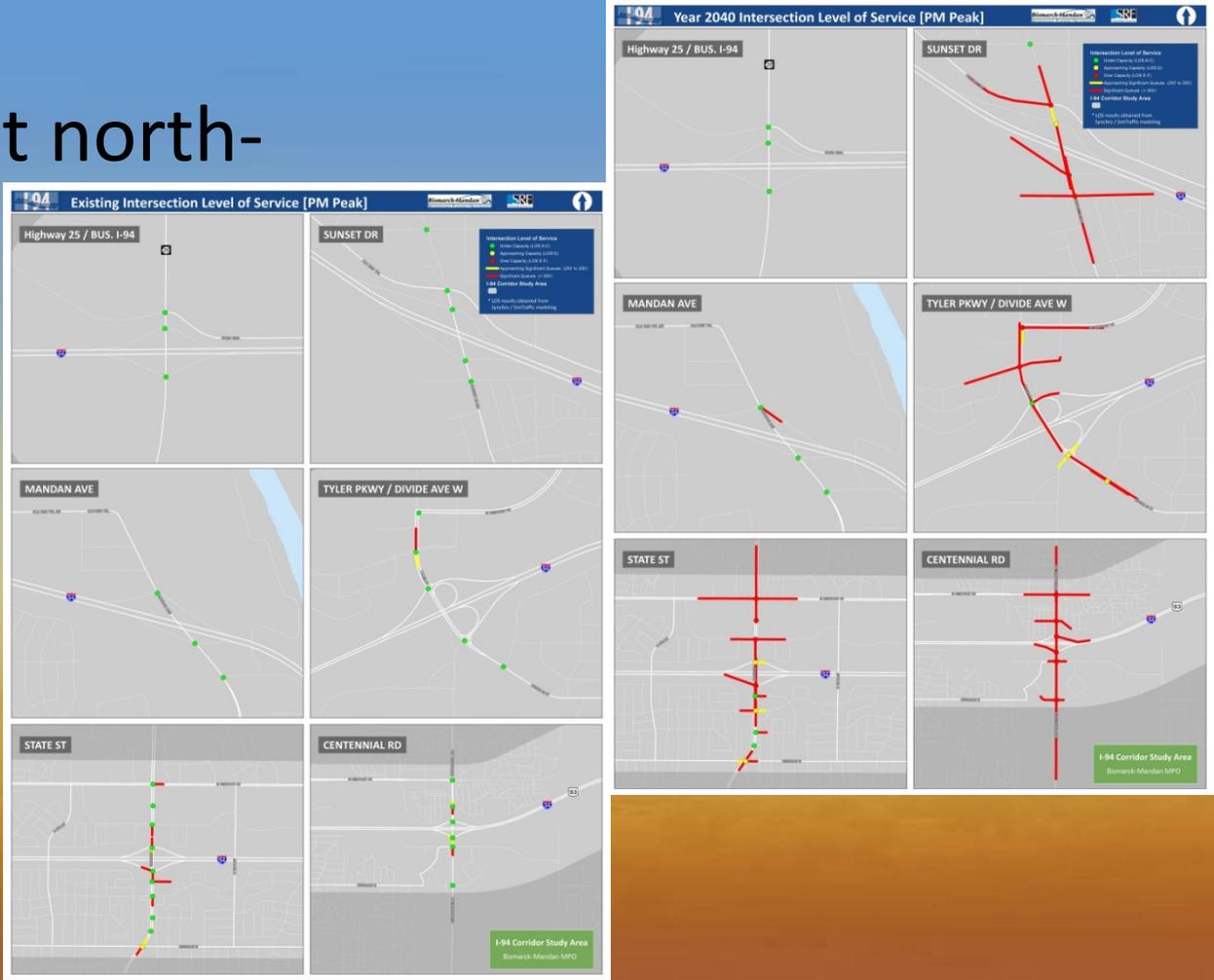


Study Process



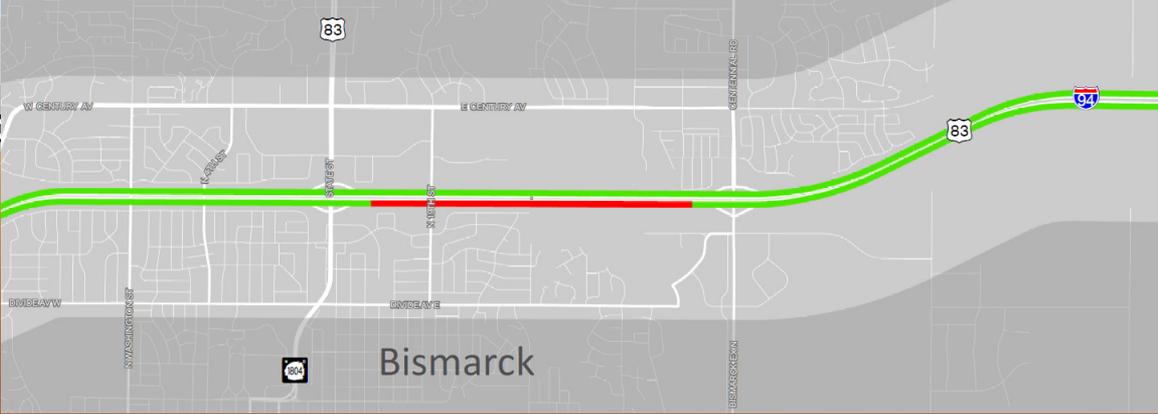
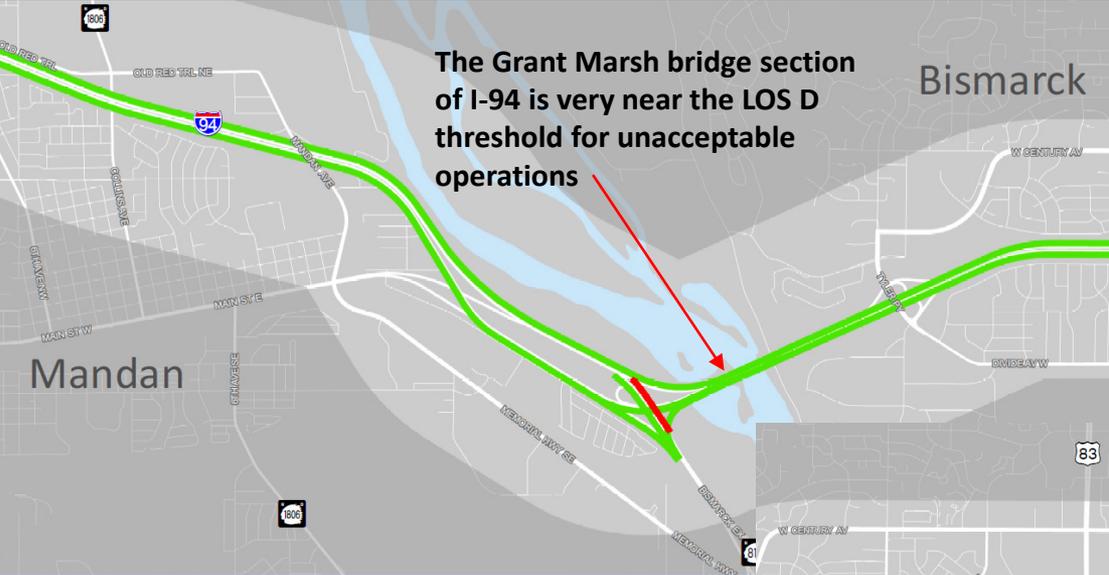
Corridor Issues

- Congestion at north-south access junctions with I-94
- Congestion along I-94 / I-194

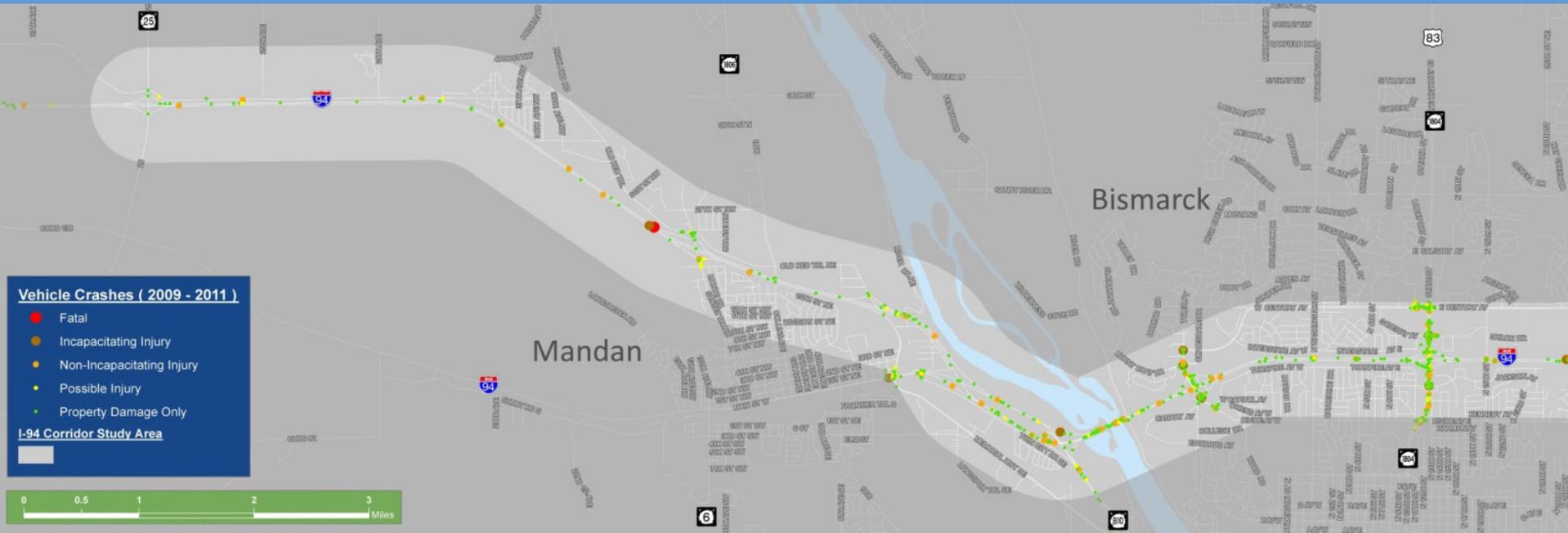


Corridor Issues

- Future congestion along I-94 / I-194

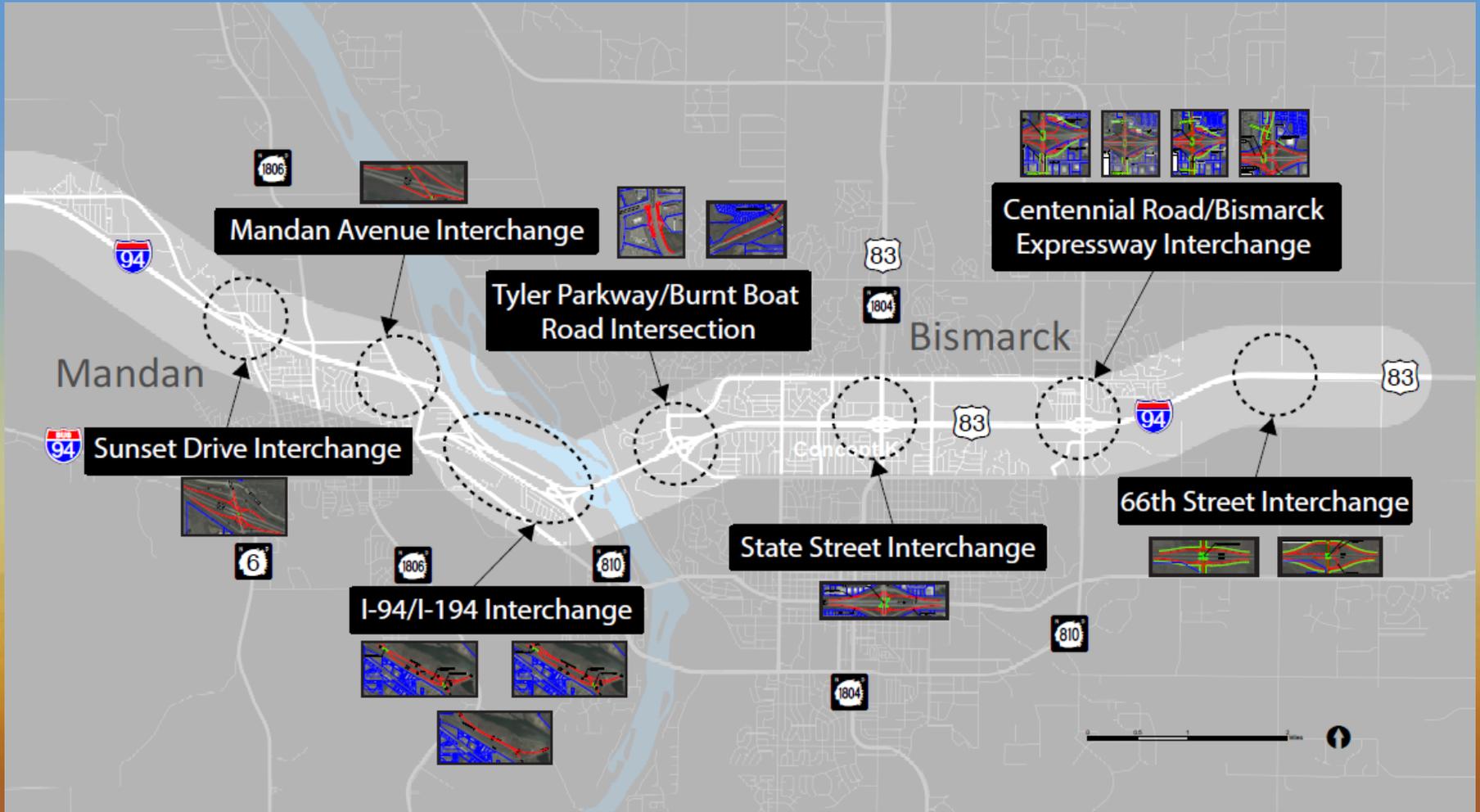


Corridor Issues



- I-94 and its crossroads have considerable crashes

Corridor Concept Alternatives



Corridor Concept Evaluation

Bismarck-Mandan I-94 Corridor Study – Evaluation Summary

Alternative	Reconfigure I-94 / I-194 Interchange and Mainline Alignment			
	No Build	Concept D	Concept F	Concept G
Technical Evaluation Score *	17	36	37	22
Construction Cost	\$0M	\$34.5M	\$31.5M	\$13M
PSC Ranking	4	2	1	3

* The higher the technical evaluation score, the better the alternative is valued.

Implementation Plan

- A project sequence was developed with the following factors:
 - Traffic Operational Need
 - Safety
 - Pavement/Bridge Conditions
 - Impact to Adjacent Projects
- Three implementation phases and varying stages
 - Phase 1 (2014-2017) / Stages A-D
 - Phase 2 (2018-2025) / Stages E-G
 - Phase 3 (2026-2040) / Stages H-K
- Each Phase was broken up into stages

Phasing

194 CORRIDOR IMPLEMENTATION PHASE 1 (2014-2017)

STAGE A

2014 STIP/TIP Projects Only

- Eastbound and westbound I-94 mill and overlay from Bismarck Expressway/Centennial Road to north of Sterling (2014 STIP/TIP)
- Addition of a turn lane at the I-94/Sunset Drive interchange (2014 STIP/TIP)
- Business I-94 reconstruction from I-94 to Old Highway 32 (2014 STIP/TIP)
- Divide Avenue reconstruction from Volk Drive to Bismarck Expressway (2014 STIP/TIP)
- Addition of a southbound friction lane at Divide Avenue and Bismarck Expressway (2014 STIP/TIP)
- Installation of traffic signals at the intersections of Memorial Highway/40th Avenue and Memorial Highway/46th Avenue (these two projects may occur in 2015) (2014 STIP/TIP)



STAGE B

2015 STIP/TIP Projects

- Addition of turn lanes on State Street from Divide Avenue to Calgary Avenue (2015 STIP/TIP)
- Reconstruction Washington Street to a two-lane section from Divide Avenue to 57th Avenue (2015 STIP/TIP)
- Repair and paint the I-94 Bridge over the Missouri River (2015 STIP/TIP)

Potential LRTP Project

- Restripe Divide Avenue to a three-lane roadway from I-94 to 26th Street (LRTP)



STAGE C

2016 STIP/TIP Projects Only

- Replace the eastbound and westbound I-94 bridge decks over Washington Street and 4th Street (2016 STIP/TIP)
- Traffic signal improvement at the intersection of Main Street and Twin City Drive (2016 STIP/TIP)
- Replace the 60th Street Bridge over I-94 (2016 STIP/TIP)



STAGE D

2017 Projects

- Eastbound and westbound I-94 concrete pavement repair and structural overlay from the Missouri River Bridge and Bismarck Expressway/Centennial Road (2017 STIP/TIP)

I-94 Study Projects

- Partial reconstruction of the westbound I-94 entrance ramp at Tyler Parkway and tighten the loop acceleration lane (I-94 Study)
- Restripe the tapers for the eastbound I-94 entrance ramp and exit loop at Tyler Parkway (I-94 Study)
- Restripe the westbound I-94 entrance ramp taper at State Street (I-94 Study)



194 CORRIDOR IMPLEMENTATION PHASE 2 (2018-2025)

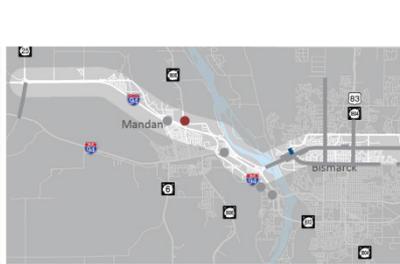
STAGE E

I-94 Study Projects

- I-94 lane improvements at the intersection of Tyler Parkway and Burnt Boat Road (I-94 Study)

Potential LRTP Projects

- Improve and signalize the intersection of Collins Avenue/Old Road Trail (LRTP)
- Extend and improve East Divide Avenue from Bismarck Expressway to 66th Street (LRTP)



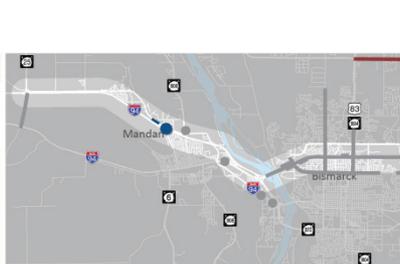
STAGE F

I-94 Study Projects

- Reconstruct the I-94 and Sunset Drive interchange (I-94 Study)
- Restripe the westbound I-94 entrance ramp taper at Sunset Drive (I-94 Study)

Potential LRTP Projects

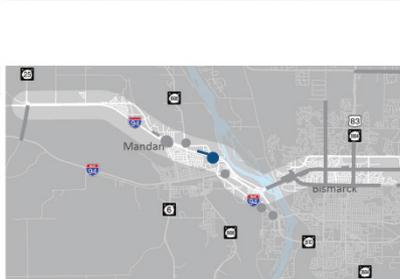
- Construct 66th Street from East Divide Avenue to 71st Street (LRTP)
- Extend Century Avenue to 66th Street (LRTP)
- Reconstruct and widen 71st Avenue from Highway 1804 to 66th Street (LRTP)



STAGE G

I-94 Study Projects

- Reconstruct the I-94 and Mandan Avenue interchange (I-94 Study)
- Restripe the westbound I-94 entrance ramp taper at Mandan Avenue (I-94 Study)
- Construct a new interchange at I-94 and 66th Street (I-94 Study)



194 CORRIDOR IMPLEMENTATION PHASE 3 (2026-2040)

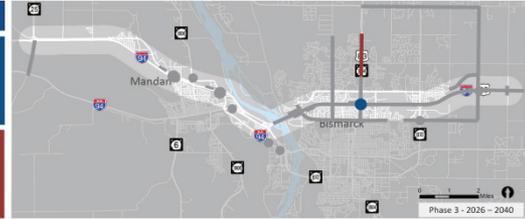
STAGE H

I-94 Study Projects

- Reconstruct the interchange at I-94 and State Street (I-94 Study)

Potential LRTP Projects

- Reconstruct and widen State Street from Calgary Avenue to 27th Avenue (LRTP)



STAGE I

I-94 Study Projects

- Reconstruct I-94 between Main Street and I-194 (I-94 Study)



STAGE J

I-94 Study Projects

- Reconstruct the I-94 and Bismarck Expressway/Centennial Road interchange (I-94 Study)
- Reconstruct Bismarck Expressway/Centennial Road from Divide Avenue to Jericho Road (I-94 Study)



STAGE K

Potential LRTP Projects

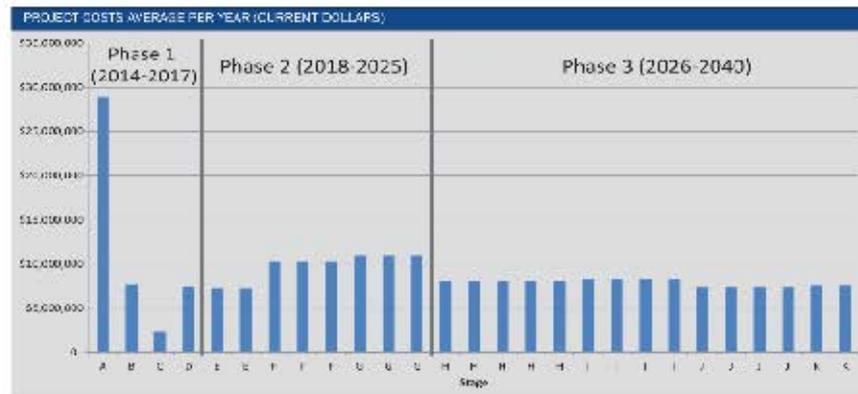
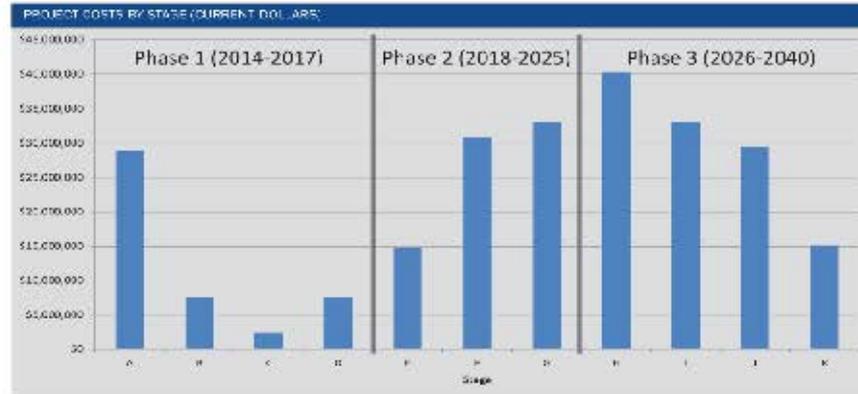
- Extend Sunset Drive to Highway 1804 (LRTP)
- Widen Washington Street to a three-lane section from 57th Avenue to 71st Avenue (LRTP)
- Extend Division Street to Mandan Avenue (LRTP)



Implementation Plan Cost Summary

194 IMPLEMENTATION PLAN COST SUMMARY

194 Bismarck-Mandan Metropolitan Planning Organization SRF



ORDINANCE NO. 1208

AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE MANDAN CODE OF ORDINANCES RELATING TO DISTRICT BOUNDARIES AND ZONING MAP.

BE IT ORDAINED By the Board of City Commissioners of the City of Mandan, Morton County, North Dakota, as follows:

SECTION 1. AMENDMENT. Section 21-03-02 of the Mandan Code of Ordinances is amended to read as follows:

The Lakewood 8th Addition shall be excluded from the A district and included in the R7 and R3.2 districts. Lot 1, Block 1; Lots 1-3, Block 2 and Lots 1-5, Block 4 shall be zoned R7. Lots 4-39, Block 2 and Lots 1-22, Block 3 shall be zoned R3.2.

SECTION 2. RE-ENACTMENT. Section 21-03-02 of the Mandan Code of Ordinances is hereby re-enacted as amended. The city principal planner is authorized and directed to make the necessary changes upon the official zoning map of the city in accordance with this section.

President, Board of City Commissioners

Attest:

City Administrator

Public Hearing:

May 19, 2015

First Consideration:

May 19, 2015

Second Consideration and Final Consideration:

June 2, 2015

Recording Date:

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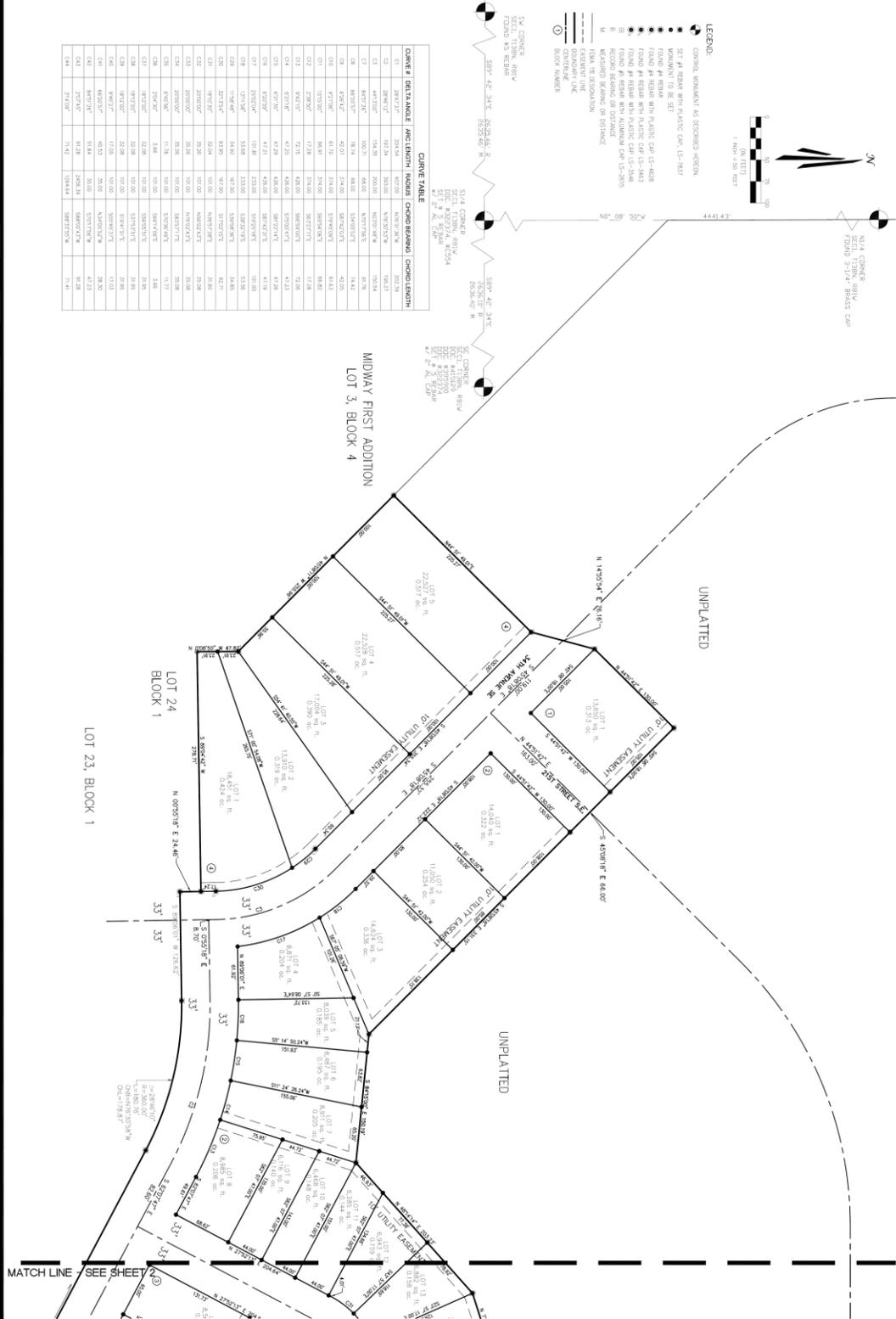
Attest:

City Administrator

Public Hearing:	<u>May 19, 2015</u>
First Consideration:	<u>May 19, 2015</u>
Second Consideration and Final Consideration:	<u>June 2, 2015</u>
Recording Date:	_____

LAKEWOOD 8TH ADDITION

LOT 25, BLOCK 1, LAKEWOOD 7TH ADDITION AND A PORTION OF THE NORTH-EAST QUARTER OF SECTION 1, TOWNSHIP 138 NORTH, RANGE 81 WEST OF THE 5TH PRINCIPAL MERIDIAN, COUNTY OF MORTON, STATE OF NORTH DAKOTA.



LEGEND:

- CONTROL MONUMENT AS DESCRIBED HEREON.
- SET #1 REBAR WITH PLASTIC CAP (L-1-78)7
- MONUMENT TO BE SET
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-46)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-54)2
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-55)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-57)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-58)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-59)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-60)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-61)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-62)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-63)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-64)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-65)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-66)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-67)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-68)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-69)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-70)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-71)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-72)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-73)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-74)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-75)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-76)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-77)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-78)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-79)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-80)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-81)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-82)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-83)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-84)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-85)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-86)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-87)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-88)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-89)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-90)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-91)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-92)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-93)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-94)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-95)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-96)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-97)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-98)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-99)28
- FOUND #1 REBAR WITH PLASTIC CAP (L-1-100)28

CURVE TABLE

CURVE #	DELTA ANGLE	ARC LENGTH	INSIDE RADIUS	CHORD BEARING	CHORD LENGTH
C1	289°42'37"	204.54	407.00	N 87°32'36" W	202.39
C2	289°42'37"	204.54	407.00	N 87°32'36" W	202.39
C3	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C4	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C5	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C6	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C7	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C8	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C9	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C10	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C11	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C12	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C13	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C14	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C15	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C16	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C17	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C18	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C19	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C20	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C21	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C22	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C23	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C24	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C25	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C26	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C27	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C28	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C29	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C30	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C31	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C32	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C33	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C34	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C35	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C36	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C37	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C38	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C39	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C40	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C41	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C42	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C43	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C44	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C45	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C46	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C47	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C48	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C49	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C50	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C51	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C52	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C53	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C54	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C55	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C56	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C57	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C58	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C59	44°11'00"	102.27	204.54	N 42°16'30" E	99.28
C60	44°11'00"	102.27	204.54	N 42°16'30" E	99.28

<p>3 OF 3</p>	<p>DRAWN: _____ DATE: _____ CHECKED: _____ DATE: _____ REVISION #: _____ DATE: _____ JOB NO: ND10000</p>	<p>FINAL PLAT LAKEWOOD 8TH ADDITION CITY OF MANDAN COUNTY OF MORTON MANDAN, NORTH DAKOTA</p>	<p>2911 North 14th Street, Suite 301 Bismarck, ND 58103 p: 701/256/4287 f: 701/255/5798 www.tait.com</p> <p>TAIT Since 1964</p> <p>Lee Ingels Brent G. Gougeon Brent G. Gougeon Brent G. Gougeon</p> <p>Blair Dore Gagne Gougeon</p>	<p>NGL DESCRIPTION 88-010200</p>	<p>BY DATE</p>
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