

AGENDA
MANDAN CITY COMMISSION
OCTOBER 18, 2016
ED "BOSH" FROEHLICH MEETING ROOM,
MANDAN CITY HALL
5:30 P.M.
www.cityofmandan.com

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- A. ROLL CALL:
1. Roll call of all City Commissioners.
- B. APPROVAL OF AGENDA:
- C. MINUTES:
1. Consider approval of the minutes from the October 4, 2016 Board of City Commission Regular Meeting.
- D. PUBLIC HEARING:
- E. BIDS:
- F. CONSENT AGENDA:
1. Consider approval of the monthly bills.
 2. Consider closing Administrative offices day after Thanksgiving.
 3. Consider approval of minor plat for Sylvester's Industrial Park 9th Addition
 4. Consider approval of Out of State Travel for International Code Council training Classes – Joe Camisa (Code Enforcement Officer) & Steve Roe (Building and Plumbing Inspector).
 5. Consider for approval the special assessments for Weed Cutting of 2016, Sidewalks of 2016, and Health & Safety of 2016.
 6. Consider for approval the assessment of Delinquent Utility Billing Accounts for 2016.
 7. Consider approval of new Class F Restaurant Liquor License for Taylor Made BBQ, LLC for Nov. 1, 2016 – June 30, 2016.
 8. Consider for approval the assessment of Delinquent Alarm System Accounts for 2016.
 9. Consider proclaiming Nov. 26 as Small Business Saturday in Mandan
 10. For information item. Change orders for Street Improvement District No. 202, Project 2015-13 (Lakewood 8th Addition).
- G. OLD BUSINESS:
- H. NEW BUSINESS:
1. Consider Amendment to agreement with KLJ for an increase in Construction Engineering Services.

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- I. RESOLUTIONS AND ORDINANCES:
 - 1. First consideration of Ordinance 1252 amending and reenacting Section 20-7-15 of the Code of Ordinances of the City of Mandan relating to group health insurance.

- J. OTHER BUSINESS:

- K. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:
 - 1. November 1, 2016
 - 2. November 15, 2016 (4 p.m. Service Awards)
 - 3. December 6, 2016

- L. ADJOURN

Departmental planning meeting will be held the Monday prior to the Commission meeting, all Commissioners are invited, noon, Veterans' Conference 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.

The Mandan City Commission met in regular session at 5:30 p.m. on October 4, 2016 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Helbling, Braun, Davis, Laber, and Commissioner Rohr was present via teleconference call. Department Heads present were Finance Director Welch, Police Chief Ziegler, City Attorney Brown, City Administrator Neubauer, Director of Public Works Wright, Fire Chief Nardello, Business Development and Communications Director Huber, Planning & Engineering Director Froseth, Principal Planner Decker, and Building Official Lalim. Absent: Assessor Shaw.

B. APPROVAL OF AGENDA:

C. MINUTES:

1. *Consider for approval of the minutes from the September 20, 2016, regular City Commission meeting.* Commissioner Braun moved to approve the minutes as presented. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

D. PUBLIC HEARING:

1. *Public Hearing scheduled at 6:00 p.m. to review and discuss the final 2017 Budget. (See Ordinances and Resolutions #1 – #2).* Mayor Helbling opened the Public Hearing on this matter at 6:00 p.m. Finance Director Welch stated that the Finance Department had not received any oral or written objections to the City’s preliminary 2017 budget.

On September 6, 2016 the Board of City Commissioners passed the introduction and first consideration of Ordinance No. 1249 adopting the 2017 Budget. On September 16, 2016 the City published a Notice of Public Hearing of Ordinance No. 1249 adopting the 2017 Budget on October 4, 2016. On September 20, 2016 the Budget and Finance Committee presented the preliminary 2017 Budget to the Board of City Commissioners. On October 5, 2016 the City will certify a copy of the Levy as adopted and the final 2017 Budget to the Morton County Auditor. The final 2017 Budget will be posted on the City's website at cityofmandan.com.

The annual cost for City services for an existing \$250,000 residential property with a valuation increase of 12.7% and using 8 units of water per month, excluding special assessments:

Property Taxes:

- 2017 Budget = \$750
- 2016 Budget = \$750
- Annual increase = \$0

Utility Bill:

- 2017 Budget = \$1,012
- 2016 Budget = \$995
- Annual increase = \$17

Total:

- 2017 Budget = \$1,762
- 2016 Budget = \$1,745
- Annual increase = \$17

Mayor Helbling announced that this is the time, date and place that was set by the Board to conduct a Public Hearing to review and discuss the final 2017 Budget. He invited anyone to come forward to comment. A second announcement was made by Mayor Helbling to come forward to comment. Hearing none, the Public Hearing was closed.

E. BIDS:

F. CONSENT AGENDA

1. *Consider approval of minor plat for Replat of Lots 4 & 5, Block 81, First Northern Pacific Addition*
2. *Consider the letter of intent and Rule G-17 letter from Dougherty & Company LLC as the Underwriter for the Refunding Improvement Bonds of 2016, Series B.*
3. *Consider contract with Brindlee Mountain Fire Apparatus, LLC*
4. *Consider approving the following proclamations: i. Proclaiming October 7, 2016 as Cajun Cowboy Fais Do Do Day in the City of Mandan. ii. Proclaiming October, 2016 as National Disability Employment Awareness Month in the City of Mandan.*
5. *Consider approval of Cost Participation and Maintenance (CPM) agreement with the NDDOT for Highway 6 and 19th Street turn lane improvements.*
6. *Consider approving Mandan Special Olympics games of chance at Midway Lanes from October 4-Oct. 7, 2016.*
7. *Consider 2016 budget amendment for Forestry Department for Dutch Elm Disease removal.*
8. *Consider approval of request to advertise for sale the boom assembly from the 2005 bucket truck.*
9. *Consider actions related to human resources and payroll processing.*
10. *Consider approval of minor plat for Humane Society Subdivision.*

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

G. OLD BUSINESS:

H. NEW BUSINESS:

1. *Discussion regarding property issue Mr. Chris Geck.* City Attorney Brown provided a brief history of this matter with the following information. He said that Collins Avenue north was re-done by the City in 2006/2007. As a result of the survey of the right of way of Collins Avenue, it was determined that there was an area of land comprised of parts of four different subdivisions located west of Collins Avenue and the actual west right of way of Collins Avenue. This area extended from the north line of Division Street to the south line of 14th Street. The

City platted the area Collins West Addition. In order to determine ownership of the area in question the City began a quiet title action naming potential owners of the area that could be determined from records filed with the County Recorder's office. A portion of the area was claimed by the heirs of Harry and Catherine Zachmeier consisting of two lots adjacent to the east of Lot 20, Block 3 of Zachmeier First Addition. A portion of the lot to the north of that area was claimed by Leo Bauer. No other parties made any claim to these lands and by a stipulated judgment, title was quieted in the City with an agreement to deed the areas claimed accordingly. No appearance or claim was made by the owners of Lot 20, Block 3, who at that time was the Cody family. There was nothing of record to indicate that the Cody's had a claim to these lots. At some point the lots to the east of the Cody property were sold to a developer. At that time it was discovered that the home built on the Cody property was within a few inches of the west lot line of the Collins West Addition. It is not clear what happened with that construction project but later there was a dispute between the new owner of the Cody property and the developer that purchased the Collins West Addition lots from the Zachmeiers. It appears the home on Lot 20, Block 3 was built within a few inches of its east lot line, but that issue did not surface until the reconstruction of Collins Avenue. He said that a dispute over that property line is not something the City can resolve. The Geck house property was built too close to the property line. It is unknown why that was not discovered in previous actions.

Mayor Helbling stated that he and other Commissioners have discussed this with Mr. Geck and he concurred with Attorney Brown that there is nothing the City can do to resolve the situation.

Christopher Geck, 100 Division Street, Mandan, came forward to speak. He clarified that the Cody's names were missing from the legal action of February, 2010, but that Leo and Marie Bauer and Kenneth M Siegel were notified. Mr. Geck presented City Commission Meeting Minutes from a meeting held in 2012, in-part: *That she accepted the 7 feet that was offered to her but she understood that it was written somewhere that she refused it. Attempts were made to purchase the empty lots throughout the years and the City repeatedly said they were not available, and then all of a sudden they were available.* Mr. Geck also provided a copy to the Commissioners of a copy of a letter from James Cody, (now deceased), and Geri Cody explaining all the events from 2009 until the time when Mr. Geck purchased the house in May 2012, which should not have been allowed to have happened. Mr. Geck also provided a note from Ms. Cody's attorney stating that no matter how that was written, Ms. Cody is not bound by the judgment of the quiet title which, Mr. Geck stated, is the reason why he is present today. Mr. Geck provided history of the case going back to, and including, 2012 City Commission meeting minutes when the property was owned by Mr. Kilen. The house was built in 1959. When Mr. Geck bought the house in 2013 he was surprised there was a previous property dispute that didn't affect the sale of the home. After the fact, Mr. Geck was told he had to move the fence off the 10 feet lot, which Mr. Geck complied with. In 2014, Mr. Geck retained a survey after the sale of his house was stopped by Mr. Kilen accusing the house of being on his property. Mr. Geck gave examples of Mr. Kilen's claims. Mr. Geck has tried to work these issues out with Mr. Kilen who has been offered an easement option. But the question still remains as to how this could have happened. Mr. Geck stated: "How can a house that has been here for over 50 years, (now) be out of code, and on someone else's property?" The answer he received from City officials "We knew, but there is nothing we can do about it."

Mr. Geck requested that the City Commission do something about this problem today. An oversight back in the 1950's that could have been corrected in 2012 at the time the Quit Claim Deeds were being done with the ease of moving pins that should have and still could be done to rectify the problem. He requested that the pins be moved 3 feet to the east of Mr. Geck's property provided Mr. Kilen is in agreement with the Quit Claim Deed to that 3'. Without this, Mr. Geck said he is unable to maintain his home and cannot sell the house. He said that at this point the only 2 options he has are: (1) To continue paying on a mortgage on a home that is falling apart. He cannot get on the east side because the foundation is cracked and every time it rains it leaks into the basement; he is unable to fix the rain gutters; (2) He would let the property go into foreclosure and he will face losing his VA benefits. He requested assistance from the City to correct this problem and reiterated that he never should have been able to purchase this home under the circumstances outlined.

Mayor Helbling stated that the City is unable to move property pins on to another land owner's property. It went through all the legal processes. The property notices were sent out. He said he recalls some of the previous conversations between the owners of the houses and the City Commission at that time. Mayor Helbling deferred to City Attorney Brown for advice as to a response to Mr. Geck's questions and request.

City Attorney Brown said that the Quiet Title was done in accordance with North Dakota law. He said he was not informed of the problems outlined. The Bauer's hired an attorney and intervened and made their allegations and that's why they are named in the Judgment. The Bauer's were not part of the original action just like the Cody's were not part of the original action. There is nothing in the record that would show any claim to that property. It is unclear why the Bauer's responded and the Cody's did not. The process went on for several months. City Attorney Brown stated that he does not believe there is anything the City can do about this situation.

Mayor Helbling stated that it is his understanding that when he (Mr. Geck) purchased the home it was a matter between the realtor and the Title Insurance Company. Mr. Geck stated that the Title Insurance Company said that it is the City Commission's responsibility. Mayor Helbling explained that the Title Insurance Company should never have signed off on the title since Mr. Geck's property was not on the lot correctly. The title company or the realtor should have caught that and should have rectified it at that time.

Mr. Geck questioned why, if the City cannot be involved on this side to rectify an error that happened in the 1950's, then how can the City get involved in a situation like today's, (another agenda item about a driveway and not being on a property line). It seems like it is the same issue – relocating a driveway. What is the difference of having to fix an error that happened many years ago? Mayor Helbling explained that (the driveway) matter involves the same property owner asking for that request to move the property line within his 2 parcels of property and that it is at his request. Commissioner Braun commented that the City followed the law with the Quiet Title Action. The fact that the previous owner was not in town or did not respond to a situation wherein they should have responded was part of the problem.

City Attorney Brown commented that Mr. Geck can opt to respond by calling the attorney that started the lawsuit. He also said if she had contacted the City, he finds it hard to believe that the staff would not have notified him (City Attorney Brown). Mayor Helbling stated that he will attempt to contact Mr. Geck's neighbor regarding this matter. Mr. Geck indicated that he had received an appraisal for the property and it is appraised at \$2,000 for that 10 foot parcel. He said his realtor wrote his neighbor an offer, legally, and offered him \$5,000 for that \$2,000 parcel.

Commissioner Rohr stated that this matter appears to be a negotiation between Mr. Geck and his neighbor, Mr. Kilen, in hopes they can work it out between them.

2. *Consider Code Enforcement Appeals Board Appointments.* Joseph Camisa, Code Enforcement Officer stated that on July 19, 2016, the City approved the second consideration of Ordinance No. 1248 creating Chapter 26 of the Mandan Municipal Code related to code enforcement. A part of that code requires that an Appeals Board be appointed. He said City Administrator Neubauer, Police Chief Ziegler, Deputy Chief Leingang, Building Official Lalim and himself met to review the 7 letters of interest that were received. After review and discussion these 5 candidates were selected for recommendation: Catherine Watkins, 3-year term; Don Boehm, 3-year term; Craig Selby, 2-year term; Konrad Crockford, 2-year term; Victoria Vayda, 1-year term. He recommended approval that these 5 individuals be appointed by the Commission to the Appeals Board.

City Attorney Brown commented that when this Board of Appeals was initially introduced, there was discussion as to what this Board of Appeals would do. He explained that this Board will allow those who may be aggrieved by the Code Enforcement Officer's directives to come before the City Commission, which will act as a neutral body to reconsider those directives. The City Commission is the final decision maker.

Commissioner Laber moved to approve Catherine Watkins for a three-year appointment, Don Boehm for a three-year appointment, Craig Selby for a two-year appointment, Konrad Crockford for a two-year appointment, and Victoria Vayda for a one-year appointment to the Code Enforcement Appeals Board with terms beginning January 1st, 2017. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

3. *Consider recommendation from Visitors Committee regarding Bismarck Mandan Stock Car Association.* City Administrator Neubauer stated that a request was received on August 1, 2016, (which was later Amended on August 12, 2016), by the Mandan Visitor's Committee from the Bismarck Mandan Stock Car Association (BMSCA) asking for funding assistance to install additional electrical, sanitary sewer, and water to several camp sites at Dacotah Centennial Park. The Visitor's Committee is requesting approval of the electrical portion of the project. The total improvements being made to the park total approximately \$77,000. Of that amount, the Stock Car Association will fund \$25,000 with the balance of \$52,000 pursuant to their amended request. The Visitors Committee recommends approval of the request for assistance up to \$32,000 to assist with this project. The improvements and maintenance will be the responsibility

of the Bismarck Mandan Stock Car Association via their contract with the Mandan Park Board who maintains the infrastructure for that property. He explained that if funding assistance is approved by the City Commission, the funds will be payable to the Mandan Park District because their improvements are made on their property and in turn the Park District will then reimburse the Stock Car Association.

Commissioner Laber moved to approve the Visitors Committee recommendation for funding assistance for up to \$32,000 to the Mandan Park District as it adds additional RV hook up space in Mandan, with water/sewer and electrical for visitors to their property. The Park District would in turn provide reimbursement to the BMSCA in such amount up to \$32,000. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

4. *Engineering Amendment with AE2S for Construction Engineering of the Water Treatment Facility High Service Pump project.* Planning and Engineering Director Froseth stated that the Water Treatment Facility High Service Pumps and Facility Upgrades project bid opening was held on September 13, 2016 and that the award of the project was approved at the last meeting. This item is brought forward now for consideration to amend the agreement with AE2S to include Construction Engineering, (also known as Project Inspection and Management), during the construction phase of the project. He said that the City usually only enters into an Engineering Service Agreement (ESA) with a firm for the design of the project at the onset as long as the design phase goes well and the bids come in favorable for the project. Staff will then recommend amending the ESA to include construction engineering and construction management. Since the last commission meeting, AE2S provided the City with an ESA amendment proposal. However, the proposal concerned staff because it was higher than the construction was estimated to be when the project application was sent into the State Water Commission (SWC).

Subsequently, City staff including Jim Neubauer, Greg Welch, Duane Friesz, and myself (Justin Froseth) met with AE2S staff to discuss the increase. AE2S explained that the majority of the difference comes from moving the instrumentation and controls programming from the construction budget, reflected in the SWC application, to the engineer's responsibilities for the ESA, as reflected now. The City requested that AE2S further explain how this project will stay within the total project budget and they provided additional documentation for discussion.

Director Froseth stated that the City agrees that it makes more sense to include the programming in the ESA scope to keep it within the design of the project and the programming should be in sync with operations of the plant outside of the new equipment being installed. Therefore, City Staff recommended approval of this amendment. Director Froseth provided a summary of the project stating that the City was successful in receiving SWC grant money to start construction on this needed project during the 2015-2017 biennium. This project has been part of the City's Capital Improvements Plan (CIP) and has been needed for years. For this project, the City applied for and received State Water Commissions grant money. For the design engineering and pre-bid services, the City is to receive a 35% match from the SWC. For the construction phase engineering, the City is to receive a 60% match (after bid).

Commissioner Braun moved to approve the Amendment #1 for Engineering Services with AE2S to include the phases 060, 070, 080, and 121 as outlined on the amendment. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

5. *Update on assistance to Morton County.*

Police Chief Ziegler, along with the Morton County Sheriff, wish to thank the citizens for their overwhelming support and confidence in the state and local law enforcement agencies during this event. Chief Ziegler provided the Commission with an update on the assistance the Mandan Police Department has given to Morton County during the State of Emergency. They have been providing support from Administrative Officers and also Police Officers in the field. From August 10, 2016 through September 25, 2016, officers have provided approximately 1,200 manpower hours which includes almost every officer in the department. An itemized invoice of \$48,000 to cover wages will be submitted to the sheriff so it can be reviewed and then forwarded to the Department of Emergency Services for reimbursement. This process will start tomorrow (October 5th) with Deputy Chief Jason Bier going over to the County to review the invoice so that we can recover that money. This amounts to approximately \$40 per hour per officer.

As of the last pay period, the Police Department has 2 exempt employees that are well over the normal 60 hour comp time cap. These employees are still continuing to accrue comp time. With minimal vacation time being allowed during this time, officers are also accruing vacation time over the annual cap of 120 hours which will currently affect approximately 13 officers as they have anniversary dates coming due within the next several months. There is currently no end date predicted for the current emergency situation.

Chief Ziegler recommended allowing exempt employees accrue comp time over the 60 hour cap and to allow Police Officers to accrue and carry over vacation hours above 120 hours past their anniversary dates. He reviewed the plan for upcoming schedules that will be monitored by the deputy chiefs within their divisions. He will continue to keep Administrator Neubauer updated and he encouraged the Mayor and Commissioners to contact him at any time regarding this matter.

Mayor Helbling commended the Police Department for going above and beyond their duty expectations. On behalf of the Commission he stated that they fully support the actions of the Police Department in hopes of a swift resolution to the matter.

Commissioner Davis agreed with Mayor Helbling regarding the Police officers dedication, the partnership with the County, and the State resources that have come to mutual aid in this event. He values the communication regarding the police officers' overtime, time away from their families, and the occasional heated circumstances where they have kept their professional temperament with their officers.

Commissioner Laber moved to keep the caps that are on the comp time and the vacation time for the officers lifted, and to maintain that until such time as the state of emergency is lifted. When lifted, (within 30 days), the Police Chief is requested to present a plan to the City Commission of

the total aggregate number of hours and how that is utilized with the Police Department.

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

I. RESOLUTIONS AND ORDINANCES:

1. *Consider the second and final consideration of Ordinance No. 1249 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2017, and ending December 31, 2017, and making the annual tax levy for the year 2016.* Commissioner Laber moved to approve the second and final consideration of Ordinance No. 1249 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2017, and ending December 31, 2017, and making the annual tax levy for the year 2016. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

2. *Resolution Establishing Rates and Charges for Services from the Water and Sewer Utility Fund.* Commissioner Laber moved to approve the Rates and Charges for Services from the Water and Sewer Utility Fund. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

3. *Resolution Establishing Rates and Charges for Services from the Solid Waste Utility Fund.* Director of Public Works Wright presented a proposed resolution showing the rate changes to the solid waste material taken to the transfer station, which in turn is hauled by the City of Mandan to the Bismarck Landfill. Currently Mandan is at the same rate as Bismarck and, to maintain a \$3.00/ton margin to cover operational costs, we are proposing \$48.00/ton. Some of the highlights of the resolution are: Garbage collection and disposal will go from \$10.90/month to \$10.95/month as per contract with Armstrong Sanitation. Curb side recycling collection and disposal will go from \$5.50/month to \$5.65/month as per contract with Dakota Sanitation. For inert materials there will be an increase per ton for Mandan residents from \$30 to \$35 per ton. These rates will go into effect after 1/1/17.

Commissioner Rohr moved to approve the Resolution Establishing Rates and Charges for Services from the Solid Waste Utility Fund. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

4. *Resolution Establishing Rates and Charges for Services from the Engineering and Planning Department.* Planning and Engineering Director Froseth presented a request to increase fees to a comparable fee charged in Bismarck. He said that the City of Mandan has gradually been increasing fees that have been out of date for some time. He provided a comparison table showing the difference between Mandan's current fee and Bismarck's fee for like services.

Commissioner Braun moved to approve the Resolution Establishing Rates and Charges for Services from the Engineering and Planning Department. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

5. *Resolution Establishing License and Permit Fees from the Finance Department.*

Finance Director Welch stated that the license and permit fees from the Finance Department have not been increased since 2001. Based on the comparison with the City of Bismarck's departmental fees and charges for similar licenses and permits, the Finance Department is recommending an increase in the City's license and permit fees at this time.

Commissioner Braun moved to approve the Resolution Establishing License and Permit Fees from the Finance Department. Commissioner Davis seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

6. *Resolution Establishing Beer, Liquor or Alcoholic Beverage License Fees.*

Finance Director Welch stated that the City's beer, liquor or alcoholic beverage annual renewal license fees have not been increased since 2009. Based on the comparison with the City of Bismarck's departmental fees and charges for similar licenses, the Finance Department is recommending an increase in the City's beer, liquor or alcoholic beverage license annual renewal fees at this time, as amended. Class E and Class F annual renewal license fees will not increase.

Commissioner Davis moved to approve the Resolution Establishing Beer, Liquor or Alcoholic Beverage License Fees, as amended; in particular, that Class E and Class F will not increase. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

7. *Resolution Establishing Water Meter Prices from the Utility Maintenance Department.*

Finance Director Welch stated that the City's water meter prices from the Utility Maintenance Department were updated last year. Based on the City's current costs for the purchase of water meters, transceivers, parts, assembly, including sales tax and labor, the Finance Department is not recommending an increase in the City's water meter prices at this time. Instead, the Finance Department is recommending to establish the City's water meter prices in Resolution form.

Commissioner Laber moved to approve the Resolution Establishing Water Meter Prices from the Utility Maintenance Department. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

8. *Consider for approval the Resolution amending fees and charges administered by the Public Works Department.* Director of Public Works Wright stated that the resolution before you includes minor changes and some cleanup of verbiage. There is a request to increase the hydrant meter rental to \$50 per month, plus the water usage. There is also a change in the

deposit fee for the hydrant meter from \$350 to \$450 which will cover the cost of replacement of the water meter in the event of damages.

Commissioner Davis moved to approve the Resolution amending fees and charges administered by the Public Works Department. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Davis: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Helbling: Yes. The motion passed.

J. OTHER BUSINESS:

1. Fire Chief Nardello invited the Commission and the audience to the upcoming Fire Prevention Open House and Parade scheduled for next Tuesday, October, 11, 2016. The parade starts at 6:30 pm at the Cloverdale factory & traveling down Sunset. That will be followed by an Open House from 7–9 pm at the Fire Station.

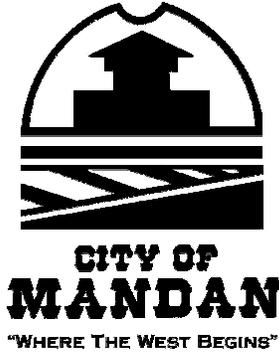
2. Mayor Helbling requested Planning and Engineering Director Froseth provide an update on Old Red Trail because he has been getting calls on the progress of the project. Director Froseth stated the project is behind schedule. The interim deadline was to have it paved to 37th Avenue by the time school started. He reported that at their weekly Construction Progress meeting today, the contractor for that project did provide information that the plan is to open the paved road on Thursday or Friday, depending on the temporary striping and some of the Avenue connections to Old Red Trail. If that happens as planned, it should open up to 37th Avenue on Thursday. For the rest of the project west of 37th, they have the first major pour planned for the end of this week. Following that, they plan to do the north and south lanes for the remaining portion west of 37th. They are saying it will be done by October 12th or 13th. They are under penalty now because they did not hit to 37th Avenue and the substantial completion after that was October 15th (or possibly October 31st). Penalties will be coming into play.

L. ADJOURNMENT:

There being no further actions to come before the Board of City Commissioners, Commissioner Braun moved to adjourn the meeting at 6:35 p.m. Commissioner Laber seconded the motion. The motion received unanimous approval of the members present. The motion passed.

James Neubauer,
City Administrator

Timothy A. Helbling,
President, Board of City Commissioners



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 3, 2016
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: Day after Thanksgiving

STATEMENT/PURPOSE: Allow the Administrative Offices to close the day after Thanksgiving.

BACKGROUND/ALTERNATIVES: Long standing tradition has been to have Administrative Offices closed to the public the day after Thanksgiving. Employees take vacation, personal leave or comp time if they wish to do so, otherwise, they must receive permission to work from their respective department head.

ATTACHMENTS: N/A

FISCAL IMPACT: N/A

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: - I recommend the Administrative Offices be closed the day after Thanksgiving.

SUGGESTED MOTION: - I move the Administrative Offices be closed the day after Thanksgiving.



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 4, 2016
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Robert Decker, P.E., Principal Planner
SUBJECT: Consider approval of minor plat for Sylvester's Industrial Park 9th Addition

STATEMENT/PURPOSE:

This request is to adjust lot lines.

BACKGROUND/ALTERNATIVES:

Property is located along 43rd Ave. SE north of 19th St. SE.

Parcel boundaries are being reconfigured.

ATTACHMENTS:

1. Current plats
2. replat

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

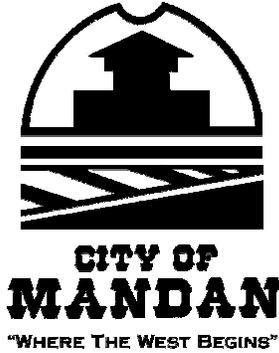
LEGAL REVIEW: All of my commission data has been forwarded to the City Attorney for his review.

RECOMMENDATION:

Recommend approval.

SUGGESTED ACTION:

Move to approve plat for Sylvester's Industrial Park 9th Addition.



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 10, 2016
SUBMITTING DEPARTMENT: Building Department
DEPARTMENT DIRECTOR: Doug Lalim, Building Official
PRESENTER: Doug Lalim
SUBJECT: Out of State Travel for International Code Council training Classes.

STATEMENT/PURPOSE: To consider out-of-state travel permission as required by Mandan Municipal Code.

BACKGROUND/ALTERNATIVES: Police Chief Ziegler and Myself would like to send Joe Camisa (Code Enforcement Officer) and Steve Roe (Building and Plumbing Inspector) to Chaska Minnesota for International Code Council (ICC) Region III training in February 6-10, 2017. This training is in conjunction with the North Dakota Building Officials Association. (NDBOA). There are numerous training Classes for Steve Roe in Residential and Commercial inspection. Also, for Joe Camisa in Code Enforcement there are classes that cover Landlord/Tenant relations and responsibilities, Protecting Complainant Confidentiality, Courtroom procedures and Code Enforcement procedures for Officers and Inspectors. Joe can also take the ICC Code Enforcement Certification test to get certified to be a Code Specialist if he chooses to do so.

ATTACHMENTS: Training Brochure

FISCAL IMPACT: Approved in the budget for 2017 to attend the course. Approx. cost per person to attend would be \$1,250.00.

STAFF IMPACT: N/A

LEGAL REVIEW: N/A

RECOMMENDATION: I recommend the City of Mandan approve the out of state travel request.

SUGGESTED MOTION: I move the City of Mandan approve the out of state travel for Building Inspector Steve Roe and Code Enforcement Officer Joe Camisa to attend the International Code Council Region III Training in Chaska Minnesota in February 2017.

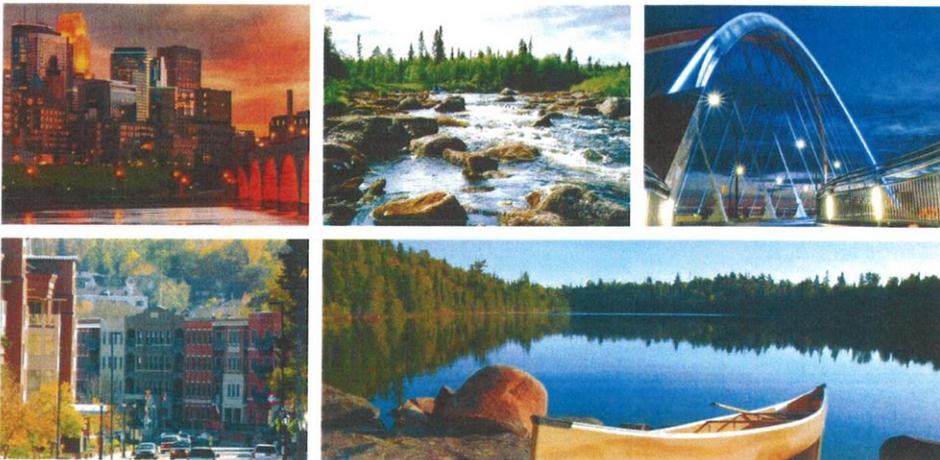
Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Out of State Travel for International Code Council training Classes.

Page 2 of 17



Voted 2016
ICC Chapter
of the Year!

Creating New Partnerships

ICC Upper Great Plains Region III Educational Institute

February 6-10, 2017

Trade show: February 8, 2017

ICC Certification Exams Available Onsite

All municipal designated building officials attending will receive a complimentary copy of the CCLD Code Administration Manual



Oak Ridge Hotel & Conference Center, Chaska, MN

www.iccsafe.org/RegionIII

1-888-ICC-SAFE (422-7233), ext. 33818





UPPER GREAT PLAINS
REGION III

President
Tom Paisley
Spearfish, SD
tom.paisley@cityofspearfish.com

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Brian Flannery
brianflannery@tds.net

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bishop@dps.state.ia.us

Secretary
Christine Rose
Fargo, ND
crose@cityoffargo.com

Past President
Larry Huff



Welcome Attendees!

The 2017 ICC Upper Great Plains Region III Educational Institute has become a regular mid-winter event at the **Oak Ridge Hotel and Conference Center** in Chaska, MN. The February conference will include many outstanding educational opportunities presented by some of the best instructors in their respective disciplines.

In addition to 12 days of **International Code Council (ICC)** seminars, the **International Association of Plumbing and Mechanical Officials (IAPMO)** will provide seminars on the 2015 *Minnesota Plumbing Code*. Other topical seminars include: management issues facing the code official, site inspection issues, plan review, fire protection systems, plumbing, mechanical, housing, and the 2015 *International Codes®*. A returning feature this year will be the opportunity to take ICC certification exams while attending the Institute. Last year, 34 individuals took advantage of this offering. Based on that success, this will be a permanent event at future Institutes.

Other activities during the week will include the popular Sunday hospitality room, Tuesday night dinner outing, Chapter recognition awards, Region III and AMBO membership meetings. The meeting schedules have been adjusted to accommodate regional attendance at both membership meetings. **AMBO is offering a free day of registration to any ICC Chapter President who attends the Region III Institute.** See page 14 for details.

Once again, this year's Institute will proudly feature the presentation of the **Brent Snyder Education Award**. This award, given by Region III, is in honor of one of the best code instructors of our time. When approached by Region III before his death on our plans to honor his legacy Brent said, "Just make sure you give it to someone who is dedicated to training and teaching code officials." We plan to do just that.

We are looking forward to seeing many new faces and renewing old acquaintances at the **2017 ICC Upper Great Plains Region III Educational Institute**. Make plans to join us for this unique networking and training opportunity in February.

One last item to note. **AMBO** was awarded the **2016 ICC Chapter of the Year Award** at the ICC Annual Conference in Kansas City. Congratulations to the AMBO Board and membership for this achievement!

Remember, as Brent Snyder was fond of saying, "Life is good!"

President Tom Paisley
ICC Upper Great Plains Region III

"United For Safer Buildings"



2017 ICC Upper Great Plains Region III Educational Institute Session Descriptions

7 a.m. Sign In • 8 a.m. Sessions Begin • 12 p.m. – 1 p.m. Lunch • 4:30 p.m. Conclusion



CODE ENFORCEMENT/PERMIT TECHNICIANS

MONDAY

Verbal Judo: Developing a Winning Attitude

Session 701

This seminar teaches code officers techniques and strategies that will enable them to effectively communicate with internal and external customers. The information gained will empower officers to maintain a calm demeanor when faced with crisis situations.

Instructor: Kelvin Beene, City of Aurora, IL

TUESDAY

Managing For Success

Session 702

This seminar will focus on the professional development of individuals and managers while addressing the following items: Organizing for success; facing team challenges; importance of teamwork; and scenarios-based training methods for motivating people individually and collectively.

Instructor: Kelvin Beene, City of Aurora, IL

New Home Construction (Permit Issuance to Certificate of Occupancy)

Session 703

Based on the 2015 *Minnesota Residential Code* and 2015 *Minnesota Residential Energy Code*, this seminar will focus on the permit process, plan review, alternative building materials and methods and the components of light-frame construction. Topics include: Footings and foundations; floor, wall and roof framing; insulation materials; exterior envelope coverings; means of egress, guards and fall protection; solar installations and green building practices.

Instructor: Peter Kulczyk, Green Code Knowledge LLC

WEDNESDAY AND THURSDAY (2-DAY SEMINAR)

Code Specialist Module Certification Test Academy

Session 704

Taught by an expert ICC instructor, the Code Specialist Module Certification Test Academy provides instruction, individual/group interactive review exercises, evening assignments and opportunity to practice test taking. The topics that will be covered align with ICC's National Certification Examination Information Bulletin and include: customer service and communication; financial management; personnel management; records management and code enforcement. The goal of this test academy is to get participants comfortable in the testing environment while familiarizing them with the code specialist module certification exam references and relevant topic areas.

Instructor: Roger Axel, ICC Instructor

WEDNESDAY

AM Code Officers and Landlord/Tenant Relations/Responsibilities

Session 705

In dealing with rental properties, local code officers may encounter property owners who shift compliance responsibilities to their tenants, and tenants who shift compliance responsibilities to their landlords. While various state tenant acts may govern some of these interactions, cities and counties can adopt additional restrictions and regulations to clarify the responsibilities of both property owners and tenants. The better local code officers understand the respective responsibilities of landlords and tenants and local government's regulation of this relationship, the easier it will be for them to perform their jobs effectively.

PM Protecting Complainant Confidentiality

Confidentially or non-disclosure is an arrangement by two or more parties in which some or all of the parties agree that certain types of information that passes from one party to the other will remain confidential. In municipal government, such arrangements attempt to protect complainants from retribution when there are potentially sensitive issues at hand. This seminar is designed to discuss techniques and theories on confidentiality, and how to work towards an environment of nondisclosure.

Instructor: Marcus Kellum, Director of Beautification at Dekalb County Government, GA

THURSDAY

- AM Courtroom Procedures for Officers and Inspectors Session 706**
This seminar introduces and reinforces guidelines for code officers while appearing in front of enforcement boards or judges. Some officers may be unfamiliar with or new to testifying, so these guidelines are intended to acquaint officers with issues of procedure, evidence, and testimony notwithstanding the fact that it may vary from county to county or from judge to judge.
- PM Code Enforcement Procedures for Officers and Inspectors**
The role of the code enforcement officer or inspector in a municipality is to command respect and project and inspire confidence. This seminar is designed to provide knowledge of how code enforcement officers and inspectors can integrate best practices into their service delivery. Segments of this seminar will include the concept of creating an "Action Register" to track important tasks and deliverables. To manage work more efficiently, the Code Enforcement Continuum will be introduced as a tool to determine the level of enforcement necessary to close the case.
Instructor: Marcus Kellum, Director of Beautification at DeKalb County Government, GA

FRIDAY

- AM Foreclosures and Abandonments: Compliance Connections Session 707**
For officers and inspectors having problems with vacant properties, this seminar is designed to teach you the ins and outs of the foreclosure process. If you are frustrated with being unable to find the lien holder or get a response to your outreach, come learn about the mortgage and foreclosure processes and receive insight into the roles taken by banks to preserve vacant properties. Add efficiency to your day with an in-depth demo and "how to" of Compliance Connections.
- PM Dealing with Foreclosures, Bankruptcies and Receiverships**
The role of the code enforcement officer or inspector in a municipality is one of respect and confidence. The mortgage crisis has caused a disproportionate number of properties to revert to the control of banks, receivers and attorneys who are negotiating distribution of assets and not necessarily concerned about code violations. This seminar will include a discussion on ordinance revisions to strengthen the code officer's position with legal and financial intermediaries as well as other regulatory and non-regulatory approaches that local government can use to encourage timely compliance.
Instructor: Marcus Kellum, Director of Beautification at DeKalb County Government, GA

BUILDING (RESIDENTIAL)

MONDAY

- 2015 IRC Significant Changes Session 711**
This seminar reviews, analyzes and familiarizes building officials, fire officials, plans examiners, inspectors and design professionals with many of the significant changes from the 2012 edition to the 2015 edition of the *International Residential Code*[®] (IRC[®]). This seminar also assists code users in identifying the specific code changes that have occurred and understanding the reasons behind the changes.
Instructor: John Gibson, ICC Staff

TUESDAY

- 2012 IRC Advanced Wood and Wall Bracing Session 712**
This seminar provides a comprehensive explanation of the *International Residential Code*[®] (IRC[®]) bracing requirements. This seminar will focus on advanced requirements and clarify the application of wall bracing provisions in IRC Sections R602.10 thru R602.12. Participants should have in-depth experience with wall bracing.
Instructor: Sandra Hyde, ICC Staff

WEDNESDAY

- 2015 IRC Essentials Session 713**
This seminar examines basic concepts of the 2015 *International Residential Code*[®] (IRC[®]) that provide a basis for the correct use and application of the code. A clear understanding of the identified requirements enables the code user to apply the IRC in specific situations and helps to build an understanding of the intent of the code when asked to make a judgment on code compliance, as well as to begin to develop a procedure for applying the code.
Instructor: John Gibson, ICC Staff

THURSDAY

2015 IRC Plan Review

Session 714

Designed to provide a broad overview of the process for residential plan review, this seminar presents the basic steps involved to complete a comprehensive review of a residence. The seminar will address the tools and process for conducting a residential plan review. It will also increase your awareness of the necessary items required to ensure code compliance of the homes built in your jurisdiction.

Instructor: Steve Thomas, Colorado Code Consulting

FRIDAY

2015 IRC Inspections

Session 715

This seminar provides new residential inspectors with basic techniques and an understanding of conducting inspections of one- & two-family dwellings and townhouses. Topical discussions will include preparation, presentation and inspections of the building, plumbing, mechanical and electrical portions of a building.

Instructor: Steve Thomas, Colorado Code Consulting

BUILDING (COMMERCIAL)

MONDAY

2012 IBC Inspection of Fire-Resistance-Rated Walls, Floors, Ceilings and Roofs

Session 721

This seminar deals with the application of the *International Building Code*[®] (IBC[®]) Chapter 7 related to the construction and protection of rated walls and horizontal assemblies. Topics include: Identifying the five types of walls and their differences; understanding the differences between floor, floor/ceiling and roof/ceiling assemblies; protection requirements for penetrations; joint systems; duct and air transfer openings; and door and window openings. Additional discussion will look at test standards used to evaluate the assembly and protection systems and how those protections are limited or compromised if not installed as tested.

Instructor: Roger Axel, ICC Instructor

TUESDAY

2015 IFC and IBC Fire Protection Systems

Session 722

This seminar is designed to guide participants through the 2015 *International Fire Code*[®] (IFC[®]) requirements related to fire protection systems. Because the 2015 IFC and Chapter 9 of the 2015 *International Building Code*[®] (IBC[®]) have such broad scopes, the focus of this seminar is to review design, construction, inspection and testing requirements for: suppression systems, standpipe systems, automatic fire alarm systems, automatic detection systems and additional fire protection assemblies.

Instructor: Terrell Stripling, ICC Staff

WEDNESDAY

Special Inspection: Administration and Application

Session 723

Most typically, significant structural damage and building failure occur in construction that does not fully comply with codes, standards and design documents. Specialized oversight with increased inspection frequency, duration and detail helps mitigate compliance issues and the attendant structural failures. This seminar details the special inspection process in the *International Building Code*[®] (IBC[®]), including code sections mandating such inspections, descriptions of the required special inspections, and information on creating a special inspection program. Duties and responsibilities of the special inspector, building official, project owner, engineer or architect of record and contractor are defined.

Instructor: Sandra Hyde, ICC Staff

THURSDAY

Cold-Formed Steel Framing in Mid-Rise and Multi-Family Structures for Plan Review and Inspection

Session 724

Cold-formed steel framing continues to capture the market for new projects in the mid-rise and multi-family arena through student housing, apartments, hospitality sectors and more. This seminar is designed to introduce critical considerations when completing plan reviews and inspecting such projects. Using the American Iron and Steel Institute Cold-Formed Steel ANSI-accredited standards as the roadmap, both seasoned inspectors as well as those new to cold-formed steel will benefit.

Instructor: Jeff Klaiman, P.E., Cold-Formed Steel Engineers Institute

FRIDAY

2015 IBC Significant Changes

Session 725

This seminar reviews, analyzes and familiarizes building officials, fire officials, plans examiners, inspectors and design professionals with many of the significant changes from the 2012 edition to the 2015 edition of the *International Building Code*® (IBC®). This seminar also assists code users in identifying the specific code changes that have occurred and understanding the reasons behind the changes.

Instructor: Doug Thornburg, ICC Staff

BUILDING (SPECIAL TOPICS)

MONDAY

Senior Living Facilities

Session 731

This seminar will explore the design and review of senior living facilities under the *International Building Code*® (IBC®). The market is supporting the development of mixed-use projects that include independent living facilities, assisted living facilities, memory care facilities and other associated occupancies. This seminar will discuss inherent issues with these types of facilities and application of the code provisions.

Instructor: Steve Thomas, Colorado Code Consulting

TUESDAY

IBC Extreme Plan Review and Inspections

Session 732

This seminar addresses large and unusual building plan review and inspections, focusing on high-rise construction, atriums, very large buildings and unusual projects. The seminar will also address the special inspection process and how to monitor a special inspection program. Topical discussions will address the review and inspection of alternate designs and performance-based design.

Instructor: Steve Thomas, Colorado Code Consulting

WEDNESDAY

IBC Assessment of Alternate Materials and Methods of Construction

Session 733

This seminar provides a solid overview on the application of the alternate provisions contained in the *International Building Code*® (IBC®). The first portion of the seminar will dissect the IBC to derive intent behind the prescriptive code requirements used to justify an alternate assessment. The second portion of the seminar will look at sustainable alternative construction methods.

Instructor: Steve Thomas, Colorado Code Consulting

THURSDAY

2015 IBC Means of Egress

Session 734

The goal of this seminar is to provide an overview of the fundamental means of egress requirements in the 2015 *International Building Code*® (IBC®). Attendees will be presented with specific problems related to means of egress and will be asked to solve each problem using a set of plans for a four-story college classroom/office building.

Instructor: Doug Thornburg, ICC Staff

FRIDAY

CCLD Code Administration Services

Session 735

This seminar focuses on the basics of code administration. Learn who's who at the State of Minnesota, Department of Labor and Industry - Construction Codes and Licensing Division so you know who to go to for answers. Discover what it takes to qualify for a State Delegation Agreement to review and inspect state-licensed facilities. Find out how you can be involved in development of the State Building Code. Learn what building officials need to know about contractor licensing, bonding, insurance and the contractor recovery fund. Pick up tips on what building officials and inspectors need to know about modular, prefabricated and manufactured structures. Discover what the CCLD Regional Services does to ensure quality throughout the state. Learn methods for establishing fee structures and fee criteria.

Instructor: MN Dept. of Labor & Industry Staff

Attendees will receive a copy of the CCLD Code Administration Manual.

FIRE/BUILDING (SPECIAL TOPICS)

MONDAY

2015 IFC Performing Commercial Fire Inspections

Session 741

This seminar explains the process of conducting commercial fire inspections in accordance with the provisions and requirements of the 2015 *International Fire Code*[®] (IFC[®]). Checklists are provided that enable those performing commercial fire inspections to determine whether the materials, design, construction, installation and location of building components comply with the code.

Instructor: Terrell Stripling, ICC Staff

TUESDAY

2015 IFC and IBC Fire Protection Systems

Session 742

This seminar is designed to guide participants through the 2015 *International Fire Code*[®] (IFC[®]) requirements related to fire protection systems (Chapter 9). These requirements include suppression systems, standpipe systems, automatic fire alarm systems, automatic detection systems and additional fire protection assemblies.

Instructor: Terrell Stripling, ICC Staff

WEDNESDAY AND THURSDAY (2-DAY SEMINAR)

Fire Protection Engineering Basics for AHJs

Session 743

This seminar consists of eight sessions over a two-day period. Attendees will gain valuable knowledge in the following subject areas: introduction and basic fire physics; fire-related construction; structural fire endurance; evaluation of finishes and contents; smoke control and management; fire suppression systems; fire alarm and detection systems; and life safety and egress. Interactive discussions on each topic, including workbook examples, engage attendees in identifying and understanding the *International Fire Code*[®] (IFC[®]) fire protection requirements.

Instructors: Jon Nisja & Rich Pehrson, MN State Fire Marshal Division Staff

FRIDAY

AM

Engineered Wood A to Z

Session 745

This seminar is an introduction to the ever-growing family of traditional and engineered wood products. Products covered are engineered lumber, glue-laminated timber, cross laminated timber, structural composite lumber, wood I-joists, and wood structural panels. The standards that form the basis for the manufacture and development of design stresses for each product are discussed as well as design provisions included in AWC's *National Design Specification*[®] (NDS[®]) for Wood Construction. Unique characteristics for each product are highlighted and extensive examples of the use of these products in a wide range of building applications are presented.

Instructors: Jim Smith, American Wood Council

PM

Firestopping Fire-Resistance-Rated Assemblies, UL Testing and Certifications

This seminar describes the fire-resistive construction requirements of the *International Building Code*[®] (IBC[®]), the fire testing procedures supporting those requirements and how to access information on code-compliant assemblies through the use of the UL Fire Resistance Directory and Online Certifications Directory. This seminar will focus on the basic floor-ceiling, roof-ceiling and wall assemblies, along with methods of protecting penetrations of the basic assemblies.

Instructor: Rich Walke, UL



People Helping People Build a Safer World™

CONGRATULATIONS!



Association Of Minnesota Building Officials **2016 ICC Chapter of the Year**

*The 2016 ICC Chapter of the Year Award
is presented to the Association of Minnesota
Building Officials in recognition of your
leadership, dedication and service in promoting
the goals and objectives of ICC.*

*You are commended for your excellence and
achievements in contributing to the code
enforcement profession and the safety of
the built environment.*

Board of City Commissioners
 Agenda Documentation
 Meeting Date: October 18, 2016
 Subject: Out of State Travel for International Code Council training Classes.
 Page 11 of 17

7 a.m. Sign In • 8 a.m. Sessions Begin • 12 p.m. – 1 p.m. Lunch • 4:30 p.m. Conclusion

Track	Monday February 6, 2017	Tuesday February 7, 2017	Wednesday February 8, 2017	Thursday February 9, 2017	Friday February 10, 2017
Code Enforcement/ Permit Technicians	Verbal Judo: Developing a Winning Attitude Session 701	Managing for Success Session 702 New Home Construction (Permit Issuance to Certificate of Occupancy) Session 703	Code Specialist Module Certification Test Academy Session 704 AM Code Officers and Landlord/Tenant Relations/ Responsibilities PM Protecting Complainant Confidentiality Session 705	AM Courtroom Procedures for Officers and Inspectors PM Code Enforcement Procedures for Officers and Inspectors Session 706	AM Foreclosures and Abandonments: Compliance Connections PM Dealing with Foreclosures, Bankruptcies and Receiverships Session 707
	2015 IRC Significant Changes Session 711	2012 IRC Advanced Wood and Wall Bracing Session 712	2015 IRC Essentials Session 713	2015 IRC Plan Review Session 714	2015 IRC Inspections Session 715
Building (Commercial)	2012 IBC Inspection of Fire-Resistance-Rated Walls, Floors, Ceilings and Roofs Session 721	2015 IFC and IBC Fire Protection Systems Session 722	Special Inspection: Administration and Application Session 723	Cold-Formed Steel Framing in Mid-Rise and Multi-Family Structures for Plan Review and Inspection Session 724	2015 IBC Significant Changes Session 725
Building (Special Topics)	Senior Living Facilities Session 731	IBC Extreme Plan Review and Inspections Session 732	IBC Assessment of Alternate Materials and Methods of Construction Session 733	2015 IBC Means of Egress Session 734	CCLD Code Administration Services Session 735
Fire/Building (Special Topics)	2015 IFC Performing Commercial Fire Inspections Session 741	2015 IFC and IBC Fire Protection Systems Session 742	Fire Protection Engineering Basics for AHJs Session 743	AM Engineered Wood A to Z PM Firestopping Fire- Resistance-Rated Assemblies, UL Testing and Certifications Session 745	
Plumbing/ Mechanical	AM Health Risks of Improper Plumbing PM Virtual Plumbing Inspection Workshop Session 751	2015 Minnesota Plumbing Code Essentials Session 752	2015 Minnesota Plumbing Code DWV Provisions Session 753	Duct Construction and Fire/ Smoke Applications in Wood Frame Construction Session 754	2012 IMC Performing Commercial Mechanical Inspections Session 755
Special Events	6:00 p.m. AMBO Board Meeting (Oakview Dining Room)	4:30 p.m. AMBO Membership Meeting 6:00 p.m. Evening Dinner Outing	12:30 p.m. Region III Board Membership Meeting (Oakview Dining Room)		ICC Certification Exams Separate registration through ICC REQUIRED



**Region III Educational Institute
 Special Examination Administration Application**

Testing Address:

Oak Ridge Hotel and Conference Center
 Room TBD
 1 Oakridge Drive
 Chaska, MN 55318

EXAM DATE	DEADLINE TO REGISTER
February 10, 2017	January 9, 2017

Exam Candidate Information—PRINT LEGIBLY	
ALL FIELDS BELOW REQUIRED EXCEPT AS NOTED.	
Full Legal Name: _____	
Mailing Address: _____	
City: _____ State: _____ ZIP: _____	
(____) _____ (____) _____ (____) _____ Primary Telephone Number: ____ Home ____ Work Secondary Number (optional) Fax Number (optional)	
E-mail: _____	

I have a copy of the applicable ICC National Certification Examination Information Bulletin.
 (If you do not have a copy of the Bulletin, go to www.iccsafe.org/exams or call: 1-888-422-7233, ext. 5524.)

Important Notes

- Applications may be submitted by U.S. mail, courier, or facsimile.
- Applications must be received by the deadline date.
- Examination fees are non-refundable. Exceptions are outlined in the Information Bulletin.
- A photo identification, such as a driver's license, will be required for admittance to the examination.
- References needed for taking the exams can be purchased from the Code Council by calling 1-800-786-4452 or at shop.iccsafe.org.
- If you have a physical disability that prohibits you from taking an examination under standard conditions, you may request special arrangements. Your letter of request must accompany this application, along with a completed special accommodations form. This form may be obtained by calling us at 1-888-422-7233. The request must be submitted and approved by the Code Council no later than **January 9, 2017**.

I hereby certify that I am the person indicated above, that all the information I have given herein is true and complete to the best of my knowledge, and that any false statement will be cause for voiding this application and/or subsequent certification.	
I acknowledge receipt of the Code Council Certification Code of Ethics (located in the Information Bulletin) and agree to comply with these professional standards for the term of my active certification. I agree that failure to comply with these standards may be cause for suspension or revocation of my certification.	
I further certify that I understand the secure and confidential nature of the examination, and will not reveal the contents of the examination to anyone. I hereby affirm that I will abide by the rules of the examination that are found in the Code Council National Examination Information Bulletin.	
Signature: _____	Date: _____
Printed Name: _____	

————— Both pages of this application must be completed to process. —————

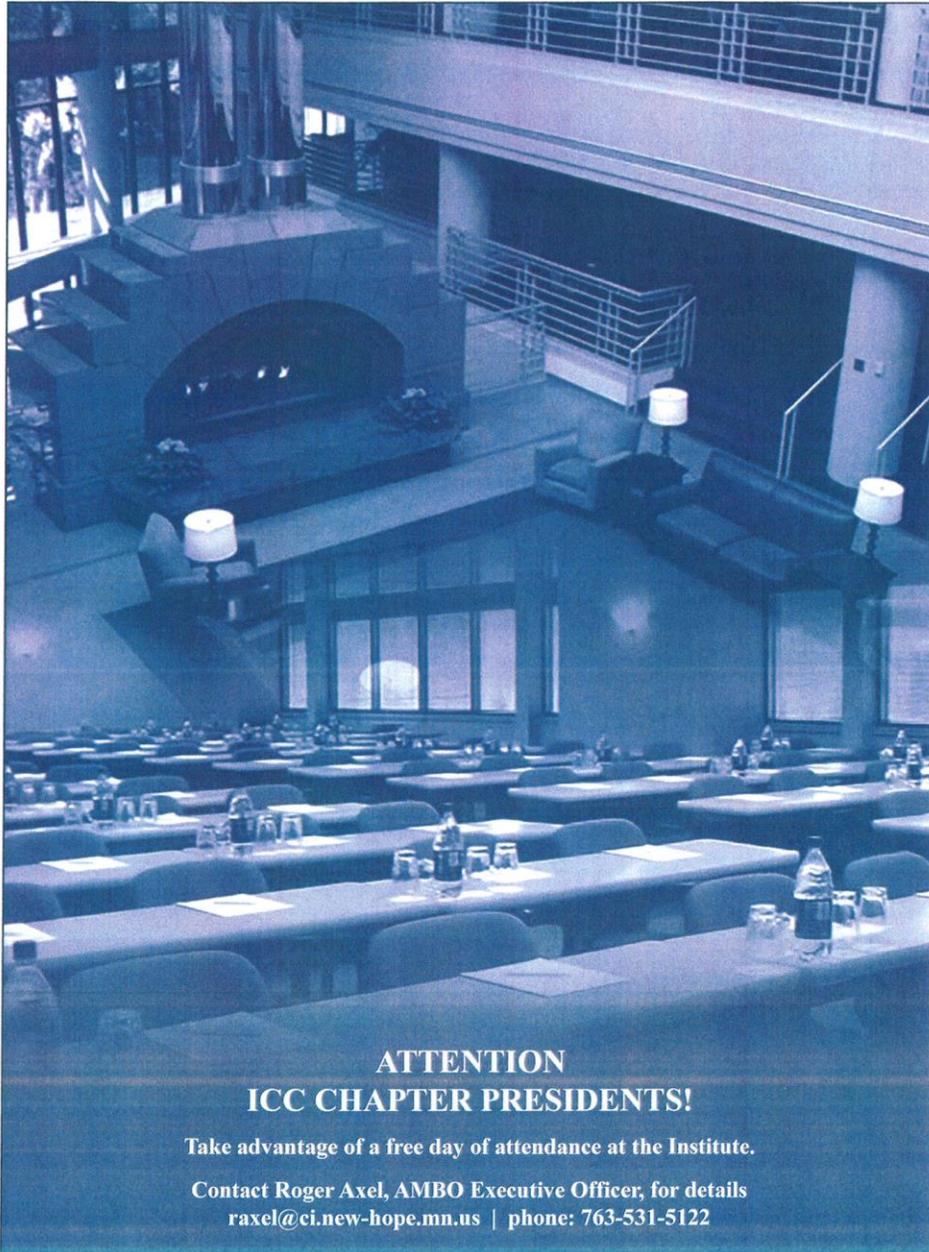
Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Out of State Travel for International Code Council training Classes.

Page 15 of 17



ATTENTION
ICC CHAPTER PRESIDENTS!

Take advantage of a free day of attendance at the Institute.

Contact Roger Axel, AMBO Executive Officer, for details
r Axel@ci.new-hope.mn.us | phone: 763-531-5122

440 Miles @ 25 MPG = 18 Gal. x 2 = 36 Gal. x 3.00 = \$108.00
 Meals - 2 sun. + 4 Days - No Lunch = \$135. Approx



**2017 ICC Upper Great Plains Region III Educational Institute
 Key Information**



Total = \$1345

**INSTITUTE HIGHLIGHTS
 FULL-WEEK PROGRAMS**

Twelve days of ICC seminars covering numerous specialty topics will be offered throughout the week, including a newly designed two-day seminar focused on the Code Specialist that is aligned with ICC's National Certification Examination Information Bulletin. This will be of particular interest to permit techs. ICC will also offer training on wall bracing, special inspections, IRC and IBC significant changes, and mechanical and fire inspections. ICC seminars will be led by popular returning veteran instructors including **Doug Thornburg, John Gibson, Sandra Hyde, Roger Axel, Terrell Stripling, and Sam Dardano.** **Steve Thomas**, Colorado Code Consulting, will also be returning to present five days of IBC specialty seminars.

MONDAY

Kelvin Beene, City of Aurora, IL, and past AACE President, will present two days of training on communication and safety for housing inspectors.

MONDAY – WEDNESDAY

IAPMO staff will present three seminars on the 2012 UPC and the *Minnesota Plumbing Code*.

TUESDAY

Peter Kulczyk, Green Code Knowledge, presents a seminar on new dwelling construction from permit issuance to C.O. The AMBO Annual membership meeting will be held. Our traditional informal **Dinner Outing** will take place at a local establishment.

WEDNESDAY

Trade Show featuring ICC and IAPMO Bookstores and numerous product vendors.
Region III membership meeting with Chapter Recognition Awards will be held.

WEDNESDAY-THURSDAY

Jon Nisja & Rich Pehrson, MN State Fire Marshal staff, present a two-day NFPA seminar on fire protection engineering for AHJs.

FRIDAY

Jim Smith, AWC, presents a seminar on engineered lumber. **Rich Walke**, UL, presents a seminar on firestopping systems.
Minnesota DLI Staff present a new seminar on **Code Administration**. Attendees receive a copy of the **CCLD Code Administration Manual**.

ICC Certification Exams available onsite. Separate registration through ICC required. See page 11 for details.

REGISTRATION

Registrations received on or before January 13, 2017:

- Early-bird Discount of \$138 per day, per person, applies to registrations received **on or before December 31, 2016.**
- \$145 per day, per person, **after December 31, 2016.**
- Multiple Days Discount: \$138 per day, per person, when registration is for four or more days.
- Registration includes instruction, **handout materials**, lunch and break refreshments. *4 Days \$552.*

REGISTER EARLY!

- The most popular sessions fill up quickly and close early!
- **Walk-ins** are accepted with limited availability.

CANCELLATION POLICY

Written requests for refunds must be received by ICC on or before January 13, 2017. Written requests may be submitted by fax: 1-708-799-2651 or e-mail: ichagolla@iccsafe.org.

CONTINUING EDUCATION

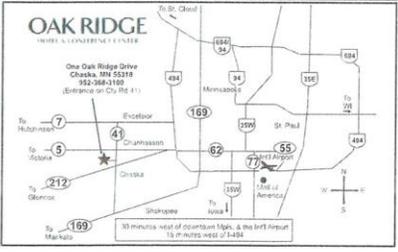
Qualifying continuing education will be issued for each day of attendance. Continuing education recognition has been received by the American Institute of Architects; International Code Council and the State of Wisconsin. All courses have been submitted to the Minnesota Department of Labor and Industry Construction Codes, and Licensing Division for CE approval.

LOCATION

- Oak Ridge Hotel and Conference Center, One Oak Ridge Drive, Chaska, MN 55318
- Free onsite parking.
- Reservations: 877-874-6772
- Website: www.oakridgeminneapolis.com
- **Group Code: REGION III**
- Be sure to mention you will be attending the ICC Region III Educational Institute to receive the discounted institute rate of \$110, plus tax, per night.

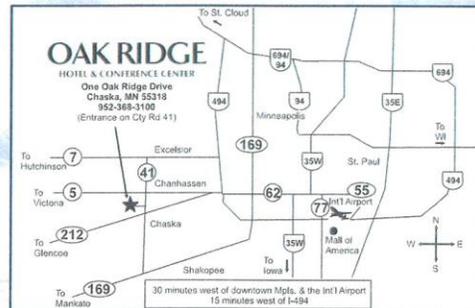
Sunday To Friday
 5 Nights \$550. Plus Tax

ICC PREFERRED EDUCATION PROVIDER
 All courses are ICC Preferred Provider approved.

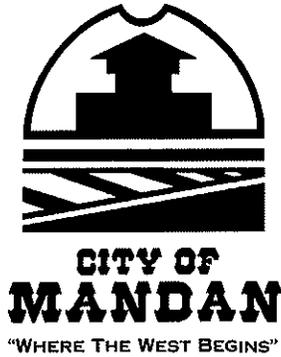


Three Easy Ways to Register!
 Register Online: www.iccsafe.org/RegionIII | Register by Fax: 1-708-799-2651 | Register by Mail: ICC – Central Regional Office, 4051 Flossmoor Road, Country Club Hills, IL 60478
 Walk-in Registration Accepted – Limited Availability

AMBO
C/O Larry Huff
9820 42nd Street NE
St. Michael, MN 55376



Don't delay. The most popular sessions fill up quickly and close early! For the most up-to-date information, go to www.iccsafe.org/RegionIII.



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 12, 2016
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch, Finance Director
SUBJECT: Special assessments for Weed Cutting of 2016, Sidewalks of 2016, and Health & Safety of 2016.

PURPOSE

Consider the special assessments for Weed Cutting of 2016, Sidewalks of 2016, and Health & Safety of 2016.

BACKGROUND

Weed Cutting of 2016 – For the eradication, cutting or control of noxious weeds or tall grasses exceeding six inches in height. The assessment for these costs are allowed under the Mandan Code of Ordinances Section 16-5-5.

- According to the Code Enforcement Officer, the City cut or mowed approximately 180 parcels in 2015 and 227 parcels in 2016.

Sidewalks of 2016 – For the construction, repair or rebuilding of sidewalks, curbs or gutters. The assessment for these costs are allowed under the Mandan Code of Ordinances Section 115-7-3.

Health & Safety of 2016 – For the repair of curb stops, water & sewer service lines, and the removal of diseased trees. The assessment for these costs are allowed under the Mandan Code of Ordinances Section 2-5-1 and Section 16-4-7.

The Notices for these assessments were published on September 30, 2016 and October 7, 2016.

Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Special assessments for Weed Cutting of 2016, Sidewalks of 2016, and Health & Safety of 2016.

Page 2 of 2

ATTACHMENTS

Notice of Assessments:

- Weed Cutting of 2016
- Sidewalks of 2016
- Health & Safety of 2016

FISCAL IMPACT

Weed Cutting of 2016 = \$78,715.00 (1-year assessment)

- 2015 = \$43,683.43

Sidewalks of 2016 = \$52,830.96 (10-year assessment)

- 2015 = \$11,235.85

Health & Safety of 2016 = \$52,840.68 (5-year assessment)

- 2015 = \$53,433.33

STAFF IMPACT

No additional staff impact.

LEGAL REVIEW

The special assessments were prepared in accordance with the Mandan Code of Ordinances.

RECOMMENDATION

To approve the special assessments for Weed Cutting of 2016, Sidewalks of 2016, and Health & Safety of 2016.

SUGGESTED MOTION

Move to approve the special assessments for Weed Cutting of 2016, Sidewalks of 2016, and Health & Safety of 2016.

NOTICE OF ASSESSMENTS
WEEDS OF 2016

Notice IS HEREBY GIVEN that the following is a true and correct list of the particular lots and tracts of land on which the City of Mandan caused the cutting, spraying and removal of grass and weeds or caused the performance of such acts which contributed to the general health, safety and welfare of the community.

<u>Seq#</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Assessment</u>
<u>Borden Harbor 1st</u>				
9248	1	29	4920 Harbor Trail SE	495.00
<u>Borden Harbor West</u>				
9472	2	3	3509 46 th Avenue SW	990.00
<u>Bridgeview Bay Re-Plat</u>				
10293	2	4	2313 Pirate's Loop SE	330.00
<u>Bridgeview Bay 1st</u>				
9990	1	26	2203 Bridgeview Court SE	330.00
9991	1	27	2207 Bridgeview Court SE	330.00
9992	1	28	2211 Bridgeview Court SE	330.00
10014	1	50	2419 Bayview Court SE	330.00
<u>Eagle Ridge 1st</u>				
11411	1	7	2829 8 th Avenue NW	495.00
<u>Eastwood Acres 4th</u>				
820	1	E 105' of 1 all of 2	1710 East Main Street	330.00
<u>Evergreen Heights 2nd Replat</u>				
9439	2	1	1616 14 th Avenue SE	660.00
<u>Heart Ridge</u>				
10977	1	13	1612 Ridge Drive SE	330.00
10983	1	19	1520 Ridge Drive SE	660.00
10984	1	20	601 14 th Street SE	660.00
11011	4	1	1309 7 th Avenue SE	660.00
11012	4	2	1409 7 th Avenue SE	660.00
<u>Heart Ridge 2nd</u>				

11191	1	2	511 18 th Street SE	330.00
11192	1	3	507 18 th Street SE	330.00
11193	1	4	503 18 th Street SE	330.00
11194	1	5	411 18 th Street SE	330.00
11195	1	6	407 18 th Street SE	330.00
11196	1	7	403 18 th Street SE	330.00
11208	2	12	1613 Plains Bend SE	660.00
11209	2	13	1609 Plains Bend SE	660.00
11210	2	14	1601 Plains Bend SE	660.00
11211	2	15	11211	660.00
11219	3	7	402 18 th Street SE	660.00
11221	3	8	1800 Plains Bend SE	330.00

Heart Ridge 3rd

11019	1	23	600 14 th Street SE	660.00
11257	1	14	1200 Plains Bend SE	330.00
11258	1	15	1204 Plains Bend SE	660.00
11259	1	16	1208 Plains Bend SE	660.00
11260	1	17	1300 Plains Bend SE	660.00
11261	1	18	1304 Plains Bend SE	660.00
11262	1	19	1308 Plains Bend SE	660.00
11263	1	20	1400 Plains Bend SE	660.00
11264	1	21	1404 Plains Bend SE	660.00
11265	1	22	1408 Plains Bend SE	660.00

Heartview

1076	8	15 & 16	1308 1 st Street NW	660.00
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Helmsworth-McLean 1st

1269	11	23 & 24	212 11 th Avenue NE	660.00
1520	29	21 & 22	410 9 th Avenue NE	330.00

Highland 2nd

4123	1	2 less S 125'	1300 Collins Avenue	330.00
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Hit 1st

10913	1	2	1211 7 th Avenue SE	660.00
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Keidel's South Heart Terrace

10801	4	22	209 Keidel Trail SW	330.00
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Keidel's South Heart Terrace 2nd

11111	2	20	708 Canyon Road SW	660.00
11116	3	2	807 Canyon Road SW	330.00
11117	3	3	803 Canyon Road SW	330.00
11124	3	10	603 Canyon Road SW	330.00

11138	4	1	811 Keidel Trail SW	330.00
11149	4	12	1700 Amber Place SW	330.00
11150	4	13	609 Keidel Trail SW	660.00
11155	4	18	1809 Spring Court SW	330.00
11156	4	10	1812 Spring Court SW	660.00
11157	4	20	1808 Spring Court SW	330.00
11158	4	21	1804 Spring Court SW	660.00

Lakewood 1st Replat L2B1

6424	1	13	2620 Verity Lane SE Comm. Area	825.00
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Lakewood 7th

11167	1	5	2601 34 th Avenue SE	330.00
11177	1	15	3406 Genoa Court SE	330.00

Lakewood Commercial Park 2nd Replat B1

9883 23	1	23	2645 Douglas Pl. SE Comm. Area	660.00
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Lakewood Commercial Park 3rd 4RPLT

10313 01	1	1B	2510 40 th Avenue SE	660.00
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Lakewood Harbor 2nd

9715	1	7	4906 Lakewood Drive SE	330.00
9716	1	8	4902 Lakewood Drive SE	330.00
9726	1	18	4504 Shoreview Place SE	330.00
9730	1	22	4100 Bay Shore Bend SE	330.00
9731	1	23 –Bay Area	4050 Bay Shore Bend SE	330.00
9749	1	41	3900 Waterfront Place SE	660.00

Lakewood Harbor 3rd

10037	1	8	4319 Borden Harbor Place	330.00
10038	1	9	4320 Borden Harbor Place	660.00
10039	1	10	4316 Borden Harbor Place	660.00
10043	2	1	4101 Bay Shore Bend SE	330.00
10045	2	3	4304 Lakewood Drive SE	825.00
10048	2	6	4220 Bayfront Place SE	330.00
10049	2	7	4216 Bayfront Place SE	330.00
10050	2	8	4212 Bayfront Place SE	330.00
10054	2	12	4136 Lakewood Drive SE	330.00
10057	2	15	4124 Shorefront Place SE	330.00
10061	2	19	3938 Lakewood Drive SE	330.00
10067	2	25	3914 Lakewood Drive SE	330.00
10068	2	26	3910 Lakewood Drive SE	660.00
10069	2	27	3832 Lakewood Drive SE	990.00
10070	2	28	3828 Lakewood Drive SE	990.00

10071	2	29	3824 Lakewood Drive SE	330.00
10073	2	31	4017 Beachfront Place SE	330.00
10076	2	34	4004 Beachfront Place SE	660.00

Lakewood Harbor 4th

10196	1	15	4104 South Bay Drive SE	990.00
10226	2	30	4103 South Bay Drive SE	660.00

Lakewood Harbor 5th

10619 4006 Bayport Place SE aka Common Area

Assessed with following parcels:

10327	2	1 & undivided 1/9 interest of Blk 1 Lot 5	4101 Bayport Place SE	36.67
10328	2	2 & undivided 1/9 interest of Blk 1 Lot 5	4027 Bayport Place SE	36.67
10329	2	3 & undivided 1/9 interest of Blk 1 Lot 5	4023 Bayport Place SE	36.66
10330	2	4 & undivided 1/9 interest of Blk 1 Lot 5	4019 Bayport Place SE	36.67
10331	2	5 & undivided 1/9 interest of Blk 1 Lot 5	4015 Bayport Place SE	36.67
10332	2	6 & undivided 1/9 interest of Blk 1 Lot 5	4011 Bayport Place SE	36.66

Lakewood Harbor 6th

10619 1 5 4006 Bayport Place SE aka Common Area

Assessed with following parcels:

10615	1	1 & undivided 1/9 interest of Blk 1 Lot 5	4007 Bayport Place SE	36.67
10616	1	2 & undivided 1/9 interest of Blk 1 Lot 5	4003 Bayport Place SE	36.67
10617	1	3	4000 Bayport Place SE	366.66

Lakewood Harbor 7th

11168 1 6 3415 Genoa Court SE 330.00

Lincoln Ridge Estates 1st

9406 3 6 2304 East View Place SE 990.00

Lincoln Ridge Estates 5th

10876 2 1 602 25th Street SE 330.00

Lincoln Ridge Estates 6th

11667 1 1 402 Lena Court SE 495.00
11668 1 2 406 Lena Court SE 495.00

11669	1	3	502 Lena Court SE	495.00
11670	1	4	506 Lena Court SE	495.00
11671	1	5	505 Lena Court SE	495.00
11672	1	6	501 Lena Court SE	495.00
11673	1	7	405 Lena Court SE	495.00
11674	1	8	401 Lena Court SE	495.00
11675	1	9	400 Mia Court SE	495.00
11676	1	10	404 Mia Court SE	495.00
11677	1	11	500 Mia Court SE	495.00
11678	1	12	504 Mia Court SE	495.00
11679	1	13	507 Mia Court SE	495.00
11680	1	14	503 Mia Court SE	495.00
11681	1	15	407 Mia Court SE	495.00
11682	1	16	403 Mia Court SE	495.00

Macedonia Hills 1st

11313 B	3	2B	307 Lena Court SE	330.00
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Mandan Proper

3178	5	2	109 2 nd Avenue NE	330.00
3285	11	16-18 & 1-3 Blk 12	504 West Main Street	835.00
3318	14	3	107 7 th Avenue NW	330.00
3506	28	7	200 5 th Avenue NE	330.00

Marina Bay 2nd

9147	4	4	3413 46 th Avenue SE	330.00
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Meadow Ridge 3rd

11335	1	2	Storm Water Det. Pond	330.00
11336	1	3	2611 7 th Avenue NW	330.00
11341	1	8	2503 7 th Avenue NW	330.00
11344	2	3A	2602 7 th Avenue NW	330.00
11344 01	2	3B	2514 7 th Avenue NW	330.00
11345	2	4B	2510 7 th Avenue NW	330.00
11345 01	2	4A	2512 7 th Avenue NW	330.00
11346	2	5B	2506 7 th Avenue NW	330.00
11347	2	6	2502 7 th Avenue NW	330.00

Meadows 1st

9946	1	9	4409 34 th Avenue NW	330.00
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Meadows 7th

11388	1	4	3806 Wildrye Circle NW	330.00
11398	2	10	3909 Trident Court NW	330.00
11403	2	15	3908 Trident Court NW	330.00

Meads

3962	6	W 50' of E 95' 9-12	1204 1 st Street NW	330.00
3963	6	E 45' Lots 9-12	1200 1 st Street NW	330.00
4019	10	W 100' Lots 22-24	110 9 th Avenue NW	660.00
4099	24	5 & 6	205 8 th Avenue SW	330.00

N. P. 1st

4254	66	6	110 4 th Street NE	660.00
4285	68	S 15' of 2 & 3	505 3 rd Avenue NE	660.00
4387	78	10 & 11 (less pt)	606 4 th Avenue NW	330.00
4408	80	7, 8 & N 40' Vacated	5 th St. NW adj. of 7 602 6 th Avenue NW	660.00
4517	89	E ½ 4 & 5	802 1 st Avenue NW	660.00
4518	89	W ½ 4 & 5	802 1 st Avenue NW	660.00

N. P. 2nd

4845	5	3 & 4	202 8 th Avenue SW	330.00
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Nicola's 1st

5016	1	11	1300 7 th Avenue SE	330.00
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Nicola's 3rd

5097	2	13	1413 11 th Avenue SE	330.00
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OL' Town

10895	1	4	302 5 th Street NE	330.00
10896	1	5	304 5 th Street NE	330.00

Plainview Heights 12th

10584	2	15	1301 27 th Street SE	330.00
10591	3	6	2900 Messara Place SE	330.00
10592	3	7	2904 14 th Avenue SE	660.00

Plainview Heights 13th

11044	4	2	3110 14 th Avenue SE	330.00
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Ripple's 4th

8573	1	4	1400 12 th Avenue SE	990.00
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Ripple's 5th

10701	1	2	1400 14 th Street SE	330.00
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Riverwood Comm Park 3rd

10098	2	1	2003 Memorial Hwy SE	990.00
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<u>Sharon's Heights 1st</u>				
5726	1	8	1300 Sunset Drive NW	330.00
<u>Sharon's Heights 3rd</u>				
5891	1	9	1303 Sunset Drive NW	330.00
<u>Sunset Acres</u>				
8052	29 of B of SW4 16-139-81		3500 Old Red Trail NW	330.00
<u>Sylvester's Industrial Park 2nd</u>				
8260	2	3	4416 19 th Street SE	660.00
8261	2	4	4500 19 th Street SE	330.00
<u>West Hills Estates 1st</u>				
10499B	1	3B	4401 47 th Avenue NW	660.00
10501	2	1C	4720 Impala Court NW	330.00
10512	3	5	4504 Impala Court NW	330.00
10513	3	6	4500 Impala Court NW	660.00
10514	3	7	4503 Impala Court NW	660.00
10515	3	8	4507 Impala Court NW	330.00
10527	3	20	4721 Impala Court NW	330.00
<u>West Hills Estates 2nd</u>				
10667	1	1	4605 47 th Avenue NW	330.00
10676	4	1	4721 Corvette Street NW	330.00
10678	4	3	4713 Corvette Street NW	330.00
10683	5	1	4520 Corvette Street NW	330.00
10684	6	1	4521 Corvette Street NW	990.00
TOTAL				78,715.00

TAKE FURTHER NOTICE that the Board of City Commissioners of the City of Mandan will meet in regular session at City Hall on October 18, 2016 at 5:30 p.m. at which meeting action will be taken upon such assessment list. Any person may appear to present testimony regarding the above assessments.

Publish: September 30, 2016
October 07, 2016

Diane I Leingang

NOTICE OF ASSESSMENTS
SIDEWALKS OF 2016

Notice IS HEREBY GIVEN that the following is a true and correct list of the particular lots and tracts of land on which the City of Mandan caused sidewalks to be constructed, replaced or repaired and the cost thereof.

<u>Seq#</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Assessment</u>
<u>Developers West Acres 2nd</u>				
9307	1	14	3904 42 nd Street NW	1975.19
<u>Diane's 1st</u>				
481	3	3	711 Johns Drive NE	2681.47
<u>Emberland West</u>				
883	2	18	1802 9 th Avenue SE	1074.82
<u>Gibb's 2nd</u>				
8126	2	1 & 1 – 2 Blk 6 Diane's 2 nd	100 14 th Street NE	12385.90
<u>Lohstreters 2nd</u>				
8153	1	9	2033 Union Loop NW	2040.09
8164	2	4	2014 Union Loop NW	1092.56
<u>Mandan Heights</u>				
2378	1	3	404 14 th Street NW	4969.67
2379	1	4	406 14 th Street NW	4628.86
<u>Mandan Proper</u>				
3384	19	9	204 4 th Avenue NW	2025.59
3495	27	10	206 4 th Avenue NE	2416.24
<u>Meads</u>				
3962	6	W 50' of E 95' of 9 - 12	1204 1 st Street NW	3342.43
3978	8	1 & 2	209 9 th Avenue NW	2611.94
<u>N.P. 1st</u>				
4569	94	1	811 5 th Avenue NW	1107.88
<u>Neff Kautzman</u>				
4992	2	7	804 13 th Avenue NW	774.95

<u>Sylvesters Ind. Park 2nd Replat</u>				
8265D	2	8E	4401 Memorial Hwy SE	5115.24
<u>West Hills Est 2nd</u>				
10504	2	4 & #10679 Blk 4	4708 Impala Court NW	1174.75
<u>Zachmeier's</u>				
7692	5	2	303 12 th Street NW	3413.38
TOTAL				52,830.96

TAKE FURTHER NOTICE that the Board of City Commissioners of the City of Mandan will meet in regular session at City Hall on October 18, 2016 at 5:30 p.m. at which meeting action will be taken upon such assessment list. Any person may appear to present testimony regarding the above assessments.

Publish: September 30, 2016
October 07, 2016

Diane I Leingang

NOTICE OF ASSESSMENTS
HEALTH & SAFETY OF 2016

Notice IS HEREBY GIVEN that the following is a true and correct list of the particular lots and tracts of land on which the City of Mandan caused the performance of such acts which contributed to the general health, safety and welfare of the community.

<u>Seq#</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Assessment</u>
<u>Alber-Neff</u>				
16	1	4	907 6 th Street NE	4070.00
<u>Gerards 1st</u>				
960	2	1 & 2	501 3 rd Avenue SE	1433.20
<u>Heartview</u>				
1064	7	7 & 8 less S12' of E 70' of 8	204 12 Avenue NW	2420.00
<u>Helmsworth-McLean 1st</u>				
1177	2	W50' of 19-21	106 8 th Avenue NE	1787.50
<u>Hillcrest 1st</u>				
2105	5	5	309 12 th Street NW	5830.00
2120	5	20	402 11 th Street NW	2750.00
<u>Mandan Proper</u>				
3350	17	E 120' of 1 & E 102' of N 15' of 2	211 5 th Avenue NW	6432.25
3608	36	B of 7 & 8	305 3 rd Avenue NW	1767.70
3654	39	E 56' of 12	407 3 rd Street NW	2497.00
3501	28	2	209 6 TH Avenue NE	2368.00
<u>Meads</u>				
4097	24	1 – 3 less S 15' of 3	201 8 th Avenue SW	1210.00
4112A	25	E 88' 5 ½" of 6 & 7	908 3 rd Street SW	
<u>N.P. 1st</u>				
4228	64	N ½ of 8 S 13' of 9	404 1st Avenue NE	2380.40
4272	67	5	503 2nd Avenue NE	3520.00
4473	85	8	704 4 th Avenue NW	1210.00
4570	94	2	809 5 th Avenue NW	1323.95
4580	94	12	810 6 th Avenue NW	2420.00
4720	106	15	1014 6 th Avenue NW	2709.80
<u>Patties Acres 1st</u>				
8103	1	14	4104 Old Red Trail	4015.00
<u>Siegel's 3rd</u>				

6032	2	3	609 13 th Street NW	1980.00
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Sharon Heights 3rd

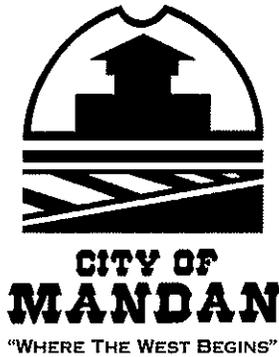
5891	1	9	1303 Sunset Drive NW	715.88
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			TOTAL	52,840.68
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TAKE FURTHER NOTICE that the Board of City Commissioners of the City of Mandan will meet in regular session at City Hall on October 18, 2016 at 5:30 p.m. at which meeting action will be taken upon such assessment list. Any person may appear to present testimony regarding the above assessments.

Publish: September 30, 2016
October 07, 2016

Diane I Leingang



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 13, 2016
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch, Finance Director
SUBJECT: Assessment of Delinquent Utility Billing Accounts for 2016.

PURPOSE

Consider the assessment of Delinquent Utility Billing Accounts for 2016.

BACKGROUND

Mandan Code of Ordinances Section 2-5-3:

All water, sewage, street lighting, storm drainage, garbage collection and solid waste disposal charges or fees for any services supplied, provided or furnished by the city shall constitute liens upon the respective lots, tracts, parcels of land and premises receiving such service. All such charges or fees which have been properly billed to the owner or occupant of the premises served and which are more than 30 days past due on September 30 of each year shall be certified by the city finance director or designee to the county auditor between October 1 and October 10 of each year. The city finance director or designee, in so certifying such charges and fees, shall specify the amount thereof, the description of the premises served and the name of the owner thereof. The amount so certified shall be entered by the county auditor upon the tax rolls against such premises and collected by the county treasurer and paid to the city finance director in the same manner and time as other county and municipal taxes are assessed, certified, collected and returned.

Mandan Code of Ordinances Section 117-7-2:

(a) *Implied contract for services.* The owner or occupant of any property causing, permitting or using the connection to any of the city's utility systems or receiving utility services from the city by way of such act shall be presumed to have entered into a contract with the city for utility service. Under the terms of the presumed contract, the owner or occupant of the promises shall pay for the utility service, properly maintain the service connections and permit entry by authorized city employees or agents of the city for the purpose of inspection, maintenance, repair or replacement of city owned utility system components.

(b) *Joint and several liability of owners and occupants.* The owner and occupant of each premises shall be jointly and severally liable for all charges and fees for utility services provided by the city during the period of their respective ownership or occupancy. In addition to any other remedy, all such charges and fees having been properly billed to the owner or occupant of any premises served and not paid, may be recovered by the city in a civil action in any court of competent jurisdiction against either the owner or the occupant, or both.

(1) All charges or fees for any utility service supplied, provided or furnished by the city shall constitute liens upon the respective lots, tracts, parcels of land and premises receiving such service. The city may take action to file a lien against the property for all such charges or fees which have been properly billed to the owner or occupant of the premises served and which are more than 30 days past due.

(2) All such charges or fees which have been properly billed to the owner or occupant of the premises served and which are more than 30 days past due on September 30th of each year shall be certified by the city to the county auditor between the first and tenth day of October of each year. The city, in so certifying such charges and fees, shall specify the amount thereof, the description of the premises served and the name of the owner thereof. The amount so certified shall be added by the county auditor to the tax rolls against such premises, collected by the county treasurer and paid to the city in the same manner and time as other county and municipal taxes are assessed, certified, collected and returned.

Written notifications for these assessments were sent by the Utility Billing Department to the respective property owners.

- 2016 = 52 accounts
- 2015 = 57 accounts

ATTACHMENT

Delinquent Utility Billing Accounts for 2016

FISCAL IMPACT

Delinquent Utility Billing Accounts for 2016 = \$11,271.61 (1-year assessment)

- 2015 = \$12,541.42

STAFF IMPACT

No additional staff impact.

LEGAL REVIEW

The assessment was prepared in accordance with the Mandan Code of Ordinances.

RECOMMENDATION

To approve the assessment of Delinquent Utility Billing Accounts for 2016.

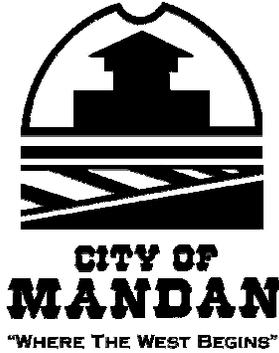
SUGGESTED MOTION

Move to approve the assessment of Delinquent Utility Billing Accounts for 2016.

DELINQUENT UTILITY BILLING ACCOUNTS FOR 2016

The following is a list of the delinquent utility billing accounts for 2016. These amounts consist of water, sewage, storm drainage, garbage collection and solid waste disposal, and street lighting services furnished to the customers. It is recommended that these accounts be assessed to the respective properties according to the Mandan Code of Ordinances Sections 2-5-3 and 117-7-2.

Seq #	Account	Customer	Address	Assessment
4269	01-1040000	KOCH JACOB/BENNETT RANDY %LAMP REAL EST	509 2ND AVE NE	\$ 1,000.70
3459	01-1970000	CHASE MONTE	306 1ST ST NE	\$ 219.01
3534	02-0240001	KELLER EVAN	304 1/2 4TH AVE NE	\$ 115.59
3526	02-0530001	BLACK CLOUD CRYSTAL	307 5TH AVE NE	\$ 281.73
3500	02-0960001	TDC RENTALS LLC	211 6TH AVE NE	\$ 18.49
1319	02-1200000	SCOTT JAMES & JAMIE	808 2ND ST NE	\$ 383.27
1193	03-0930100	TEN SPOT BOWLING LANES	107 11TH AVE NE	\$ 113.74
3608	04-0540001	SHEPHERD DAVID	110 2ND ST NW	\$ 138.93
3618	04-0830001	PETERSON SAMUEL & MELINDA	309 1ST AVE NW	\$ 177.65
3241	04-2160000	HUNTINGTON SUSAN	218 W MAIN ST	\$ 166.98
6014	05-2520501	ENGELHARD MYRON	203 13TH ST NW	\$ 114.80
2380	05-2530701	GOLDSACK NATE	408 14TH ST NW	\$ 129.25
3654	06-0550001	DEMARAY PRESTON	407 3RD ST NW	\$ 277.33
3876	07-0270001	PILON THOMAS	510 6TH AVE NW	\$ 158.29
4570	07-1090001	WOODRUFF AMY	809 5TH AVE NW	\$ 469.16
4636	07-1580001	SCHLAFMANN BRENT	904 4TH AVE NW	\$ 85.42
4630	07-1590001	FISHER PEGGY	907 3RD AVE NW	\$ 119.57
2166	08-0290100	ERLING KATIE	505 12TH ST NW	\$ 615.58
5726	08-0860002	SCHMIDT NICOLE	1300 SUNSET DR NW	\$ 214.01
3979	09-0410000	GERL MIKE	207 9TH AVE NW	\$ 143.77
1125	09-1160001	KELLER SARAH	101 12TH AVE NW	\$ 235.05
1116	09-1220001	STAI JOSH & JINNIE	1305 1ST ST NW	\$ 153.01
5591	10-2050001	REISENAUER CHRISTOPHER	1303 1ST ST SW	\$ 336.71
2193	10-4550100	MACBETH CLINT	700 1ST ST SE	\$ 728.68
59	11-0320002	LENNIE SHANNON	900 6TH ST NW	\$ 121.11
5036	12-0160001	EISCHENS BRIAN	1500 7TH AVE SE	\$ 134.09
5041	12-0230000	ARMBRUST BONNIE	1509 8TH AVE SE	\$ 137.18
5072	12-0600701	PERRY KATHY	1404 11TH AVE SE	\$ 183.81
5135	12-0605100	LANG SHAUN	1212 9TH AVE SE	\$ 101.55
5127	12-0605901	SCHULZ PAM %DALE BELDEN	1404 9TH AVE SE	\$ 297.85
5161	12-0608800	TREHUS KEVIN	1400 8TH AVE SE	\$ 183.37
9276	12-3479000	DORRANCE RHONDA	910 20TH ST SE	\$ 285.01
10375	12-8630001	LEINGANG JOHNELLE	2603 8TH AVE SE	\$ 166.73
11352	13-7608001	GOLDEN EAGLE CONSTRUCTION	2605 6TH AVE NW - SOUTH UNIT	\$ 226.41
271	16-0540000	NORTON TRACY & MINDY	4109 34TH AVE NW	\$ 220.51
368	16-1510000	MORK ADAM	3807 42ND ST NW	\$ 281.44
9964	17-0001891	JELLESED JEFF & CINDY	4522 34TH AVE NW	\$ 196.57
5654	17-1120000	KAUTZMAN KARISSA	2029 KOCH DRIVE	\$ 93.58
10564	17-4370000	BAKER KELLY	4900 37TH AVE NW	\$ 213.73
10100-L	18-0460301	MESCHKE ROGER	166 RIVERWOOD AVE SE	\$ 128.29
9555	19-0060600	KINNEBREW CONTRACTING	3005 HILLSIDE ROAD NW	\$ 208.59
10115-15	22-0301401	TELEGA MIKHAIL	4101 21ST ST SE #15	\$ 185.35
6350	30-0480001	NEIBAUER RONALD	507 9TH AVE SW	\$ 166.86
16	31-2340001	PETERSON PROPERTY MANAGEMENT	907 6TH ST NW	\$ 151.64
3888	31-2600000	ANDERSON REBECCA	502 7TH AVE NW	\$ 139.00
3692	31-2960001	MURPHY KAILEE	709 3RD ST NW	\$ 179.66
4509	35-0470000	FISHER LORI	110 6TH ST NW	\$ 143.77
4491	35-0580001	WATTS ROOSEVELT W	709 1ST AVE NW	\$ 3.31
7689	35-1420002	JORGENSEN TAMMY	302 DIVISION ST NW	\$ 146.85
1051	39-1470000	DIRK-SENN CHRISTY/SENN JON	306 13TH AVE NW	\$ 208.01
1081	39-1510002	JONES ERICA	208 13TH AVE NW	\$ 172.74
1099	39-1580001	PETERCHUK PAUL & SHANTISA	1404 1ST ST NW	\$ 197.89
TOTAL				\$ 11,271.61



Consent #7

Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 14, 2016
SUBMITTING DEPARTMENT: City Administrator
DEPARTMENT DIRECTOR: Jim Neubauer
PRESENTER:
SUBJECT: New Restaurant Liquor License Application

STATEMENT/PURPOSE: All new class F liquor licenses must be approved by the Board of City Commissioners at time of new application.

BACKGROUND/ALTERNATIVES: The application and fees have been received and background checks have been run.

ATTACHMENTS: Application and all documentation have been received and are in proper order for the new applicant.

FISCAL IMPACT: \$766.64 prorated fee for the remaining part of the year.

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 would ask that the board approve the new class F Restaurant liquor license for Taylor Made BBQ LLC at 316 W. Main Street. Contingent upon the establishment meeting all Fire Codes, Health & Safety Code, Building Inspection Codes and all property taxes and fees are paid.

Corporation Liquor License Application

1. Type of License:

Liquor On-Sale _____ Off-Sale _____ Class: A B C D D1 E F WB MP DY

Beer On-Sale Off-Sale _____ Class: A B C D D1 E WB MP DY

2. Duration of license: Annual: July 1, 2016 to June 30, 2017

Part of year from: Nov 1, 2016 to June 30, 2017

3. Name of business establishment at which license will be used: Taylor Made BBQ LLC

4. Corporate Identification Information: Please complete all of the following:

a. Name of corporation: Taylor Made BBQ LLC

b. Date of incorporation: August 31 2016

c. State of incorporation: North Dakota

d. Amount of ^{Invested money} authorized capital stock: \$100,000.00

e. Amount of paid capital: _____

f. If, subsidiary, name of parent corporation: _____

g. Purpose of incorporation: BBQ Restaurant

5. Description of licensed premises

Address: 316 W Main St Mandan ND 58554

Legal description

Lot & block: Lot 12 Block 9 Original Town

Also submit on an attached page a diagram of the physical layout of the licenses premises including, a minimum of doors, storage areas and areas where liquor/beer is purchased and consumed.

Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: New Restaurant Liquor License Application – Taylor Made BBQ LLC

Page 4 of 9

11. Does Applicant certify that all property taxes have been paid to date on the licenses premises?

Yes No

12. Have any of the individuals identified in answer to Questions 6, 7, and 8 ever engaged in the sale or distribution of alcoholic beverages (as an owner, manager, or employee) at a location other than in the City of Mandan at any time prior to this application. Yes: No: **If yes, explain in detail on a separate page location, type of business and dates of license or employment.**

13. Have any of the individuals identified in answer to Questions 6, 7 and 8 ever had a license of any kind (including alcoholic beverage license, other business licenses or motor vehicle license) suspended, revoked or non-renewed by any political subdivision, state or federal agency. Yes: No: **If yes, explain in detail on a separate page.**

14. Have any of the individuals identified in answer to Questions 6, 7 and 8 ever been convicted of a violation of any law of the United States, or of any state or political subdivision, other than minor traffic violations, (but including reckless driving or driving under the influence). Yes No **If yes, explain the violation in detail on a separate page.**

15. Do any of the individuals named in answer to Questions 5, 6 or 7 have any interest whatsoever in any other liquor establishment, either at wholesale or retail, within or without the state of North Dakota. (The interest which must disclose also includes a right of inheritance by law or by will). Yes No **If, yes please explain in detail on a separate page.**

16. Does anyone other than the Corporation 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.**

17. Does the Corporation 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 applications 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.**

18. Does the Corporation applying for this license or the person, partnership or corporation owing the premises named herein, 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 and addresses of all officers, directors and stockholders of the Corporation who are engaged or employed in a capacity in the conduct or operation of the business at which the alcoholic beverage license is to be used.

Adam Taylor 4307 Overland Rd Bismarck ND 58503

Kendra Taylor 4307 Overland Rd Bismarck ND 58503

20. The corporation must have a valid Certificate of authority issued by the North Dakota Secretary of state and a valid Alcoholic Beverage License issued by the ND Attorney General's Office. **A copy of the Certificate of Authority and ND Alcoholic Beverage License must be attached hereto.**

Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: New Restaurant Liquor License Application – Taylor Made BBQ LLC

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21. List the names, addresses of at least 3 business references. Laughing Sun Brewery, Todd Sattler

Brian Taylor (Taylor Lawn Care) Bismarck ND

Deonis Johnson (Johnson & Sundein Law Office) Watford City ND

22. 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.**

23. 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.

Adam Taylor, Kendra Taylor

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.

24. List the names of all individuals who are authorized to sign checks used to pay the payroll and expense bills of the business at which the license is to be used.

Adam Taylor

Kendra Taylor

State of North Dakota

SECRETARY OF STATE



CERTIFICATE OF ORGANIZATION OF

TAYLOR MADE BBQ LLC
Secretary of State ID#: 41,792,900

The undersigned, as Secretary of State of the State of North Dakota, hereby certifies that Articles of Organization for

TAYLOR MADE BBQ LLC
duly signed and executed pursuant to the provisions governing a North Dakota Limited Liability Company, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Organization to

TAYLOR MADE BBQ LLC

Effective date of organization: August 31, 2016

Issued: August 31, 2016

A handwritten signature in cursive script, reading "Alvin A. Jaeger".

Alvin A. Jaeger
Secretary of State



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 13, 2016
SUBMITTING DEPARTMENT: Finance
DEPARTMENT DIRECTOR: Greg Welch
PRESENTER: Greg Welch, Finance Director
SUBJECT: Assessment of Delinquent Alarm System Accounts for 2016.

PURPOSE

Consider the assessment of Delinquent Alarm System Accounts for 2016.

BACKGROUND

Mandan Code of Ordinances Section 8-2-4:

In the event the annual or false alarms fees provided for by this article are not paid when due, such fees may be recovered by the city in an action at law against the owner of the alarm site, or such fees may be assessed against the premises served by the alarm site and collected and returned in the same manner as other county and municipal taxes and assessments are assessed, certified, collected and returned.

Written notifications for these assessments were sent by the Police Department to the respective property owners.

ATTACHMENT

Delinquent Alarm System Accounts for 2016

FISCAL IMPACT

Delinquent Alarm System Accounts for 2016 = \$511.50 (1-year assessment)

- 2015 = \$1,056.00

STAFF IMPACT

No additional staff impact.

LEGAL REVIEW

The assessment was prepared in accordance with the Mandan Code of Ordinances.

Board of City Commissioners
Agenda Documentation
Meeting Date: October 18, 2016
Subject: Assessment of Delinquent Alarm System Accounts for 2016.
Page 2 of 2

RECOMMENDATION

To approve the assessment of Delinquent Alarm System Accounts for 2016.

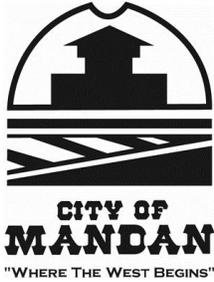
SUGGESTED MOTION

Move to approve the assessment of Delinquent Alarm System Accounts for 2016.

DELINQUENT ALARM SYSTEM ACCOUNTS FOR 2016

The following is a list of the delinquent alarm system accounts for 2016. These amounts consist of fire or security alarm system fees to customers who directly notify the police department of an emergency. It is recommended that these accounts be assessed to the respective properties according to the Mandan Code of Ordinances Section 8-2-4.

Seq #	Customer	Address	Assessment
9240	Scott Russell	4808 Harbor Trail SE	\$ 33.00
10842	Cody Baier	1608 Canyon Road SW	\$ 16.50
4523	Eric Capouch	805 1st Avenue NW	\$ 33.00
7522	Sara Durbin	2600 10th Avenue NW	\$ 33.00
3757	Arlen Fetch	406 4th Avenue NW	\$ 33.00
9717	Brett Gendreau	4810 Lakewood Drive SE	\$ 33.00
8674	Terezinha Westphal	3104 46th Avenue SE	\$ 16.50
3795	Marcus Helman	411 Collins Avenue	\$ 33.00
4036	Wendy Himmelspach	1011 1st Street NW	\$ 16.50
670	Joseph & Mary Jackson	301 14th Street NE	\$ 33.00
670	Joseph & Mary Jackson	301 1/2 14th Street NE	\$ 33.00
9229	Nancy Jacoby	3505 Pelican Place SE	\$ 16.50
4678	Jesse Maher	305 Division Street NW	\$ 16.50
6412	Seth Mees	2617 Vertiy Lane SE	\$ 16.50
9874	Mitzel Builders Inc.	2401 46th Avenue SE	\$ 33.00
9869	William Nelson	4407 South Bay Drive SE	\$ 16.50
3592	US Postal Service	300 Collins Avenue	\$ 16.50
6031	Lonnie Reed	607 13th Street NW	\$ 16.50
10206A	Jared Reimer	3605 Bay Place SE	\$ 33.00
9981B	Josh & Brittany Schmidt	2009 Pirate's Loop SE	\$ 16.50
5552	Shaundra Ziemann	1408 19th Street SE	\$ 16.50
TOTAL			\$ 511.50



WHEREAS, the government of the City of Mandan, North Dakota, celebrates our local small businesses and the contribution they make to our local economy and community; and

Whereas small businesses employ over 49 percent of the working population in the United States; and

Whereas 89 percent of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue; and

Whereas 93 percent of consumers in the United States agree that it is important for people to support the small businesses that they value in their community; and

Whereas, Mandan, North Dakota supports our local businesses that create jobs, boost our local economy and preserve our neighborhoods; and

Whereas, small businesses in Mandan, North Dakota offer unique products and services not found anywhere else; and

Whereas, advocacy groups and public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday; and

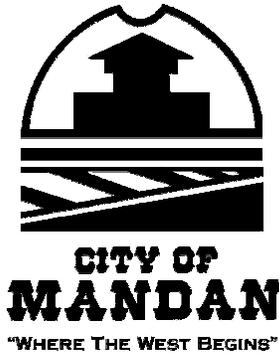
Whereas, the Mandan Progress Organization is holding Santa's Arrival on November 26 and a Shop Mandan Scavenger Hunt involving local businesses;

NOW, THEREFORE, I, Tim Helbling, Mayor of Mandan, North Dakota, do hereby proclaim, November 26, 2016, as:

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Tim Helbling
Mayor of Mandan



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 14, 2016
SUBMITTING DEPARTMENT: Engineering & Planning
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning & Engineering Director
SUBJECT: Consider authorizing change orders for Street Improvement District No. 202, Project 2015-13(Lakewood 8th Addition).

STATEMENT/PURPOSE: This is to authorize the change orders for Street Improvement District No. 202, Project 2015-13 (Lakewood 8th Addition).

BACKGROUND/ALTERNATIVES: Change order 1 is a time extension for the project due to the delay of waiting for the developer in getting the necessary material hauled in to get the project to grade so the contractor could complete their work. Change order 2 is an increase in contract price due to the Contractor having to place the material that the developer had to get to the site.

The issue of the subgrade being about 6 inches to 8 inches low within the corridors throughout the entire project came to light earlier this summer. It was discovered that a mistake was made when transferring the design work to the final plan sheets. When talking to the consultant representative, we said that we could not support that this project bear the cost of hauling in all the material in to bring up to grade which would have pushed closer to \$100,000, but that we did think it was fair to change order the placement of the material once on site so that the road contractor, Northern Improvement, could coordinate with themselves when it came to finishing the project.

The properties within the subdivision agree to this change order. With this change order, the project is still well below the original estimate due to good bids received.

I, Justin Froseth, recommended approving these change orders to Jim Neubauer, City Administrator, who is required to execute under our change order policy since the amount is more than \$25,000 and less than \$50,000 and also, the time extension is more than 15 days.

Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Consider authorizing change orders for Street Improvement District No. 202,
Project 2015-13 (Lakewood 8th Addition).

Page 2 of 5

ATTACHMENTS:

1. District Map
2. Letter of request for change order
3. Change Order No. 1
4. Change Order No. 2

FISCAL IMPACT: Change order 1 adds no cost to the project. Change order 2 will add \$36,750.00 in construction cost which is covered by the 10% contingency already estimated into the cost of this project.

STAFF IMPACT: Minimal

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

RECOMMENDATION: Under our change order policy, these are for information items only.

SUGGESTED MOTION: No motion is necessary, for info only.

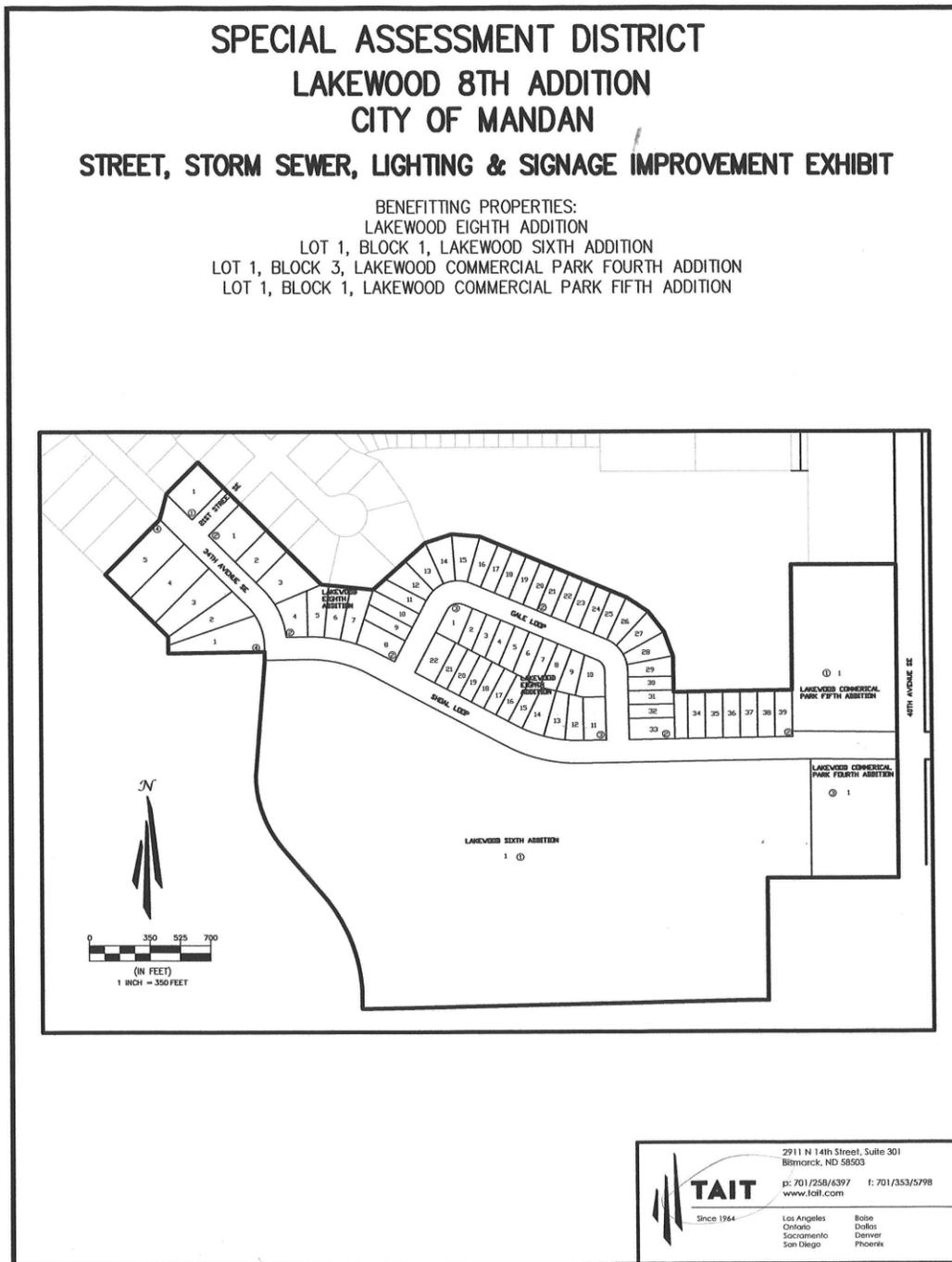
Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Consider authorizing change orders for Street Improvement District No. 202,
Project 2015-13 (Lakewood 8th Addition).

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Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Consider authorizing change orders for Street Improvement District No. 202, Project 2015-13 (Lakewood 8th Addition).

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Change Order No. 1

Date of Issuance: August 19, 2016	Effective Date: August 19, 2016
Owner: City of Mandan	Owner's Contract No.: N/A
Contractor: Northern Improvement Company	Contractor's Project No.: N/A
Engineer: Axien Engineering, PC	Engineer's Project No.: N/A
Project: Street Improvement Project #2015-3 District #202	Contract Name: Lakewood 8 th Addition

The Contract is modified as follows upon execution of this Change Order:

Description: Contract completion date extension due to advance site preparation work not being completed prior to Contractor mobilization.

Attachments: August 16, 2016 letter from Northern Improvement Company

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>1,029,900.80</u>	Original Contract Times: Substantial Completion: <u>August 1, 2016</u> Ready for Final Payment: <u>September 15, 2016</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : \$ <u>0</u>	[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> 0 days
Contract Price prior to this Change Order: \$ <u>1,029,900.80</u>	Contract Times prior to this Change Order: Substantial Completion: <u>August 1, 2016</u> Ready for Final Payment: <u>September 15, 2016</u> days or dates
[Increase] [Decrease] of this Change Order: \$ <u>0</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>November 1, 2016</u> Ready for Final Payment: <u>July 15, 2017</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,029,900.80</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>November 1, 2016</u> Ready for Final Payment: <u>July 15, 2017</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>Brian Eiseman, PE</u>	By: <u>[Signature]</u>	By: <u>[Signature]</u>
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>Project Manager</u>	Title: <u>City Administrator</u>	Title: <u>Project Manager / Est.</u>
Date: <u>August 19, 2016</u>	Date: <u>10-20-16</u>	Date: <u>8-22-16</u>

Board of City Commissioners
 Agenda Documentation
 Meeting Date: October 18, 2016
 Subject: Consider authorizing change orders for Street Improvement District No. 202,
 Project 2015-13 (Lakewood 8th Addition).
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Change Order No. 2

Date of Issuance: August 19, 2016	Effective Date: August 19, 2016
Owner: City of Mandan	Owner's Contract No.: N/A
Contractor: Northern Improvement Company	Contractor's Project No.: N/A
Engineer: Axien Engineering, PC	Engineer's Project No.: N/A
Project: Street Improvement Project #2015-3 District #202	Contract Name: Lakewood 8 th Addition

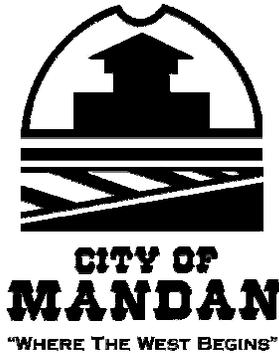
The Contract is modified as follows upon execution of this Change Order:

Description: Placement of embankment material hauled in by Developer to bring the site to final subgrade elevation.

Attachments: July 28, 2016 quotation from Northern Improvement Company

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ 1,029,900.80	Original Contract Times: Substantial Completion: <u>August 1, 2016</u> Ready for Final Payment: <u>September 15, 2016</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : \$ 0	[Increase] [Decrease] from previously approved Change Orders No. <u> </u> to No. <u> </u> : Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> 0 days
Contract Price prior to this Change Order: \$ 1,029,900.80	Contract Times prior to this Change Order: Substantial Completion: <u>November 1, 2016</u> Ready for Final Payment: <u>July 15, 2017</u> days or dates
Increase of this Change Order: \$ 36,750.00 (Estimated \$4.90/cy x 7,500cy)	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ 1,066,650.80	Contract Times with all approved Change Orders: Substantial Completion: <u>November 1, 2016</u> Ready for Final Payment: <u>July 15, 2017</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: Brian Eiseman, PE	By: <i>[Signature]</i>	By: <i>[Signature]</i>	By: <i>[Signature]</i>	By: <i>[Signature]</i>	By: <i>[Signature]</i>
Engineer (if required)	Owner (Authorized Signature)	Owner (Authorized Signature)	Contractor (Authorized Signature)	Contractor (Authorized Signature)	Contractor (Authorized Signature)
Title: Project Manager	Title: <u>CITY ADMINISTRATOR</u>	Title: <u>CITY ADMINISTRATOR</u>	Title: <u>PROJECT MANAGER / EST.</u>	Title: <u>PROJECT MANAGER / EST.</u>	Title: <u>PROJECT MANAGER / EST.</u>
Date: August 19, 2016	Date: <u>10-10-16</u>	Date: <u>10-10-16</u>	Date: <u>9-22-16</u>	Date: <u>9-22-16</u>	Date: <u>9-22-16</u>



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 14, 2016
SUBMITTING DEPARTMENT: Engineering
DEPARTMENT DIRECTOR: Justin Froseth
PRESENTER: Justin Froseth, Planning and Engineering Director
SUBJECT: Consider approving Amended Engineering Services Agreement with KLJ for Old Red Trail Reconstruction Street Improvement District 205 Project 2015-06.

STATEMENT/PURPOSE: To consider approving Engineering Services Agreement with KLJ for Old Red Trail Reconstruction.

BACKGROUND/ALTERNATIVES: The Old Red Trail reconstruction project in Northwest Mandan has been ongoing all summer. The project went well beyond its interim completion date of August 24th for completion of roadway up to 37th Avenue NW. It is also now beyond its substantial completion date of October 15th. Because of this, more construction engineering (ie; project inspection and management) is needed beyond what was anticipated at the onset of the project.

Liquidated Damages are assessed to the contractor when they do not meet contractual deadlines. They are in part meant to compensate for the extra costs of engineering and supervision that is inherent with the contractor not meeting the deadline, as well as to compensate the owner for their hardship when the deadline is not met.

This is an estimated amount. The city will only be billed based on KLJ's fees and hours worked on project. The amount paid is capped at this estimate unless another amendment is agreed to.

ATTACHMENTS:

1. Amendment Cover Letter
2. Engineering Amendment

FISCAL IMPACT: The Construction Engineering services will be paid for by the local funds share of the project. With this estimate, and factoring the savings in design

Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Consider approving Amended Engineering Services Agreement with KLJ for Old Red Trail Reconstruction Street Improvement District 205 Project 2015-06.

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engineering, the amount to KLJ under the ESA would be approximately \$1,055K if all was expended with this amendment. That comes to 28.0% of the actual bid.

STAFF IMPACT: Minimal

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

RECOMMENDATION: Approve amended Engineering Services Agreement with KLJ for Old Red Trail Reconstruction. I make this recommendation for a few reasons;

- 1) A substantial construction engineering effort has been needed throughout this project. More than can be typically expected for a comparable project.
- 2) The liquidated damages are in part for more construction engineering services needed. The expected liquidated damages are expected to cover all of the amended engineering fees with some remaining balance for hardship.
- 3) KLJ has a track record for coming in substantially under the estimate when able to and providing the city with those savings. They were about \$80K under for design engineering and they were well under on a mill and overlay project done in 2014. If the contractor kicks it in gear, I expect the city will see that in this case as well, but that cannot be expected in a reasonable estimate.

SUGGESTED MOTION: Move to approve amended Engineering Services Agreement with KLJ for Old Red Trail Reconstruction.

Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Consider approving Amended Engineering Services Agreement with KLJ for Old Red Trail Reconstruction Street Improvement District 205 Project 2015-06.

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4585 Coleman Street
PO Box 1157
Bismarck, ND 58502-1157
701 355 8400
kljeng.com



October 12, 2016

Justin Froseth, PE
Planning and Engineering Director
City of Mandan
205 2nd Ave NW
Mandan ND 58554

Re: SU-1-988(040)051, PCN 20854, Mandan Old Red Trail Amendment #2

Dear Justin:

The purpose of this letter is to request a supplement for the ongoing construction engineering work that KLJ needs to perform in order to complete the Old Red Trail project. The project will require additional time from KLJ because of the slower than expected construction progress. We also anticipate additional time needed for the mill and overlay change order of Old Red Trail from Highland Road SE to 37th St. NW.

As of October 10, 2016, KLJ has expended 90% of our budget. We are submitting this supplement request in advance so that the city is aware of the needs for additional construction inspection on Old Red Trail.

KLJ has been aware of this potential issue for many weeks and has been in communication with city staff and the NDDOT. I feel we've done our due diligence to ensure our time has been spent efficiently on all phases of this project. An example of this was KLJ's ability to complete the preliminary and design phase of the project \$80,000 under budget.

The project has a completion date of October 15, 2016. At that time the contractor will be assessed liquidated damages of \$2,100/day. This will be in addition to the roughly \$90,000 of liquidated damages that have already been assessed due to the contractor not meeting the interim completion date. The NDDOT spec book states that one of the main purposes of liquidated damages is to compensate for "added cost of engineering and supervision" (NDDOT specification 108.07B). KLJ's current budget reflects that we will be within budget at the October 15, 2016 contract completion date. The main purpose of this amendment is to account for additional engineering services beyond the completion date.

This amendment amount is for \$118,097.30. This includes approximately \$20,000 for the additional administrative and inspection work related to the mill and overlay change order work along with approximately \$98,000 for additional inspection work. This work will be billed at an hourly rate.

Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Consider approving Amended Engineering Services Agreement with KLJ for Old Red Trail Reconstruction Street Improvement District 205 Project 2015-06.

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We are appreciative of the continued efforts that the city has made throughout this challenging project and look forward to successfully completing it.

Sincerely,

KLJ

A handwritten signature in blue ink, appearing to read "Jim Jackson", written over a white background.

Jim Jackson
Project Manager

Enclosure(s): Amendment #2
Project #: 1415109
cc: File

Board of City Commissioners

Agenda Documentation

Meeting Date: October 18, 2016

Subject: Consider approving Amended Engineering Services Agreement with KLJ for Old Red Trail Reconstruction Street Improvement District 205 Project 2015-06.

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This is EXHIBIT K, consisting of 2 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated April 21, 2015.

AMENDMENT TO OWNER-ENGINEER AGREEMENT

Amendment No. 2

The Effective Date of this Amendment is: 10/18/2016 .

Background Data

Effective Date of Owner-Engineer Agreement: April 21, 2015

Owner: City of Mandan

Engineer: Kadrmaz, Lee & Jackson, Inc.

Project: Urban Reconstruct of Old Red Trail from Highland Road to 47th Ave NW

Nature of Amendment: [Check those that are applicable and delete those that are inapplicable.]

- Additional Services to be performed by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications of payment to Engineer
- Modifications to time(s) for rendering services
- Modifications to other terms and conditions of the Agreement

Description of Modifications:

Construction Engineering for additional time and change order work. The dollar amount represented in this amendment is based on the assumption that the contractor will complete the project within approximately 6 weeks of November 1, 2016. We recognize that the 6 weeks will encompass the fall of 2016 and the spring of 2017. Please note that while the original contract amount stated below is \$418,478.60, KLJ completed that phase of the project approximately \$80,000 under budget.

Agreement Summary:

Original agreement amount:	\$ <u>418,478.60</u>
Net change for prior amendments:	\$ <u>597,873.32</u>
This amendment amount:	\$ <u>118,097.30</u>
Adjusted Agreement amount:	\$ <u>1,134,449.22</u>

Board of City Commissioners

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Change in time for services (days or date, as applicable): End date of 1/1/2018

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer 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.

OWNER:

ENGINEER:

City of Mandan

Kadmas, Lee & Jackson, Inc.

By: _____
Print
name: _____

By: _____
Print
name: _____

Title: _____

Title: _____

Date Signed: _____

Date Signed: _____



Board of City Commissioners

Agenda Documentation

MEETING DATE: October 18, 2016
PREPARATION DATE: October 13, 2016
SUBMITTING DEPARTMENT: Administration
DEPARTMENT DIRECTOR: Jim Neubauer, City Administrator
PRESENTER: Jim Neubauer, City Administrator
SUBJECT: First consideration of Ordinance 1252 amending and reenacting Section 20-7-15 of the Code of Ordinances of the City of Mandan relating to group health insurance

STATEMENT/PURPOSE: This is a request to modify the health insurance chart in the code.

BACKGROUND/ALTERNATIVES: During the recodification effort two years ago, numerous edits were made to the code. One of those changes was to modify the percentages of family health insurance that the city would pay based on length of service.

The current chart does not reflect the budgetary assumptions that were made. The chart is being adjusted to reflect the budget.

ATTACHMENTS: Ordinance

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

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

RECOMMENDATION:

Adopt Ordinance 1252 as presented.

SUGGESTED MOTION: Move to approve the first consideration of Ordinance No. 1252 amending and reenacting Section 20-7-15 of the Code of Ordinances of the City of Mandan relating to group health insurance.

ORDINANCE NO. 1252

An Ordinance to Amend and Re-enact
Section 20-7-15 of the Code of Ordinances
of the City of Mandan Relating to Group Health Insurance

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

Section 20-7-15. **Group Health Insurance..**

(a) Employees who work ~~17½~~20 or more hours per week and who are 18 years of age or older shall be eligible to enroll in the group health insurance program. The city will pay the premium of the insurance according to the following schedule:

<i>Years of Employment</i>	<i>Premium Cost</i>
0 to less than 1 year	100% of single policy
1 to less than 2 years	100% of single policy plus 20 <u>10</u> % of difference between single policy and family or single plus spouse or dependent(s) policy
2 to less than 3 years	100% of single policy plus 40 <u>20</u> % of difference between single policy and family or single plus spouse or dependent(s) policy
3 to less than 4 years	100% of single policy plus 60 <u>30</u> % of difference between single policy and family or single plus spouse or dependent(s) policy
4 to less than 5 years	100% of single policy plus 80 <u>40</u> % of difference between single policy and family or single plus spouse or dependent(s) policy
5 to less than 6 years or more	<u>100% of single policy plus 60% of difference between single policy and family or single plus spouse or dependent(s) policy</u>
<u>6 to less than 7 years</u>	<u>100% of single policy plus 80% of difference between single policy and family or single plus spouse or dependent(s) policy</u>
<u>7 or more years</u>	<u>100% of single and family policy</u>

(b) Upon termination of employment, except for cause, an employee may be eligible for health insurance coverage as provided by law. ~~All~~Upon termination, the city will provide insurance for the month of termination and for one month thereafter. Further continuation of coverage shall be at the expense of the former employee, who shall arrange for payment of the monthly premium with the ~~city finance~~human resources director.

By: _____
Timothy A. Helbling,
President, Board of City Commissioners

ATTEST:

James Neubauer,
City Administrator

First Consideration:
Second Consideration and Final Passage:

October 18, 2016
