

AGENDA
MANDAN CITY COMMISSION
JUNE 30, 2014
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 June 17, 2014 Board of City Commission meeting
- E. PUBLIC HEARING:
1. Consideration of request to vacate portion of Viewpoint Lane (see R&O #2)
 2. Consideration of request to vacate portion of 11th Ave. SW (see R&O #3)
- F. BIDS:
1. Consider award of bid for Street Improvement District 191, Project 2014-04(Lincoln Ridge Estates 6th Addition).
 2. Consider award of bid for Street Improvement District 192, Project 2014-06(West Hills Estates 3rd Addition).
 3. Consider award of bid for Street Improvement District 193, Project 2014-08(Midway 14th Addition).
 4. ~~Consider award of bid for Street Improvement District 197, Project 2014-24(24th Street NW Between 6th Avenue NW and 8th Avenue NW).~~
 5. Consider approval of low bid for resurfacing projects bid through the NDDOT. (9th Avenue NE, Longspur and 24th Avenue SE, 40th Avenue SE)
- G. CONSENT AGENDA:
1. Consider authorizing a work change order on Street Improvement District No. 179, Project No. 2013-10 (Meadow Ridge 3rd Addition).
 2. Consider for approval replat of Lots 3A through 3H of Lot 3, Block 4 Heart Ridge Addition.
 3. Consider for approval a setback variance for Lot 1, Block 1 Developers West Acres 2nd Addition.

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4. Consider new Class E Liquor license for Bar M Steakhouse, LLC at 2815 Memorial Hwy. formerly Dean's Steakhouse.
5. Consider authorizing a work change order on Street Improvement District No. 178, Project No. 2013-04 (Keidel's South Heart Terrace Phase IV).
6. Consider authorizing a work change order on Street Improvement District No. 185, Project No. 2013-19 (Heart Ridge 2nd Addition).
7. Consider authorizing a work change order on Street Improvement District No. 176, Project No. 2012-20 (Lakewood 6th & 7th Addition).
8. Consider request from the Building Inspection Department to destroy old documents in accordance with the Records Management and Retention Plan.
9. Consider approval of Engineering Service Agreement with KLJ to provide construction engineering services for resurfacing projects bid through the NDDOT. (9th Avenue NE, Longspur and 24th Avenue SE, 40th Avenue SE)
10. Consider budget amendment to transfer funds from salary to equipment for program coordinator.

H. OLD BUSINESS:

I. NEW BUSINESS:

1. Consider authorizing a work change order on Street Improvement District No. 177, Project No. 2012-22 (Meadows 6th Addition).
2. Consider authorizing a work change order on Street Improvement District No. 181, Project No. 2013-15 (Meadows 7th Addition).

J. RESOLUTIONS AND ORDINANCES:

1. First consideration of Ordinance 1186 annexing land in Section 3, Township 138 North, Range 81 West
2. Consideration of resolution vacating portion of Viewpoint Lane
3. Consideration of resolution vacating portion of 11th Avenue SW
4. Resolution for City Commission to grant property tax exemptions for improvements to existing commercial and residential structures.

K. OTHER BUSINESS:

L. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. July 15, 2014
2. August 5, 2014
3. August 19, 2014

M. ADJOURN

Public Communication

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

Departmental planning meeting will be held the Monday prior to the Commission meeting, all Commissioners are invited, noon, former Morton County Library Room. Please notify the city administrator by 8:30 a.m. that Monday if you plan on attending. If more than two commissioners plan on attending, proper public notice must be given.

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The Mandan City Commission met in regular session at 5:30 p.m. on June 17, 2014 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Van Beek, Tibke, Rohr, Frank, and Braun. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Planning & Engineering Director Froseth, Planner Decker, and Building Official Lalim. Absent: Assessor Shaw and Business Development and Communications Director Huber.

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

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

D. MINUTES:

1. *Consider approval of the following minutes from the Board of City Commission regular meeting held June 3, 2014 and the Joint Meeting w/Planning & Zoning meeting held on June 3, 2014.* Commissioner Rohr moved to approve the minutes as presented. Commissioner Braun seconded the motion. The motion received unanimous approval of the members present. The motion passed.

E. PUBLIC HEARING:

F. BIDS:

G. CONSENT AGENDA

1. *Consider approval of monthly bills.*

2. *Consider approval of Cost Participation, Construction, and Maintenance Agreement Urban Federal Aid Project (Mandan Beanery Building).*

3. *Consider approval of annual Liquor Licenses for July 1, 2014 to June 30, 2015.*

4. *Consider approval of Special Sunday Openings for all annual liquor Licenses.*

5. *Consider approval of a Sunday Opening for Mandan Eagles Club for June 29, 2014.*

6. *Consider approval of Engineering Service Agreement with KLJ for construction engineering services for safe routes to school sidewalk project.*

7. *Reallocation of Capital Outlay funds to install storm sewer on 4th Avenue NE.*

Commissioner Tibke moved to approve the Consent Agenda as presented.

Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

H. OLD BUSINESS:

1. *Consider Street Improvement District 190, Project 2014-02(Keidel's South Heart Terrace 3rd Addition).* Planning & Engineering Director Froseth reviewed with the Board a request to create and allow assessments of specials related to, and authorize the requirement paperwork for the requested street project, and allow for the project to be bid. This matter was before the Board at the last meeting on June 3rd. Due to the high special assessment costs the developer decided to annex more of his property into this district to help with the storm water costs that this property contributes to. Since June 3rd the developer has petitioned the property that he owns to the south to be annexed so that a portion of the storm sewer that would benefit that area can be assessed to it.

Also, because of the relatively high assessments and the large scale of the project City staff recommended that a Letter of Credit be obtained for the street portion of the project above \$20,000 per lot as well as the entire storm sewer portion. Based on the current estimate of the project the amount under the Letter of Credit would be \$624,680.50 for the street portion of the developed area and \$394,887.15 for the storm sewer portion for a total Letter of Credit of \$1,019,567.65 or about half of the projected costs. The total cost of construction is estimated to be \$1,495,976.00 with administration and engineering costs of \$523,591.60 for a total project cost of \$2,019,567.60. This would be assessed to the benefiting 50 property lots within the district which would be equally assessed on the street improvements of approximately \$32,493.61 each. The storm water costs would also be shared by all property within the district at an approximate cost of 11.1 cents per sq. ft. The additional cost per lot would range from \$1,417.36 to \$3,072.26 based on square footage of each lot. The unplatted 55.57 acres would have approximately \$268,690 assessed to it. Director Froseth stated that the developer has proposed a Promissory Note for consideration rather than a Letter of Credit. However, City staff has determined that it would be in the best interest of the City to follow through with a Letter of Credit based on the City would have surety in the Letter of Credit.

Commissioner Rohr commented that the Letter of Credit provides somewhat of an investment for the City towards the development of the property.

Nate Vollmuth came forward to comment on the Letter of Credit. He stated he received an email from Planning & Engineering Director Froseth on July 13, 2014, discussing the terms and amounts of the Letter of Credit. He stated that two weeks ago there was a discussion regarding the Letter of Credit (side bar meeting). The results of that meeting and the terms discussed on July 13th were a little bit different. We were able to work with some additional surety for the City. We are looking to enter into a Promissory Note rather than a Letter of Credit – which is the process used in West Fargo. Vollmuth provided Director Froseth with a copy of a similar note. He stated that approximately \$950,000 of personal funds has been put into the underground and the additional \$1.20 million has been earmarked for the project (those are not personal funds). Essentially, \$2 million has been invested in this development with an overall cost, including underground and streets, estimated to be just under \$3 million. So 65-70% of the project was funding. Once again he requested entering into a Promissory Note rather than a Letter of Credit.

Commissioner Frank asked for clarification as to how it was determined that anything over \$20,000 was the responsibility through the Letter of Credit by the developer instead of going with the \$30,000. In particular that is a difference of \$10,000 per lot and at 50 lots, that would come up to half a million dollars, thus a Letter of Credit would suit the City more comfortably. Director Froseth explained that what separates this project from others is not only the per lot assessment but the overall scale of the project, the amount of lots in it and the \$2 million price tag of the project. The approximate \$30,000 assessment from last year that is referred to is a total project amount of about \$450,000 in which the City did not ask for a Letter of Credit on that project. He stated there has been discussion between Finance Director Welch, City Administrator Neubauer and himself as to what is reasonable for the City for this development project.

Mayor Van Beek clarified that \$20,000 was an average per lot special assessment throughout the year 2013 in several districts in the City of Mandan. Meadow's 6th Addition was the only one close to the \$30,000 per lot assessment. Commissioner Frank asked that when going forward with future projects what is the minimum assessment that could be assessed to developers. Has that been thought through? Director Froseth replied that specific guidelines have not been set stating that each project is looked at individually. Commissioner Frank suggested standards or guidelines be considered given the fact that in the future similar requests will come before the City for review and, with costs increasing upward, a Letter of Credit could be quite an impact on the City. Commissioner Rohr reminded members that there have been several discussions in the past and to date, and that no consensus has been agreed to by the Commission members as to when the City should consider looking to the developer to pay the infrastructure costs, thus removing the City from project costs.

Nate Vollmuth came forward again and commented from the developer's standpoint that they developed the lots in Keidel's 1st and 2nd. This development will have 300-400 lots and Lohstreter's has roughly 400-500 lots. He stated that the Promissory Note is a reliable document in the eyes of the developer.

City Attorney Brown commented that in looking at the agreement the developer has with West Fargo, if the specials are not paid by a certain date then the City Auditor is required to make a demand from the Promisor. And if the Promisor does not pay, the City Attorney is instructed to start a lawsuit. In his opinion, a Promissory Note is a lawsuit waiting to happen noting that a Promissory Note is unsecured. In this case the City would be assessing the entire amount of the cost. On the other hand, the Letter of Credit is security if specials are not paid.

Commissioner Frank stated that the Letter of Credit for this project would be estimated to be \$519,567.65. City Administrator Neubauer stated the exact dollar amount for the Letter of Credit would be determined after the project is bid, and the bid amount is known. The recommendation being sought is if it will be \$30,000 per lot or \$25,000 per lot or \$20,000 per lot. The Letter of Credit would be done after the bids are in but the City would want a general idea so the developer and the finance department understand,

in general if it is either the million dollars or half million dollars that is being recommended.

Commissioner Tibke commented this has been discussed over the last year and the Commission has not come to a consensus on the matter. The BMDA, the Chamber and Bismarck Home Builders would like to meet and discuss options with regard to having the developers pay all the costs up front. She stated that it is her position that she is not comfortable moving forward paying the assessments. She would like to see them less rather than more and every year the costs are increasing. She recommended coming to a compromise in the future so the City debt can be bought down and not held out. She stated that discussions at previous meetings have resulted in a cap of \$20,000. The Chamber has indicated they would like to lead the discussion with the developers to see what their ideas would be so everyone could work together to come up with solutions. Commissioner Frank pointed out that the current matter to be addressed is a Letter of Credit is being requested and that the Commission is not at this time trying to change the dynamics of the process.

Commissioner Frank moved to approve the Resolution creating the district, approving the Resolution approving Engineer's Report, approving Resolution of Plans and Specifications, approving Resolution determining sufficiency of petition, approving feasibility report and Resolution directing advertisement for bids for Street Improvement District No. 190, Project No. 2014-02 (Keidel's South Heart Terrace 3rd Addition) contingent on the developer furnishing a Letter of Credit based on a lot price project above \$30,000 per lot, and the full amount of the storm sewer that benefits the entire district, as well as the approval of annexation. Commissioner Tibke seconded the motion.

Nate Vollmuth came forward again and stated he is comfortable with the \$30,000. He added that knowing the release of the Letter of Credit will be a concern from his (company's) perspective. He requested that 50% be released at 50% building permits and 100% released at 75% of building permits pulled.

City Attorney Brown commented that assuming the project goes out for bids and the bids are accepted, (before the City awards the bids), the City would negotiate the Letter of Credit and that would have to be approved by the Commission at the time the bids would be awarded.

Roll call vote: Commissioner Rohr: No; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Update from Advanced Engineering and Environmental Services on the Water Meter Improvements Project.* Brian Viall, Project Engineer, AE2S, Inc. provided information on the Mandan Water Meter Improvement Project. He stated that since the Agreement was signed on May 6, 2014, the following has occurred:

The Change Order No. 1 and the AMI Agreement – all the documents have been fully executed. The AMI Agreement includes the delivering of the equipment of automated metering infrastructure to the City as well as Sensus' ability to obtain a permit for a broad spectrum of radio frequencies for FCC Communication licensing. The radio frequency testing has been completed per the contract. Part of the contract was to seek third party testing to verify there are no frequency intermodulation and interferences with the existing communication frequencies currently being broadcast on those towers. Dakota Communications performed the third party testing which showed there are no interferences and that testing was forwarded to Tom Doering at Morton County Emergency Management. He replied that his consultants verified that the intermodulation had no frequency interference and that a Memorandum of Understanding would be developed to provide an agreement to install the infrastructure on the tower sites. The delivery and storage of materials arrangements with Public Works have been completed. The City of Mandan has updated their account data to run on Banyon Data Systems software for the billing management for water meters. There is an online access portal for the city to monitor progress of the project. The contract will start installations on July 7, 2014. The residents have been contacted by Thirkettle Corporation.

Jeremy Lancon from Thirkettle Corporation came forward and explained that a letter was sent out to 1,100 Mandan City residents that had some errors in phone numbers so the residents were not able to contact anyone. This letter also caused some confusion among residents since it was lacking some information to make it clearer to the public on what was going to be taking place. The letter has since been revised and will go out to the rest of the Mandan residents through the course of the project, as well as it going out again to the 1100 residents that received the initial letter to address their concerns.

Commissioner Tibke inquired if the second letter will extend an apology as well as address mistakes that were made in the first letter. Thirkettle offered to include an apology in the second letter going out to the 1100 residents. Commissioner Frank requested the second letter include verbiage in which the company will state they are "sorry" for the mishap that occurred in the first letter. Thirkettle agreed with the recommendations provided by Commissioners Tibke and Frank and he explained that it is the residents' responsibility to make sure they are available to honor the appointments whether they are rescheduled or not. He also explained that the whole point of the water termination language within the contents of the letter was to get the attention of those residents who would not cooperate with the process. Subsequently, the residents who do not cooperate and do not let the company into the house will have to be dealt with by the City. Mayor Van Beek concurred with Commissioner Tibke and Commissioner Frank with regard to the aggressiveness of the first letter that went out and that an apology is warranted from the company.

I. NEW BUSINESS:

1. *Update on Welcome House activities in Mandan.* Shelle Aberle and Chantalle Ellis introduced themselves as the Managers of the Welcome House. Brenda Kriedeman the Executive Director was unable to attend. Ms. Aberle stated that this is the 10th Anniversary of the Welcome House. It is a non-profit organization. The organization

provides transitional housing for the homeless. They will be opening a location in the Teen Challenge building in Mandan. Ms. Ellis reviewed what services the Welcome House has to offer and what the criteria is for those services. In summary, some assistance is provided for rents and utilities and deposits to get into new housing. They are not a drop-in center, rather by appointment only. They are working with the CAT Bus to offer transportation to their facility. An Open House will be scheduled soon.

2. *Consider Growth Fund Committee recommendation on storefront improvement application for 112 Second Ave NW.* Commissioner Frank excused herself for this portion of the meeting and left the room. City Administrator Neubauer reviewed with the Board a request from the Mandan Growth Fund (MGF) Committee regarding a storefront improvement application for the property at 112 Second Avenue Northwest. The Mandan Architectural Review Commission met on June 10, 2014 and the MGF Committee met on June 11, 2014 to consider this application and they recommend approval to this piece of property. Jared and Dot Frank recently purchased this property and their plans are to remodel the inside and the outside of the structure. They will also be looking at a Renaissance Zone Application for this project. The exterior improvements include door replacement, windows and transoms. Awnings and brickwork will be updated and there will be new signage. The estimated improvement project is approximately \$82,000 and the request is for matching funds for the maximum of \$30,000. The MGF voted unanimously to approve this project and there are funds available for the project.

Commissioner Braun moved to approve the storefront improvement application by Dot Frank at 50% match rate to the actual investment for up to \$30,000 in matching funds to be provided as a forgivable loan upon project completion. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Recused; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

3. *Consider Heritage Plaza Foundation request for improvements to the Heritage Plaza.* Bill Schott, Board of Directors, for the Heritage Plaza Foundation. He stated that one of the programs in progress is the development and expansion of the Heritage Plaza located between the Beanery and the Plaza. He provided a sketch of the proposed plans. The bids are in and construction is scheduled to begin July 1st. The project will not cost the City of Mandan anything since they have a grant from the ND Historical Society. However, the Board's approval is needed to move forward.

Commissioner Tibke moved to approve the plans for development of the Heritage Plaza community history and gathering area for citizens and tourists to enjoy. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

4. *Consider authorization of ad for bid for pre-procurement of special order UV equipment for the wastewater treatment plant.* Planning & Engineering Director Froseth

stated that the City Wastewater Treatment Plant is currently working with AE2S to plan a plant optimization project. The project will be ready for bid in the fall of 2014. The general scope of the project is to (i) replace ultraviolet disinfection (UV) equipment, (ii) replace blowers for the aeration system, (iii) improve the pretreatment building, equipment and piping and (iv) other electrical, mechanical, and structure improvements. The equipment will cost approximately \$350,000. A 10% down payment is required at the time of order which can be specified in bidding documents. It was recommended to approve the ad for bids.

Commissioner Rohr moved to approve the ad for bid for pre-procurement of special order UV equipment for the wastewater treatment plant. Commissioner Frank seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

5. *Consider for approval the Abstract of Votes cast by the Voters of City Mandan in the Consolidated Primary Election held the 10th day of June A.D. 2014.* Commissioner Tibke moved to approve the Abstract of Votes cast by the Voters of City Mandan in the Consolidated Primary Election held the 10th day of June A.D. 2014. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

6. *Consider approval of temporary private access within 31st Street half right-of-way.* Planning & Engineering Director Froseth stated that this matter was reviewed at the last meeting as a 3-way agreement for City specified street improvements to be considered under City specifications. The area is located northwest of the middle school. He explained the outline of the plans for the construction that will meet City specifications. Due to topography it was necessary to acquire a temporary construction easement north of the section line in order to install utilities and construct the public street. Unfortunately the property north of the section line is in trust and obtaining a temporary construction easement is not likely to occur now or in the near future. He reported that the first residential building is near completion and occupancy will take place soon. However, this cannot happen until there is water access to Sunset Drive. In order to make this work, the City and the developer propose to allow construction of a private driveway in lieu of a public roadway. This will not require a temporary construction easement due to the narrow roadway section being proposed. Director Froseth presented a proposed agreement that will be recorded with regard to the intent to install a temporary private driveway with the developer committing to participating in future assessments in the district that might be formed to construct a public street. In addition the developer will maintain this private driveway while it is accessed to their development.

Commissioner Tibke moved to approve the temporary private access within 31st Street NW right-of-way west of Sunset Drive. Commissioner Rohr seconded the motion. Roll

call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

J. RESOLUTIONS AND ORDINANCES:

1. *Second consideration and final passage of Ordinance 1185 related to penalties and fines.* Commissioner Frank moved to approve the Second consideration and final passage of Ordinance 1185 related to penalties and fines. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Frank: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

K. OTHER BUSINESS

1. *Update from Finance Department on the new Online Bill Viewing and Payment System.* Finance Director Welch stated that last week the Finance Department introduced a new and improved service in the form of an integrated on-line bill viewing and payment system for the City of Mandan Utility Services. Customers can now view their bills for water usage, street lights and garbage collection on-line which will ultimately reduce costs in the printing and mailing of bills. Customers participating in the online bill pay feature will receive emails when bills are ready for viewing which will be the same information as on a paper bill. Customers can opt out of paper bills. However, if a customer prefers to still receive a paper bill that customer can still pay electronically. Another benefit is that up-to-date amounts due will be posted on a daily basis which can also be accessed by a mobile app. Customers will be able to pay 24/7. Payment options are linked through the City of Mandan website at cityofmandan.com. Payments can be made by credit or debit card, as well as making electronic payment from checking or savings accounts. Residents can pay immediately, schedule a payment, or set up an automatic pay and not have to worry about making payments for each bill. Automatic payments can be made for the amount of the bill or they can set up a budgeted amount online.

The City's provider - Payment Service Network (PSN) - has attained Level One certification by the Payment Card Industry which is the highest degree of security awarded by the industry. If residents have any questions, they can call PSN's toll free helpline or the City's Utility Billing Department. Director Welch extended a thank you to the City staff in the Finance and Utility Billing departments for their effort, hard work and dedication in making this new online bill viewing and payment system a reality for the customers of Mandan.

2. *Dedication to Commissioner Frank:* Mayor Van Beek extended a *thank-you* to Commissioner Frank for her dedicated service to the City of Mandan. This will be her last meeting as City Commissioner. He reviewed some of the growth in Mandan that has occurred over the past four years which includes:

- ~ 2011 Flood dealing with the media
- ~ Mandan Tomorrow
- ~ Creation of Mandan Youth Commission
- ~ Comprehensive Land Use and Transportation Plan

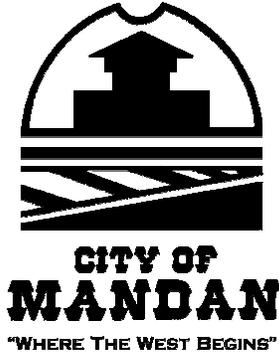
~ Reorganization of the Assessing and Building Inspection Offices along with many computer program upgrades.

On behalf of the City of Mandan, Mayor Van Beek presented Commissioner Frank with a watch for her services and wished her well in her future endeavors.

There being no further actions to come before the Board of City Commissioners, Commissioner Frank moved to adjourn the meeting at 6:41 p.m. Commissioner Rohr 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 30, 2014
PREPARATION DATE: June 25, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Robert Decker
SUBJECT: Consider for approval vacating a portion of Viewpoint Lane

STATEMENT/PURPOSE: This request is to vacate a portion of Viewpoint Lane within the Big Sky subdivision.

BACKGROUND/ALTERNATIVES:

Development of the Big Sky subdivision has not progressed as originally planned. There is legal platted access that connects to Old Red Trail to the west but the streets have not been built.

The portion of the right-of-way east of Jude Lane only provides secondary access to the property to the east. That property has access to Sunset Drive. Because of the configuration of the development to the east and the intent to limit the number of access points along Sunset Drive, Viewpoint Lane was not planned to be extended east to Sunset Drive.

The access to the property to the east will be maintained as an easement. This will allow future access to the west through the Big Sky subdivision when it is eventually fully developed. Previous action was taken to adjust the Big Sky plat to create the access easement.

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

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

RECOMMENDATION: The Planning and Zoning Commission at their June 23, 2014 meeting voted to recommend approval of this vacation. Staff recommends approval.

Board of City Commissioners

Agenda Documentation

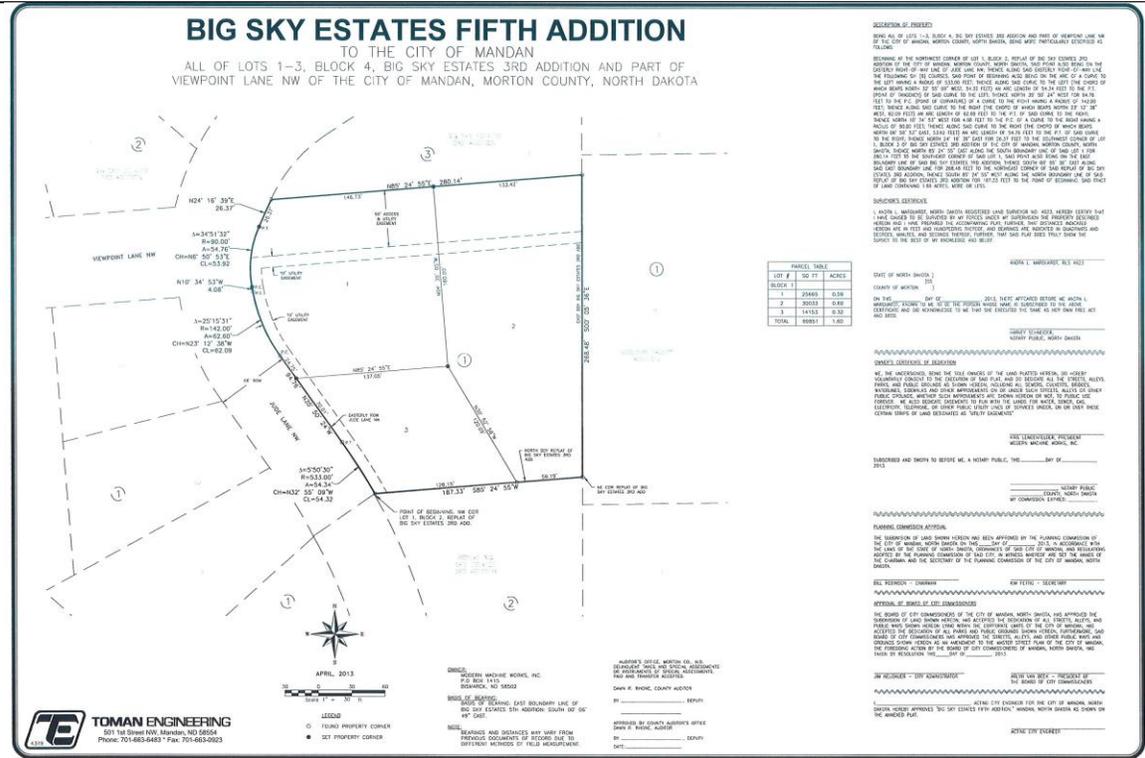
Meeting Date: June 30, 2014

Subject: Approval of vacation of a portion of Viewpoint Lane within Big Sky subdivision

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SUGGESTED MOTION: Move to approve vacation of the portion of Viewpoint Lane east of Jude Lane in the Big Sky subdivision.





Mandan Planning and Zoning Commission Agenda Item
 For Meeting on May 26, 2014
 Mandan Engineering and Planning Office Report
Vacation of Right-of-way in Big Sky Estates
 Requested Action
 Convert right-of-way to access easement

Application Details				
Applicant Kris Lengenfelder	Owner Kris Lengenfelder	Subdivision Big Sky Estates	Legal Description Big Sky Estates 3 rd Addition, Replat of 3 rd Addition, 4 th Addition and 5 th Addition	
Location 27 th St. NW & Jude Ln. NW (west of Sunset)		Proposed Land Use driveway	Parcel Size .35 Acres +/-	Number of Lots 0
Existing Land Use vacant	Adjacent Land Uses Residential		Current Zoning	Proposed Zoning
Fees 150	Date Paid 5/5/2014	Adjacent Property Notification Sent 6/12	Legal Notices Published 5/30, 6/6, 6/13 & 6/20	

Project Description

The original layout contemplated extending this street to the east. The lots to the east are being developed without extending this street. There is no need for this street. The lot to the east can use this as a secondary access driveway. The lot to the east has access to Sunset Drive NW.

Agency & Other Department Comments

Board of City Commissioners

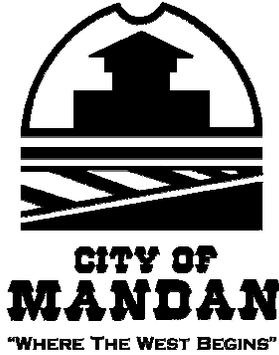
Agenda Documentation

Meeting Date: June 30, 2014

Subject: Approval of vacation of a portion of Viewpoint Lane within Big Sky subdivision

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Full utility and access rights need to be retained
Engineering & Planning Staff Comments
Engineering & Planning Recommendation
Proposed Motion
Based on staff report and hearing no objection, move to recommend approval of vacation of right-of-way in Big Sky Estates.



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 25, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Robert Decker
SUBJECT: Consider for approval vacating a portion of 11th Ave. SW

STATEMENT/PURPOSE: This request is to vacate a portion of 11th Ave. SW within the Mandan Meads subdivision.

BACKGROUND/ALTERNATIVES:

The adjoining property owner is preparing to sell their property. In researching records, it was discovered that there was no clear record that a small portion of 11th Ave. SW adjoining their property was ever abandoned.

This request involves an approximately 40 foot portion of the west half of the 11th Ave. right-of-way. All of the rest of 11th Ave. in this area was abandoned many years ago.

This action is to correct an oversight with past vacation actions.

ATTACHMENTS:

1. Location Map
2. Sketch of proposed vacation area
3. Planning & Zoning staff report

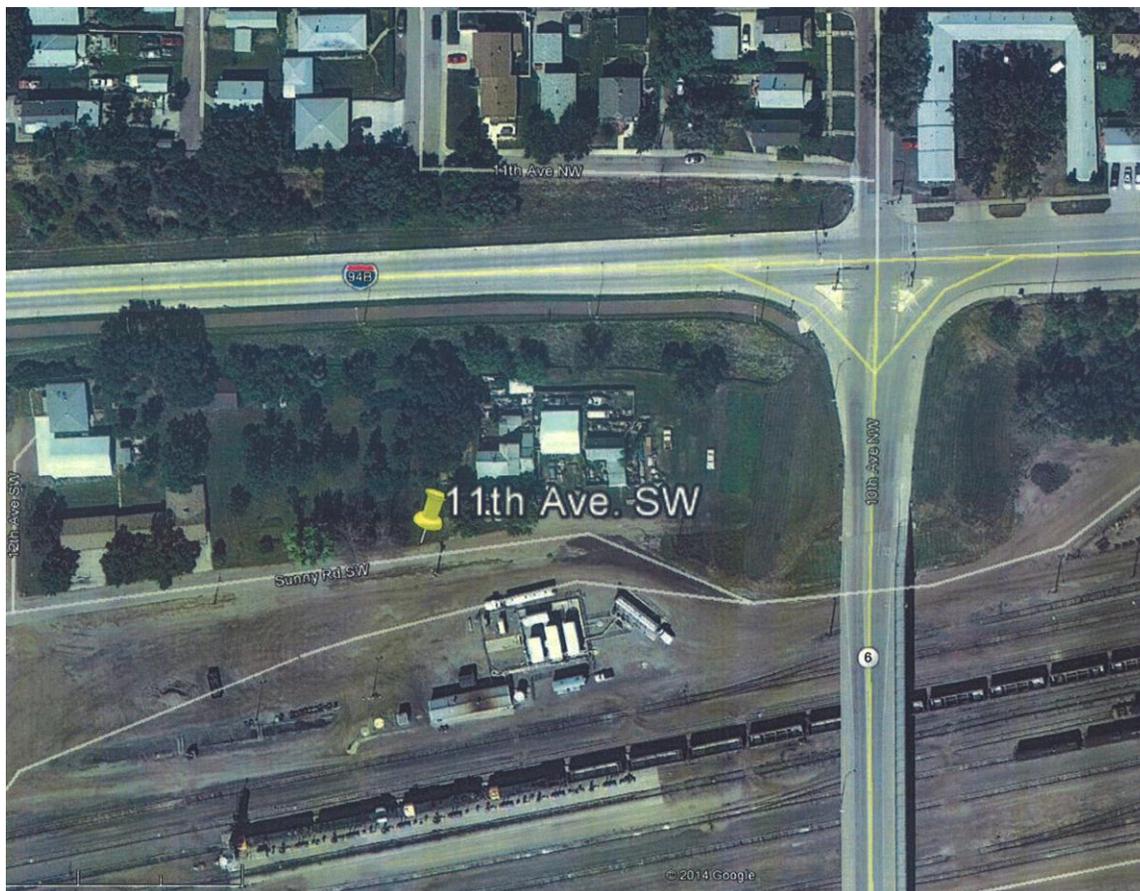
FISCAL IMPACT: minimal

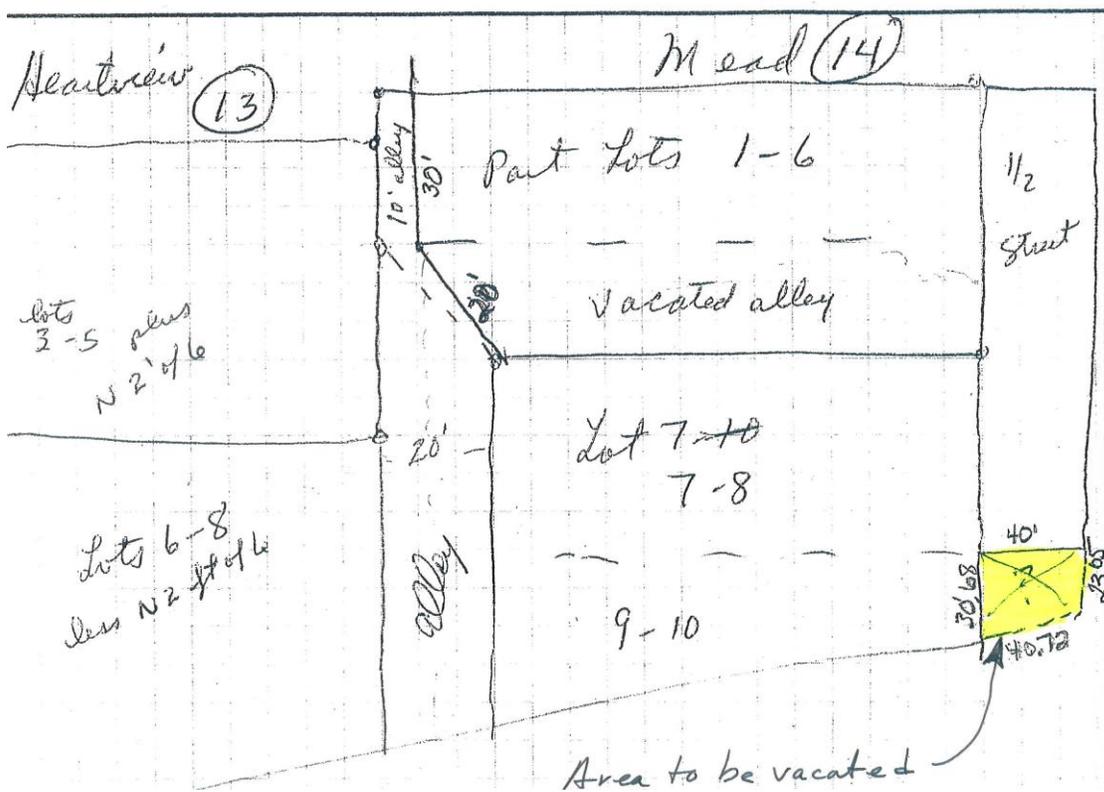
STAFF IMPACT: minimal

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

RECOMMENDATION: The Planning and Zoning Commission at their June 23, 2014 meeting voted to recommend approval of this vacation. Staff recommends approval.

SUGGESTED MOTION: Move to approve vacation of that portion of 11th Ave. SW located adjacent to Lots 9 and 10 in Block 14 of the Mandan Meads Subdivision.





Mandan Planning and Zoning Commission Agenda Item
 For Meeting on May 27, 2014
 Mandan Engineering and Planning Office Report
Vacation of Right-of-way in Mandan Meads
 Requested Action
 Small portion of ROW was never vacated

Application Details					
Applicant Brad Ereth	Owner Loriene Ereth	Subdivision Mandan Meads	Legal Description Portion of Mandan Meads Block 14		
Location Sunny Rd. SW		Proposed Land Use Add to adjoining lot	Parcel Size .032 Acres +/-	Number of Lots 0	
Existing Land Use vacant	Adjacent Land Uses Residential		Current Zoning	Proposed Zoning	Adjacent Zoning
Fees 150	Date Paid 5/6/142014	Adjacent Property Notification Sent 6/11	Legal Notices Published 5/30, 6/6, 6/13 & 6/20		

Project Description
Previous abandonment left out this small section of 11 th Ave. SW
Agency & Other Department Comments

Board of City Commissioners

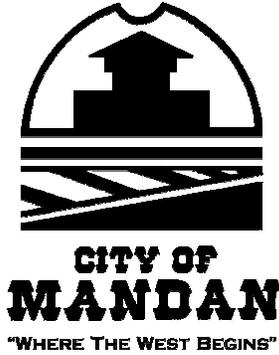
Agenda Documentation

Meeting Date: June 30, 2014

Subject: Approval of vacation of a portion of 11th Ave. SW

Page 4 of 4

No issues	
	Engineering & Planning Staff Comments
Need formal drawing	
	Engineering & Planning Recommendation
	Proposed Motion
Based on staff report and hearing no objection, move to recommend approval of vacation of right-of-way in Mandan Meads.	



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 25, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning & Engineering Director
SUBJECT: Consider award of bid and approve Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 191, Project 2014-04 (Lincoln Ridge Estates 6th Addition).

STATEMENT/PURPOSE: This is a review and possible award of bids for Street Improvement District No. 191, Project 2014-04 (Lincoln Ridge Estates 6th Addition).

BACKGROUND/ALTERNATIVES: We received two bids on June 23 for the project and Northern Improvement Company was the low bidder. The bid amount was \$195,217.50. The Engineer's estimate was \$163,522.50. The bid is 19.6% higher than the engineer's estimate.

ATTACHMENTS:

1. Bid Tabulation
2. District Map
3. Resolution approving Contract 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 \$195,217.50 plus the engineering and administrative cost of \$68,326.13 totaling \$263,543.63. The special assessments will be assessed to the 16 benefitting lots and each would receive an estimated \$16,471.48 assessment.

STAFF IMPACT: Minimal

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

RECOMMENDATION: We would recommend awarding the project.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 191, Project 2014-04(Lincoln Ridge Estates 6th Addition).

Page 2 of 5

SUGGESTED MOTION: Move to award the bid to Northern Improvement Company as the low bidder of Street Improvement District 191 Project 2014-04 (Lincoln Ridge Estates 6th Addition) in the amount of \$195,217.50 and approve the Resolution approving Contract and Contractor's Bond.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 191, Project 2014-04(Lincoln Ridge Estates 6th Addition).

Page 3 of 5

BID TAB
 STREET IMPROVEMENT DISTRICT NO. 191
 LINCOLN RIDGE 6TH ADDITION
 CITY PROJECT NO. 2014-04
 MANDAN, NORTH DAKOTA
 TECO #2199
 JUNE, 2014

PHASE 1 SPEC NO.	DESCRIPTION	UNIT	QUAN.	UNIT PRICE	ENG. EST.	UNIT PRICE	NIC	UNIT PRICE	MARINER
202-4.1	UNCLASSIFIED EXCAVATION	CY	235	\$ 10.00	\$ 2,350.00	\$ 10.50	\$ 2,467.50	\$ 32.25	\$ 7,578.75
203-3.1	WATERING	M GAL	19	\$ 15.00	\$ 285.00	\$ 19.80	\$ 376.20	\$ 60.00	\$ 1,140.00
204-3.1	SUBGRADE PREPARATION	SY	2702	\$ 2.25	\$ 6,079.50	\$ 3.50	\$ 9,457.00	\$ 4.20	\$ 11,348.40
205-3.1	SILT FENCE	LF	100	\$ 8.25	\$ 825.00	\$ 8.80	\$ 880.00	\$ 8.89	\$ 889.00
205-3.3	WEIGHTED FIBER ROLL	LF	100	\$ 12.00	\$ 1,200.00	\$ 8.40	\$ 840.00	\$ 8.00	\$ 800.00
302-4.1	STABILIZED GRAVEL BASE	TON	900	\$ 25.00	\$ 22,500.00	\$ 33.50	\$ 30,150.00	\$ 36.63	\$ 32,967.00
304-6.1B	AC STABILIZED BASE (CLASS B) 2-1/2"	TON	350	\$ 115.00	\$ 40,250.00	\$ 129.90	\$ 45,465.00	\$ 125.00	\$ 43,750.00
401-6.2B	AC SURFACE COURSE (CLASS B) 2"	TON	285	\$ 115.00	\$ 32,775.00	\$ 129.90	\$ 37,021.50	\$ 125.00	\$ 35,625.00
402-4.2	BITUMINOUS TACK COAT	GAL	125	\$ 2.50	\$ 312.50	\$ 2.40	\$ 300.00	\$ 5.10	\$ 637.50
403-4.1	BITUMINOUS SEAL COAT	SY	2478	\$ 2.50	\$ 6,195.00	\$ 3.40	\$ 8,425.20	\$ 3.56	\$ 8,821.68
603-5.3	STANDARD CURB & GUTTER	LF	1185	\$ 18.50	\$ 21,922.50	\$ 16.50	\$ 19,552.50	\$ 18.34	\$ 21,732.90
1001-4.12	TRENCHING 27" DEEP	LF	614	\$ 4.00	\$ 2,456.00	\$ 5.00	\$ 3,070.00	\$ 5.00	\$ 3,070.00
1001-4.21	3-NO. 4 CONDUCTORS	LF	614	\$ 7.00	\$ 4,298.00	\$ 5.00	\$ 3,070.00	\$ 4.78	\$ 2,934.92
1001-4.25	NO. 6 COPPER GROUND	LF	614	\$ 1.00	\$ 614.00	\$ 1.10	\$ 675.40	\$ 1.12	\$ 687.68
1001-4.3	TYPE B STANDARD WITH COPPER NAVION NVNT3A LED LUMINAIRE	EA	4	\$ 3,000.00	\$ 12,000.00	\$ 5,060.00	\$ 20,240.00	\$ 5,111.12	\$ 20,444.48
1201-4.1	4" TOPSOILING TO INCLUDE SEEDING & HYDROMULCH	ACRE	0.32	\$ 18,000.00	\$ 5,760.00	\$ 30,250.00	\$ 9,680.00	\$ 30,556.00	\$ 9,777.92
1206-4.1	ADJ MANHOLE CASTING-ASPH P/MT	EA	4	\$ 400.00	\$ 1,600.00	\$ 528.90	\$ 2,115.60	\$ 650.00	\$ 2,600.00
1206-4.19	ADJUST VALVE BOX-UNPAVED AREA	EA	6	\$ 350.00	\$ 2,100.00	\$ 238.60	\$ 1,431.60	\$ 450.00	\$ 2,700.00
	TOTAL AMOUNT				\$ 163,522.50		\$ 195,217.50		\$ 207,505.23

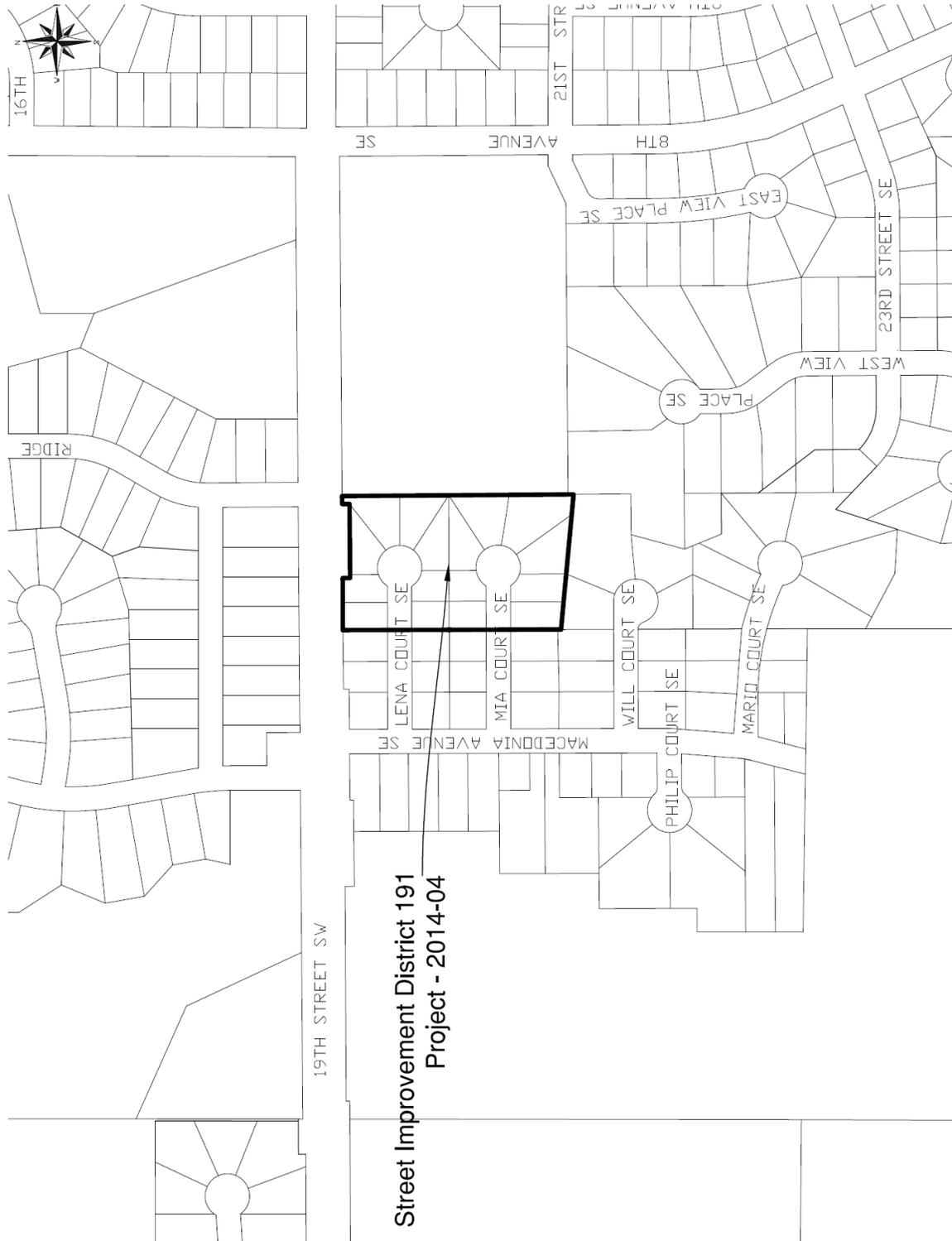
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 191, Project 2014-04(Lincoln Ridge Estates 6th Addition).

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Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 191, Project 2014-04(Lincoln Ridge Estates 6th Addition).

Page 5 of 5

RESOLUTION
APPROVING CONTRACT AND CONTRACTOR'S BOND FOR
STREET IMPROVEMENT DISTRICT NO. 191
(Project No. 2014-04)

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

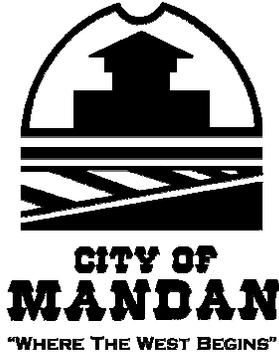
1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Street Improvement District No. 191 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement 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 \$195,217.50.
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 30th day of June, 2014

Arlyn Van Beek, President of the
Board of City Commissioners

Attest:

James Neubauer,
City Administrator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 25, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning & Engineering Director
SUBJECT: Consider award of bid and approve Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 192, Project 2014-06 (West Hills Estates 3rd Addition).

STATEMENT/PURPOSE: This is a review and possible award of bids for Street Improvement District No. 192, Project 2014-06 (West Hills Estates 3rd Addition).

BACKGROUND/ALTERNATIVES: We received two bids on June 23 for the project and Northern Improvement Company was the low bidder. The bid amount was \$252,769.30. The Engineer's estimate was \$193,835.50. The bid is 30.4% higher than the engineer's estimate.

ATTACHMENTS:

1. Bid Tabulation
2. District Map
3. Resolution to approve Contract 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 \$252,769.30 plus the engineering and administrative cost of \$88,469.26 totaling \$341,238.56. The special assessments will be assessed to the 13 benefitting lots and each would receive an estimated \$26,249.12 assessment.

STAFF IMPACT: Minimal

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

RECOMMENDATION: We would recommend awarding the project.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 192, Project 2014-06(West Hills Estates 3rd Addition).

Page 2 of 5

SUGGESTED MOTION: Move to award the bid to Northern Improvement Company as the low bidder of Street Improvement District 192 Project 2014-06 (West Hills Estates 3rd Addition) in the amount of \$252,769.30 and approve the Resolution approving Contract and Contractor's Bond.

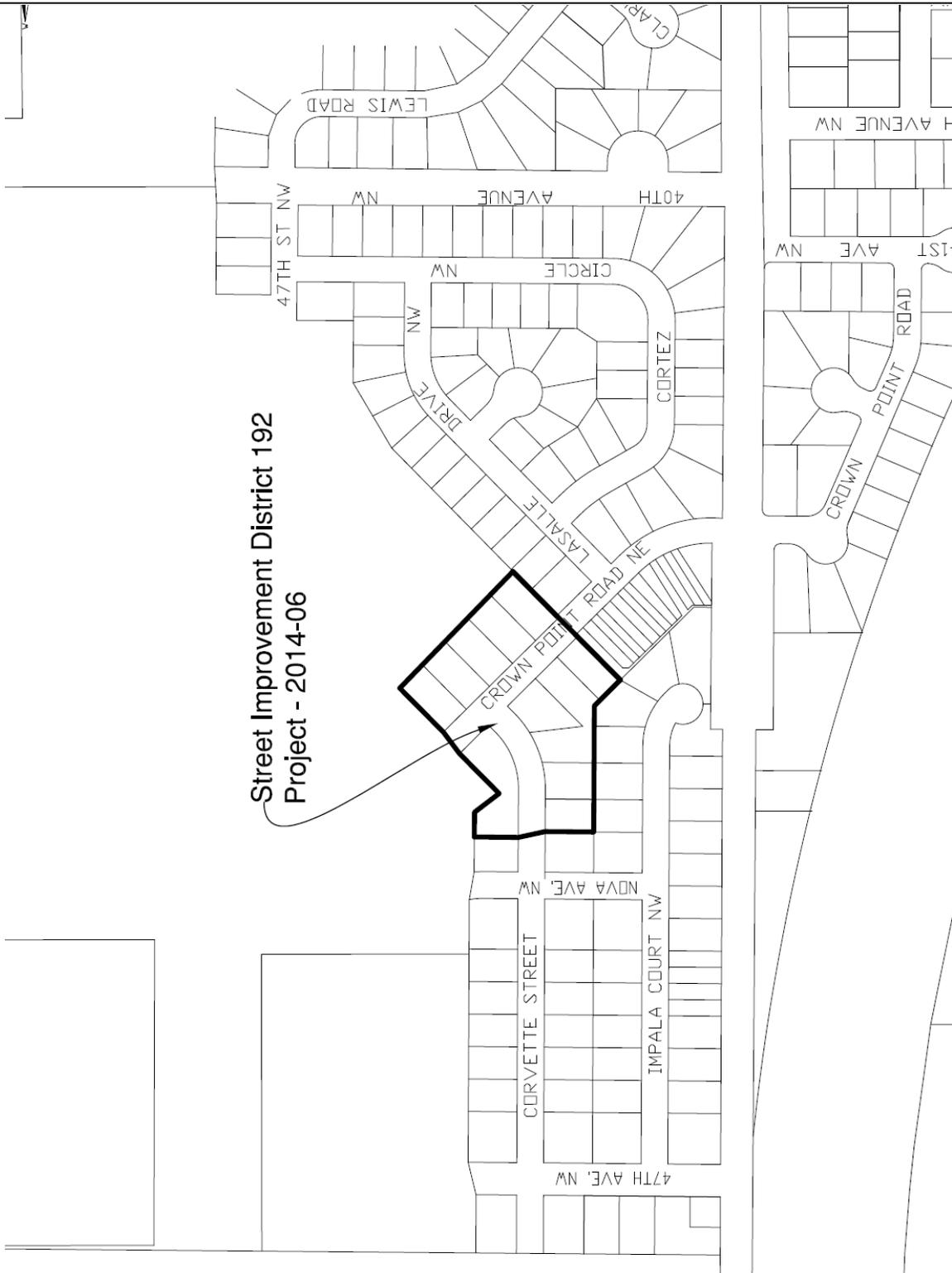
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 192, Project 2014-06(West Hills Estates 3rd Addition).

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RESOLUTION

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 192, Project 2014-06(West Hills Estates 3rd Addition).

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**APPROVING CONTRACT AND CONTRACTOR'S BOND FOR
STREET IMPROVEMENT DISTRICT NO. 192**

(Project No. 2014-06)

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

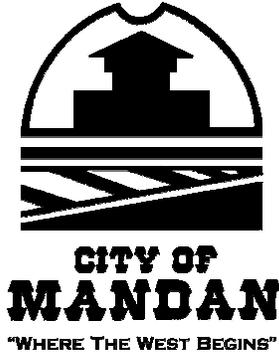
1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Street Improvement District No. 192 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement 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 \$252,769.30.
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 30th day of June, 2014

Arlyn Van Beek, President of the
Board of City Commissioners

Attest:

James Neubauer,
City Administrator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 25, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning & Engineering Director
SUBJECT: Consider award of bid and approve Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 193, Project 2014-08 (Midway 14th Addition).

STATEMENT/PURPOSE: This is a review and possible award of bids for Street Improvement District No. 193, Project 2014-08 (Midway 14th Addition).

BACKGROUND/ALTERNATIVES: We received two bids on June 24 for the project and Mariner Construction was the low bidder. The bid amount was \$213,498.49. The Engineer's estimate was \$175,404.00. The bid is 21.7% higher than the engineer's estimate.

ATTACHMENTS:

1. Bid Tabulation
2. District Map
3. Resolution Approving Contract 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 \$213,498.49 plus the engineering and administrative cost of \$74,724.47 totaling \$288,222.96. This area is zoned commercial, therefore we will recommend assessing the benefitting 6 lots by the square foot at an estimated \$0.53 per square foot.

STAFF IMPACT: Minimal

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

RECOMMENDATION: We would recommend awarding the project.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 193, Project 2014-08(Midway 14th Addition)

Page 2 of 5

SUGGESTED MOTION: Move to award the bid to Mariner Construction as the low bidder of Street Improvement District 193 Project 2014-08 (Midway 14th Addition) in the amount of \$213,498.49 and approve the Resolution approving Contract and Contractor's Bond.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 193, Project 2014-08(Midway 14th Addition)

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STREET IMPROVEMENT DISTRICT NO. 193
 MIDWAY 14TH ADDITION
 CITY PROJECT NO. 2014-08
 MANDAM, ND
 TECO #2196
 June 24, 2014

SPEC NO.	DESCRIPTION	UNIT	QUAN.	UNIT PRICE	ENG. EST.	UNIT PRICE	MARINER	UNIT PRICE	NIC
202-4.1	UNCLASSIFIED EXCAVATION	CY	325	\$ 7.00	\$ 2,275.00	\$ 30.00	\$ 9,750.00	\$ 11.50	\$ 3,737.50
203-3.1	WATERING	M GAL	15	\$ 15.00	\$ 225.00	\$ 80.00	\$ 1,200.00	\$ 14.40	\$ 216.00
204-3.1	SUBGRADE PREPARATION	SY	2522	\$ 3.00	\$ 7,566.00	\$ 4.62	\$ 11,651.64	\$ 4.30	\$ 10,844.60
205-3.1	SILT FENCE	LF	100	\$ 10.00	\$ 1,000.00	\$ 8.90	\$ 890.00	\$ 9.20	\$ 920.00
205-3.4	16" FIBER ROLLS	LF	200	\$ 5.00	\$ 1,000.00	\$ 3.85	\$ 770.00	\$ 3.50	\$ 700.00
302-4.1	STABILIZED GRAVEL BASE	TON	850	\$ 26.77	\$ 22,754.50	\$ 31.65	\$ 28,602.50	\$ 40.00	\$ 34,000.00
304-6.1B	JAC STABILIZED BASE (CLASS B)2'-1/2"	TON	245	\$ 120.00	\$ 29,400.00	\$ 126.50	\$ 30,992.50	\$ 145.20	\$ 35,574.00
401-6.2B	JAC SURFACE COURSE (CLASS B)2"	TON	200	\$ 120.00	\$ 24,000.00	\$ 126.50	\$ 25,300.00	\$ 145.20	\$ 29,040.00
402-4.2	BITUMINOUS TACK COAT	GAL	100	\$ 2.50	\$ 250.00	\$ 5.32	\$ 532.00	\$ 2.20	\$ 220.00
403-4.1	BITUMINOUS SEAL COAT	SY	1600	\$ 3.00	\$ 4,800.00	\$ 3.28	\$ 5,248.00	\$ 3.40	\$ 5,440.00
603-5.3	STANDARD CURB & GUTTER	LF	723	\$ 21.00	\$ 15,183.00	\$ 18.34	\$ 13,259.82	\$ 17.70	\$ 12,797.10
802-4.3	18" RCP STORM SEWER PIPE	LF	221	\$ 55.00	\$ 12,155.00	\$ 83.34	\$ 18,418.14	\$ 92.00	\$ 20,332.00
802-4.3	18" CMP STORM SEWER PIPE	LF	65	\$ 60.00	\$ 3,900.00	\$ 111.12	\$ 7,222.80	\$ 97.80	\$ 6,357.00
802-4.53	18" FLARED END SECTION	EA	2	\$ 1,200.00	\$ 2,400.00	\$ 1,666.67	\$ 3,333.34	\$ 2,300.00	\$ 4,600.00
801-4.60	BEDDING MATERIAL	TON	65	\$ 18.00	\$ 1,170.00	\$ -	\$ -	\$ 0.10	\$ 6.50
1001-4.12	TRENCHING 27" DEEP	LF	313	\$ 4.00	\$ 1,252.00	\$ 5.56	\$ 1,740.28	\$ 5.20	\$ 1,627.60
1001-4.21	3-NO. 4 CONDUCTORS	LF	313	\$ 7.00	\$ 2,191.00	\$ 6.17	\$ 1,931.21	\$ 4.90	\$ 1,533.70
1001-4.25	No. 6 COPPER GROUND	LF	313	\$ 2.50	\$ 782.50	\$ 1.23	\$ 384.99	\$ 1.20	\$ 375.60
1001-4.3	TYPE C STANDARD WITH COPPER NAVION WVNT3A LED LUMINAIRE 103W LED	EA	3	\$ 3,900.00	\$ 11,700.00	\$ 4000	\$ 12,000.00	\$ 4,025.00	\$ 12,075.00
1201-4.1	4" TOPSOILING TO INCLUDE SEEDING & HYDROMULCH	Acres	0.35	\$ 18,000.00	\$ 6,300.00	\$ 30556	\$ 10,694.60	\$ 31,625.00	\$ 11,068.75
1205-4.1	48" CONCRETE MANHOLE (STORM)	EA	1	\$ 4,500.00	\$ 4,500.00	\$ 5,560.00	\$ 5,560.00	\$ 3,795.00	\$ 3,795.00
1205-4.8	TYPE 36" INLET	EA	2	\$ 3,500.00	\$ 7,000.00	\$ 4,450.00	\$ 8,900.00	\$ 4,140.00	\$ 8,280.00
1206-4.1	ADJ MANHOLE CASTING-ASPH PVMT	EA	3	\$ 500.00	\$ 1,500.00	\$ 650.00	\$ 1,950.00	\$ 620.10	\$ 1,860.30
1206-4.19	ADJUST VALVE BOX-UNPAVED AREA	EA	4	\$ 325.00	\$ 1,300.00	\$ 450.00	\$ 1,800.00	\$ 327.40	\$ 1,309.60
1206-4.7	ADJUST INLET CASTING ALL SIZES	EA	2	\$ 400.00	\$ 800.00	\$ 100.00	\$ 200.00	\$ 126.50	\$ 253.00
SP 9	STOP SIGN & STREET NAME SIGNS 1 POST	EA	1	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 517.50	\$ 517.50
SP 10	SOIL STERILIZER	LS	1	\$ 1,500.00	\$ 1,500.00	\$ 1,666.67	\$ 1,666.67	\$ 1,893.40	\$ 1,893.40
SP 11	STREET LIGHT CONTROL PANEL	LS	1	\$ 8,000.00	\$ 8,000.00	\$ 9,000.00	\$ 9,000.00	\$ 8,625.00	\$ 8,625.00
					\$ 175,404.00		\$ 213,498.49		\$ 217,999.15

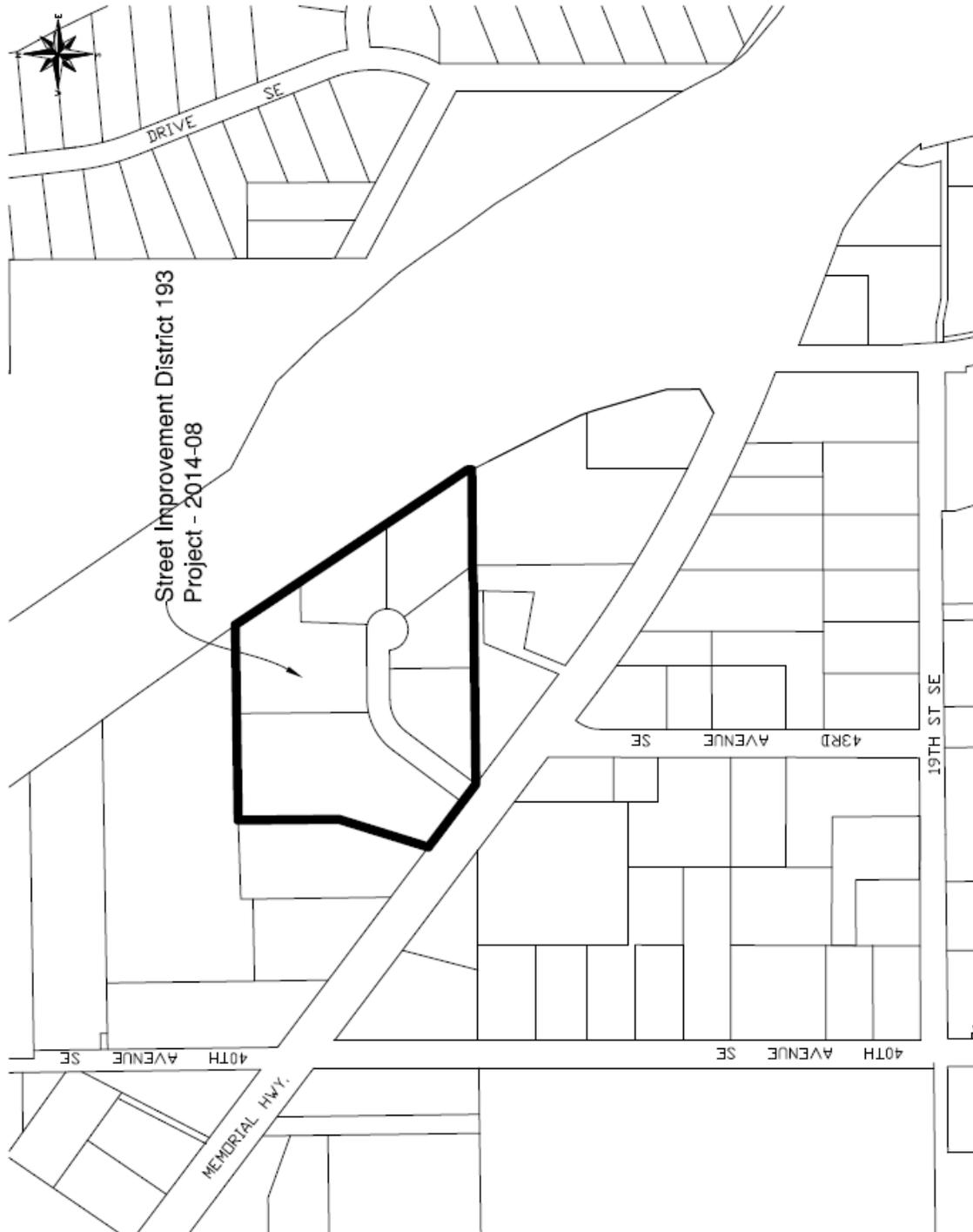
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 193, Project 2014-08(Midway 14th Addition)

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**RESOLUTION
APPROVING CONTRACT AND CONTRACTOR'S BOND FOR
STREET IMPROVEMENT DISTRICT NO. 193**

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 193, Project 2014-08(Midway 14th Addition)

Page 5 of 5

(Project No. 2014-08)

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

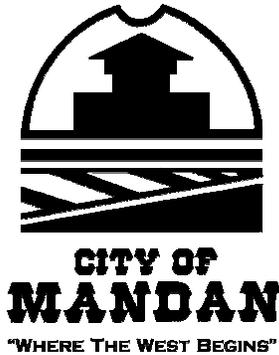
1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Street Improvement District No. 193 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement 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 \$213,498.49.
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 30th day of June, 2014

Arlyn Van Beek, President of the
Board of City Commissioners

Attest:

James Neubauer,
City Administrator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 25, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning & Engineering Director
SUBJECT: Consider award of bid and approve Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 197, Project 2014-24 (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. 197, Project 2014-24 (24th Street NW between 6th Avenue NW and 8th Avenue NW).

BACKGROUND/ALTERNATIVES: We received two bids on June 24 for the project and Northern Improvement Company was the low bidder. The bid amount was \$199,722.95. The Engineer's estimate was \$195,989.00. The bid is 1.9% higher 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 \$199,722.95 plus the engineering and administrative cost of \$69,903.03 totaling \$269,625.98. 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 \$0.19 per square foot.

STAFF IMPACT: Minimal

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 197, Project 2014-24(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 Northern Improvement Company as the low bidder of Street Improvement District 197 Project 2014-24 (24th Street NW between 6th Avenue NW and 8th Avenue NW) in the amount of \$199,722.95 and approve the Resolution approving Contract and Contractor's Bond.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 197, Project 2014-24(24th Street NW between 6th Avenue NW and 8th Avenue NW).

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STREET IMPROVEMENT DISTRICT NO. 197
 24TH ST. NW
 CITY PROJECT NO. 2014-24
 MANDAN, ND
 TECO #2201
 June 24, 2014

SPEC NO.	DESCRIPTION	UNIT	QUAN.	UNIT PRICE	ENG. EST.	UNIT PRICE	NIC	UNIT PRICE	MAHNER
202-4.1	UNCLASSIFIED EXCAVATION	CY	600	\$ 7.00	\$ 4,200.00	\$ 12.30	\$ 7,380.00	\$ 10.00	\$ 6,000.00
203-3.1	WATERING	M GAL	30	\$ 15.00	\$ 450.00	\$ 5.00	\$ 150.00	\$ 60.00	\$ 1,800.00
204-3.1	SUBGRADE PREPARATION	SY	3300	\$ 3.00	\$ 9,900.00	\$ 3.30	\$ 10,890.00	\$ 4.20	\$ 13,860.00
205-3.1	SILT FENCE	LF	200	\$ 10.00	\$ 2,000.00	\$ 9.20	\$ 1,840.00	\$ 8.89	\$ 1,778.00
205-3.4	6" FIBER ROLLS	LF	200	\$ 5.00	\$ 1,000.00	\$ 3.50	\$ 700.00	\$ 10.00	\$ 2,000.00
302-4.1	STABILIZED GRAVEL BASE	TON	1050	\$ 26.77	\$ 28,108.50	\$ 30.30	\$ 31,815.00	\$ 38.00	\$ 39,900.00
304-6.1B	AC STABILIZED BASE (CLASS B) 2-1/2"	TON	445	\$ 120.00	\$ 53,400.00	\$ 124.40	\$ 55,358.00	\$ 125.00	\$ 55,625.00
401-6.2B	AC SURFACE COURSE (CLASS B) 2"	TON	375	\$ 120.00	\$ 45,000.00	\$ 124.40	\$ 46,650.00	\$ 125.00	\$ 46,875.00
402-4.2	BITUMINOUS TACK COAT	GAL	160	\$ 2.50	\$ 400.00	\$ 2.40	\$ 384.00	\$ 5.00	\$ 800.00
403-4.1	BITUMINOUS SEAL COAT	SY	3030	\$ 3.00	\$ 9,090.00	\$ 3.20	\$ 9,696.00	\$ 3.28	\$ 9,938.40
602-4.1	6" CONCRETE	SF	435	\$ 7.50	\$ 3,262.50	\$ 6.30	\$ 2,740.50	\$ 6.67	\$ 2,901.45
603-5.3	STANDARD CURB & GUTTER	LF	1168	\$ 21.00	\$ 24,528.00	\$ 17.30	\$ 20,206.40	\$ 18.34	\$ 21,421.12
1201-4.1	4" TOPSOILING TO INCLUDE SEEDING & HYDROMULCH	Acre	0.5	\$ 18,000.00	\$ 9,000.00	\$ 15,812.50	\$ 7,906.25	\$ 30,556.00	\$ 15,278.00
1206-4.1	ADJ MANHOLE CASTING-ASPH PVMT	EA	2	\$ 500.00	\$ 1,000.00	\$ 464.40	\$ 928.80	\$ 1,100.00	\$ 2,200.00
1206-4.19	ADJUST VALVE BOX-UNPAVED AREA	EA	6	\$ 325.00	\$ 1,950.00	\$ 288.00	\$ 1,728.00	\$ 400.00	\$ 2,400.00
SP 8	SIGNS	EA	3	\$ 500.00	\$ 1,500.00	\$ 270.00	\$ 810.00	\$ 1,000.00	\$ 3,000.00
SP 9	ROAD CLOSED, BARRICADE	EA	2	\$ 600.00	\$ 1,200.00	\$ 270.00	\$ 540.00	\$ 1,000.00	\$ 2,000.00
	TOTAL AMOUNT				\$ 195,989.00		\$ 199,722.95		\$ 227,776.97

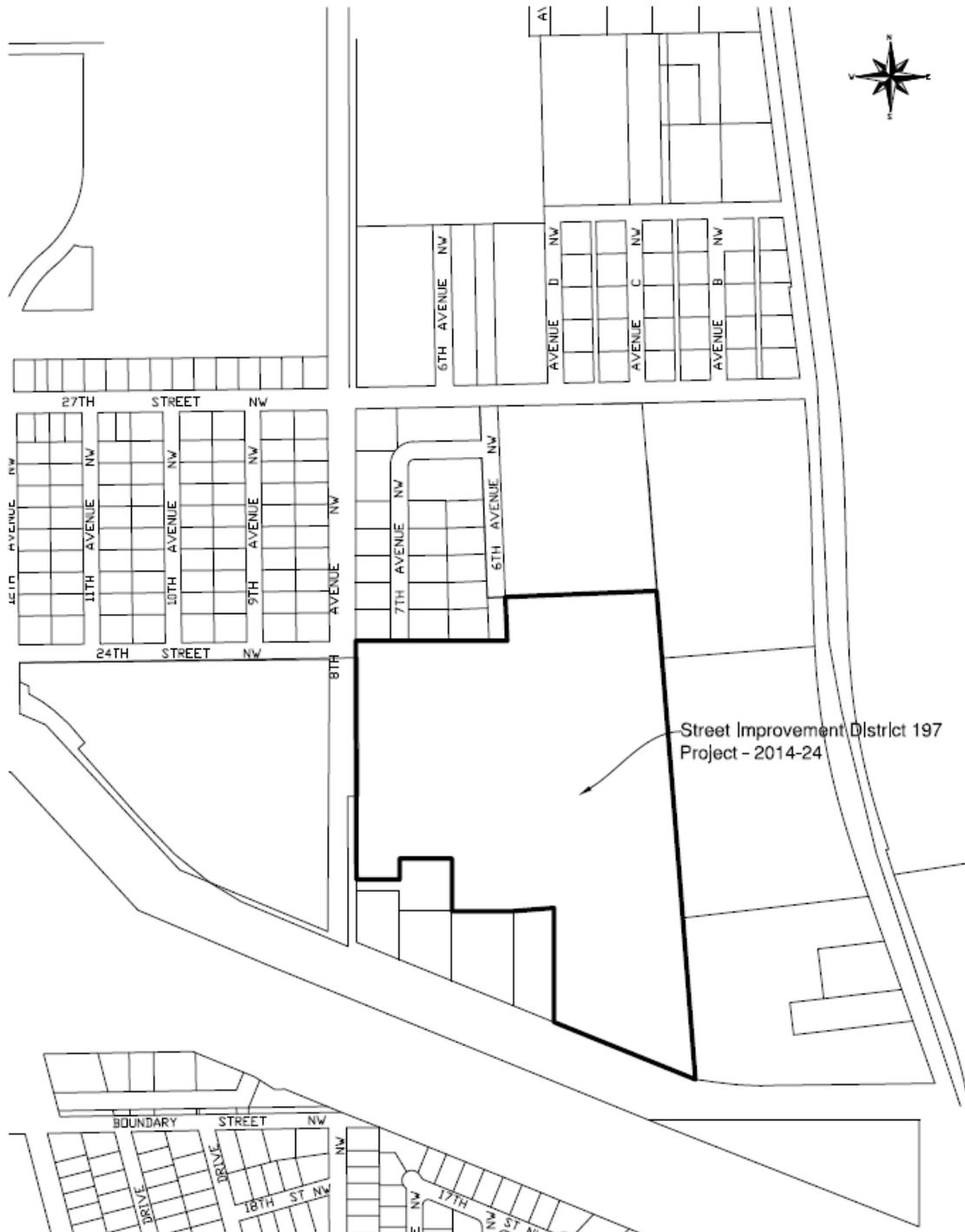
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 197, Project 2014-24(24th Street NW between 6th Avenue NW and 8th Avenue NW).

Page 4 of 5



Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider award of bid and approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 197, Project 2014-24(24th Street NW between 6th Avenue NW and 8th Avenue NW).

Page 5 of 5

RESOLUTION
APPROVING CONTRACT AND CONTRACTOR'S BOND FOR
STREET IMPROVEMENT DISTRICT NO. 197

(Project No. 2014-24)

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

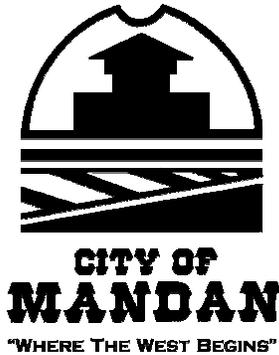
1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Street Improvement District No. 197 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement 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 \$199,722.95.
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 30th day of June, 2014

Arlyn Van Beek, President of the
Board of City Commissioners

Attest:

James Neubauer,
City Administrator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 27, 2014
SUBMITTING DEPARTMENT: Planning and Engineering
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Review Low Bid for NDDOT Cost Participation Resurfacing Projects.

STATEMENT/PURPOSE: Review and possible approval of low bid submitted by Mariner Construction, Inc. for NDDOT cost participation resurfacing projects.

BACKGROUND/ALTERNATIVES: On June 13th, bids were opened for three resurfacing projects through the NDDOT, bundled as one contract. Two bids were received with the low bid being submitted by Mariner Construction, Inc. The low bid received by Mariner was for \$882,099.96 which was about 4.4% under the engineer's estimate.

The extent of the resurfacing projects under this contract are; 1) 9th Avenue NE from Main Street to 4th Street (#SU-1-988(038)049), 2) Longspur and 24th Avenue SE from 3rd Street to 32nd Avenue (#SU-1-988(025)037), and 3) 40th Avenue SE from Memorial Highway to South Bay Drive (#SU-1-988(039)050).

The DOT recently signed an award notice for these projects upon their review that all program requirements have been met. Action by this commission to award the projects would enter us into agreement to have the projects constructed. Date of completion for the projects is by October 31st of 2014.

ATTACHMENTS:

- 1) Bid Opening Results
- 2) Projects' Funding Source Breakdown
- 3) Pending Award Notice (DOT reps to send when signed, expected by Monday, June 30th)

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Review Low Bid for NDDOT Cost Participating Resurfacing Projects.

Page 2 of 11

FISCAL IMPACT: The city's share of construction, based on low bid, is estimated to be \$319,404.83. Funding through the highway distribution fund is in place for the city's share.

STAFF IMPACT: Minimal

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

RECOMMENDATION: Approve awarding of resurfacing projects to low bidder, Mariner Construction, Inc. in conjunction with NDDOTs notice of award.

SUGGESTED MOTION: I move to award resurfacing projects to low bidder, Mariner Construction, Inc. in conjunction with NDDOTs notice of award.



North Dakota Department of Transportation

Grant Levi, P.E.
Director

Jack Dalrymple
Governor

June 16, 2014

Mr. James Neubauer
City Administrator
205 2nd Avenue NW
Mandan, ND 58554

PROJECTS: SU-1-988(025)037, PCN 17919; SU-1-988(038)049, PCN 20584; & SU-1-988(039)050, PCN 20585 – MANDAN, LONGSPUR DR/24TH AVE SE FROM 3RD ST TO 32ND AVE; 9TH AVE FROM MAIN ST TO 4TH ST NE; & 40TH AVE SE FROM SOUTHBAY DR TO MEMORIAL HIGHWAY

Bids for the construction on the above noted projects were taken at our bid opening of June 13, 2014. Copies of the Contract Detail Estimates and Abstract of Bids are enclosed.

The low bid for Mill & Overlay and Incidentals was submitted by Mariner Construction, Inc. of Bismarck, ND in the amount of \$882,099.96. According to the agreements with the City of Mandan, the City's share is estimated to be \$319,404.83 on these projects. Please see attached contract estimates for the individual project's breakdowns and limits.

The Department will review the low bidder's proposal to assure that the Disadvantaged Business Enterprise Program requirements have been met. Upon review of the contractor's Disadvantaged Business Enterprise Program, the Department will advise you whether this project may be awarded.

Questions should be addressed to the Construction Services Division at (701)328-2566.

Handwritten signature of Cal J. Gendreau in black ink.

CAL J. GENDREAU, P.E. - CONSTRUCTION SERVICES ENGINEER

80/cjg/lp
Enclosure

ND DEPARTMENT OF TRANSPORTATION		SHEET NO. 1 OF 1		ABSTRACT OF BIDS RECEIVED			
PROJECT NO. SU-1-988(039)050 SU-1-988(038)049 SU-1-988(025)037 MORTON (059)		DATE JUN 13, 2014 09:50AM		ESTIMATOR ENGINEERS ESTIMATE		ESTIMATOR NORTHEN IMPROVEMENT COMPANY	
LOCATION & TYPE MANDATORY 2979TH AVE, 24TH/LONGSPUR AND 40TH AV CONSTRUCTION TYPE 10/31/14 MILL & OVERLAY AND INCIDENTALS		RANK 00		RANK 01		RANK 02	
NO.	ITEM DESCRIPTION	QUANTITY	BID PRICE	AMOUNT	BID PRICE	AMOUNT	AMOUNT
10	CONTRACT BOND CONCRETE	1000	9000000	9000000	3522980	3522980	3522980
11	REMOVAL OF CURB & GUTTER	214000	15000	3210000	29530	6428700	6428700
12	REMOVAL OF CURB & GUTTER	550000	6000	3300000	8540	4685000	4685000
13	REMOVAL OF CURB & GUTTER	44000	8000	3520000	26890	118316	118316
14	REMOVAL OF CURB & GUTTER	322000	2000	6440000	5800	1806000	1806000
15	REMOVAL OF CURB & GUTTER	600000	7000	4200000	5800	3500000	3500000
16	REMOVAL OF CURB & GUTTER	2195000	2000	4390000	7500	16425000	16425000
17	REMOVAL OF CURB & GUTTER	1000	45000000	45000000	38700000	38700000	38700000
18	LAGGING	1563000	3000	4689000	4850	7521000	7521000
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Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Review Low Bid for NDDOT Cost Participating Resurfacing Projects.

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6/13/2014

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
CONTRACT DETAIL ESTIMATE UPON WHICH PROJECT AGREEMENT IS TO BE BASED

Page 1 of 3

North Dakota **FEDERAL AID**

Project Number: **SU-1-988(038)049**

PCN: **20584**

Bid Opening Date: **6/13/2014**

Job Number: **4**

English/Metric: **ENGLISH**

Contract with **MARINER CONSTRUCTION INC BISMARCK, ND**

Signed Date:

County(s): **MORTON**

Location: **MANDAN 9TH AVE FROM MAIN ST TO 4TH ST NE**

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Review Low Bid for NDDOT Cost Participating Resurfacing Projects.

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6/13/2014

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
 CONTRACT DETAIL ESTIMATE UPON WHICH PROJECT AGREEMENT IS TO BE BASED

Page 2 of 3

North Dakota **FEDERAL AID**

Bid Opening Date: 6/13/2014

Project Number: **SU-1-988(038)049**

PCN: **20584**

Job Number: **4**

English/Metric: **ENGLISH**

Roadway: **URBAN**

STA 10+00 TO STA 24+45

Type: **MILL & OVERLAY AND INCIDENTALS**

Participating: Y

Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
103	0100	CONTRACT BOND	0.330	L SUM	\$3,522.48	\$1,162.42
202	0112	REMOVAL OF CONCRETE	241.000	SY	\$24.45	\$5,892.45
202	0124	REMOVE AGGREGATE BASE	116.000	CY	\$29.23	\$3,390.68
202	0130	REMOVAL OF CURB & GUTTER	525.000	LF	\$8.34	\$4,378.50
202	0137	REMOVAL OF PAVEMENT	44.000	SY	\$26.89	\$1,183.16
401	0150	SS1H OR CSS1H OR MS1 EMULSIFIED ASPHALT	848.000	GAL	\$5.60	\$4,748.80
410	0213	SUPERPAVE FAA 43	556.000	TON	\$54.73	\$30,429.88
410	0445	PG 58-28 ASPHALT CEMENT	33.000	TON	\$738.00	\$24,354.00
411	0105	MILLING PAVEMENT SURFACE	1,951.000	SY	\$3.61	\$7,043.11
702	0100	MOBILIZATION	0.330	L SUM	\$38,700.00	\$12,771.00
704	0100	FLAGGING	120.000	MHR	\$35.00	\$4,200.00
704	1000	TRAFFIC CONTROL SIGNS	642.000	UNIT	\$4.25	\$2,728.50
704	1052	TYPE III BARRICADE	4.000	EA	\$100.00	\$400.00
704	1060	DELINEATOR DRUMS	24.000	EA	\$50.00	\$1,200.00
704	1067	TUBULAR MARKERS	40.000	EA	\$20.00	\$800.00
722	6140	ADJUST GATE VALVE BOX	2.000	EA	\$450.00	\$900.00
722	6200	ADJUST MANHOLE	4.000	EA	\$500.00	\$2,000.00
748	0140	CURB & GUTTER-TYPE I	525.000	LF	\$36.28	\$19,047.00
748	0520	CURB-TYPE I	83.000	LF	\$57.15	\$4,743.45
748	1200	VALLEY GUTTER-TYPE I 72IN	23.000	SY	\$101.10	\$2,325.30
750	0115	SIDEWALK CONCRETE 4IN	240.000	SY	\$58.80	\$14,112.00
750	2115	DETECTABLE WARNING PANELS	208.000	SF	\$76.93	\$16,001.44
754	0593	RESET SIGN SUPPORT	1.000	EA	\$300.00	\$300.00
766	0120	RESET MAILBOX	1.000	EA	\$200.00	\$200.00
950	9694	PAVEMENT REINFORCING FABRIC	3,488.000	SY	\$3.80	\$13,254.40
Subtotal						\$177,566.09
Eng and Contg						\$17,756.61
Total						\$195,322.70

Length 0.2740 Miles MORTON 0.2740 Miles

Estimated Cost		<u>Construction</u>
		\$195,322.70
SU FEDERAL FUNDS	80.93%	\$158,074.66
CITY FUNDS	19.07%	\$37,248.04

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Review Low Bid for NDDOT Cost Participating Resurfacing Projects.

Page 7 of 11

6/13/2014

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
CONTRACT DETAIL ESTIMATE UPON WHICH PROJECT AGREEMENT IS TO BE BASED

Page 3 of 3

North Dakota **FEDERAL AID**

Bid Opening Date: 6/13/2014

Project Number: **SU-1-988(038)049**

PCN: **20584**

Job Number: **4**

English/Metric: **ENGLISH**

Type: **SPECIAL ITEMS**

Item Description	Amount
ESTIMATED COST OF REPAIR AND RESTORATION OF HAUL ROADS	\$1,666.00
Funding Splits: SU FEDERAL FUNDS	80.93% \$1,348.29
CITY FUNDS	19.07% \$317.71

Summary for Project

Length **0.2740 Miles** **MORTON** **0.2740 Miles**

Estimated Total Construction Cost: **\$177,566.09**

Estimated Total Eng and Contg: **\$17,756.61**

	<u>Construction</u>	<u>Special Items</u>	<u>Total</u>
Estimated Cost	\$195,322.70	\$1,666.00	\$196,988.70
SU FEDERAL FUNDS	\$158,074.66	\$1,348.29	\$159,422.95
CITY FUNDS	\$37,248.04	\$317.71	\$37,565.75

NDDOT TO MAKE CONTRACTOR PAYMENTS. SU FEDERAL FUNDS FOR THIS PROJECT IS LIMITED TO \$161,860. ANY COSTS OVER THIS LIMITED AMOUNT WILL BE CITY RESPONSIBILITY.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Review Low Bid for NDDOT Cost Participating Resurfacing Projects.

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6/13/2014

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
 CONTRACT DETAIL ESTIMATE UPON WHICH PROJECT AGREEMENT IS TO BE BASED

Page 1 of 2

North Dakota **FEDERAL AID**

Bid Opening Date: **6/13/2014**

Project Number: **SU-1-988(025)037**

PCN: **17919**

Job Number: **4**

English/Metric: **ENGLISH**

Contract with **MARINER CONSTRUCTION INC BISMARCK, ND**

Signed Date:

County(s): **MORTON**

Location: **MANDAN LONGSPUR DR/24TH AVE SE FROM 3RD ST TO 32ND AVE**

Roadway: **URBAN**

STA 10+00 TO STA 54+10

Type: **MILL & OVERLAY AND INCIDENTALS**

Participating: **Y**

Spec Code	Item Description	Quantity	Unit	Unit Price	Amount
103 0100	CONTRACT BOND	0.330	L SUM	\$3,522.48	\$1,162.42
401 0150	SS1H OR CSS1H OR MS1 EMULSIFIED ASPHALT	809.000	GAL	\$5.60	\$4,530.40
410 0213	SUPERPAVE FAA 43	1,797.000	TON	\$54.73	\$98,349.81
410 0445	PG 58-28 ASPHALT CEMENT	108.000	TON	\$738.00	\$79,704.00
411 0105	MILLING PAVEMENT SURFACE	8,217.000	SY	\$3.61	\$29,663.37
702 0100	MOBILIZATION	0.330	L SUM	\$38,700.00	\$12,771.00
704 0100	FLAGGING	120.000	MHR	\$35.00	\$4,200.00
704 1000	TRAFFIC CONTROL SIGNS	443.000	UNIT	\$4.25	\$1,882.75
708 1540	INLET PROTECTION-SPECIAL	16.000	EA	\$140.00	\$2,240.00
722 6200	ADJUST MANHOLE	7.000	EA	\$500.00	\$3,500.00
Subtotal					\$238,003.75
Eng and Contg					\$23,800.38
Total					\$261,804.13

Length **0.8350 Miles** **MORTON** **0.8350 Miles**

Estimated Cost		<u>Construction</u>
		\$261,804.13
SU FEDERAL FUNDS	80.93%	\$211,878.08
CITY FUNDS	19.07%	\$49,926.05

Type: **SPECIAL ITEMS**

Item Description			Amount
ESTIMATED COST OF REPAIR AND RESTORATION OF HAUL ROADS			\$1,667.00
Funding Splits:	SU FEDERAL FUNDS	80.93%	\$1,349.10
	CITY FUNDS	19.07%	\$317.90

Board of City Commissioners
 Agenda Documentation
 Meeting Date: June 30, 2014
 Subject: Review Low Bid for NDDOT Cost Participating Resurfacing Projects.
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6/13/2014

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
 CONTRACT DETAIL ESTIMATE UPON WHICH PROJECT AGREEMENT IS TO BE BASED

Page 1 of 2

North Dakota **FEDERAL AID**

Bid Opening Date: **6/13/2014**

Project Number: **SU-1-988(039)050**

PCN: **20585**

Job Number: **4**

English/Metric: **ENGLISH**

Contract with **MARINER CONSTRUCTION INC BISMARCK, ND**

Signed Date:

County(s): **MORTON**

Location: **MANDAN 40TH AVE SE FROM SOUTHBAY DR TO MEMORIAL HIGHWAY**

Roadway: **URBAN**

STA 10+00 TO STA 72+70

Type: **MILL & OVERLAY AND INCIDENTALS**

Participating: **Y**

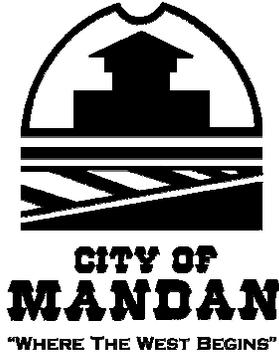
Spec	Code	Item Description	Quantity	Unit	Unit Price	Amount
103	0100	CONTRACT BOND	0.340	L SUM	\$3,522.48	\$1,197.64
401	0150	SS1H OR CSS1H OR MS1 EMULSIFIED ASPHALT	1,568.000	GAL	\$5.60	\$8,780.80
410	0213	SUPERPAVE FAA 43	3,683.000	TON	\$54.73	\$201,570.59
410	0445	PG 58-28 ASPHALT CEMENT	221.000	TON	\$738.00	\$163,098.00
411	0105	MILLING PAVEMENT SURFACE	11,791.000	SY	\$3.61	\$42,565.51
702	0100	MOBILIZATION	0.340	L SUM	\$38,700.00	\$13,158.00
704	0100	FLAGGING	160.000	MHR	\$35.00	\$5,600.00
704	1000	TRAFFIC CONTROL SIGNS	478.000	UNIT	\$4.25	\$2,031.50
704	1060	DELINEATOR DRUMS	12.000	EA	\$50.00	\$600.00
708	1540	INLET PROTECTION-SPECIAL	32.000	EA	\$140.00	\$4,480.00
722	6140	ADJUST GATE VALVE BOX	8.000	EA	\$450.00	\$3,600.00
722	6200	ADJUST MANHOLE	35.000	EA	\$500.00	\$17,500.00
750	0115	SIDEWALK CONCRETE 4IN	19.000	SY	\$58.80	\$1,117.20
750	2115	DETECTABLE WARNING PANELS	16.000	SF	\$76.93	\$1,230.88
Subtotal						\$466,530.12
Eng and Contg						\$46,653.01
Total						\$513,183.13

Length **1.1880 Miles** **MORTON** **1.1880 Miles**

		<u>Construction</u>
Estimated Cost		\$513,183.13
SU FEDERAL FUNDS	LIMITED	\$283,255.00
CITY FUNDS	19.07%	\$229,928.13

Type: **SPECIAL ITEMS**

Item Description	Amount
ESTIMATED COST OF REPAIR AND RESTORATION OF HAUL ROADS	\$1,667.00
Funding Splits:	
SU FEDERAL FUNDS	LIMITED \$0.00
CITY FUNDS	19.07% \$1,667.00



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 24, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Consider authorizing a work change order on Street Improvement District No. 179, Project No. 2013-10 (Meadow Ridge 3rd Addition).

STATEMENT/PURPOSE: To authorize a change order to extend the date of June 15, 2014 to Final Completion of July 9, 2014 excluding seal coat which is August 15, 2014.

BACKGROUND/ALTERNATIVES: Due to the addition of service lines to some of the larger lots being added work was delayed in this area.

ATTACHMENTS:

1. District Map
2. Letter of request for change order

FISCAL IMPACT: None

STAFF IMPACT: Minimal

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

RECOMMENDATION: This office supports the change order for the project.

SUGGESTED MOTION: I move to authorize a change order on Street Improvement District No. 179, Project No. 2013-10 for completion date of July 9, 2014 excluding the seal coat.

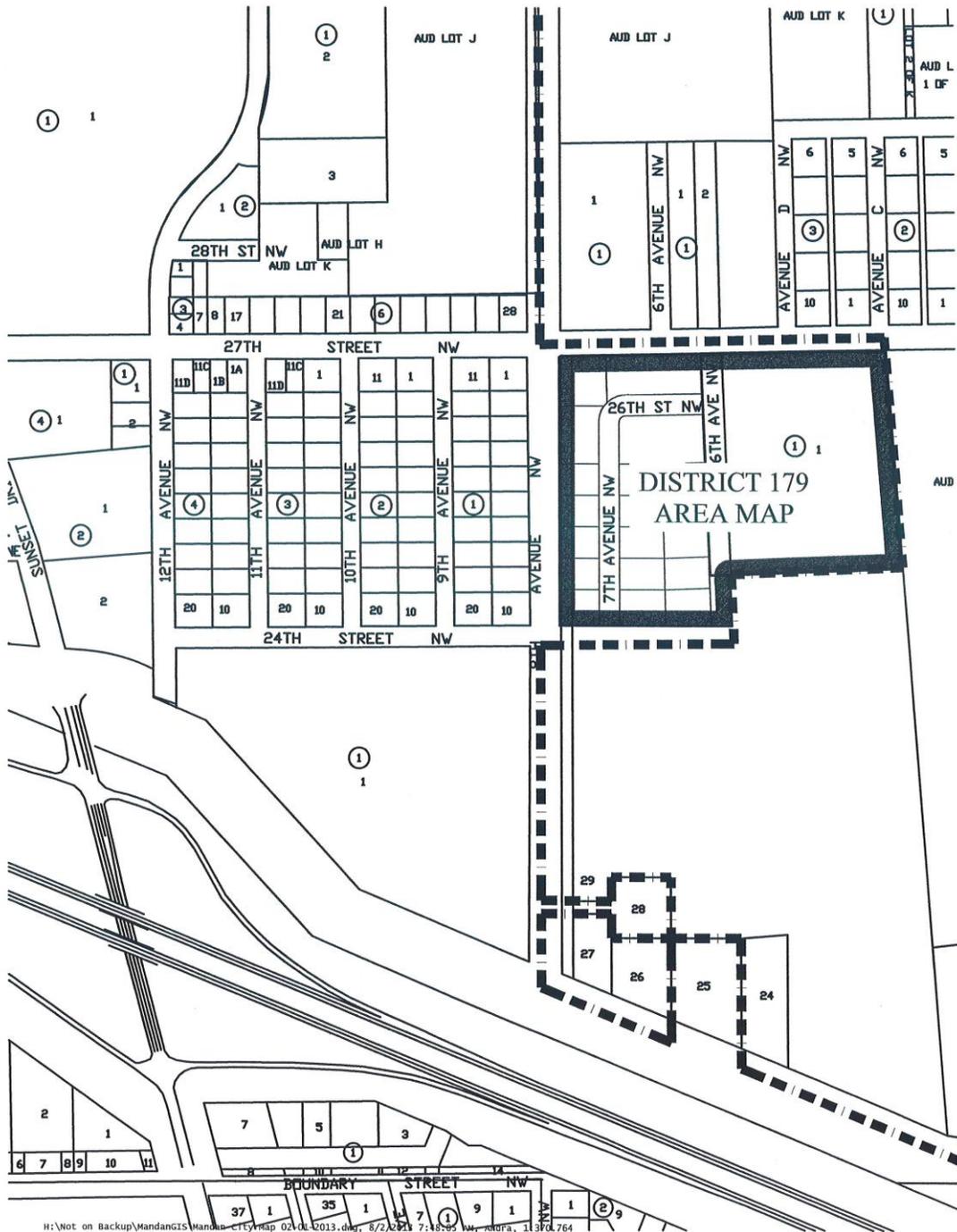
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 179,
Project No. 2013-10 (Meadow Ridge 3rd Addition).

Page 2 of 3



Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 179,
Project No. 2013-10 (Meadow Ridge 3rd Addition).

Page 3 of 3

6-23-2014

City of Mandan
Jim Neubauer
City Administrator

RE: SID #179
City Project # 2013-10
Mandan, ND

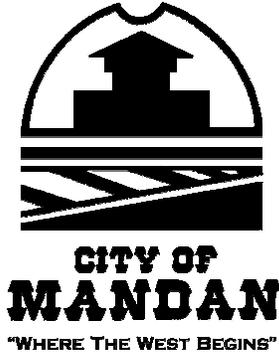
Tand Construction is asking for a time extension of the Meadow Ridge 3rd Addition Street Improvement Project District # 179. The owners of multiple lots in this subdivision have delayed the street construction schedule due to the additional water and sewer services being installed. I can confirm that Tand Construction has been delayed due to the lot owners adding additional utility services. Also, the weather conditions have been unfavorable for construction this past month.

Based on the delays for adding utility services and weather conditions. I recommend a time extension for the SID # 179, with a new completion date of July 9th, 2014.

Sincerely,



Abraham E. Ulmer
Project Engineer
Toman Engineering Co.



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 24, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Robert Decker
SUBJECT: Consider for approval replat of Lots 3A through 3H of Lot 3, Block 4 Heart Ridge Addition

STATEMENT/PURPOSE:

The area currently is platted as 8 duplex lots. The proposal is to reduce the number of duplex lots to 6.

BACKGROUND/ALTERNATIVES:

The area is zoned RM which allows duplex lots. In order to make room for a turnaround on the proposed private drive, the number of lots needs to be reduced. All improvements will be installed by the developer.

ATTACHMENTS:

1. Location Map
2. Plat
3. Site Plan
4. Planning and Zoning staff report

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

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

RECOMMENDATION:

The Planning and Zoning Commission voted unanimously at their June 23, 2014 meeting to recommend approval of this request. Staff recommends approval of this request.

SUGGESTED MOTION:

Move to approve replat of Lots 3A through 3H of Lot 3, Block 4 Heart Ridge Addition.

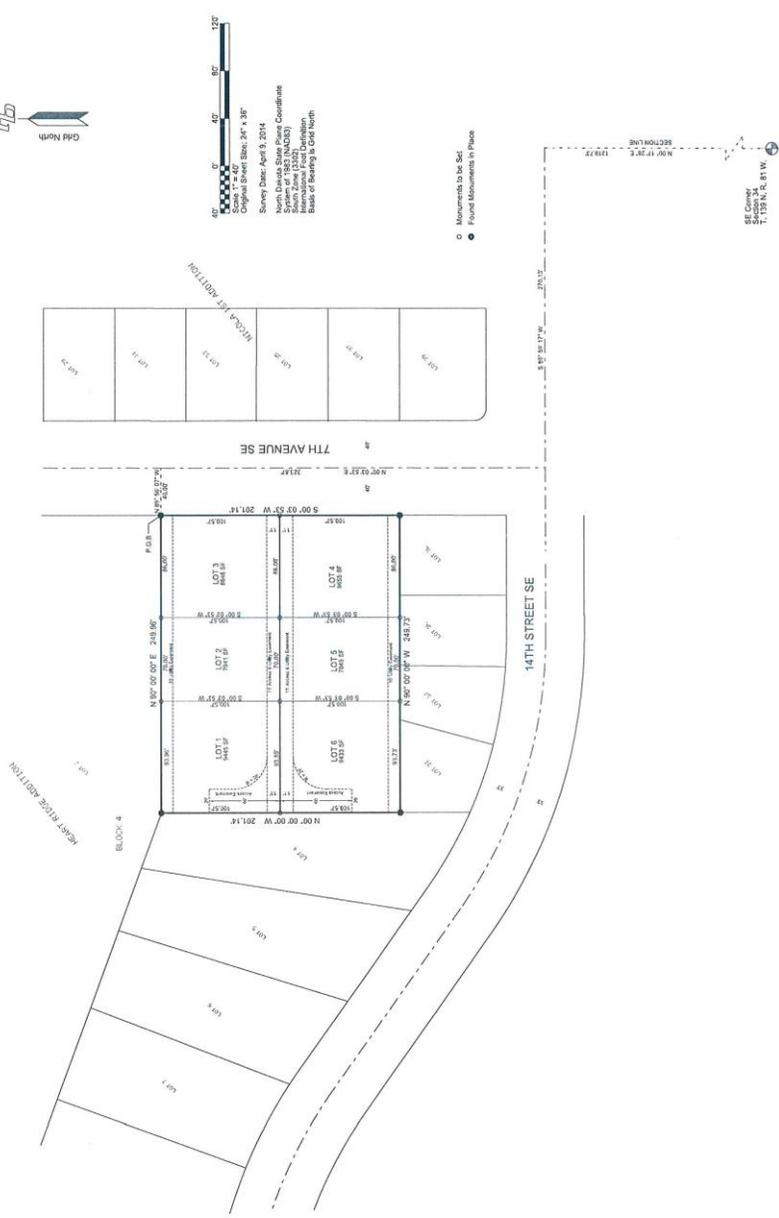
REPLAT OF LOTS 3A, 3B, 3C, 3D, 3E, 3F, 3G, AND 3H OF LOT 3, BLOCK 4 OF HEART RIDGE ADDITION SE 1/4 of Section 34, T. 139 N., R. 81 W. to the City of Mandan, Morton County, North Dakota

DESCRIPTION
REPLAT OF LOTS 3A, 3B, 3C, 3D, 3E, 3F, 3G, AND 3H OF LOT 3, BLOCK 4 OF HEART RIDGE ADDITION, MORTON COUNTY, NORTH DAKOTA, SECTION 34, T. 139 N., R. 81 W.

SURVEYOR'S CERTIFICATE
I, JAMES W. BROWN, PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HAVE BEEN DULY QUALIFIED AND LICENSED BY THE BOARD OF SURVEYORS AND LAND SURVEYORS OF THE STATE OF NORTH DAKOTA. I HAVE PERSONALLY EXAMINED THE RECORDS OF THE COUNTY OF MORTON, NORTH DAKOTA, AND HAVE FOUND THAT THE RECORDS CONTAIN THE NECESSARY INFORMATION TO COMPLETE THIS SURVEY. I HAVE ALSO EXAMINED THE ORIGINAL RECORDS OF THE SURVEY AND HAVE FOUND THAT THEY ARE CORRECT AND COMPLETE. I HAVE THEREFORE PREPARED THIS CERTIFICATE AND MAP IN ACCORDANCE WITH THE LAWS AND REGULATIONS OF THE STATE OF NORTH DAKOTA. I HAVE ALSO EXAMINED THE ORIGINAL RECORDS OF THE SURVEY AND HAVE FOUND THAT THEY ARE CORRECT AND COMPLETE. I HAVE THEREFORE PREPARED THIS CERTIFICATE AND MAP IN ACCORDANCE WITH THE LAWS AND REGULATIONS OF THE STATE OF NORTH DAKOTA.

APPROVAL OF CITY COMMISSIONERS
I, [Name], Mayor of the City of Mandan, Morton County, North Dakota, do hereby approve this replat of lots 3A through 3H of Lot 3, Block 4 of Heart Ridge Addition, Morton County, North Dakota, and I have caused this approval to be recorded in the records of the County of Morton, North Dakota.

APPROVAL OF CITY ENGINEER
I, [Name], City Engineer of the City of Mandan, Morton County, North Dakota, do hereby approve this replat of lots 3A through 3H of Lot 3, Block 4 of Heart Ridge Addition, Morton County, North Dakota, and I have caused this approval to be recorded in the records of the County of Morton, North Dakota.



Survey Date: April 9, 2014
Scale: 1" = 40'
Original Survey: 1914
Coordinate System: NAD83 (NAD83)
Datum: North American Datum 1983
Basis of Bearing: True North

Monuments to be Set
Found Monuments in Place

SE Corner
T. 139 N., R. 81 W.

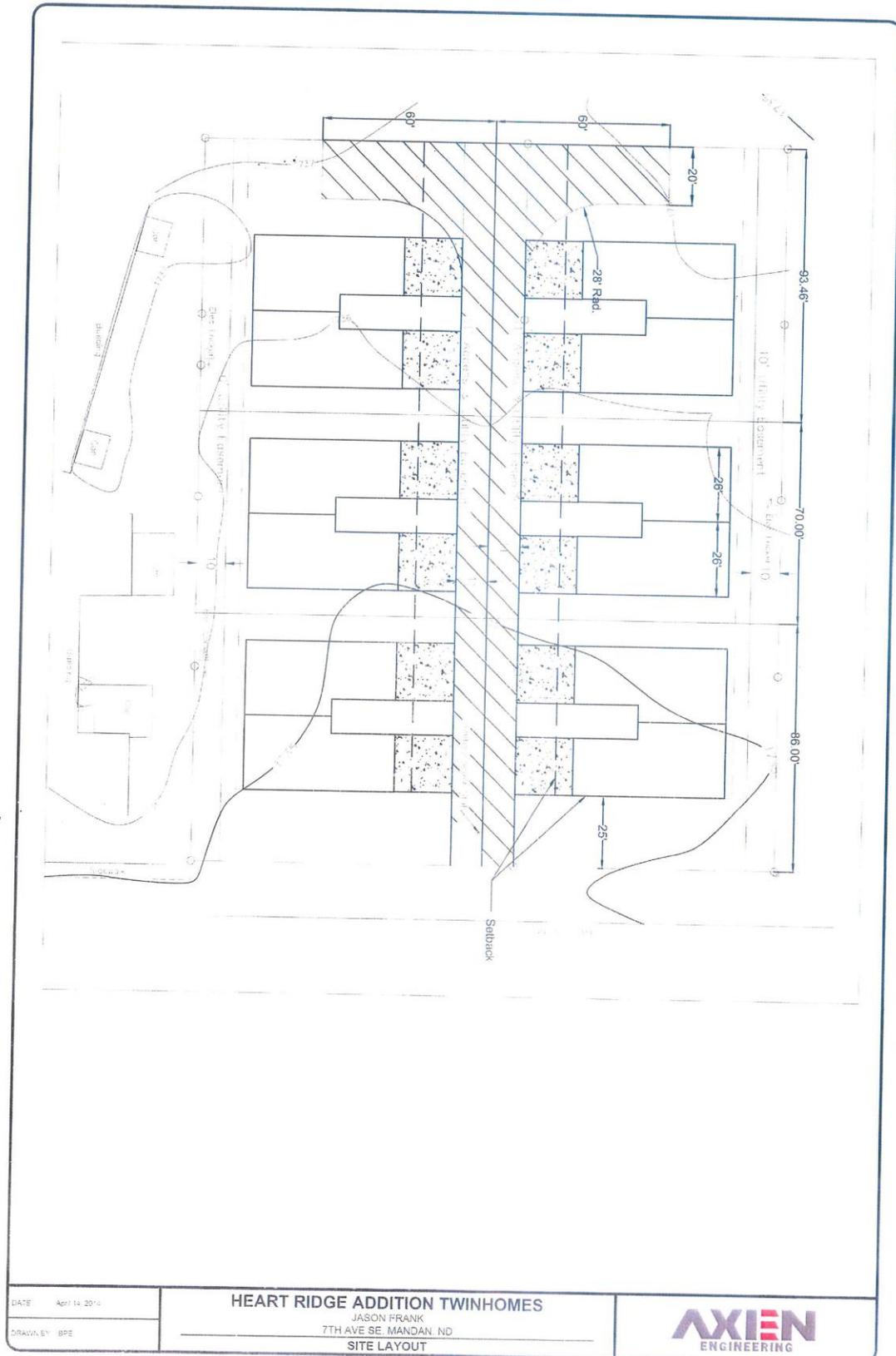
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Approval of Replat of Lots 3A through 3H of Lot 3, Block 4 Heart Ridge Addition

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Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Approval of Replat of Lots 3A through 3H of Lot 3, Block 4 Heart Ridge Addition

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Mandan Planning and Zoning Commission Agenda Item
For Meeting on June 23, 2014

Mandan Engineering and Planning Office Report

Final Replat of Lot 3, Block 4 Heart Ridge

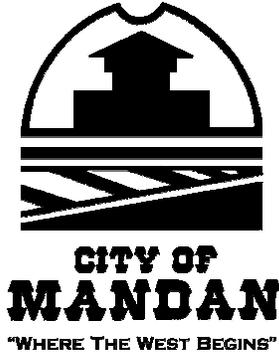
Addition

Requested Action

Consolidate 8 lots into 6

Application Details					
Applicant Axien	Owner Jason Frank	Subdivision Heart Ridge Addition	Legal Description Lots 3A – 3H of Lot 3, Block 4 Heart Ridge Addition		
Location 7 th Ave. SE & 14 St. SE		Proposed Land Use Duplex	Parcel Size 50,265 SF +/-	Number of Lots 6	
Existing Land Use vacant	Adjacent Land Uses Residential		Current Zoning RM	Proposed Zoning RM	Adjacent Zoning R7, RM & LSMHS
Fees 250	Date Paid 4/23/2014	Adjacent Property Notification Sent 6/9	Legal Notices Published 6/13 & 6/20		

Project Description
Applicant intends to construct 6 duplex structures. Access will be from a private common driveway with a hammerhead turnaround.
Agency & Other Department Comments
Will need to add a fire hydrant. Need a street name.
Engineering & Planning Staff Comments
Engineering & Planning Recommendation
Proposed Motion
Based on staff report and hearing no objection, move to recommend approval of replat of Lot 3, Block 4 Heart Ridge Addition.



Consent No. 3

Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 24, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Robert Decker
SUBJECT: Consider for approval setback variance for Lot 1,
Block 1 Developers West Acres 2nd Addition

STATEMENT/PURPOSE:

Owner wants to add a small entrance foyer that would encroach on setback.

BACKGROUND/ALTERNATIVES:

The property is a corner lot that has a front yard setback on two sides. The house faces the side street. There are no other houses in this block of this street. Owner wants to add a ten foot wide entrance foyer that would extend no more than six feet into the front yard setback.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Approval of setback variance of Lot 1, Block 1, Developers West Acres 2nd

Page 2 of 6

ATTACHMENTS:

1. Location Map
2. Proposed foyer location
3. Photos of property
4. Planning and Zoning staff report

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

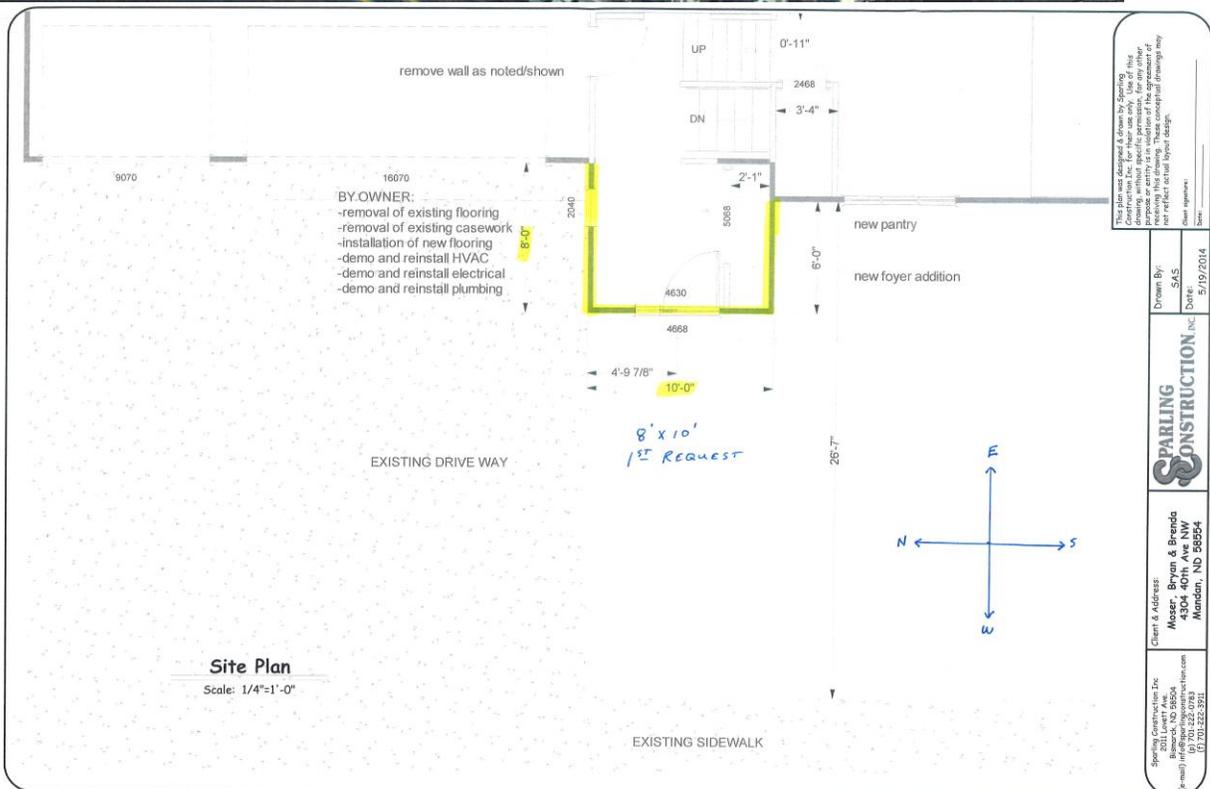
LEGAL REVIEW: All of my commission data has been forwarded to the City Attorney for his review.

RECOMMENDATION:

The Planning and Zoning Commission voted unanimously at their June 23, 2014 meeting to recommend approval of this request. Staff recommends approval of this request.

SUGGESTED MOTION:

Move to approve setback variance to allow encroachment of up to 6 feet into front yard setback for construction of 10 foot wide entrance foyer on Lot 1, Block 1 Developers West Acres 2nd Addition.



Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Approval of setback variance of Lot 1, Block 1, Developers West Acres 2nd

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Mandan Planning and Zoning Commission Agenda Item
 For Meeting on June 23, 2014
 Mandan Engineering and Planning Office Report
Developers West Acres 2nd Addition
Variance
 Requested Action
 Allow encroachment into front yard setback

Application Details				
Applicant Bryan J. Moser	Owner Bryan J. Moser	Subdivision Developers West Acres 2 nd Addition	Legal Description Lot 1, Block 1 Developers West Acres 2 nd Addition	
Location 43 rd St. NW & 40 th Ave. NW		Proposed Land Use Single family residence	Parcel Size .33 Acres	Number of Lots 1
Existing Land Use SF	Adjacent Land Uses Residential		Current Zoning R7	Proposed Zoning R7
Fees 250	Date Paid 5/21/14	Adjacent Property Notification Sent None required	Legal Notices Published None required	

Project Description
<p>21-09-16 provides tests for granting of a variance.</p> <p><i>a. Strict compliance with the requirements of these regulations would result in extraordinary hardship to the subdivider, as distinguished from a mere inconvenience, because of the particular physical surroundings, shape or topographical conditions of the specific property involved, or because of other conditions not caused by the action of the subdivider.</i></p> <p>This is an oversized corner residential lot. The structure faces what is the secondary or side street. There are no other houses facing this street in this block on this side of the street.</p> <p>More than half the total width of the structure is 2 feet back from the portion nearest the street. The proposed setback encroachment would involve less than 15% of the total frontage of the structure. The maximum encroachment would be 6 feet over a distance of 10 feet.</p> <p>The applicant is not the subdivider.</p> <p><i>b. The granting of the variance would not have the effect of reducing the traffic capacity of any major or secondary street.</i></p> <p>Approval of this request would have no impact on the traffic capacity of any street.</p> <p><i>c. The granting of the variance would be beneficial to the public safety, health or welfare, and not injurious to other property located adjacent to the proposed modification.</i></p> <p>Granting of this variance would have no impact on public safety, health or welfare and would not be injurious to any other property.</p> <p><i>d. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.</i></p>

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Approval of setback variance of Lot 1, Block 1, Developers West Acres 2nd

Page 6 of 6

The variance request is only for the conditions encountered on this lot and are determined by the configuration of the principal structure.

e. The variance is consistent with provisions of the zoning ordinance, comprehensive plan and proper development of the area.

The variance request does not change any provisions of the zoning ordinance or comprehensive plan nor negatively impact development of the area.

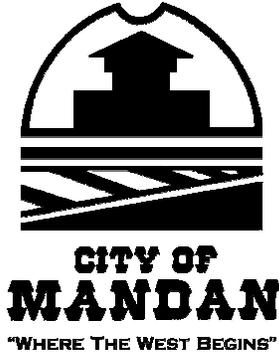
Agency & Other Department Comments

Engineering & Planning Staff Comments

Engineering & Planning Recommendation

Proposed Motion

Based on staff report and hearing no objection, move to recommend approval of variance request for Lot 1, Block 1 Developers West Acres 2nd Addition.



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 24, 2014
SUBMITTING DEPARTMENT: City Administrator
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER:
SUBJECT: Individual Class E liquor License Application –
Bar M Steakhouse, LLC

STATEMENT/PURPOSE: New liquor licenses must be approved by the Board of City Commissioners at all times of new application.

BACKGROUND/ALTERNATIVES: Application and fees have been received and a background check has been run.

ATTACHMENTS: Liquor License application.

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: Approval contingent upon the establishment meeting all Fire Code, Health & Safety Code, Building Inspections and all property taxes paid.

SUGGESTED MOTION: I move to approve the Liquor License application for Bar M Steakhouse, LLC formerly Dean's Steakhouse. Contingent upon the establishment meeting all fire codes, Health & Safety Code, Building Inspection Codes and all property taxes and fees are paid.



Individual or Partnership Liquor License Application

1. Type of License:

Liquor On-Sale [checked] Off-Sale _____ Class: A B C D D1 (E) F WB MP DY (circle one)
Beer On-Sale [checked] Off-Sale _____ Class: A B C D D1 (E) F WB MP DY (circle one)

2. Duration of License: Annual: (July 1, 2014 to June 30, 2015)
Part of Year : From _____, 20____ to _____, 20____.

3. Are you applying for an Individual _____ or Partnership [checked]

4. If business is owned by an individual, give name, address, and date of birth of Owner: _____

5. If business is owned by a partnership give the name of the partnership and the names, addresses, and dates of birth of each member of the partnership. Marcia Berger, Margaret Annum, Mandan ND 58554, Bar M Steakhouse LLC

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

Name: Marcia Berger Address: _____
City: Mandan State: ND Age: _____ DOB: _____ Citizenship: USA

If naturalized, give date and place of naturalization: _____

List all other places of residence within the last 5 years: _____

7. Description of Licensed Premises: Address: 2815 Memorial Hwy Mandan ND

Legal Description: (Lot & Block): W 200' Lot N, NW 1/4 34-139-81 (also submit on an attached page a diagram of the physical layout of the licensed premises including, at a minimum: doors, storage areas, & areas where liquor/beer is purchased and consumed.)

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

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

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

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

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Individual Class E liquor License Application – Bar M Steakhouse, LLC

Page 3 of 4

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

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

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

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

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

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

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

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

19. List the names, addresses of at least 3 business references. _____
Dakota Community Bank
American Bank Center
Investment Center (Wayne Mueller)

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

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

Board of City Commissioners

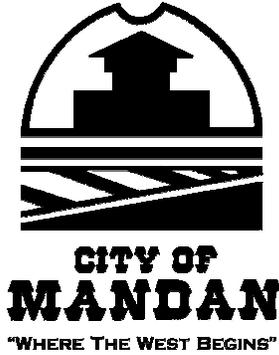
Agenda Documentation

Meeting Date: June 30, 2014

Subject: Individual Class E liquor License Application – Bar M Steakhouse, LLC

Page 4 of 4

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



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 26, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Consider authorizing a work change order on Street Improvement District No. 178, Project No. 2013-04 (Keidel's South Heart Terrace Phase IV).

STATEMENT/PURPOSE: To authorize a change order to extend the date of July 5, 2014 to July 20, 2014 to complete surface lift and September 1, 2014 to complete Chip Sealing.

BACKGROUND/ALTERNATIVES: Due to timing of the grading which was done by another contractor, Northern Improvement was delayed in starting their work.

ATTACHMENTS:

1. District Map
2. Letter of request for time extension (Northern Improvement Co.)
3. Letter agreeing with time extension request (Toman Engineering)

FISCAL IMPACT: None

STAFF IMPACT: Minimal

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

RECOMMENDATION: This office supports the change order for the project.

SUGGESTED MOTION: I move to authorize a change order on Street Improvement District No. 178, Project No. 2013-04 for completion date of July 20, 2014 for Surface Lift and September 1, 2014 for completion of Chip Sealing.

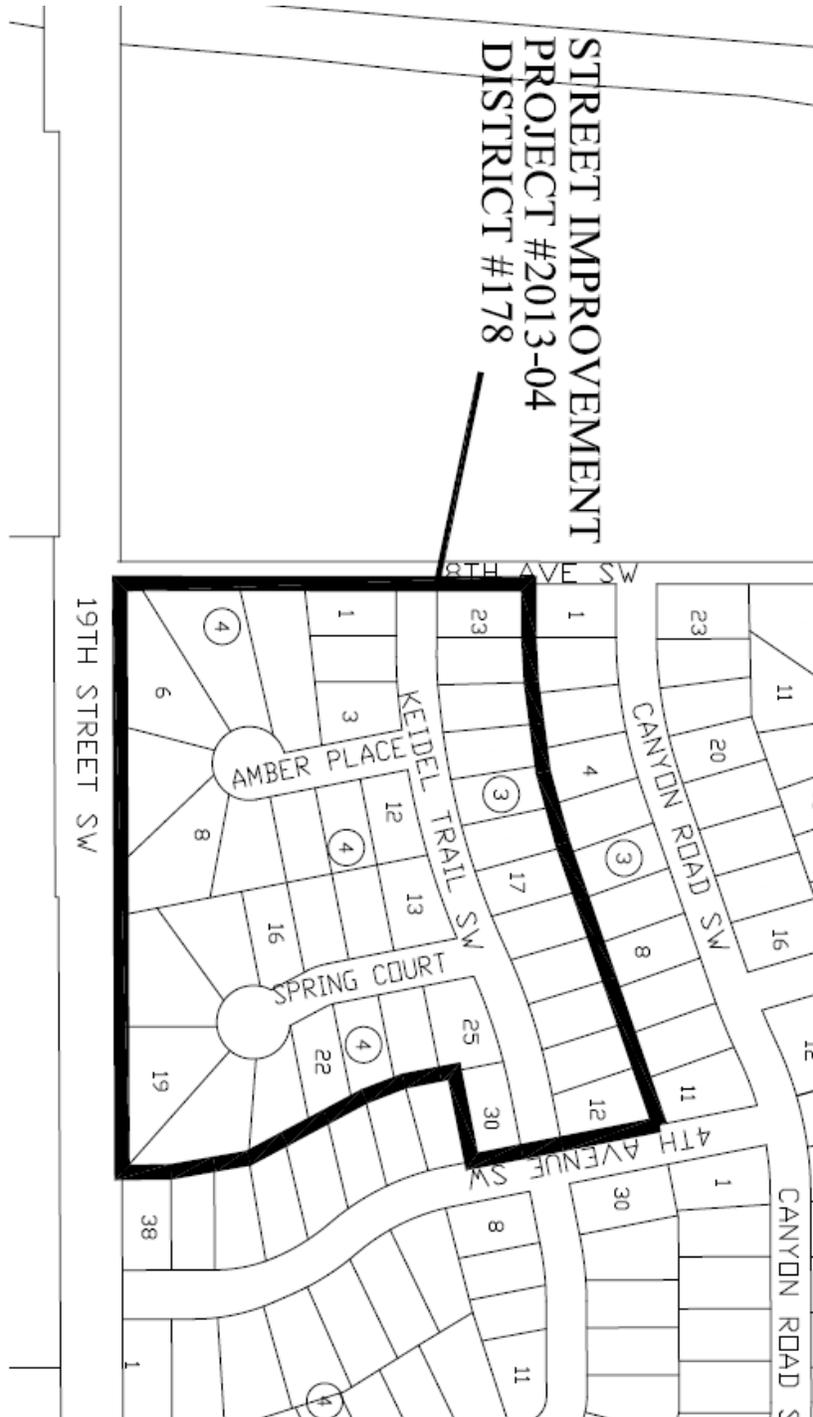
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 178,
Project No. 2013-04 (Keidel's South Heart Terrace Phase IV).

Page 2 of 4



Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 178,
Project No. 2013-04 (Keidel's South Heart Terrace Phase IV).

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Phone 701-223-5595
Fax 701-224-0837

OFFICE AT
DICKINSON, NORTH DAKOTA
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P.O. Box 1035
Phone 701-225-5197
Fax 701-225-0207

IMPROVEMENT COMPANY

Thomas McCormick, President/CEO
Steve McCormick, Executive Vice-President

June 24, 2014

Mr. Justin Froseth
City of Mandan
205 2nd Avenue Northwest
Mandan, ND 58554

RE: Mandan SID 178 Keidels 2nd

Dear Mr. Froseth:

Per our discussion and the documents provided, the above referenced project has had complications that have halted Northern Improvement Company's ability to complete contractual obligations. On May 13th, 2014 Northern Improvement Company began performing sub-grade prep on the above referenced project. Following the dirt work, curb and gutter was placed by the end of May, 2014. On June 2nd, the engineer was informed about the need for material within the road and the low grades within the road. The engineer informed Northern Improvement Company that material and grading would be performed in a separate contract or by the initial grading contractor. After waiting approximately fifteen days from the date of June 2nd, Northern Improvement was informed on June 17th that the grading contractor had completed grading duties and Northern was allowed to complete existing contractual obligations. With the loss of time incurred from other contractual duties beyond Northern Improvement Company's control, we are requesting a time extension of fifteen days or July 20th, 2014 to complete the Surface Lift and September 1st, 2014 to complete Chip Sealing. This project started behind schedule at no fault of Northern Improvement Company. Your positive consideration would be greatly appreciated.

Please contact me with any questions or concerns.

Sincerely,

NORTHERN IMPROVEMENT COMPANY

A handwritten signature in black ink, appearing to read "Bryce Wuori", is written over a horizontal line.

Bryce Wuori
Project Manager/Estimator

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 178,
Project No. 2013-04 (Keidel's South Heart Terrace Phase IV).

Page 4 of 4

6-27-2014

City of Mandan
Jim Neubauer
City Administrator

RE: SID #178
City Project # 2013-04
Mandan, ND

Reference is made to the June 24th, 2014 correspondence letter received from Northern Improvement Company.

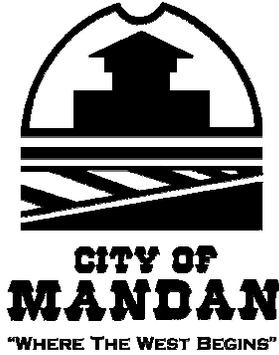
I can confirm that Northern Improvement has been delayed on constructing the Street Improvement project due to site grading operations. Also, the weather conditions have been unfavorable for construction this past month.

Based on the delays, weather conditions, and the time extension letter from Northern Improvement Company, I recommend a time extension as requested, with a new completion date of July 20th, 2014 for substantial completion and a September 1st, 2014 to complete the Seal Coat.

Sincerely,



Abraham E. Ulmer
Project Engineer
Toman Engineering Co.



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 26, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Consider authorizing a work change order on Street Improvement District No. 185, Project No. 2013-19 (Heart Ridge 2nd Addition).

STATEMENT/PURPOSE: To authorize a change order to extend the date of July 5, 2014 to August 5, 2014 to complete surface lift and September 1, 2014 to complete Chip Sealing.

BACKGROUND/ALTERNATIVES: Due to modifications to the project design Northern Improvement Company was unable to start until June 20th.

ATTACHMENTS:

1. District Map
2. Letter of request for time extension

FISCAL IMPACT: None

STAFF IMPACT: Minimal

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

RECOMMENDATION: This office supports the change order for the project.

SUGGESTED MOTION: I move to authorize a change order on Street Improvement District No. 185, Project No. 2013-19 for completion date of August 5, 2014 for Surface Lift and September 1, 2014 for completion of Chip Sealing.

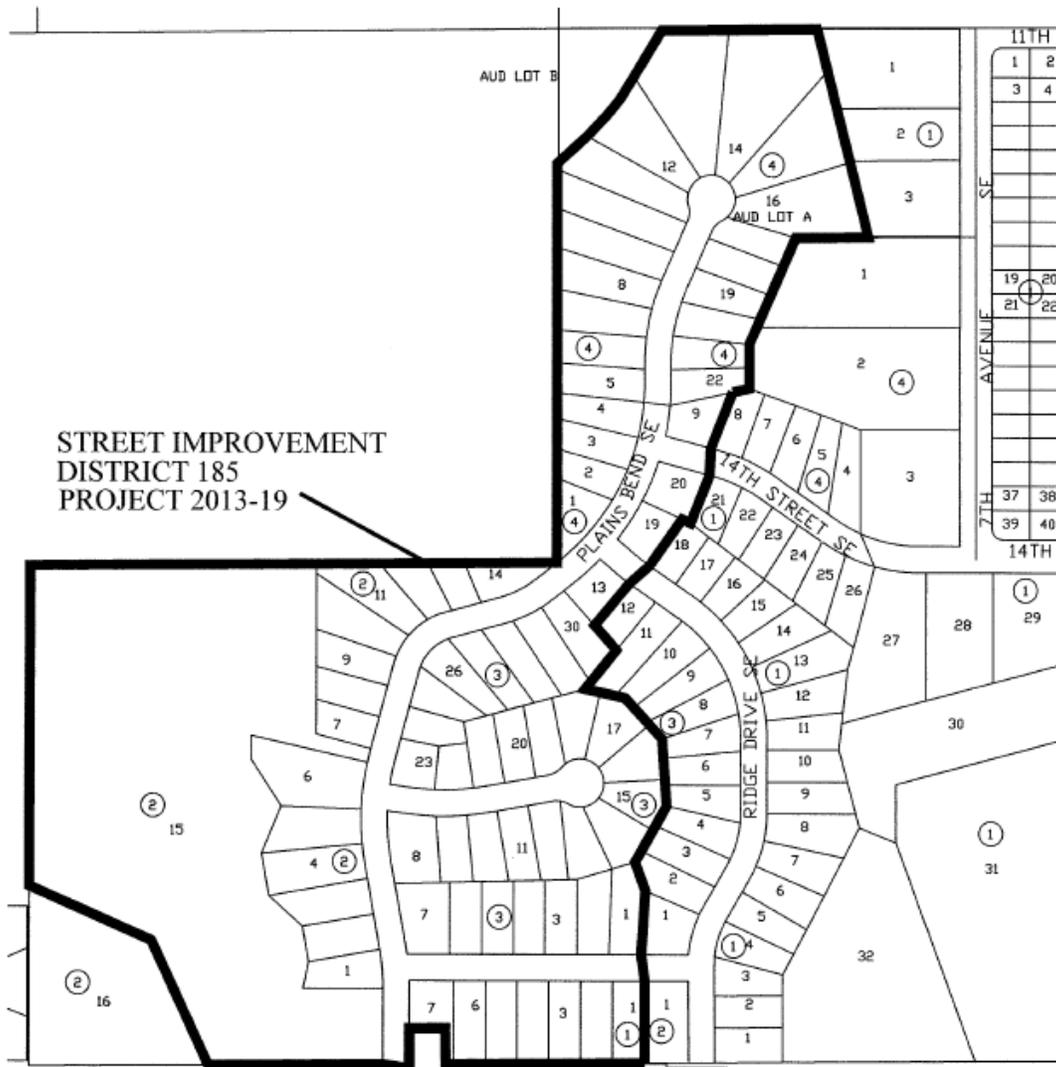
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 185,
Project No. 2013-19 (Heart Ridge 2nd Addition).

Page 2 of 3



Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 185,
Project No. 2013-19 (Heart Ridge 2nd Addition).

Page 3 of 3



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IMPROVEMENT COMPANY

Thomas McCormick, President/CEO
Steve McCormick, Executive Vice-President

June 24, 2014

Mr. Justin Froseth
City of Mandan
205 2nd Avenue Northwest
Mandan, ND 58554

RE: Mandan SID 185 Heartridge 2nd

Dear Mr. Froseth:

Per our discussions and the documents provided, the above referenced project has had major complications and changes that have halted our ability to complete our contractual obligations within the time frames agreed upon. At the end of May 2014 Northern Improvement had mobilized equipment to the above referenced project to begin completing contracted work. Once equipment was mobilized to the site we were informed that the projects design was going to be modified and that we could not start work on North end of project as we intended to do so. Northern Improvement was later informed by the engineer that the underground contract would be completed by the end of May and the site grading for new road design would follow behind the underground contractor. After keeping in close contact with engineer to schedule re-mobilization to site Northern Improvement Company was finally given the notice that we could proceed with our contractual duties on Friday June 20th, 2014. With the major design changes that have occurred in the project and our lack of ability to access the site, Northern Improvement is requesting that the completion date for the Base Lift of asphalt be extended until August 5th, 2014 to complete Surface Lift and Chip Sealing extended until September 1st, 2014. Northern Improvement only finds it fair that we gain a time extension of approximately thirty days to make up for the thirty days that we lost from complications beyond our control. Northern Improvement Company is at no fault for not being able to reach agreed completion dates. Your positive consideration would be greatly appreciated.

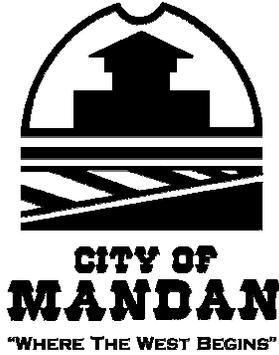
Please contact me with any questions or concerns.

Sincerely,

NORTHERN IMPROVEMENT COMPANY

A handwritten signature in black ink, appearing to read "Bryce Wuori".

Bryce Wuori
Project Manager/Estimator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 26, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Consider authorizing a work change order on Street Improvement District No. 176, Project No. 2012-20 (Lakewood 6th & 7th Addition).

STATEMENT/PURPOSE: To authorize a change order to extend the date of July 5, 2014 to July 15, 2014 to complete surface lift and September 1, 2014 to complete Chip Sealing.

BACKGROUND/ALTERNATIVES: Due to waiting on fill material to bring the road elevation to design grade from the developer, Northern Improvement Company was unable to start in a timely way on this project.

ATTACHMENTS:

1. District Map
2. Letter of request for time extension

FISCAL IMPACT: None

STAFF IMPACT: Minimal

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

RECOMMENDATION: This office supports the change order for the project.

SUGGESTED MOTION: I move to authorize a change order on Street Improvement District No. 176, Project No. 2012-20 for completion date of July 15, 2014 for Surface Lift and September 1, 2014 for completion of Chip Sealing.

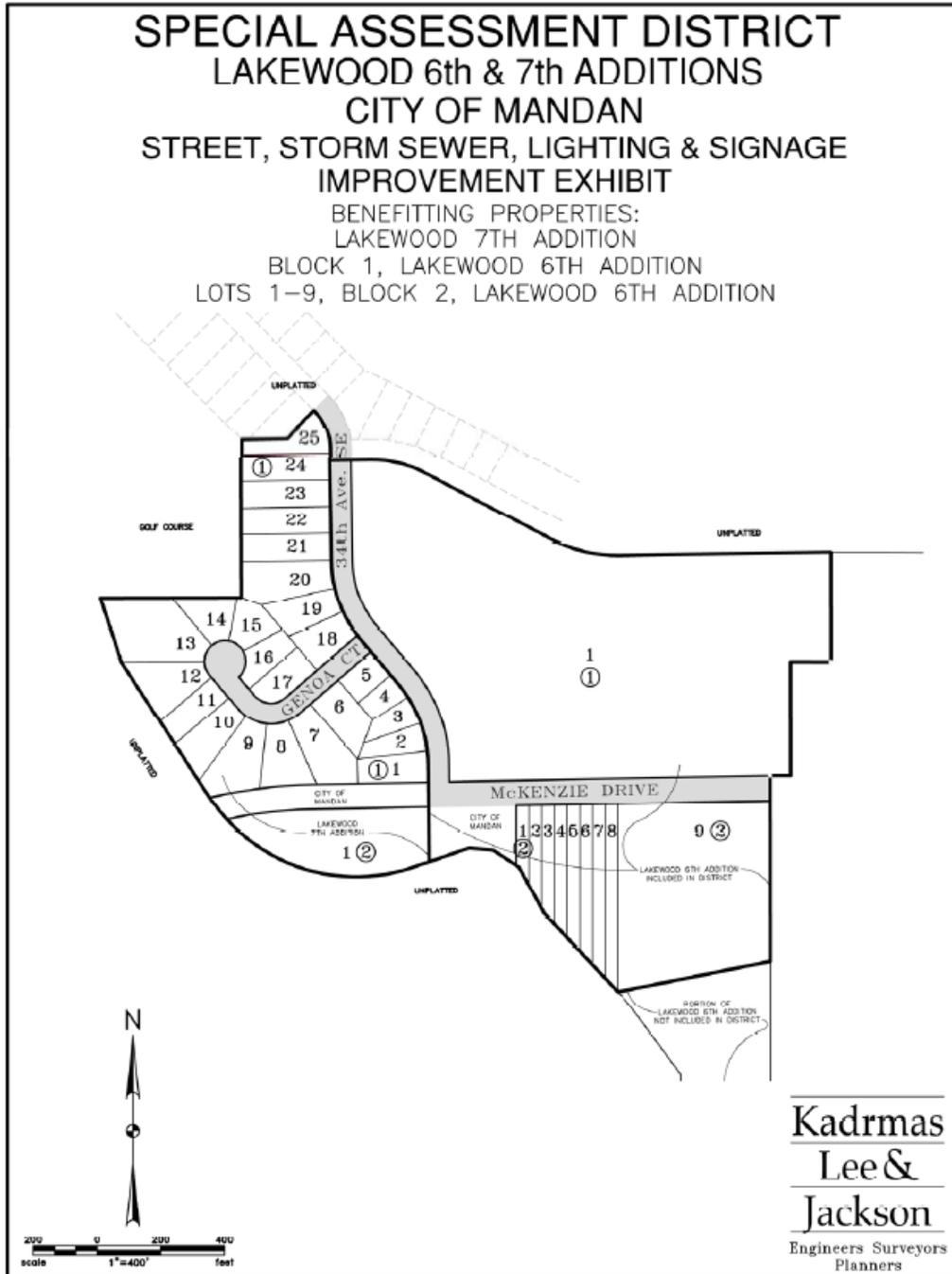
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 176,
Project No. 2012-20 (Lakewood 6th & 7th Addition).

Page 2 of 3



Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 176,
Project No. 2012-20 (Lakewood 6th & 7th Addition).

Page 3 of 3



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Fax 701-225-0207

IMPROVEMENT COMPANY

Thomas McCormick, President/CEO
Steve McCormick, Executive Vice-President

June 24, 2014

Mr. Justin Froseth
City of Mandan
205 2nd Avenue Northwest
Mandan, ND 58554

RE: Mandan SID 176 LakeWood

Dear Mr. Froseth:

Per our discussion and the documents provided, the above referenced project has had complications that have negatively impacted Northern Improvement Company's ability to complete contractual obligations within an agreed time-frame. From May 28th, 2014 to May 30th, 2014 Northern Improvement Company was in need of fill material to bring road elevation to the designed grade and was denied access to on-site material from developer to complete this task. The developer was suppose to have the grading done prior to our work. Although complete operations were not halted on site, Northern Improvement had to re-focus operations within the site until a decision was made or approval was granted by developer. Also within the above referenced project Northern Improvement Company has been in a constant battle with contractors within the project site and stored materials around and on the site R/W. Northern Improvement Company has had to work around ready-mix trucks, delivery trucks and re-shape existing grades from outside traffic. The final complication that we have dealt with on this project is lost time waiting for survey stakes to complete work. The engineer has been very good to work with and provides surveying when possible, but we have still had down-time from these occurrences. Overall, we feel that our efficiency to complete the project within the contracted time was effected by the complications listed above. Furthermore, Northern Improvement Company feels that a completion date of July 15th, 2014 for the Surface Lift and September 1st, 2014 for the Chip Seal would be a fair trade for the lost time we incurred on this project. Northern Improvement Company is at no fault for not being able to reach proposed completion date.

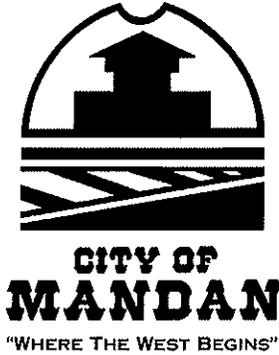
Please contact me with any questions or concerns.

Sincerely,

NORTHERN IMPROVEMENT COMPANY

A handwritten signature in black ink, appearing to read "Bryce Wuori", is written over a light blue horizontal line.

Bryce Wuori
Project Manager/Estimator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 27, 2014
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch, Finance Director
PRESENTER: Greg Welch, Finance Director
SUBJECT: Disposal of old records

STATEMENT/PURPOSE:

Consider the request from the Finance Department to destroy old documents in the Building Inspection Department in accordance with the Records Management and Retention Plan.

BACKGROUND/ALTERNATIVES:

The City developed a Scope of Work to be performed by Julie Frye, Records Management, in preparing a Records Management and Retention Plan for the Building Inspection Department based on the North Dakota Records Management Program.

ATTACHMENT:

Request from Julie Frye, Records Management.

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

In compliance with the City's Records Management and Retention Plan.

RECOMMENDATION:

To approve the request from the Finance Department to destroy old documents in the Building Inspection Department in accordance with the Records Management and Retention Plan.

Board of City Commissioners
Agenda Documentation
Meeting Date: June 30, 2014
Subject: Disposal of old records
Page 2 of 2

SUGGESTED MOTION:

Move to approve the request from the Human Resources Department to destroy old documents in the Building Inspection Department in accordance with the Records Retention Schedule.

Date: June 30, 2014

To: Jim Neubauer
City Administrator

From: Julie Frye
Records Management

Re: Commission Consent Agenda Item for June 30, 2014
Request for permission to Destroy Building Permits, Property Files, Permit Violation Records and Certificate of Occupancy Records in accordance with the records retention schedule.

Please schedule this item for consideration by the Board of Commissioners at their meeting on Thursday, June 30, 2014.

1. The Records Management Department has identified Building Permits, Property Files, Permit Violation Records and Certificate of Occupancy Records for destruction in accordance with the Records Retention Plan. The items to be destroyed are inventoried as follows:

39 Boxes 1976 through 1990

Building Permits (paper copy only digitized record in electronic storage)

The retention schedule for building permits including permit number, location, valuation, fee, zoning and use permitted is retain for the life of the building plus 3 years.

Property Files

The retention schedule for property files including record of all types of permits granted at a particular location including excavation, plumbing, electrical, and fuel or gas plus bidding documents, copy of building permit, drawings of proposed buildings and inspection reports is retain for 10 years after completion.

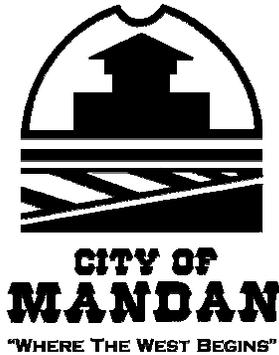
Permit Violation Notices

The retention schedule for permit violations to a business or an individual and copy of letters from city attorney to business or individual in violation (also includes any correspondence directed toward the city that is related to the violation) is 5 years after violation correction.

Certificate of Occupancy (paper copy only digitized records in electronic storage)

The retention schedule for copies of certificates issued for buildings ready for occupancy is retain for the life of the structure.

Julie Frye
Administrative Assistant
Records Management



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 27, 2014
SUBMITTING DEPARTMENT: Planning and Engineering
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Approve Amendment to Engineering Service Agreement with KLJ Engineering

STATEMENT/PURPOSE: Approve amendment to Engineering Services Agreement with KLJ for NDDOT cost participation street improvement projects to include construction engineering and administration.

BACKGROUND/ALTERNATIVES: On March 4th city commission approved entering into an agreement with KLJ for design engineering services for design and pre-bid services for three NDDOT cost participation resurfacing projects; 1) 9th Avenue NE from Main Street to 4th Street (#SU-1-988(038)049), 2) Longspur and 24th Avenue SE from 3rd Street to 32nd Avenue (#SU-1-988(025)037), and 3) 40th Avenue SE from Memorial Highway to South Bay Drive (#SU-1-988(039)050).

With their familiarity of the projects and satisfactory job done on design and pre-bid services, our office believes that KLJ would be best able to handle the construction engineering and administration of the projects during construction.

KLJ submitted a scope and fee for providing construction engineering and administration services. Their fee based proposal for construction engineering services is \$78,006.00. That is about 8.8% of the bid amount, an amount we find to be fair for such work.

ATTACHMENTS:

- 1) Amendment to Engineer-Owner Agreement
- 2) Scope of Services
- 3) Construction Engineering Fee Summary

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Approve Amendment to Engineering Service Agreement with KLJ Engineering

Page 2 of 9

FISCAL IMPACT: Funding through the highway distribution fund is in place for these engineering services.

STAFF IMPACT: Some ongoing coordination with KLJ throughout project.

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

RECOMMENDATION: Approve amendment to Engineering Services Agreement with KLJ for NDDOT cost participation street improvement projects to include construction engineering and administration.

SUGGESTED MOTION: I move to approve amendment to Engineering Services Agreement with KLJ for NDDOT cost participation street improvement projects to include construction engineering and administration.

AMENDMENT TO ENGINEER-OWNER AGREEMENT
Amendment No. 1

Background Data

- a. Effective Date of Engineer-Owner Agreement: February 24, 2014
- b. Engineer: Kadmas, Lee & Jackson, Inc.
- c. Owner: City of Mandan
- d. Project: Mandan Mill and Overlay Projects - 9th Avenue NE; 24th Avenue SE and Longspur Dr; and 40th Avenue SE
- e. This Part of the Project: Construction Administration

Nature of Amendment (check all that apply)

- Additional services to be performed by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications to payment to Engineer
- Modifications to time(s) for rendering Services

Description of Modifications

See attached Scope of Services.

Agreement Summary

- a. Original agreement amount: \$52,016.00
- b. Net change for prior amendments: \$
- c. This amendment amount: \$78,006.00
- d. Adjusted Agreement amount: \$130,022.00

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Approve Amendment to Engineering Service Agreement with KLJ Engineering

Page 4 of 9

Engineer and Owner hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is June 24, 2014.

ENGINEER: Kadrmas Lee & Jackson, Inc.

OWNER:



By: _____

By: Mark Anderson

Title: Dir of Surface Transportation

Title: _____

Date Signed: 6/19/14

Date Signed: _____

**EXHIBIT A
June 19, 2014**

**KADRMAS, LEE & JACKSON, INC.
SCOPE OF SERVICES
CONSTRUCTION ADMINISTRATION**

**CITY OF MANDAN MILL & OVERLAY PROJECTS
MANDAN, ND**

9 th Avenue NE	SU-1-988(038)049; PCN 20584
24 th Avenue SE/Longspur Dr.	SU-1-988(025)037; PCN 17919
40 th Avenue SE	SU-1-988(039)050; PCN 20585

**MILL & OVERLAY, CURB AND GUTTER, DRIVEWAY, SIDEWALK, ADA RAMPS,
& INCIDENTALS**

I. SCOPE

This project consists of performing construction administration for the Mill & Overlay Projects in the City of Mandan, ND. Construction administration includes inspection, survey, and materials testing. This project includes the milling and overlay of existing roadways, curb and gutter, sidewalk, driveways and ADA ramps.

II. PURPOSE

The purpose of this exhibit is to describe the scope of work and responsibilities required in connection with the construction administration services for the projects **listed above** in Mandan, North Dakota. The prime consultant for the construction engineering services is Kadrmas, Lee & Jackson, Inc. (KLJ). KLJ will oversee and manage work performed by the subcontractors under agreement with KLJ. Materials testing for this project will be provided by Midwest Testing under subconsultant agreements with KLJ.

III. OBJECTIVE

The objective of this phase of the project is to provide construction administration services to verify that the contractor's work is performed in general conformance with the governing specifications, plans, and special provisions. The following documents will be used in the administration of the project:

- o Contract Documents for the Projects listed above
- o North Dakota Department of Transportation Standard Specifications for Road and Bridge Construction, 2008 Edition, and current Supplementary Specifications

KLJ will conduct the preconstruction conference, participate in weekly meetings and provide updates to the client regarding progress, upcoming work and access as described herein. KLJ will perform the necessary construction engineering work including staking, on-site construction observation, sampling and testing of materials, quantity measurements, preparation of interim and final contract payments, and computation of final pay quantities. Construction observation shall include observation of the contractor's means and methods, verify that the contractor is in general conformance with the contract, the project plans and specifications. Contract administration including shop drawing review, project documentation, record keeping, record drawings and filing will also be provided by KLJ.

The work tasks outlined in this exhibit are estimated based on the construction completion dates as identified in the construction agreements and may vary depending upon the contractor's actual schedule. A total of **20 days** of construction administration services has been assumed, based on the following estimated schedule. The basis for our hourly summary for the project is one and a half full time project staff working 5 days/week for 10 hours/day. Our fee summary will also include hours for surveying on the project.

Additional work not detailed in this exhibit shall be added by supplementary agreement, based upon a mutually agreeable scope of work and fee.

IV. EXCLUSIONS

KLJ is not responsible for the contractor's safety procedures or operations. This scope of work does not include any safety inspections of the contractor's equipment, procedures, or operations. Also, KLJ is not responsible for the safety of City of Mandan personnel, site visitors, contractor's personnel, subcontractor's personnel, or any other personnel. KLJ and subconsultants will not proceed with their duties in areas or situations that are deemed unsafe or hazardous, to that person, due to the contractor's non-conformance with OSHA or other agency safety regulations.

KLJ and its subconsultants will not assume the duties and responsibilities of the Contractor, or Subcontractors. The Contractor is solely responsible for his construction operations.

This scope of work does not include any time for providing electronic information to the contractor for purposes of completing their construction responsibilities and obligations relating to the project. Such work will be additional and may be added by supplement to this agreement.

V. KLJ SERVICES

A detailed summary of work tasks and estimated hours is included in spreadsheet format with this exhibit. Task numbers in this Scope of Work are formatted to coincide with their respective tasks in the fee estimate spreadsheet. Major work tasks are outlined below with a summation of criteria used as a basis for estimating hours. The date for substantial completion is October 31, 2014.

100 General

- **Project Management**
KLJ will manage the project and provide overall coordination of the work completed by the construction engineering team. This work shall consist of managing work assignments, internal team meetings, client coordination, subconsultant coordination, project budget, and schedule.
- **Project Initiation**
Includes time for the construction staff to review plans, setup the record keeping system and create a work plan. Also includes shop drawing review by the design and construction staff.
- **Pre-Construction Conference**
Prepare for, conduct and prepare minutes of the pre-construction conference.

- **Weekly Records**

Maintain a daily diary of construction activities throughout the duration of the project. KLJ will keep appropriate project records in the NDDOT CARS system. These items will include project diary, haul sheets, pay quantities, pay estimates, progress reports, change orders, stockpile/invoice items, construction status, contract adjustment and final checklist.

- **Final Records and Record Drawings**

Contract administration and project documentation will be according to established NDDOT construction procedures, as outlined in the Construction Records Manual. Major tasks will include weekly progress reports, progressive payment for work complete, pay reports, haul sheets, general change orders and final records assembly and submittal.

Final records will include verifying all quantities for accuracy, completing all necessary final document forms as listed on the NDDOT Final Checklist, completing record drawings, packaging and delivering final documents to the District office.

Major change orders that are beyond the scope of the contract will be added by supplemental agreement.

- **Final Inspection**

Prepare for, conduct and prepare minutes of the final inspection.

Construction Administration

KLJ will provide construction engineers and technicians to verify that the contractor is in conformance with the contract documents as the contractor's work proceeds. The major items for each work task (200, 400, 500, 600, 700 & 900) are summarized below.

200 Earthwork

- **Removals**

400 Bituminous Pavement

- **Hot Bituminous Pavement**
- **Milling**

700 Miscellaneous Construction

- **Traffic Control**
- **Concrete (Curb & Gutter, Sidewalk, ADA Ramps, Driveways)**
- **Striping**
- **Erosion Control, Seeding.**

900 Construction Survey

KLJ will provide construction staking as needed in the field. Survey staking for necessary items will be provided one time under this agreement. Additional staking required due to contractor's negligence, or additional trips required due to inadequate contractor scheduling will be subject to additional costs which will be billed to the contractor.

VI. SUBCONSULTANTS

Materials Testing

Materials testing will be provided by Midwest Testing Services under a separate agreement with Kadmas, Lee and Jackson, Inc. See attached scope of work for materials testing services.

KLJ will review material test reports for general conformance to the plans & specifications. KLJ will inform the contractor of the status of material testing. Costs for retesting will be billed to the contractor.

CONSTRUCTION ENGINEERING FEE SUMMARY
Mandan Mill and Overlay Projects - 8th Avenue NE; 24th Avenue SE and Longspur Dr; and 40th Avenue SE
PROJECT: 9th Ave, 24th and Long Spur, 40th Ave
Mandan, ND

Phase	SCHEDULE	KLJ Project #1414107										TOTAL	PER HOUR	DIRECT*	FEE**	TASK	
		100	150	100	100	200	300	300	300	300	300						500
	GENERAL																
	Project Management	4	40														\$ 6,987.00
	Project Initiation	6															\$ 1,176.00
	Pre-Construction Conference	6															\$ 1,485.00
	Weekly Records	24															\$ 4,260.00
	Final Reports	30															\$ 6,900.00
	Final Inspection	4	8														\$ 936.00
	Subtotal - General	8	118	0	38	0	0	0	0	0	0	0	0	0	0	0	\$ 1,863.00
	EARTHWORK																\$ 282.17
	Removals	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	\$ 3,528.00
	Subtotal - Earthwork	0	24	0	0	0	0	0	0	0	0	0	0	0	0	0	\$ 3,528.00
	BITUMINOUS PAVEMENTS																\$ 3,528.00
	Hot Bituminous Pavement	50															\$ 13,005.00
	Milling	24															\$ 6,240.00
	Subtotal - Bituminous Pavements	74	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$ 19,245.00
	MISCELLANEOUS CONSTRUCTION																\$ 1,478.00
	Traffic Control	10															\$ 915.00
	Concrete (Curb, Sidewalk, Ramps, Driveways)	50															\$ 1,764.00
	Striping	12															\$ 1,764.00
	Frozen Control, Stenting	12															\$ 1,658.00
	Subtotal - Miscellaneous Construction	84	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$ 14,658.00
	SURVEY																\$ 6,378.50
	Alignment Control Staking & BM's	2															\$ 2,387.00
	Curb Radii, Ramps	39															\$ 2,387.00
	Subtotal - Survey	41	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$ 4,774.00
	Total Hours	1,414.00	44,100.00	0	14,316.00	0	0	0	0	0	0	0	0	0	0	0	\$ 71,366.50
	LABOR																\$ 71,366.50

Summary of Costs:

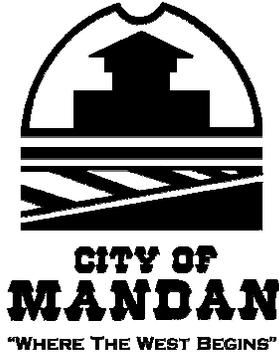
Total Labor	\$ 71,366.50
Direct Expense	\$ -
Subcontractor	\$ 6,039.50
Per Diem	\$ -
Total Estimated Engineering Costs	\$ 77,406.00

SUBCONTRACTORS

FIRM NAME	ACTIVITY	FEE
Mandalay Training	Material Testing	\$ 6,039.50
TOTAL SUBCONTRACTORS:		\$ 6,039.50

* To be billed at month with an \$250 maximum (Week 550 - Loading 5200)
 † Includes equipment rental, etc.





Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 26, 2014
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Budget Transfer

STATEMENT/PURPOSE: To consider a budget transfer from salary and wages to equipment.

BACKGROUND/ALTERNATIVES: We have currently made an offer to an individual for the Program Coordinator position which was approved in the 2014 budget. Funding for this position was budgeted to begin in January 2014. As the position will not be filled until likely the middle to end of July 2014, a budget savings (at minimum \$21,000) has been realized. We would like to transfer \$6,000 from the salary line to equipment in order to purchase office equipment for this position (desk, chair, computer, printer, etc.).

ATTACHMENTS: n/a

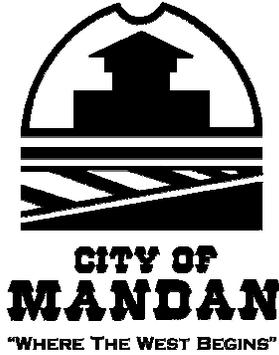
FISCAL IMPACT: \$0, as no additional funds are being requested.

STAFF IMPACT: n/a

LEGAL REVIEW: n/a

RECOMMENDATION: I recommend transfer of up to \$6,000 from the salary to equipment for the purchase of office equipment for the Program Coordinator position.

SUGGESTED MOTION: I move to approve the transfer of up to \$6,000 from the salary to equipment for the purchase of office equipment for the Program Coordinator position.



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 26, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Consider authorizing a work change order on Street Improvement District No. 177, Project No. 2012-22 (Meadows 6th Addition).

STATEMENT/PURPOSE: To notify of change order request to extend the date of July 5, 2014 to July 20, 2014 to complete surface lift and September 1, 2014 to complete chip sealing.

BACKGROUND/ALTERNATIVES: Multiple street improvement district projects were not able to be completed last year for various reasons. At that time, Northern Improvement explained the reasons for difficulty in completing their projects on time. As a result, city commission granted a time extension for the base course paving portion of these projects to 45 days after spring load restrictions were lifted which came to May 21st + 45 days = July 5th.

Northern Improvement has been cooperative with the city and developers in first working on projects that were bid first and that have been indicated as higher priority to developers. Unfortunately, this project has been put on hold in order for Northern Improvement to complete others. The contractual agreement however does not take into consideration the allocation of their resources to other projects first. Northern has yet to start on this project this year.

It should be noted that Northern Improvement was the only company that submitted a bid on this project last year and that the bid opening for it was held on August 23rd, thus they were not awarded a contract until September. Without their bid the project would likely be more behind than it currently is.

ATTACHMENTS:

1. District Map
2. Letter of request for time extension

FISCAL IMPACT: Liquidated damages amount to \$100 per day beyond completion date.

STAFF IMPACT: Minimal

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 177,
Project No. 2012-22 (Meadows 6th Addition).

Page 2 of 4

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

RECOMMENDATION: Because the commencement of this project does not contractually
depend on the completion of others we recommend denying the time extension request and
administering liquidated damages for asphalt that is not placed before July 5th.

SUGGESTED MOTION: I move to deny a change order request on Street Improvement District
No. 177, Project No. 2012-22 for completion date of July 20, 2014 for Surface Lift and
September 1, 2014 for completion of Chip Sealing.

Board of City Commissioners

Agenda Documentation

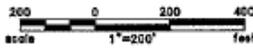
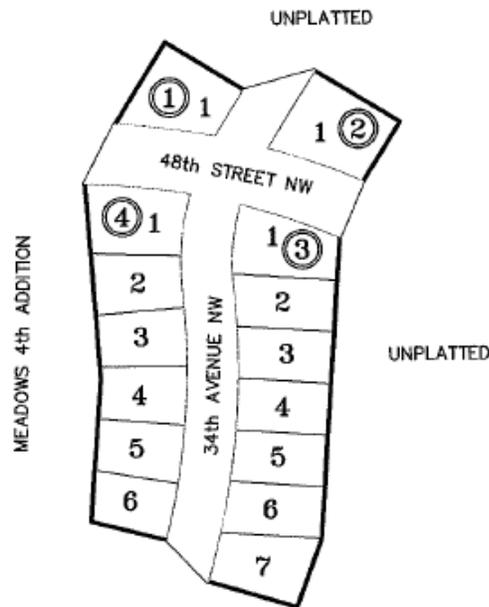
Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 177,
Project No. 2012-22 (Meadows 6th Addition).

Page 3 of 4

SPECIAL ASSESSMENT DISTRICT MEADOWS 6TH ADDITION CITY OF MANDAN STREET IMPROVEMENT EXHIBIT

BENEFITTING PROPERTIES:
BLOCKS 1-4 OF MEADOWS 6TH ADDITION



**Kadmas
Lee &
Jackson**
Engineers Surveyors
Planners

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 177,
Project No. 2012-22 (Meadows 6th Addition).

Page 4 of 4



HOME OFFICE
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Fax 701-277-1518

OFFICE AT
BISMARCK, NORTH DAKOTA
58502-1254
P.O. Box 1254
Phone 701-223-6695
Fax 701-224-0937

OFFICE AT
DICKINSON, NORTH DAKOTA
58602-1035
P.O. Box 1035
Phone 701-225-5197
Fax 701-225-0207

IMPROVEMENT COMPANY

Thomas McCormick, President/CEO
Steve McCormick, Executive Vice-President

June 24, 2014

Mr. Justin Froseth
City of Mandan
205 2nd Avenue Northwest
Mandan, ND 58554

RE: Mandan SID 177-Meadows 6th and SID 181-Meadows 7th

Dear Mr. Froseth:

Per our discussion and the documents provided, the above referenced project has had only minor complications that have negatively impacted Northern Improvement Company's ability to complete contractual obligations. Northern Improvement Company has not performed a significant amount of work on the above referenced projects due to our concentration on other SID projects such as LakeWood 176. It was our understanding from the developer and engineer to place our concentration on other projects such as SID 176 LakeWood. We have had multiple crews working diligently on SID projects in Mandan and feel that the complications from other projects have directly influenced our ability to complete the contracted work on SID 177 and SID 181 in the time agreed upon. Currently we have had these two projects scheduled to begin construction at earlier times, but our concentrations were always re-directed to other SID projects that were deemed more important. Northern Improvement Company feels that the lost time from other SID projects has halted our ability to complete the project within the agreed dates. With the information presented, Northern Improvement Company is requesting a time extension of fifteen days or July 20th, 2014 to complete the Asphalt Paving and September 1st, 2014 to complete Chip Sealing. This project started behind schedule at no fault of Northern Improvement Company. Your positive consideration would be greatly appreciated.

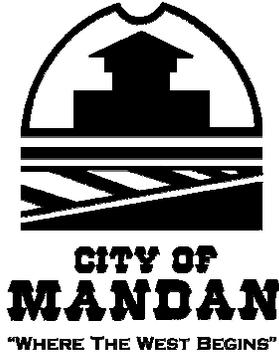
Please contact me with any questions or concerns.

Sincerely,

NORTHERN IMPROVEMENT COMPANY

A handwritten signature in black ink, appearing to read "Bryce Wuori". The signature is fluid and cursive, written over a light background.

Bryce Wuori
Project Manager/Estimator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 26, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Consider authorizing a work change order on Street Improvement District No. 181, Project No. 2013-15 (Meadows 7th Addition).

STATEMENT/PURPOSE: To notify of change order request to extend the date of July 5, 2014 to July 20, 2014 to complete surface lift and September 1, 2014 to complete chip sealing.

BACKGROUND/ALTERNATIVES: Multiple street improvement district projects were not able to be completed last year for various reasons. At that time, Northern Improvement explained the reasons for difficulty in completing their projects on time. As a result, city commission granted a time extension for the base course paving portion of these projects to 45 days after spring load restrictions were lifted which came to May 21st + 45 days = July 5th.

Northern Improvement has been cooperative with the city and developers in first working on projects that were bid first and that have been indicated as higher priority to developers. Unfortunately, this project has been put on hold in order for Northern Improvement to complete others. The contractual agreement however does not take in to consideration the allocation of their resources to other projects first. Northern has yet to start on this project this year.

It should be noted that Northern Improvement was the only company that submitted a bid on this project last year and that the bid opening for it was held on July 19th, thus they were not awarded a contract until August. Without their bid the project would likely be more behind than it currently is.

ATTACHMENTS:

1. District Map
2. Letter of request for time extension

FISCAL IMPACT: Liquidated damages amount to \$100 per day beyond completion date.

STAFF IMPACT: Minimal

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 181,
Project No. 2013-15 (Meadows 7th Addition).

Page 2 of 4

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

RECOMMENDATION: Because the commencement of this project does not contractually
depend on the completion of others we recommend denying the time extension request and
administering liquidated damages for asphalt that is not placed before July 5th.

SUGGESTED MOTION: I move to deny a change order on Street Improvement District No.
181, Project No. 2013-15 for completion date of July 20, 2014 for Surface Lift and September 1,
2014 for completion of Chip Sealing.

Board of City Commissioners

Agenda Documentation

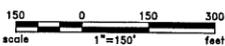
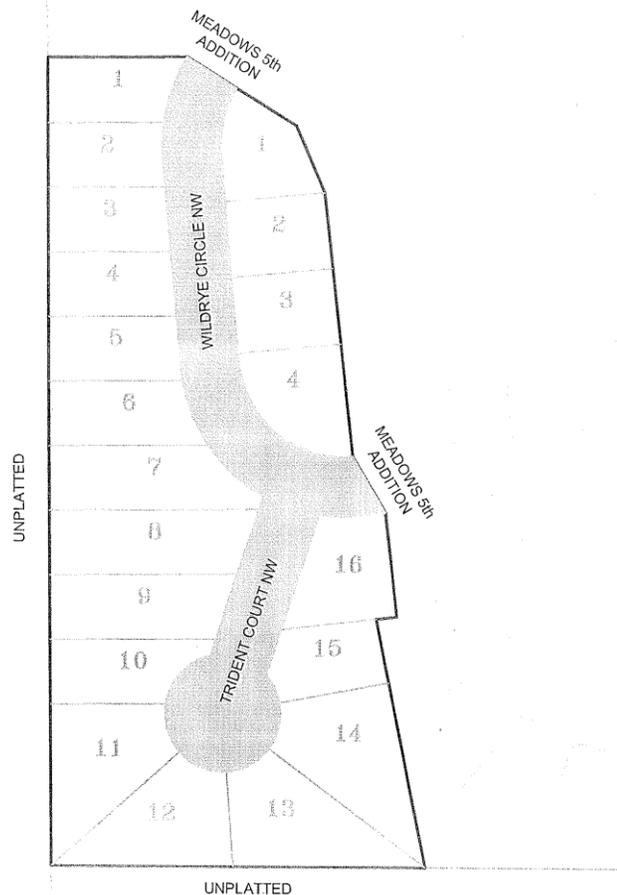
Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 181,
Project No. 2013-15 (Meadows 7th Addition).

Page 3 of 4

SPECIAL ASSESSMENT DISTRICT MEADOWS 7TH ADDITION CITY OF MANDAN STREET IMPROVEMENT EXHIBIT

BENEFITTING PROPERTIES:
BLOCKS 1&2 OF MEADOWS 7th ADDITION



Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider authorizing a change order on Street Improvement District No. 181,
Project No. 2013-15 (Meadows 7th Addition).

Page 4 of 4



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IMPROVEMENT COMPANY

Thomas McCormick, President/CEO
Steve McCormick, Executive Vice-President

June 24, 2014

Mr. Justin Froseth
City of Mandan
205 2nd Avenue Northwest
Mandan, ND 58554

RE: Mandan SID 177-Meadows 6th and SID 181-Meadows 7th

Dear Mr. Froseth:

Per our discussion and the documents provided, the above referenced project has had only minor complications that have negatively impacted Northern Improvement Company's ability to complete contractual obligations. Northern Improvement Company has not performed a significant amount of work on the above referenced projects due to our concentration on other SID projects such as LakeWood 176. It was our understanding from the developer and engineer to place our concentration on other projects such as SID 176 LakeWood. We have had multiple crews working diligently on SID projects in Mandan and feel that the complications from other projects have directly influenced our ability to complete the contracted work on SID 177 and SID 181 in the time agreed upon. Currently we have had these two projects scheduled to begin construction at earlier times, but our concentrations were always re-directed to other SID projects that were deemed more important. Northern Improvement Company feels that the lost time from other SID projects has halted our ability to complete the project within the agreed dates. With the information presented, Northern Improvement Company is requesting a time extension of fifteen days or July 20th, 2014 to complete the Asphalt Paving and September 1st, 2014 to complete Chip Sealing. This project started behind schedule at no fault of Northern Improvement Company. Your positive consideration would be greatly appreciated.

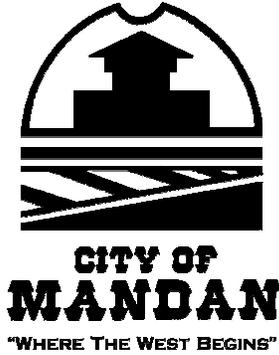
Please contact me with any questions or concerns.

Sincerely,

NORTHERN IMPROVEMENT COMPANY

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Bryce Wuori
Project Manager/Estimator



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 25, 2014
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Robert Decker, Principal Planner
SUBJECT: Consider for approval annexation of the property south of Keidel's South Heart Terrace 3rd Addition

STATEMENT/PURPOSE: This annexation is needed in order to spread the cost of drainage improvements over all the benefitted area.

BACKGROUND/ALTERNATIVES: The developer has requested creation of an assessment district to construct drainage and street improvements in Keidel's South Heart Terrace 3rd Addition. The drainage improvements need to be larger than what is necessary for the current development because the tributary area includes a substantial area south of the current development. This significantly increases the cost of the drainage improvements.

The anticipated cost of the drainage improvements increases the potential assessments to a per lot cost that is considered prohibitive. These costs need to be spread over the total benefitted area in order to reduce the per lot assessments.

The upstream tributary area is planned for future phases of the development and would normally be annexed as development occurs in the future. However, in order to be able to create the assessment district and assess the cost of the drainage improvements to all benefitted property, the property to the south of the current development needs to be annexed now.

The current development has 50 lots. The proposed annexation will increase the total number of lots available for assessment of drainage costs to more than 170.

ATTACHMENTS:

1. Map
2. Ordinance

FISCAL IMPACT: minimal

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider for approval the annexation of property south of Keidel's South Heart Terrace 3rd Addition

Page 2 of 5

STAFF IMPACT: minimal

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

RECOMMENDATION: The Planning and Zoning Commission voted unanimously at their June 23, 2014 to recommend approval of this annexation. The Engineering and Planning Office recommends approval.

PROPOSED MOTION: Based on the recommendation of the Planning and Zoning Commission, move to approve the annexation of property south of Keidel's South Heart Terrace 3rd Addition and approve the first consideration of Ordinance 1186.

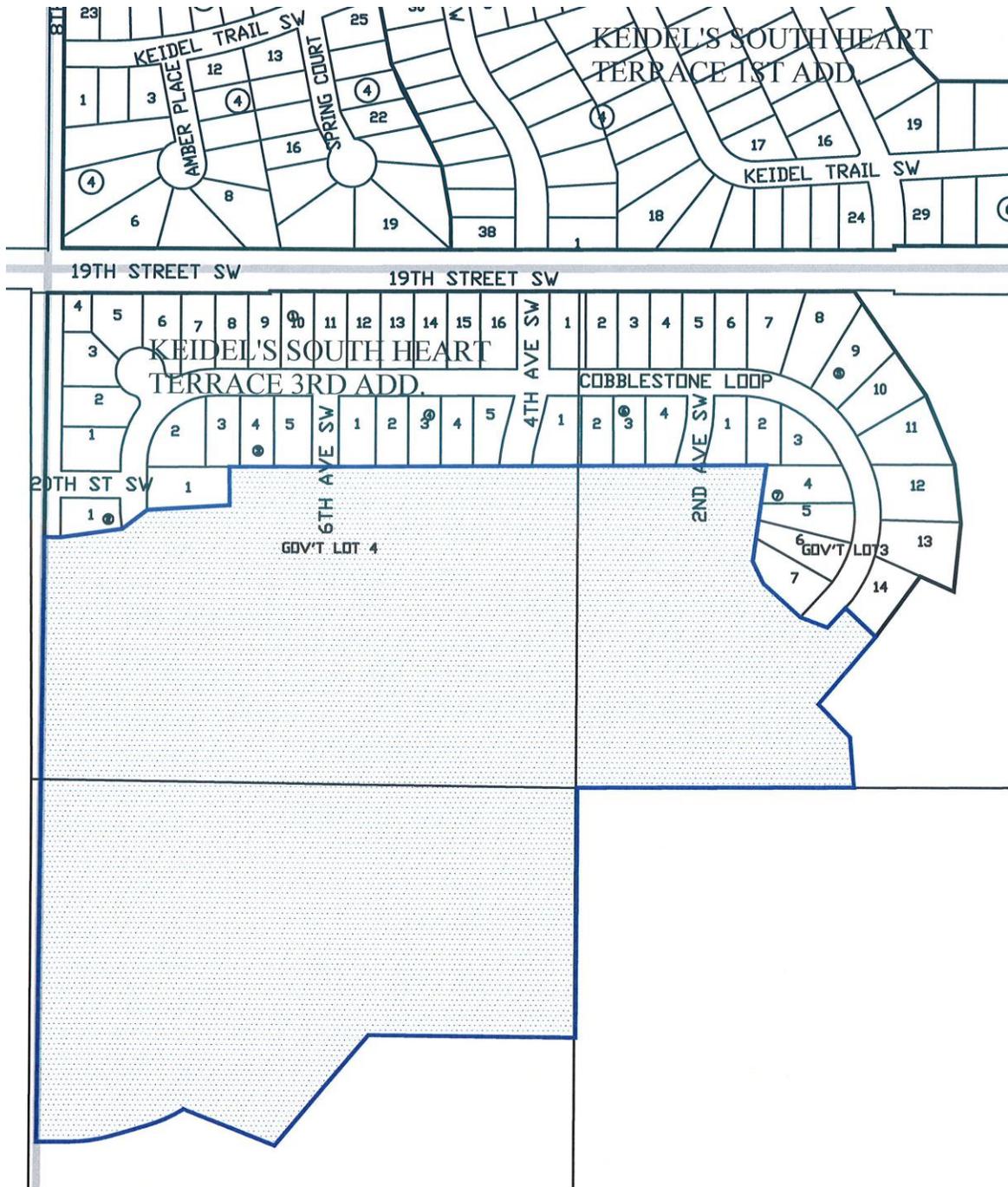
Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider for approval the annexation of property south of Keidel's South Heart Terrace 3rd Addition

Page 3 of 5



Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider for approval the annexation of property south of Keidel's South Heart Terrace 3rd Addition

Page 4 of 5

ORDINANCE NO. 1186

AN ORDINANCE ANNEXING LAND INTO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA

WHEREAS, the owners of land described as Government Lots 3 & 4 and part of the SW ¼ of the NW ¼ of Section 3, Township 138N, Range 81W of the 5th Principal Meridian, Morton County, North Dakota have requested that the City annex this property; and

WHEREAS, this action will allow creation of an assessment district for the funding of drainage improvements that benefit the area; and

WHEREAS, North Dakota Century Code Section 40-51.2-03 provides that if the owners of at least three-fourths of the assessed value of the property being requested for annexation request such action in writing; and

WHEREAS, the Planning and Zoning Commission has recommended proceeding with this annexation; and

WHEREAS, notice was published in a newspaper of general circulation within the City of Mandan on 6/13/2014 and a certified letter announcing the intent to annex was delivered by the USPS to Morton County as required by North Dakota Century Code 40-51.2-05.

NOW THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, Morton County, North Dakota as follows:

Section 1. Description of Parcel of Land being Annexed. All that land not currently within the corporate limits of the City of Mandan that is described as follows:

Beginning at the southwest corner of Keidel's South Heart Terrace 3rd Addition of the City of Mandan, Morton County North Dakota; thence along the south boundary line of said Keidel's South Heart Terrace 3rd Addition the following thirteen courses; thence South 89° 34' 23" East for 40.00 feet; thence North 81° 51' 22" East for 152.95 feet; thence North 52° 34' 28" East for 77.43 feet; thence North 86° 30' 28" East for 204.21 feet; thence North 00° 25' 56" West for 95.00 feet; thence North 89° 36' 09" East for 1328.17 feet; thence South 07° 57' 38" West for 238.62 feet; thence South 25° 56' 04" East for 61.93 feet; thence South 47° 53' 22" East for 123.32 feet; thence South 69° 12' 14" East for 71.14 feet; thence North 42° 42' 22" East for 66.01 feet; thence South 47° 17' 38" East for 104.04 feet to the southeast corner of said Keidel's South Heart Terrace 3rd Addition; thence South 40° 31' 50" West for 219.38 feet; thence South 43° 49' 05" East for 113.41 feet; thence

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider for approval the annexation of property south of Keidel's South Heart Terrace 3rd Addition

Page 5 of 5

South 04° 43' 37" East for 124.14 feet to a point on the south boundary of Government Lot 3 of Section 3, T138N-R81W; thence South 89° 45' 55" West along said south boundary line for 683.89 feet to the northeast corner of the SW ¼ of the NW ¼ of said section 3; thence South 00° 15' 03" West along the east boundary line of said SW ¼ for 617.67 feet; thence North 89° 28' 39" West for 509.15 feet; thence South 40° 14' 45" West for 357.79 feet; thence North 68° 40' 57" West for 242.86 feet to a point of a curve to the right having a radius of 390.00 feet; thence along said curve to the right (the chord of which bears South 66° 00' 16" West 102.85 feet) an arc length of 103.15 feet to the P.T. (point of tangency) of said curve to the right; thence South 73° 34' 52" West for 84.13 feet to the P.C. (point of curvature) of a curve to the right having a radius of 393.00 feet; thence along said curve to the right (the chord of which bears South 81° 47' 26" West 111.38 feet) an arc length of 111.76 feet to the P.T. of said curve to the right; thence South 90° West for 76.69 feet to a point on the west boundary line of said Section 3; thence North 00° 25' 37" East for 1491.42 feet to the point of beginning. Said tract of land contains 55.56 acres, more or less.

Section 2. Notice. The proper officials of the city are hereby directed to publish a copy of this ordinance in the Mandan News, the official newspaper, for two successive weeks and take such further action as they may deem necessary or desirable.

President, Board of City Commissioners

Attest:

City Administrator

Publication Date:

6/13/2014

First Consideration:

6/30/2014

Second Consideration and Final Passage:

7/8/2014

Publication Dates:

7/18/2014

Recording Date:

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

WHEREAS, Kris Lengenfelder has submitted to the City of Mandan a request to vacate a portion of Viewpoint Lane in the Big Sky Subdivision further described as being that area bounded by Lot 1, Block 3, the east subdivision line, Lots 1 and 2, Block 4 and Jude Lane in Big Sky Estates 3rd Addition; and

WHEREAS, the Planning and Zoning Commission has reviewed and recommended approval of this request and the accompanying replat that redefines the northern 50 feet of this area as an access and utility easement within lots 1 and 2, Block 1 of Big Sky Estates Fifth Addition; and

WHEREAS, the required public notices were published for four consecutive weeks on 5/30/2014, 6/6/2014, 6/13/2014 and 6/20/2014; and

WHEREAS, the required public hearing was conducted by the Board of City Commissioners on 6/30/2014.

NOW, THEREFORE, BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, Morton County, North Dakota, that the above described public right-of-way be and the same is hereby vacated.

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

Approved and passed June 30, 2014, by at least two-thirds vote of all the members of the Board of City Commissioners.

President, Board of City Commissioners

ATTEST:

City Administrator

Public Notice Dates: May 30, 2014; June 6, 2014; June 13, 2014 & June 20, 2014
Public Hearing: June 30, 2014
Final Passage: _____
Publication Date: _____

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

WHEREAS, Brad Ereth has submitted to the City of Mandan a request to vacate a portion of 11th Avenue SW further described as being the western 40 feet of 11th Avenue SW east of Lots 9 & 10, Block 14, Mandan Meads Addition; and

WHEREAS, the Planning and Zoning Commission acted at its May 27, 2014 meeting to recommend approval of this request; and

WHEREAS, the required public notices were published for four consecutive weeks on 5/30/2014, 6/6/2014, 6/13/2014 and 6/20/2014; and

WHEREAS, the required public hearing was conducted by the Board of City Commissioners on 6/30/2014.

NOW, THEREFORE, BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, Morton County, North Dakota, that the above described public right-of-way be and the same is hereby vacated.

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

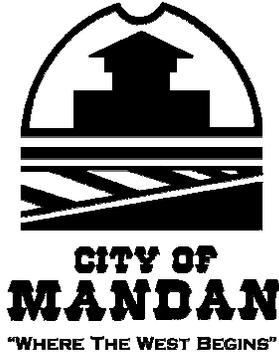
Approved and passed June 30, 2014, by at least two-thirds vote of all the members of the Board of City Commissioners.

President, Board of City Commissioners

ATTEST:

City Administrator

Public Notice Dates: May 30, 2014; June 6, 2014; June 13, 2014 & June 20, 2014
Public Hearing: June 30, 2014
Final Passage: _____
Publication Date: _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: June 30, 2014
PREPARATION DATE: June 25, 2014, 2012
SUBMITTING DEPARTMENT: Assessing
DEPARTMENT DIRECTOR: Shirley Shaw, City Assessor
PRESENTER: Shirley Shaw, City Assessor
SUBJECT: Resolution for City Commission to grant property tax exemptions for improvements to existing commercial and residential structures

STATEMENT/PURPOSE: A resolution for the City Commission to grant property tax exemptions for improvements to existing commercial and residential structures.

BACKGROUND/ALTERNATIVES: The City believes that it is in the public interest to encourage the improvement of properties that are in need of repair, modernization or replacement; therefore, a resolution is needed for the City Commission to grant property tax exemptions for improvements to existing commercial and residential structures.

ATTACHMENTS: Resolution.

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

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

RECOMMENDATION: The City Assessor, Shirley Shaw, of the Assessing Office supports the proposed resolution.

SUGGESTED MOTION: I move to approve Resolution relating to the City Commission to grant property tax exemptions for improvements to existing commercial and residential structures.

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Resolution for City Commission to grant property tax exemptions for improvements to existing commercial and residential structures

Page 2 of 2

RESOLUTION

BE IT RESOLVED by the City of Mandan, North Dakota, as follows:

WHEREAS, Pursuant to Chapter 57-02.2, N.D.C.C., the City may grant a property tax exemption for improvements to existing commercial and residential structures; and

WHEREAS, The City believes that it is in the public interest to encourage the improvement of properties that are in need of repair, modernization or replacement;

NOW, THEREFORE, The City of Mandan shall permit the application for property tax exemption for improvements to commercial and residential buildings from and after the date of this Resolution, subject to such terms and conditions as determined by the City Commission upon proper application.

Dated this _____ day of June, 2014.

By: _____
President, Board of City Commissioners

Attest:

City Administrator