



**AGENDA**  
**MANDAN CITY COMMISSION**  
**SEPTEMBER 16, 2014**  
**ED "BOSH" FROEHLICH MEETING ROOM,**  
**MANDAN CITY HALL**  
**5:30 P.M.**  
**[www.cityofmandan.com](http://www.cityofmandan.com)**

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- A. ROLL CALL:  
1. Roll call of all City Commissioners.
- B. APPROVAL OF AGENDA:
- C. PUBLIC COMMUNICATIONS:
- D. MINUTES:  
1. Consider approval of the minutes from the September 2, 2014 Board of City Commission meeting.
- E. PUBLIC HEARING:  
1. Public Hearing scheduled at 6:00 p.m. to review and discuss the final 2015 Budget. (See Ordinances and Resolutions #3 and #4)
- F. BIDS:  
1. Consider bids for 2014 Water System Improvements.  
2. Consider sale of property at 110 ½ 2<sup>nd</sup> Ave NW.
- G. CONSENT AGENDA:  
1. Consider approval of monthly bills.  
2. Consider approval of Fourth Replat of Lakewood Commercial Park 3<sup>rd</sup> Addition  
3. Consider final payment for construction of Longfellow Park.  
4. Consider proclaiming September 27, 2014 as National Public Lands Day in the City of Mandan.  
5. Consider closing 3<sup>rd</sup> Ave in front of the Presbyterian Church - between 2nd St and 3rd St NW, from approximately 3:45 pm to 6:00 p.m. Sunday September 21.
- H. OLD BUSINESS:
- I. NEW BUSINESS:  
1. Report on U.S. Treasury Office of Inspector General Audit of the SSBCI Loan Participation Program  
2. Consider Request for Proposals for sanitary sewer inspections

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J. RESOLUTIONS AND ORDINANCES:

1. Second Consideration and final approval of Ordinance 1191 Plainview Heights Annexation.
2. Second Consideration and final approval of Ordinance 1187 Lakewood Commercial Park rezoning.
3. Consider the second and final consideration of Ordinance No. 1189 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2015, and ending December 31, 2015, and making the annual tax levy for the year 2014.
4. Consider Resolution establishing rates and charges for services from the Water and Sewer Utility Fund.
5. Resolution Establishing Rates and Charges for Services from the Solid Waste Utility Fund.
6. Consider for approval the Resolution amending fees and charges administered by the Public Works Department.

K. OTHER BUSINESS:

L. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:

1. October 7, 2014
2. October 21, 2014
3. November 4, 2014

M. ADJOURN

**Public Communication**

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

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

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The Mandan City Commission met in regular session at 5:00 p.m. on September 2, 2014 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Van Beek, Tibke, Rohr, Laber, and Braun. Department Heads present were Finance Director Welch, Police Chief Bullinger, City Attorney Brown, City Administrator Neubauer, Business Development & Communications Director Huber, Planning & Engineering Director Froseth, Planner Decker, and Assessor Shaw. Absent: Fire Chief Nardello, Building Official Lalim and Director of Public Works Wright.

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

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

D. MINUTES:

1. *Consider approval of the following minutes from the Board of City Commission regular meeting held August 19, 2014.* Commissioner Tibke moved to approve the minutes as presented. Commissioner Braun seconded the motion. The motion received unanimous approval of the members present. The motion passed.

E. PUBLIC HEARING:

1. *Bismarck-Mandan Metropolitan Planning Organization presentation of draft report of the Fringe Area Road Master Plan Study.* Bill Troe, Transportation Planner with the SRF Consulting Group, Minneapolis, Minnesota, stated they have been working with the Metropolitan Planning Organization and the 5-member jurisdictions of the MPO which includes the City of Mandan, Morton County, City of Bismarck, Burleigh County and the town of Lincoln in conducting what has been called the Fringe Area Road Master Plan. The purpose of the plan is to establish a collector and arterial roadway infrastructure system within the areas that are outside the cities of Bismarck and Mandan and the town of Lincoln over the next 20-30 years to be developed. The intent is to identify a collector and arterial system that would provide accessibility to these areas.

He reviewed the area of land that would be included in the Fringe Area Road plan. One of the tasks that have been completed is identifying the primary goal of the study which is the arterial and collector roadway system over the next 20-30 years and what the need is for it. Essentially, the plan is to look at long term planning at a very high level as opposed to saying we need 2-lane or 4-lane roads, etc. The one-mile section line roads have been identified along with the major collector system, which is the half-mile or half-section roads that are included in the area. The anticipated product is a half-mile grid network, or a half-mile network, depending on the topography of an area of the collectors and the arterials through the entire fringe area. He explained the two different levels of hierarchy of continuity of roadway system and that this plan is different than the long-

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range plan. This study is looking at a geographic area in which the one mile collector and arterials.

One of the criteria used to develop this system had to do with design criteria of the roadways. Other criteria includes taking into consideration barriers that are both natural as in the Missouri River/streams and also criteria such as railway crossings and the I-94 corridor. Since the kickoff of the study last December, there have been several opportunities provided for public hearings. A steering committee was developed which was comprised of staff from each of the five jurisdictions along with the NDDOT, and the Federal Highway. There have been at least two workshops held with the entire group as they were going through developing corridors and making modifications from the original concepts based on understanding and local knowledge of specific locations within the region. There were also two public information meetings held over the course of the study. One was in April 2014 when preliminary ideas and concepts and public input was taken. There were revisions made and then another public meeting was held in July 2014. A website at [www.fringeroadplan.com](http://www.fringeroadplan.com) has included all information and concepts for the public to gather information. The anticipation for the roadways that reside further out in the Ag areas would not be developed until the areas themselves would be determined. This body would have to approve the incorporation of a series of checks: the concept that a developer would come in with – is it consistent or inconsistent with the fringe plan that has been identified? The MPO is continually brought into this process so they are up-to-date. So as the plan is implemented they will be responsible for the maps within the jurisdictions for all five members.

Commissioner Rohr commented that this Master Plan provides an outline to follow for growth within the community and that it is necessary to have one in place. Troe stated that this plan will be integrated with the long range plan for traffic flow which is also a critical element for consideration.

Mayor Van Beek announced this is a public hearing and invited anyone to come forward to speak for or against the Bismarck-Mandan Metropolitan Planning Organization presentation of draft report of the Fringe Area Road Master Plan Study. A second announcement was made to come forward to speak for or against this matter. Hearing none, this portion of the public hearing was closed.

2. *Proposed rezoning of Lots 2-4, Block 1 Lakewood Commercial Park.* Planner Decker reviewed with the Board a request to rezone this area from MA to PUD District 2014-01. The Planning Commission recommended that it move forward but with some conditions. A draft PUD Ordinance was presented to the Planning & Zoning Commission and that has been recommended back to the City Commission for consideration. Planner Decker explained that the PUD specifies certain conditions. One of the issues discussed with the Park Board was the issue of pedestrian crossings at this location. A recommendation was to consider the HAWK pedestrian signal which comes before this Board for approval.

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Mayor Van Beek announced this is a public hearing and invited anyone to come forward to speak for or against the matter of the proposed rezoning of Lots 2-4, Block 1 Lakewood Commercial Park. A second announcement was made to come forward to speak for or against this matter. Hearing none, this portion of the public hearing was closed.

F. BIDS:

G. CONSENT AGENDA

1. *Plat of Mandan Industrial Park 9<sup>th</sup> Addition.*
2. *Plat of Plainview Heights 15<sup>th</sup> Addition.*
3. *Consider Application from Grant Wilz for Property Tax Exemption for Improvements to Residential Building.*
4. *Consider request from the Finance Department to destroy old documents in accordance with the Records Management and Retention Plan.*

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

H. OLD BUSINESS:

1. *Consider approving the proposal by Wenck Associates, Inc. for expanded engineering services for SID #196, Mandan Industrial Park. Planning & Engineering Director Froseth reviewed with the Board consideration for approval by Wenck & Associates for the added scope, design modifications and rebid of Mandan Industrial Park, SID #196. The project was advertised for bid with a bid opening date of May 27, 2014, of which no bids were received, thus the project did not move forward. Director Froseth reviewed the reasons given by potential bidders for not bidding the project. Wenck & Associates will address the concerns. The project will be bid this fall in order to be ahead of projects bid for the 2015 season. Wenck & Associates will redesign without the integral curb and gutter. As part of the total costs, the services will be paid for by the benefiting properties by special assessments.*

Commissioner Rohr asked whether if the project is bid into the next season, will there be much of an increase in the estimation for the cost of the project. Director Froseth replied that by bidding in the fall that may prevent cost increases expected in the 2015 construction season.

Commissioner Laber moved to approve the proposal by Wenck Associates, Inc. for expanded engineering services for SID #196, Mandan Industrial Park. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

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I. NEW BUSINESS:

1. *Consider Growth Fund Committee (MGF) Recommendations:* Business Development & Communications Director Huber presented the following MGF requests:

i. *Retail & Restaurant Incentive application by Brea for 306 W Main:* The applicant is requesting an expansion of retail square footage at 305 W. Main from Eve Kostelecky, the owner of Brea from its current location to 306 W. Main. The application is for the main floor to increase for retail space of 1,600 sq. ft. This application has been reviewed by the Mandan Growth Fund Committee rated on 13 different criteria. Among the criteria are store hours. There are plans to work with the Harvest Grill for special events as well as style shows that will be scheduled in the future. The private investment the applicant is investing in includes acquiring the building, storefront improvement, interior remodel and exterior brick refurbishing. Both storefront improvement and interior and exterior remodel is being planned. In general, the private investment level is approximately \$230,000 so the public to private ratio is over 10%. The Mandan Growth Fund Committee recommended approval of the application based on filling a gap for clothing stores in the community. The building has an automatic door. The owners were available to answer any questions.

Commissioner Braun moved to approve \$6,000 as an incentive for BREAA women's clothing boutique, payable in 12 equal monthly installments following each month of operations in the new expanded location. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

ii. *Storefront Improvement application by Larson's Creative Concepts for 216 W Main.* This is an application for matching funds for exterior improvements to the Main Street side of 216 West Main. This was a thrift store and was previously called George's Bakery. Jon and Amber Larson recently purchased the building and plan to move their tattooing and piercing services to this location. The application for matching funds is seeking \$13,533. The exterior improvements include the addition of a corrugated steel awning, refurbishing the front window frames, replacement of non-brick materials on the storefront with stained wood tongue and groove siding, a wall mount sign and goose-neck lights. There is an automatic door in the building. The Mandan Architectural Review Commission has approved of the plan and signage. In addition, cosmetic improvements are being made to the interior of the building so the applicant will not be applying for the Renaissance Zone funding. The owners anticipate having the improvements completed by December 2014.

Under this program, the applicants have one year from the date of City Commission approval to complete their project. The Mandan Growth Fund Committee voted to approve the application for storefront improvement funds at 50% match rate up to \$13,533 to be provided as a forgivable loan upon project completion. Jon and Amber Larson were available to answer any questions. Commissioner Laber voiced concern about the skull and crossbones part of the signing indicating that symbols such as that not be misconstrued or benefit something that portrays negative for Mandan community. She

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commented she would like it if that was not on the signage, clarifying that she is not opposed to tattooing or piercing, but would rather not see a presence of skull and crossbones (within the signage as presented) on Main Street thus she would be hesitant of granting \$2,000 if the signage contains a skull and crossbones in it.

Amber Larson came forward and stated that the Mandan Architectural Review Commission discussed this same issue. She stated there is an existing store already in Mandan and that is a feature of their logo, which is part of their brand for their business. She stated that the discussion that came from the Mandan Architectural Review Commission is that based on their current business, it was decided that they would continue to maintain their business in a positive way, when it moves to Main Street.

Commissioner Tibke stated she has the opposite view pointing out that she is in favor of the skull and crossbones as it replicates the uniqueness of “Mandan”. Director Huber stated that when the Mandan Architectural Review Commission reviewed the application, they looked at it only in terms of the exterior appearance and not the public consideration of using public dollars to fund part of that. The current location signage was funded solely by the Larson’s and that would be the only difference.

Commissioner Tibke moved to approve Storefront Improvement application by Larson’s Creative Concepts for 216 W Main at a 50% match rate to the actual investment, for up to \$13,533 in matching funds, to be provided as a forgivable loan upon project completion. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: No; Commissioner Tibke: Yes; Commissioner Laber: No; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

*iii. Memorial Highway Storefront & Landscape Improvement Program proposal.*

This request comes from the Mandan Tomorrow Leadership, Pride and Image Committee who had sought private funding for the creation of a program such as this earlier this year through the Bush Foundation Community Innovation Grant program. Subsequently, the Committee learned it did not make the finals for that program. It then presented requests for support to the Community Beautification Committee and the Mandan Architectural Review Commission who each passed motions of support at their meetings earlier this summer. This program is proposed as a means of improving Mandan’s overall competitiveness for business expansion, attraction and retention of residents and visitors to the area. Input received from a commercial real estate agent round table to public surveys indicate that the condition of some properties in that area presents a negative image and in need of improvements. This program is proposed as a means of improving Mandan’s overall attraction of businesses and retention of residents and visitors. The Mandan Growth Fund (MGF) discussed these aspects and it was unanimous in support for the idea of establishing a program but it was a matter of what the parameters should be. Their consensus was to focus funding more directly on Memorial Highway itself and then 46<sup>th</sup> Avenue north of 21<sup>st</sup> Street and 40<sup>th</sup> Avenue north of 19<sup>th</sup> Street. The MGF felt that if \$30,000 was the amount available for downtown funding, then that same amount should be available for this district. Thus \$30,000 maximum per project was the level recommended.

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There was discussion on whether any certain amount should be set aside within the MGF that is available for economic development or whether it should compete with other types of applications on a first-come first-serve basis. They were in favor of setting aside \$200,000 for this program with the idea that any future funding for it would be reviewed after that. The program would be subject to annual review. In summary, there were three key recommendations: (i) the boundaries being the Memorial Highway 46<sup>th</sup> Avenue SE north of 21<sup>st</sup> Street SE and 40<sup>th</sup> Avenue SE, north of 19<sup>th</sup> Street SE; (ii) \$30,000 per project and (iii) \$200,000 being set aside within the MGF. More detailed parameters are detailed within the proposal itself. Landscaping will also be more of an emphasis in the Memorial Highway project than has been with other projects. Director Huber indicated that there have been five inquiries of which some may be not be eligible based on parameters that have been presented but that was with very limited based on grant applications being made. However, with adequate publicity about this program being made available in the future to establish such, it is anticipated there will be a strong level of interest. At this time it is felt that \$200,000 is an adequate amount to get the program started and that amount may increase in the future depending on the interest in the program by the community.

Commissioner Tibke moved to approve the Memorial Highway Storefront & Landscape Improvement Program proposal with boundaries as indicated, a maximum of \$30,000 in matching funds per project and to set aside \$200,000 for the program in the Mandan Growth Fund. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Presentation by Eide Bailly for the City's 2013 Audit.* Katie Moch, CPA, Eide Bailly stated that the City of Mandan's 2013 Audit of City's Financial Statements, Internal Controls and Federal Awards has been completed. The opinion of the financial statements is included in the independent auditor's annual report. Eide Bailly's opinion was unmodified pending opinion on the financial statements which indicates the financial statements have been prepared using generally accepted accounting principles (GAAP) and do not contain material misstatements and are prepared fairly. The City is also required to have an audit of its federal awards programs which is in accordance with the audit and the City received an unmodified opinion in compliance with the major federal funding award program, commonly referred to as a single audit. A copy of the 2013 audited financial statements is available on the City's website.

Commissioner Laber moved to accept the City of Mandan's 2013 audit as performed by Eide Bailly. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

3. *Consider request for written qualifications from professional architectural firms for facility needs analysis.* City Administrator Neubauer stated discussions on facility needs are on-going. What is being asked of the Commission is permission to approve a request for qualifications for professional architectural firms for services related to

facility needs analysis for the City of Mandan. He stated that the City would like to firm up the cost estimates for City Hall renovations, improvements or building new; along with a new Fire Station on the north side of Mandan. The Mandan Sales Tax Committee held a facility focus meeting on August 13, 2014 to gather input from a cross section of community members and stakeholders on capital improvement projects of which about 65% supported a sales tax increase. Projects receiving the most support were a new indoor hockey area, a new or improved City Hall and a fire station in north Mandan. Advertising for this would be published in the Mandan News on September 5<sup>th</sup> and 12<sup>th</sup> with anticipation of receiving responses by September 23<sup>rd</sup>. The top three firms and/or candidates would be interviewed between September 23<sup>rd</sup> and October 1<sup>st</sup> with a recommendation before the City Commission on October 7<sup>th</sup>. Administrator Neubauer requested approval to proceed with gathering qualifications by contacting all the architectural firms in the area to make sure they are aware of the advertisement and it will also be posted on the City of Mandan's website.

Commissioner Rohr moved to approve the request for written qualifications from professional architectural firms for facility needs analysis. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

J. RESOLUTIONS AND ORDINANCES:

1. *Consider for approval update of Planning and Zoning Fees.* Robert Decker, Principal Planner stated that the Planning and Zoning fees have not been adjusted for a period of time. Morton County adjusted theirs in the fall of 2013 thus a similar schedule has been prepared for the City of Mandan based on Morton County and the City of Bismarck's more comprehensive plan. The fees proposed match the costs incurred by the City of Mandan in staff time to adequately look at projects plus implementing fees for reviews that currently are not assessed a fee. The proposed costs represent what is actually incurred to review an application. Commissioner Braun moved to approve the request for the update of Planning and Zoning Fees. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *Second Consideration of Ordinance 1190 Big Sky Estates Rezoning.* Commissioner Tibke moved to approve the Second Consideration of Ordinance 1190 Big Sky Estates Rezoning. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: No; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

3. *Consider approval of Resolution Approving Contract and Contractor's Bond for Street Improvement District 190, Project 2014-02 (Keidel's South Heart Terrace 3<sup>rd</sup> Addition).* Planning & Engineering Director Froseth stated that a Special City Commission meeting was held on August 7, 2014, to consider the low bid for Street Improvement District 190 Keidel's South Heart Terrace 3<sup>rd</sup> Addition. Absent at that time

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within the verbiage of the motion was to approve the Contract and Contractor's Bond although the project was approved. This is an item to approve the resolution approving the Contractor and Contractor's Bond.

Commissioner Tibke moved to approve the Resolution Approving Contract and Contractor's Bond for Street Improvement District 190, Project 2014-02 (Keidel's South Heart Terrace 3<sup>rd</sup> Addition). Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

4. *Consider approval of Ordinance 1191 Plainview Heights Annexation.* Robert Decker, Principal Planner stated this matter relates to Consent Agenda Item No. 2 which was the approval of the plat of Plainview Heights 15<sup>th</sup> Addition annexation of that area. The area needs to be annexed so the plat can be recorded.

Commissioner Rohr moved to approve Ordinance 1191 Plainview Heights Annexation. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes; Commissioner Van Beek: Yes. The motion passed.

5. *Consider approval of Ordinance 1187 Lakewood Commercial Park rezoning.* Commissioner Tibke moved to approve of Ordinance 1187 Lakewood Commercial Park rezoning. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Absent; Commissioner Tibke: Yes; Commissioner Braun: Yes; Commissioner Laber: Yes; Commissioner Van Beek: Yes. The motion passed.

K. OTHER BUSINESS

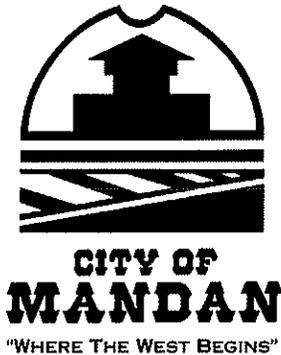
There being no further actions to come before the Board of City Commissioners, Commissioner Tibke moved to adjourn the meeting at 6:30 p.m. Commissioner Braun seconded the motion. The motion received unanimous approval of the members present. The motion passed.

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James Neubauer,  
City Administrator

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Arlyn Van Beek,  
President, Board of City  
Commissioners



## **Board of City Commissioners**

### **Agenda Documentation**

**MEETING DATE:** September 16, 2014  
**PREPARATION DATE:** September 10, 2014  
**SUBMITTING DEPARTMENT:** Finance  
**DEPARTMENT DIRECTOR:** Greg Welch  
**PRESENTER:** Greg Welch  
**SUBJECT:** Final 2015 Budget

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#### PURPOSES

1. To conduct a Public Hearing to review and discuss the final 2015 Budget.
2. To consider the Budget and Finance Committee's recommendation to reduce the General Fund Mill Levy by an additional 1.48 Mills for the 2015 Budget with funding from the General Fund Balance to offset the Property Taxes.
3. To consider the second and final consideration of Ordinance No. 1189 adopting the 2015 Budget.
4. To consider the Resolution establishing rates and charges for services from the Water and Sewer Utility Fund.

#### BACKGROUND

The City of Mandan is required to prepare the annual Budget in accordance with the Municipal Budget Law (North Dakota Century Code Chapter 40-40) and also with existing City Ordinances, Resolutions, contacts and agreements. In addition to these legal requirements, the City's Significant Budget Policies provide further direction and guidance to the budgeting process. The final 2015 Budget is in compliance with these legal requirements and City Policies.

The Budget is submitted to you as a recommendation from the City's Budget and Finance Committee.

The City's Budget and Finance Committee consists of the following members:

- Sandy Tibke, City Commissioner (Finance Portfolio)
- Jim Neubauer, City Administrator
- Greg Welch, Finance Director

August 19, 2014 – The Board of City Commissioners passed the introduction and first consideration of Ordinance No. 1189 adopting the 2015 Budget.

The preliminary 2015 Budget was posted on the City's website at [cityofmandan.com](http://cityofmandan.com).

August 27, 2014 – The Budget and Finance Committee recommended reducing the General Fund Mill Levy by an additional 1.48 Mills for the final 2015 Budget on September 16 with funding from the General Fund Balance to offset the Property Taxes, resulting in a \$0 increase in City Property Taxes for an existing \$225,000 residential home with an average valuation increase of 9% (Board of Equalization), excluding special assessments. This was communicated to property owners in the September Mandan Messenger newsletter.

#### ATTACHMENTS

- Final 2015 Budget Summary
- Notice of Public Hearing
- Ordinance No. 1189
- Certificate of Levy
- Resolution establishing rates and charges for services from the Water and Sewer Utility Fund

#### FISCAL IMPACT

See Final 2015 Budget Summary

The annual cost for City services for an existing \$225,000 residential home with an average valuation increase of 9% (Board of Equalization) and using 8 units of water per month, excluding special assessments:

#### Property Taxes:

- 2014 Budget = \$828
- 2015 Budget = \$828
- Annual increase = \$0

#### Utility Bill:

- 2014 Budget = \$878
- 2015 Budget = \$922
- Annual increase = \$44

#### Total:

- 2014 Budget = \$1,706
- 2015 Budget = \$1,750
- Annual increase = \$44

STAFF IMPACT

None

LEGAL REVIEW

The Budget was prepared in accordance with the Municipal Budget Law (North Dakota Century Code Chapter 40-40) and also with existing City Ordinances, Resolutions, contacts and agreements.

RECOMMENDATIONS

1. To approve the Budget and Finance Committee's recommendation to reduce the General Fund Mill Levy by an additional 1.48 Mills for the 2015 Budget with funding from the General Fund Balance to offset the Property Taxes.
2. To approve the second and final consideration of Ordinance No. 1189 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2015, and ending December 31, 2015, and making the annual tax levy for the year 2014.
3. To approve the Resolution establishing rates and charges for services from the Water and Sewer Utility Fund.

SUGGESTED MOTIONS

1. Move to approve the Budget and Finance Committee's recommendation to reduce the General Fund Mill Levy by an additional 1.48 Mills for the 2015 Budget with funding from the General Fund Balance to offset the Property Taxes.
2. Move to approve the second and final consideration of Ordinance No. 1189 making the annual appropriations for expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2015, and ending December 31, 2015, and making the annual tax levy for the year 2014.
3. Move to approve the Resolution establishing rates and charges for services from the Water and Sewer Utility Fund.



**CITY OF  
MANDAN**

**“WHERE THE WEST BEGINS”**

**2015 BUDGET**

## **FINAL 2015 BUDGET SUMMARY**

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### **REVENUES**

Total = \$26,964,000

- Property Taxes = \$3,487,300
- 1% City Sales Taxes = \$2,817,100
- Other Taxes = \$705,600
  - 1% Restaurant and Lodging Taxes = \$435,050
  - 2% Occupancy Taxes = \$65,350
- Licenses and Permits = \$1,085,950
  - Building Inspection Permits = \$615,550
  - Cable TV Franchise Fees = \$339,750
- Intergovernmental = \$3,975,900
  - State Aid Distribution = \$2,112,100
  - Highway Tax Distribution = \$1,337,800
  - Fire Insurance Taxes = \$126,250
- Water, Sewer, Solid Waste, Street Light Utility Charges = \$9,375,500
- Other Charges for Services = \$481,650
  - Fuel (City Shop) = \$240,550
  - Grave Opening and Closing (Cemetery) = \$47,050
- Fines and Forfeits = \$238,300
- Special Assessments = \$4,420,750
- Miscellaneous = \$375,950
  - Loan Repayments (Mandan Growth Fund) = \$20,400
  - Sale of Lots (Cemetery) = \$37,250

### **EXPENDITURES**

Total = \$27,413,350

- Salaries and Benefits = \$9,888,700
  - Salaries = \$7,355,700
  - Benefits = \$2,533,000
- Operations and Maintenance = \$6,900,800
- Debt Service-Principal and Interest = \$8,801,050
- Capital Outlay = \$1,822,800

### **MAJOR FUNDS**

All Major Funds have met required minimum fund balance operating reserves.

- Provides for economic stability.
- Assists in maintaining the City's bond rating.
- General Fund and Cemetery Fund = 17%
- Utility Funds = 25%

General Fund:

- Budget and Finance Committee recommends renaming Weed Control Department to Grounds Maintenance Department.

## Water and Sewer Utility Fund:

- Base Rate increase:
  - Residential = \$3.65 per month
  - Commercial and Industrial = \$7.30 per month
  - Apartment (3+ units) = \$10.95 per month
  - Purpose: \$5.3M Wastewater Treatment Plant Interim Optimization Improvement Project (State Revolving Fund Loan)
- The annual increase in the Utility Bill for a residential customer using 8 units (6,000 gallons or 800 cubic feet) of water per month = \$44

## **TAXABLE VALUATION**

Taxable Valuation (estimated) = \$57,337,840

- Increase from Tax Year 2013 (2014 Budget) = 11.6%
- 1 Mill = \$57,338
- Increase from 2013 to 2014:
  - Residential property = 12.8%
  - Commercial property = 8.8%

## **MILL LEVY**

Mill Levy = 75.02 Mills

- Decrease from Tax Year 2013 (2014 Budget) = 6.76 Mills
- Decrease of 1.48 Mills from first reading of Ordinance No. 1189 adopting the 2015 Budget on August 19, 2014 as recommended by the Budget and Finance Committee.
- City's share of 1 Mill for Tax Year 2013 (2014 Budget) = 24%

## **PROPERTY TAXES**

Property Taxes = \$4,301,608

- Increase from Tax Year 2013 (2014 Budget) = \$101,010
  - New construction
- No increase in the City property taxes for an existing residential home valued at \$225,000 with an average valuation increase of 9% (Board of Equalization) in the true and full value, excluding special assessments.

## **SALARIES AND BENEFITS**

Salaries = \$7,355,700

- Increase from 2014 Budget (revised) = \$390,350
- Salary ranges for comparable positions are at 95% of the City of Bismarck.
  - Future market adjustments based on the annual Salary Study will be effective January 1.
  - Cost = \$301,550
- Performance adjustments = 1.5%
  - Consumer Price Index (Midwest urban less than 50,000)
  - Cost = \$50,300
- New part-time employees = 2
  - Municipal Court = 1 (Administrative Assistant)
  - Engineering Department = 1 (Assistant Engineering Technician)
  - Cost = \$23,100

- 2014 Budget:
  - Budget and Finance Committee recommends request from Police Department for Compliance Enforcement Officer full-time position contingent upon available funds from unfilled positions in the Department during 2014 to be transferred to 2015 Budget.
  - Cost = \$0

Benefits = \$2,533,000

- Increase from 2014 Budget (revised) = \$279,350
- Budget and Finance Committee recommends increasing City Pension contribution from 8% to 10% for eligible police and fire employees with an additional 2% contribution match from same employees.
  - Purpose: employee recruitment and retention.
  - Cost = \$60,000
- Health Insurance monthly premiums are fixed until June 30, 2015.
  - Increase (estimated), effective July 2015 = 15%
  - Cost = \$120,600
- Budget and Finance Committee recommends conducting a Benefits Analysis Study.

Salaries and Benefits = \$9,888,700

- Increase from 2014 Budget (revised) = \$669,700

### **OPERATIONS AND MAINTENANCE**

Operations and Maintenance = \$6,900,800

- Decrease from 2014 Budget (revised) = \$105,900
- Increase in departmental base spending = \$231,000
  - General Fund = \$164,450
    - Planning and Zoning Department = \$16,200
    - Engineering Department = \$50,500
    - Information Technology Department = \$28,600
    - Police Department = \$33,850
    - Fire Department = \$10,550
    - Building Inspection Department = \$10,800
  - Cemetery Fund = \$4,200
  - Mandan Growth Fund = \$1,450
    - Business Development/Communications
  - Water and Sewer Utility Fund = \$44,900
    - Utility Billing Department = \$11,300
    - Wastewater Treatment = \$32,300
  - Solid Waste Utility Fund = \$16,000

### **DEBT SERVICE**

Debt Service-Principal and Interest = \$8,801,050

- Total Principal and Interest = \$75,221,558
  - Principal = \$63,763,951
  - Interest = \$11,457,607
- Bonded Indebtedness:
  - General Obligation Bonds = \$802,628
  - Special Assessment Bonds = \$40,914,253

- Budget and Finance Committee will continue discussions concerning Developer Agreements for new subdivisions.
  - Revenue Bonds/State Revolving Fund Loans = \$33,504,677
- Amortization:
  - % of Debt Service retired in 10 years = 83%
  - % of Debt Service retired in 15 years = 97%
- \$5.3M Loan is anticipated from the Clean Water State Revolving Fund (CWSRF) Program to finance the Wastewater Treatment Plant Interim Optimization Improvement Project.
  - Project is included in City's Capital Improvement Program and North Dakota Department of Health's CWSRF Intended Use Plan.
- Bond Rating = A1

### **CAPITAL OUTLAY**

Capital Outlay = \$1,822,800

- General Fund = \$272,600
  - Information Technology Department = \$31,850
    - Computer Equipment
  - Police Department = \$124,100
    - Communications Center Equipment (City share)
    - Vehicle (Administration/Investigations)
    - Vehicle (Patrol)
  - Building Inspection Department = \$41,800
    - Office Expansion
    - Vehicle (Inspections)
  - Street Department = \$74,850
    - Snow Plow and Coupler (Loader)
    - Lease 2 Front End Loaders (Street Maintenance/Snow Removal)
    - ½ Ton Vehicle (Superintendent)
- City Sales Tax Fund = \$230,000
  - Memorial Highway Traffic Signals (NDDOT-City share)
  - Downtown Street Maintenance Project-Phase II (Engineering)
- Water and Sewer Utility Fund = \$982,400
  - Waterline Maintenance Department = \$420,550
    - Watermain Replacement Project (Capital Improvement Program)
  - Sewerline Maintenance Department = \$397,650
    - Odor Control Project (Capital Improvement Program)
    - Sewermain Replacement Project (Capital Improvement Program)
  - Meter Reading Department = \$137,500
    - Water Meters (new construction)
- Solid Waste Utility Fund = \$283,800
  - Lease Front End Loader (Landfill)
  - Tandem Truck w/Hook and Tarp System (Compost/Compaction Boxes)
  - Asphalt/Concrete Crushing Project (Landfill)
- Street Light Utility Fund = \$54,000
  - LED Lights Replacement Project
    - Transfer from City Sales Tax Fund

## **TRANSFERS**

Transfers = \$3,745,450

- General Fund = \$167,350
- Highway Distribution Fund = \$1,337,800
  - Street Department-Maintenance
- City Sales Tax Fund = \$2,168,700
  - Property Tax Reduction = \$1,408,550 or 24.57 Mills
    - Contribution % = 50%
  - Business and Economic Development = \$250,000
  - Debt Service = \$141,100
  - Sunset Drive Project = \$33,350
  - Water and Sewer Rate Stabilization = \$281,700 or \$2.60 per month
    - Contribution % = 10%
    - Budget and Finance Committee recommends retroactive \$258,250 Transfer to 2014 Budget.
  - LED Lights Replacement Project = \$54,000

## **ANNUAL COST FOR CITY SERVICES**

The annual cost for City services for an existing \$225,000 residential home with an average valuation increase of 9% (Board of Equalization) and using 8 units of water per month, excluding special assessments = \$1,750

- Increase from 2014 Budget = \$44

## **BUDGET AND FINANCE COMMITTEE GOALS**

- Special Assessments Policy
- Infrastructure and Development Policy
- Debt Management Policy

**NOTICE OF FILING OF THE CITY OF MANDAN, NORTH DAKOTA  
PRELIMINARY 2015 BUDGET AND HEARING THEREON**

Notice is hereby given the preliminary budget of the City of Mandan, North Dakota, for the calendar year ending December 31, 2015 is on file in the Finance Office and is available for review upon request. The Board of City Commissioners of said City will meet on Tuesday, September 16, 2014 at 6:00 p.m. in the Ed "BOSH" Froehlich Meeting Room of the Mandan City Hall, 205 2nd Avenue NW, Mandan, North Dakota, for the purpose of adopting the final budget and making the annual tax levy. The Board of City Commissioners will hold a public hearing at such time any citizen may appear and discuss with said Board any item of proposed expenditures or expenses or may object to any item or amounts, or may file written comments relative to the proposed expenditures or expenses.

The total proposed expenditures or expenses provided for in such preliminary budget are as follows:

General Fund	\$10,377,550
Highway Distribution Fund	1,337,800
City's Share of Special Assessments Fund	108,450
Cemetery Fund	199,400
City Visitors' Promotion Fund	58,850
Alarm-Equipment Reserve Fund	2,000
City Sales Tax Fund	2,549,450
Public Transportation System Fund	116,350
Fire Equipment Reserve Fund	20,700
Mandan Growth Fund	191,950
Narcotics Task Force Grant Fund	93,500
Police Equipment Reserve Fund	18,750
BNSF Settlement Fund	2,950
Mandan SEP Trust Fund	1,900
Downtown Redevelopment Fund	59,950
Health and Safety Fund	20,750
Mandan Community Center Revenue Bonds of 2005 Fund	141,100
Liberty Memorial Bridge General Obligations Bonds Fund	61,900
Refunding Improvement Bonds Fund	5,773,300
City Visitors' Promotion Capital Construction Fund	160,100
Water and Sewer Utility Fund	7,250,550
Solid Waste Utility Fund	1,830,000
Street Light Utility Fund	430,900
City Shop Fund	350,650
Morton Mandan Public Library	684,335
Mandan Airport Authority	619,980

Greg Welch, Finance Director  
Dated: August 29, 2014

**ORDINANCE NO. 1189**

AN ORDINANCE MAKING THE ANNUAL APPROPRIATIONS FOR EXPENDITURES OR EXPENSES OF THE CITY OF MANDAN, NORTH DAKOTA, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2015, AND ENDING DECEMBER 31, 2015, AND MAKING THE ANNUAL TAX LEVY FOR THE YEAR 2014.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, NORTH DAKOTA:

Section 1. There are hereby appropriated the following sums of money for so much thereof that may be necessary for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota, for the fiscal year commencing January 1, 2015, and ending December 31, 2015.

General Fund	\$10,377,550
Highway Distribution Fund	1,337,800
City's Share of Special Assessments Fund	108,450
Cemetery Fund	199,400
City Visitors' Promotion Fund	58,850
Alarm-Equipment Reserve Fund	2,000
City Sales Tax Fund	2,549,450
Public Transportation System Fund	116,350
Fire Equipment Reserve Fund	20,700
Mandan Growth Fund	191,950
Narcotics Task Force Grant Fund	93,500
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BNSF Settlement Fund	2,950
Mandan SEP Trust Fund	1,900
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Health and Safety Fund	20,750
Mandan Community Center Revenue Bonds of 2005 Fund	141,100
Liberty Memorial Bridge General Obligations Bonds Fund	61,900
Refunding Improvement Bonds Fund	5,773,300
City Visitors' Promotion Capital Construction Fund	160,100
Water and Sewer Utility Fund	7,250,550
Solid Waste Utility Fund	1,830,000
Street Light Utility Fund	430,900
City Shop Fund	350,650
Morton Mandan Public Library	684,335
Mandan Airport Authority	619,980

Section 2. There are hereby levied the following sums of money on all taxable property in the City of Mandan, North Dakota, for the year 2014 for the purpose of paying expenditures or expenses of the City of Mandan, North Dakota.

General Fund	<del>\$3,323,301</del> <u>\$3,238,441</u>
City's Share of Special Assessments Fund	90,950
Cemetery Fund	114,676
Public Transportation System Fund	114,676
General Obligation Bonds Fund:	
Liberty Memorial Bridge	66,831
Refunding Improvement Bonds Fund:	
Street Improvement District #145	33,508
Street Improvement District #148	11,810
Mandan Airport Authority	229,351
Morton Mandan Public Library	401,365

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Taking Effect. This ordinance shall be in full force and effect from and after its final passage and adoption.

\_\_\_\_\_  
President, Board of City Commissioners

Attest:

\_\_\_\_\_  
City Administrator

First Consideration: August 19, 2014

Second Consideration: September 16, 2014

Final Passage and Adoption: September 16, 2014

**CITY OF MANDAN, NORTH DAKOTA**  
**Annual Budget for the Year Ended December 31, 2015**  
**CERTIFICATE OF LEVY**

COUNTY AUDITOR  
COUNTY OF MORTON

You are hereby notified on the 16th day of September, 2014, the governing body of the City of Mandan, North Dakota, levied a tax of \$4,301,608, upon all the taxable property in the City for the calendar year ended December 31, 2015, which levy is itemized as follows:

<b><u>FUND</u></b>	<b><u>AMOUNT LEVIED</u></b>
General	\$3,238,441
City's Share of Special Assessments	90,950
Cemetery	114,676
Public Transportation System	114,676
General Obligation Bonds:	
Liberty Memorial Bridge	66,831
Refunding Improvement Bonds:	
Street Improvement District #145	33,508
Street Improvement District #148	11,810
Mandan Airport Authority	229,351
Morton Mandan Public Library	<u>401,365</u>
<b>TOTAL AMOUNT LEVIED</b>	<b><u>\$4,301,608</u></b>

You will duly enter tax upon the County tax list for collection upon the taxable property of the City of Mandan, North Dakota, for the ensuing year. Dated at Mandan, North Dakota this 16th day of September, 2014.

\_\_\_\_\_  
City Administrator

**RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES FROM THE  
WATER AND SEWER UTILITY FUND**

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following monthly rates and charges are hereby established for services from the Water and Sewer Utility Fund:

a) Water and Wastewater Base Charge Per Meter

- 1) ~~\$21.30~~ \$24.95 for each single family dwelling
- 2) ~~\$21.30~~ \$24.95 for each mobile home
- 3) ~~\$42.60~~ \$49.90 for each duplex unit
- 4) ~~\$63.90~~ \$74.85 for all other multiple family units
- 5) ~~\$42.60~~ \$49.90 for all commercial and industrial enterprises
- 6) ~~\$63.90~~ \$74.85 for all apartment and commercial/apartment combination

b) Water Usage Charge Per Meter

- 1) Plus a water consumption charge shall be added at the rate of \$2.80 per one hundred cubic feet on each month's consumption as registered on each meter during the preceding monthly billing period.
- 2) The Missouri West Water System shall be charged at the rate of \$1.82 per one thousand gallons of water used as registered on each meter.

c) Wastewater Usage

- 1) For wastewater disposal service there shall be a charge of \$1.60 per one hundred cubic feet of water used except that for the billing statements prepared during the months of May through October the charge for residential wastewater disposal service shall not exceed the charge based upon the average water usage used during the months of December through March.
- 2) Industrial users will be levied a volume charge of \$1.60 per one hundred cubic feet of water used. Industrial users will also be levied a charge of \$.06 per pound of suspended solids and \$.10 per pound of five-day, twenty-degree Centigrade BOD.

d) Stormwater Base Charge Per Meter or Structure

- 1) \$2.00 for each meter or structure.

BE IT FURTHER RESOLVED that the rates and charges for services from the Water and Sewer Utility Fund shall be effective as of the first billing after January 1, 2015.

Dated this 16th day of September, 2014.

\_\_\_\_\_  
President, Board of City Commissioners

Attest:

\_\_\_\_\_  
City Administrator



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 16, 2014  
**PREPARATION DATE:** September 11, 2014  
**SUBMITTING DEPARTMENT:** Engineering  
**DEPARTMENT DIRECTOR:** Justin Froseth  
**PRESENTER:** Justin Froseth, Planning and Engineering Director  
**SUBJECT:** Consider bids for 2014 Mandan Water System Improvements

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**STATEMENT/PURPOSE:** To review received bids for the 2014 Mandan Water System Improvements Project.

**BACKGROUND/ALTERNATIVES:**

Bids were received up until 9:00 am on Friday, August 29<sup>th</sup>. They were publically opened and read out loud at that time. There were 2 qualified bidders. The low bid was submitted by Swanberg Construction. After clarifying math errors found with the bid, Swanberg's bid amount submitted was \$891,263. This low bid amount is \$181,263 above the Engineer's Estimate of \$710,000. Upon further review and discussion, the bid prices were not deemed favorable for award. As such, we recommend not awarding the project at this time.

**ATTACHMENTS:**

- 1) AE2S Recommendation Letter
- 2) Bid Tab Summary

**FISCAL IMPACT:** Project would be paid for from the utility fund. To this point, approximately \$25,000 has been spent on engineering services to create plans and specifications for this project. Much of that work can be used for a future, similar project.

**STAFF IMPACT:** Minimal

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

Board of City Commissioners

Agenda Documentation

Meeting Date: September 16, 2014

Subject: Consider bids for 2014 Mandan Water System Improvements

Page 2 of 4

---

RECOMMENDATION: Reject low bid of Swanberg Construction for 2014 Mandan Water System Improvements.

SUGGESTED MOTION: I move to reject low bid of Swanberg Construction for 2014 Mandan Water System Improvements.



September 11, 2014

To the President and Commissioners  
of the Mandan Board of City Commissioners  
c/o Justin Froseth, Engineering and Planning Director  
205 2<sup>nd</sup> Avenue NW  
Mandan, ND 58554-3125

**Re: Mandan 2014 Water System Improvements  
City of Mandan, North Dakota**

Honorable Commissioners:

Bids for the referenced Project were opened on Friday, August 29, 2014. Two Contractors submitted Bids for the Work. The Contractors submitted the required Bid Bonds, Contractor's Licenses, acknowledged the Addenda, and signed their Bids. The Bids were examined for errors and irregularities, and mathematical errors were found in both bids. A copy of the Bid tabulation summary is attached.

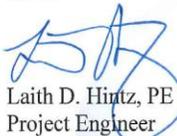
The apparent low bid for Contract No. 1 – All Locations was submitted by Swanberg Construction, Inc. and totaled \$891,263.00. The Engineer's Estimate for the Project was \$710,000 for a difference of \$181,263.00. After further review, the bid prices were not deemed favorable for award. As such, we recommend not awarding the Project at this time.

Copies of the two certified Bid proposals, with corresponding Bid Bonds, and Contractors' Licenses are on file in our office and can be provided if requested.

Thank you for the continued opportunity to provide professional engineering services to the City of Mandan. Should you have any questions or concerns, please do not hesitate to contact us.

Submitted in Service,

**AE2S**



Laith D. Hintz, PE  
Project Engineer

Enclosure (Bid Tabulation Summary)

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**Advanced Engineering and Environmental Services, Inc.**

1815 Schafer Street Suite 301 • Bismarck, ND 58501 • (t) 701-221-0530 • (f) 701-221-0531

Board of City Commissioners

Agenda Documentation

Meeting Date: September 16, 2014

Subject: Consider bids for 2014 Mandan Water System Improvements

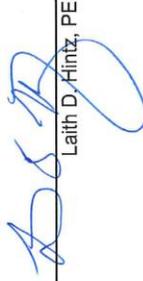
Page 4 of 4

2014 Water System Improvements  
Mandan, ND  
P00510-2013-005 050  
Bid Opening 9:00 AM, August 29, 2014

Contractor	Acknowledge Addenda 2 of 2	Bid Bond	Contractor's License	Bid Form	Contract No. 1 Location: 1st Street and 5th Avenue NE	Contract No. 1 Location: Old Red Trail	Contract No. 1 Location: 6th Ave SE & Frontier Trail	Contract No. 1 Location: Boundary Road	Contract No. 1 All Locations
1 Swanberg Construction, Inc.	✓	✓	✓	✓	\$128,750.00	\$252,735.00	\$84,810.00	\$424,968.00	\$891,263.00*
2 Quarm Construction Co., Inc.	✓	✓	✓	✓	\$223,445.00	\$254,285.00	\$110,975.00	\$409,554.00	\$998,259.00*
Engineer's Estimate					\$94,000.00	\$238,000.00	\$63,000.00	\$315,000.00	\$710,000.00

\*Different from "As Read" results because of math error.

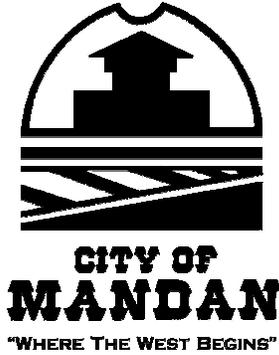
Respectfully Submitted by:



Laith D. Hintz, PE



Advanced Engineering and Environmental Services, Inc.  
1815 Schafer Street Suite 301  
Bismarck ND 58501  
Tel: 701-221-0530  
Fax: 701-221-0531



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 16, 2014  
**PREPARATION DATE:** September 11, 2014  
**SUBMITTING DEPARTMENT:** Administration  
**DEPARTMENT DIRECTOR:** Jim Neubauer, City Administrator  
**PRESENTER:** Jim Neubauer, City Administrator  
**SUBJECT:** Sale of Property 110 ½ 2<sup>nd</sup> Ave NW

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STATEMENT/PURPOSE: To consider award of bid to sell City owned property at 110 ½ 2<sup>nd</sup> Ave NW.

BACKGROUND/ALTERNATIVES: Property was acquired as part of the Downtown Remediation project. Adjacent property owners have come forward interested in purchasing the property. Access would need to be maintained for the remediation project to access recovery wells on the site.

Advertisement was made in the Mandan News and letters were sent to all property owners on this block informing them of the area up for sale.

Two minimum bids (at least \$1,500) were received and an auction with the two interested parties or their representatives in attendance was held on September 5<sup>th</sup>. Bidders had the opportunity to raise their bids until one party declined to continue. The bidding ended at high bid of \$6,000. Apparent successful bidder has provided payment of the \$6,000 in the form of cashiers checks.

ATTACHMENTS: Map of subject lot

FISCAL IMPACT: \$6,000

STAFF IMPACT: minimal

LEGAL REVIEW: n/a

RECOMMENDATION: I recommend awarding the sale of the property reference to the high bidder Dot Frank for the amount of \$6,000.

SUGGESTED MOTION: I move to award the sale of the property known as 110 ½ 2<sup>nd</sup> Ave NW, Mandan ND to Dot Frank.





## Board of City Commissioners Agenda Documentation

**MEETING DATE:** September 16, 2014  
**PREPARATION DATE:** September 10, 2014  
**SUBMITTING DEPARTMENT:** Engineering & Planning  
**DEPARTMENT DIRECTOR:** Justin Froseth  
**PRESENTER:** Robert Decker  
**SUBJECT:** Consider for approval Fourth Replat of Lakewood Commercial Park 3rd Addition

---

**STATEMENT/PURPOSE:**

The intent of this plat is to split 1 lot into 2 lots.

**BACKGROUND/ALTERNATIVES:**

There is a building on the north portion of the lot. The south portion is unused. The intent is to create a second lot for resale.

**ATTACHMENTS:**

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

**FISCAL IMPACT:** minimal

**STAFF IMPACT:** minimal

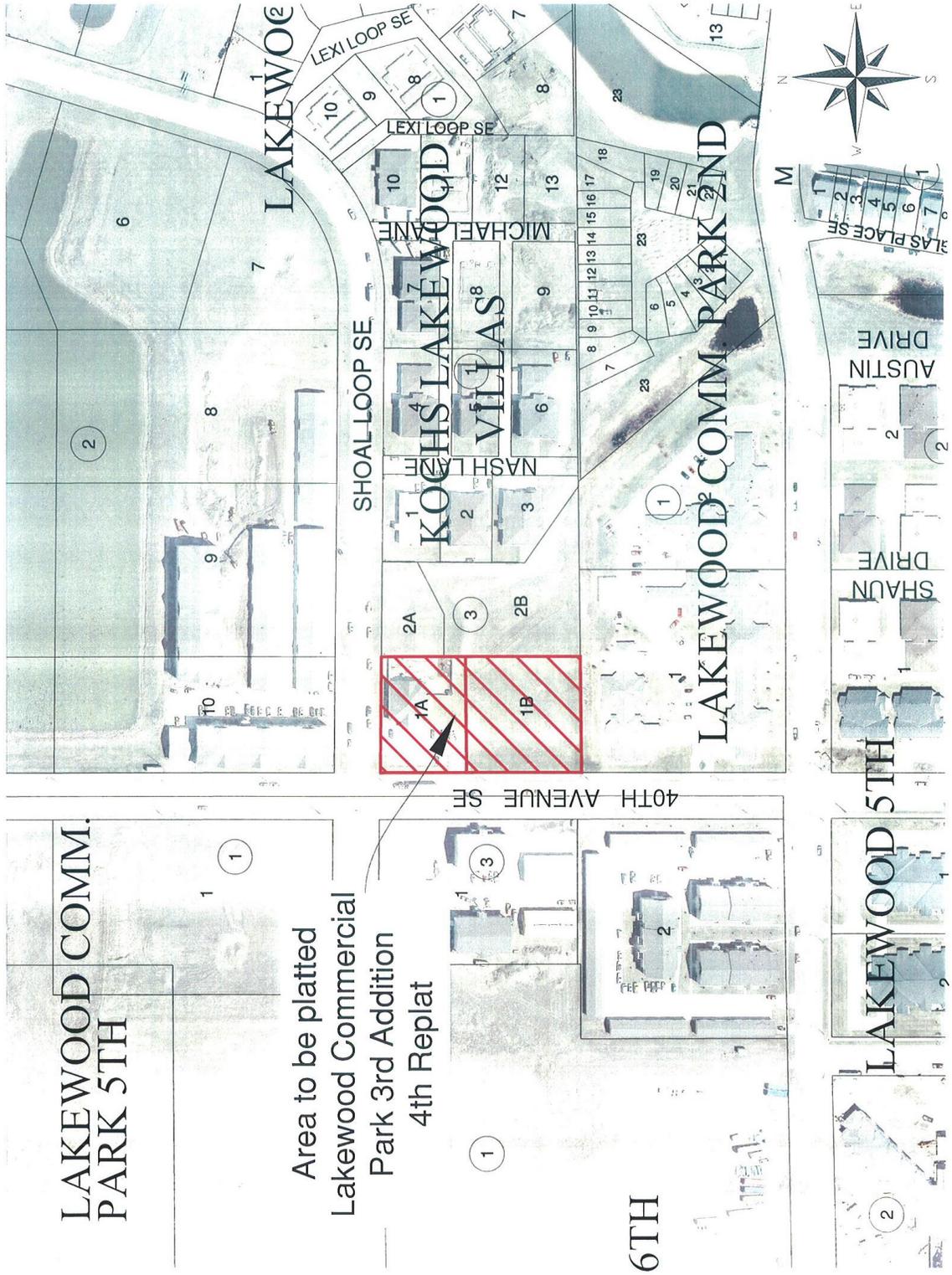
**LEGAL REVIEW:** All of my commission data has been forwarded to the City Attorney for his review.

**RECOMMENDATION:**

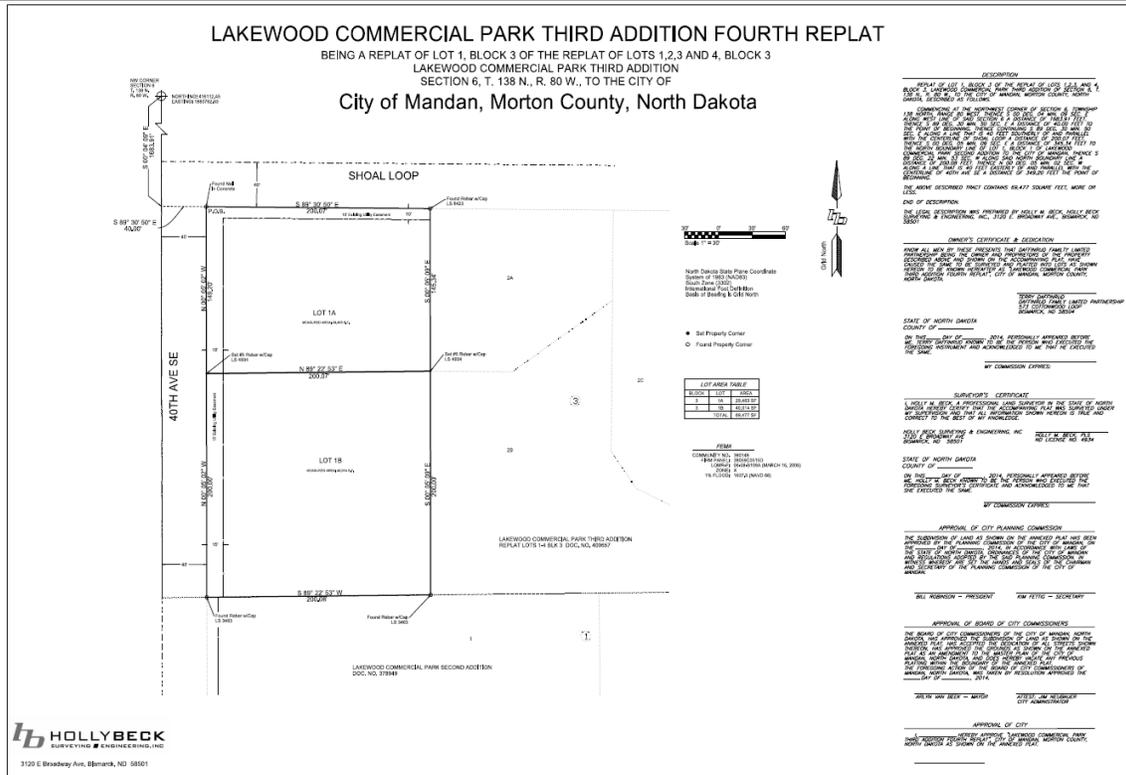
The Planning and Zoning Commission voted unanimously at their August 25, 2014 meeting to recommend approval of this request. Staff recommends approval of this request.

**SUGGESTED MOTION:**

Move to approve Fourth Replat of Lakewood Commercial Park 3rd Addition.



Board of City Commissioners  
 Agenda Documentation  
 Meeting Date: September 16, 2014  
 Subject: Approval of Fourth Replat of Lakewood Commercial Park 3rd Addition  
 Page 3 of 4



Mandan Planning and Zoning Commission Agenda Item  
 For Meeting on August 25, 2014  
 Mandan Engineering and Planning Office Report

**Lakewood Commercial Park Third Addition Fourth Replat**

**Requested Action**  
 Split lot into 2 lots

**Reason for Action**  
 Continue development of property

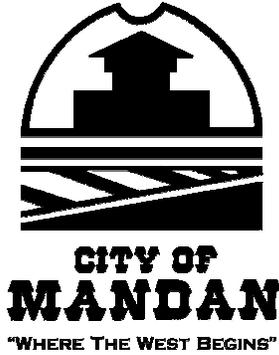
**Staff comments**  
 Property is partially developed. Intent is to split and sell a portion of the existing parcel.

No utility plans or stormwater management plans have been submitted to date.

Application Details					
<b>Applicant</b> Axien	<b>Owner</b> Daffinrud Family Limited Partnership	<b>Subdivision</b> Lakewood Commercial Park Third	<b>Legal Description</b> A portion of the Section 6, T138N, R80W		
<b>Location</b> Shoal Loop and 40 <sup>th</sup> Ave. SE		<b>Proposed Land Use</b> commercial	<b>Parcel Size</b> 69,476 sf	<b>Number of Lots</b> 2	
<b>Existing Land Use</b> commercial	<b>Adjacent Land Uses</b> Vacant, commercial & residential		<b>Current Zoning</b> CB	<b>Proposed Zoning</b> CB	<b>Adjacent Zoning</b> CB
<b>Fees</b> \$250	<b>Date Paid</b> 7/30/2014	<b>Adjacent Property Notification Sent</b>	<b>Legal Notices Published</b>		

Agency & Staff Comments
Engineering & Planning
This needs to be renamed

Engineering & Planning Recommendation
Recommend approval of replat with corrected name
Proposed Motion
Move to recommend approval of Lakewood Commercial Park Third Addition Fourth Replat



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 16, 2014  
**PREPARATION DATE:** September 12, 2014  
**SUBMITTING DEPARTMENT:** Administration  
**DEPARTMENT DIRECTOR:** Jim Neubauer, City Administrator  
**PRESENTER:** Jim Neubauer, City Administrator  
**SUBJECT:** Longfellow Park Construction Final Payment

---

STATEMENT/PURPOSE: To consider final payment for Longfellow Park construction.

BACKGROUND/ALTERNATIVES: As part of the construction of the Liberty Memorial Bridge, a park was created underneath the bridge (Longfellow Park). Final billings for the local share of the park are now in. We have been hesitant to fund our final payment as the original amount estimated (\$151,000) for the local share was exceeded by roughly \$30,000. Work was done on a retaining wall on the north side of the park that was not originally planned. In a separate but related issue, when property adjacent to the park was acquired by NDDOT for a staging area there were existing special assessments on that property which were not accounted for in the purchase transaction. We have been in discussions with NDDOT for the past few years regarding both issues and feel we have come to an amicable resolution. The ND DOT has applied a \$20,000 (amount of special assessments) credit to the additional costs on Longfellow Park. The balance outstanding after this adjustment is \$14,540.77 for Longfellow Park construction.

ATTACHMENTS: Documentation on final payment information is quite lengthy and available upon request.

FISCAL IMPACT: \$14,540.77 from Visitors Fund.

STAFF IMPACT: n/a

LEGAL REVIEW: n/a

RECOMMENDATION: I recommend submitting final payment for Longfellow Park to ND DOT amounting to \$14,540.77.

SUGGESTED MOTION: I move to approve final payment for Longfellow Park to ND DOT amounting to \$14,540.77, from the Visitor's Fund.



"WHERE THE WEST BEGINS"

# CITY OF MANDAN

MANDAN CITY HALL - 205 2nd Avenue NW  
MANDAN, NORTH DAKOTA 58554  
701-667-3215 • FAX: 701-667-3223 • www.cityofmandan.com

## CITY DEPARTMENTS

ADMINISTRATION	667-3215
ASSESSING/BUILDING INSPECTION	667-3230
BUSINESS DEVELOPMENT	667-3485
CEMETERY	667-6044
ENGINEER/PLANNING & ZONING	667-3225
FINANCE	667-3213
FIRE	667-3288
HUMAN RESOURCES	667-3217
LANDFILL	667-0184
MUNICIPAL COURT	667-3270
POLICE	667-3455
PUBLIC WORKS	667-3240
WASTEWATER TREATMENT	667-3278
SPECIAL ASSESSMENTS	667-3271
UTILITY BILLING	667-3219
WATER TREATMENT	667-3275

## National Public Lands Day Proclamation September 27, 2014

**WHEREAS**, America's system of public lands includes parks, unique landscapes, forests, wildlife refuges, historic trails, natural streams and wetlands, nature centers, community gardens and other landmarks throughout the nation that individually and collectively represent our shared irreplaceable national resources; and

**WHEREAS**, Public lands provide locally accessible natural and cultural resources for environmental learning, wildlife appreciation and recreation; and

**WHEREAS**, Public lands promote civic ideals that include shared stewardship and recognition of public ownership; and

**WHEREAS**, Shared stewardship requires the goodwill, cooperation and active support of citizens, community, local and state officials, business leaders, youth and adults; and

**WHEREAS**, Recreation opportunities offered by public lands help families and individuals lead an active lifestyle and reduce the incidence of childhood obesity; and

**WHEREAS**, Land conservation efforts improve access to public lands for urban residents and work to break down the barriers that prevent Americans from actively utilizing their public lands; and

**WHEREAS**, A collaboration among state and local residents, land managers and community leaders improves the condition of publicly held lands for the greater enjoyment and enrichment of all Americans; and

**WHEREAS**, National Public Lands Day is the nation's largest, single-day volunteer effort for public lands and is coordinated by the National Environmental Education Foundation. City Park systems throughout the nation join with federal agencies such as The Bureau of Land Management, Department of Defense, Environmental Protection Agency, National Park Service, U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service and U.S. Forest Service to deliver an annually anticipated celebration for local participation on publicly held lands in Mandan.

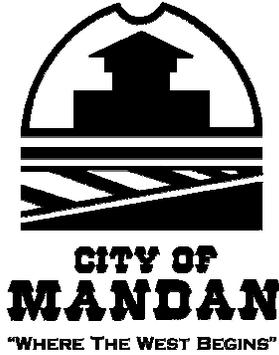
**NOW, THEREFORE**, I, Arlyn Van Beek, Mayor of the City of Mandan, do hereby proclaim, Saturday, September 27, 2014, as the 21<sup>st</sup> National Public Lands Day and call upon the people of Mandan to recognize and participate in this special observance.

Signed this 16<sup>th</sup> day of September, in the year 2014.

\_\_\_\_\_  
Arlyn Van Beek, President  
Board of City Commissioners

Attest:

\_\_\_\_\_  
James Neubauer, City Administrator



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 16, 2014  
**PREPARATION DATE:** September 12, 2014  
**SUBMITTING DEPARTMENT:** Administration  
**DEPARTMENT DIRECTOR:** Jim Neubauer, City Administrator  
**PRESENTER:** Jim Neubauer, City Administrator  
**SUBJECT:** Consider Street Closure

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STATEMENT/PURPOSE: To consider request for street closure from First Presbyterian Church.

BACKGROUND/ALTERNATIVES: First Presbyterian Church has requested to close 3<sup>rd</sup> Ave between 2nd St and 3rd St NW, from approximately 3:45 pm to 6:00 p.m. September 21<sup>st</sup>.

Neighbors have been contacted by Mary Meeker, First Presbyterian Church, and no opposition has been received. Emergency Services (Police, Fire) and engineering have been contacted and as long as appropriate signage, barricades, cones in place, along with ability to have emergency vehicles into to the area is permitted there are no apparent issues. There will be no bands or alcohol will be served.

ATTACHMENTS: n/a

FISCAL IMPACT: n/a

STAFF IMPACT: Police, Fire, Engineering and Public Works have been consulted.

LEGAL REVIEW: n/a

RECOMMENDATION: I recommend allowing the closure of 3<sup>rd</sup> Ave, from 2<sup>nd</sup> Street NW to 3<sup>rd</sup> St NW, on September 21, from 3:45 – 5:00 p.m.

SUGGESTED MOTION: I move to allow the closure of 3<sup>rd</sup> Ave, from 2<sup>nd</sup> Street NW to 3<sup>rd</sup> St NW, on September 21, from 3:45 – 5:00 p.m.



## Board of City Commissioners Agenda Documentation

**MEETING DATE:** September 16, 2014  
**PREPARATION DATE:** September 12, 2014  
**SUBMITTING DEPARTMENT:** Engineering & Planning  
**DEPARTMENT DIRECTOR:** Justin Froseth  
**PRESENTER:** Justin Froseth, Planning and Engineering Director  
**SUBJECT:** Authorize issuance of a Request for Proposals for Sanitary Sewer Inspection Services

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### STATEMENT/PURPOSE:

Sections of the public sanitary sewer system need to be inspected to ascertain their condition and determine whether rehabilitation is needed and in many cases, what kind of rehabilitation project is needed.

### BACKGROUND/ALTERNATIVES:

Three areas of sanitary sewer inspections were shown as needs in the Capital Improvements Plan, those being;

1. The two sanitary forcemain lines from the master lift station to the wastewater treatment plant.
2. The Crying Hill area sanitary sewer trunk line. The area proposed for inspection begins east of Sunset Dr. on Boundary Rd. NW and continues east to Mandan Ave. and then south to the Master Lift Station located east of 6th Ave. SE on 1st St. SE.
3. Main alley sanitary sewer main. Portions of the downtown sanitary sewer conveyance system have already been identified as needing rehabilitation. Inspection of the manholes is needed in order to plan for needed manhole repairs when the sewer pipe is rehabilitated.

Other areas to be considered for inspection as budget allows and are listed in the scope of services attached to this agenda item.

ATTACHMENTS:

1. Advertisement for Request for Services
2. Scope of Services

FISCAL IMPACT: Inspections to be paid for by utility funds. The finance department has been consulted with this project.

STAFF IMPACT: City staff would directly oversee these inspections

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

RECOMMENDATION:

Recommend issuing a notice of Request for Proposals to obtain submittals from qualified firms to perform this specialized work.

SUGGESTED MOTION:

Move to approve issuance of Request for Proposals for Sanitary Sewer Inspection Services.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 16, 2014

Subject: Authorize issuance of RFP for Sanitary Sewer Inspection Services

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Notice of Request for Proposal  
City of Mandan, North Dakota

NOTICE IS HEREBY given that the City of Mandan is requesting qualified firms to provide sanitary sewer inspection services. The proposed work includes flushing and then televising approximately 23,000 lineal feet of gravity sanitary sewers ranging in size from 12 inch diameter to 30 inch diameter, inspecting approximately 100 manholes and inspecting approximately 31,000 lineal feet of 16 inch diameter AC force main. A scope of services can be obtained from the city's web site ([www.cityofmandan.com](http://www.cityofmandan.com)) or by calling 701-667-3225. Proposals are due no later than 10:00 AM, Thursday, October 2, 2014.

James Neubauer  
City Administrator

Sanitary Sewer Inspection Project  
Scope of Services

This is a project to provide sanitary sewer inspection services. This is a qualifications based procurement. The City plans to contract for those services that can be completed with the available budgeted funds. The contractor shall provide a standard fee chart to be used to determine the scope of the project. Price will not be the primary determining factor in selecting a company to perform the work.

The respondent shall provide information including the length of time the firm has been in business providing these services and at least 5 previous clients for which these services have been provided. Information on the previous projects shall include size, type of services performed and contact information for the clients.

The respondent shall submit a written response labeled RFP for Sanitary Sewer Inspection Services, attention Justin Froseth, by 10:00 AM Central Daylight Time, Thursday, October 2, 2014 at City Hall, 205 2<sup>nd</sup> Avenue NW, Mandan, North Dakota 58554.

The City will review the submittals and may contact the respondents for further information or to schedule an interview. The city expects to make a decision on or before November 4, 2014.

**Quantities and Locations**

Approximately 23,000 lineal feet of VCP and RCP gravity pipes between 12 inch diameter and 30 inch diameter will be flushed and TV inspected. Approximately 100 manholes will be inspected. Approximately 31,000 lineal feet of 16" AC force main will be inspected.

Depending on available funds, the sizes and approximate lengths of pipe to be inspected are:

Pipe Diameter in Inches	Approximate Length in Feet
12	3000
15	5000
18	4000
21	2000
24	6000
30	3000
Total Length	23000

Depending on available funds, the proposed locations of pipe to be inspected are:

Street	From	To
East of 6 <sup>th</sup> Ave. SE south of BNSF rail yard	Trunk sewer	6 <sup>th</sup> Ave.
6 <sup>th</sup> Ave. SE	Frontier Tr.	1 <sup>st</sup> SE
1 <sup>st</sup> St. SE	6 <sup>th</sup> Ave. SE	3 <sup>rd</sup> Ave. SE
3 <sup>rd</sup> Ave. SE	1 <sup>st</sup> St. SE	3 <sup>rd</sup> St. SE
3 <sup>rd</sup> St.	3 <sup>rd</sup> Ave. SE	4 <sup>th</sup> Ave. SW
1 <sup>st</sup> St. SE	East of Lori Dr. (Master Lift)	South of S. Frontier Tr.
South of S. Frontier Tr.	East of Lori Dr.	East of Gateway Tr.
East of Gateway Tr.	South of S. Frontier Tr.	E Main St.
East of Mandan Ave.	E. Main St.	Division St. NE
Division St. NE	East of Mandan Ave.	West of Mandan Ave.
West of Mandan Ave.	Division St. NE	16 <sup>th</sup> St. NE
16 <sup>th</sup> St. NE & North or I-94	Mandan Ave.	3 <sup>rd</sup> Ave. NE align.
3 <sup>rd</sup> Ave. NE align.	North or I-94	15 <sup>th</sup> St. NE
15 <sup>th</sup> St. NE align.	3 <sup>rd</sup> Ave. NE align.	Collins Ave. @ 14 <sup>th</sup> St.
14 <sup>th</sup> St. NW	Collins Ave.	6 <sup>th</sup> Ave. NW
6 <sup>th</sup> Ave. NW	14 <sup>th</sup> St. NW	15 <sup>th</sup> St. NW
15 <sup>th</sup> St. NW	6 <sup>th</sup> Ave. NW	Linda Dr.
Linda Dr.	15 <sup>th</sup> St. NW	Boundary Rd. NW

Depending on available funds, the proposed locations of manholes to be inspected include:

Street	From	To
Alley north of Main St.	8 <sup>th</sup> Ave. NE	4 <sup>th</sup> Ave. NW
Alley between Collins Ave. NW & 1 <sup>st</sup> Ave. NW	Alley north of Main St.	5 <sup>th</sup> St.
Alley between 1 <sup>st</sup> Ave. NW & 2 <sup>nd</sup> Ave. NW	Alley north of Main St.	5 <sup>th</sup> St.
East of 6 <sup>th</sup> Ave. SE south of BNSF rail yard	Trunk sewer	6 <sup>th</sup> Ave.
6 <sup>th</sup> Ave. SE	Frontier Tr.	1 <sup>st</sup> SE
1 <sup>st</sup> St. SE	6 <sup>th</sup> Ave. SE	3 <sup>rd</sup> Ave. SE
3 <sup>rd</sup> Ave. SE	1 <sup>st</sup> St. SE	3 <sup>rd</sup> St. SE
3 <sup>rd</sup> St.	3 <sup>rd</sup> Ave. SE	4 <sup>th</sup> Ave. SW
1 <sup>st</sup> St. SE	East of Lori Dr. (Master Lift)	South of S. Frontier Tr.
South of S. Frontier Tr.	East of Lori Dr.	East of Gateway Tr.
East of Gateway Tr.	South of S. Frontier Tr.	E Main St.
East of Mandan Ave.	E. Main St.	Division St. NE
Division St. NE	East of Mandan Ave.	West of Mandan Ave.
West of Mandan Ave.	Division St. NE	16 <sup>th</sup> St. NE
16 <sup>th</sup> St. NE & North or I-94	Mandan Ave.	3 <sup>rd</sup> Ave. NE align.

3 <sup>rd</sup> Ave. NE align.	North or I-94	15 <sup>th</sup> St. NE
15 <sup>th</sup> St. NE align.	3 <sup>rd</sup> Ave. NE align.	Collins Ave. @ 14 <sup>th</sup> St.
14 <sup>th</sup> St. NW	Collins Ave.	6 <sup>th</sup> Ave. NW
6 <sup>th</sup> Ave. NW	14 <sup>th</sup> St. NW	15 <sup>th</sup> St. NW
15 <sup>th</sup> St. NW	6 <sup>th</sup> Ave. NW	Linda Dr.
Linda Dr.	15 <sup>th</sup> St. NW	Boundary Rd. NW

The force mains start at the Master Lift station and continue south generally following the Heart River to the Wastewater Treatment Plant located at 3500 40<sup>th</sup> Ave. SE.

### **Work Schedule for Gravity Sewers**

Inspections will be performed during low flow periods, generally between midnight and 6 AM. The contractor shall provide the city's project manager with a work schedule on a weekly basis at a scheduled project meeting. The city's project manager shall review the planned work schedule and provide the contractor with a written response within 1 business day. The city's project manager shall forward the planned work schedule to the City Administrator, Police Chief, Fire Chief, Public Works Director and City Engineer. The planned work schedule will be posted on the City web site with an accompanying explanation of the project.

### **Manhole Inspections**

Approximately 100 manholes are to be inspected. This includes all manholes along the gravity and force mains that are to be inspected plus manholes in another area where no TV inspections are planned. Photos shall be taken of each manhole documenting the surface conditions around the manhole. In addition, photos shall be taken documenting the condition of the interior of the manhole. Each manhole shall be inspected and conditions documented to include the following:

- Cover size
- Rim and cover not to grade
- Rim and cover not properly cemented
- Depth of chimney section
- Sections of manhole misaligned
- Wall material and condition
- Infiltration
- Evidence of surcharging
- Bench or invert needs repair or reconstruction

### **Force Main Inspection**

The two approximately 3 mile long force mains from the Master Lift Station to the Wastewater Treatment Plant are to be inspected. The proposed method of inspection

must be able to document the structural condition of the pipe. There has been evidence of soil interaction with AC pipe that causes surface deterioration of the pipe. The method of inspection should be able to document pipe thickness. Pipe that is out of round needs to be documented. The contractor must provide a list of the parameters that will be documented with the inspection.

Normal flow can be accommodated with only one force main while the other is being inspected. However, unexpected high flows may require a rapid repair of the pipe being inspected so that it can be put back in service. The contractor must provide the city with a plan for how the inspection will proceed and how much time will be required to put the line back in service once the inspection is completed. Because this is AC pipe that was installed in the mid 60's, there is a possibility of encountering deteriorated pipe that could create a problem when repairing any cuts made in the pipe in order to install the inspection equipment. The contractor shall detail the process to repair any deteriorated pipe encountered.

The length of pipe that can be inspected at one time and a plan for how the pipe will be excavated and protected during inspection must be provided. Portions of the pipe route parallel a flood control dike and there is limited working room.

### **Noise and Work Site Lighting**

The contractor shall refrain from generating any extraneous noise (radios, shouting, etc.) at work sites in residential neighborhoods. Idling of vehicle engines shall be kept to a minimum. Generators used shall be a quiet running design or built into a vehicle with sound insulation and a high quality muffler.

Work site lighting shall be kept to a minimum in residential areas and be shielded to light up only the needed work area.

### **Traffic Control**

The contractor shall provide traffic control at the work site. If a travel lane must be blocked off, flaggers shall be used to direct traffic. The contractor shall notify the Mandan Police Department each evening, at least 2 hours prior to the planned start of work, of the planned work area for that evening. The contractor shall provide the police with the name and contact number of the crew foreman or other responsible worksite representative.

### **Work Sequence**

The contractor shall flush all pipes prior to TV inspection. Flushing shall be coordinated with the Public Works Department as to time of day and day of week. Flushing can be done during normal business days between 10:00 AM and 3:00 PM. If the contractor

wishes to flush a specific area during another time period, the city's project manager must approve the plan in writing in advance. If for any reason a reach of sewer cannot be flushed, the city's project manager shall be notified and a determination made by the city as to what shall be done with that reach of sewer.

Because of the critical nature of the force mains, the contractor must coordinate all aspects of the inspection process with the Public Works Department and the city's project manager. If possible, actual shutdown of the force main should occur during low flow periods. Since the force mains are not near residential development for most of their length, night work is acceptable.

### **Access to System**

If the contractor discovers a manhole that has a sealed or buried cover, the city will open the manhole. The City will make every effort to accommodate the contractor's schedule but it may require rescheduling of a flushing or inspection to a later date.

### **Safety**

Because work will be conducted in public rights-of-way, the contractor must carry adequate insurance for all activities, equipment and personnel. The contractor must provide the city with evidence of insurance at the time of contract execution.

The contractor shall provide the city with a traffic control plan for each location.

### **Quality Control**

The contractor shall provide the city's project manager with an electronic copy of the previous day's inspections. The city's project manager shall review the inspections and notify the contractor within 3 working days of the result of the review. If the city's project manager notifies the contractor that an inspection was not satisfactory, the contractor shall re-inspect the rejected work.

### **Identification**

All employees of the contractor shall carry identification at all times and present it when asked. The inspection vehicle shall be properly marked with the name and contact information of the contractor. A magnetic sign with the name of the project and city contact information shall be attached to each side of the inspection vehicle. Copies of a letter on city letterhead explaining the project shall be kept in the inspection vehicle and given to anyone who asks.

### **Report**

Board of City Commissioners

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The contractor shall prepare a written report documenting the results of the inspections. Each manhole and reach of sewer shall be listed in the report with an overall rating for each. The report shall contain detailed comments on problems found. The problems shall be categorized using a ratings scale. The criteria for each rating shall be included in the report with a pictorial example of each ratings category. 3 copies of the written report shall be submitted accompanied by an electronic version of the report with all inspections in a format readable on a standard office desktop computer.

### **Time of Performance**

Because of the potential for inclement weather, the City understands that services may be rendered intermittently. The time of performance has been lengthened to account for this. However, the contractor is encouraged to complete the work as expeditiously as possible. The contractor is expected to complete the manhole inspections no later than March 15, 2015. The remainder of the work must be completed by May 31, 2015.

**ORDINANCE NO. 1191****AN ORDINANCE ANNEXING LAND INTO THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA**

WHEREAS, the owners of land described as a portion of the SW ¼ of Section 2, Township 138N, Range 81W of the 5<sup>th</sup> Principal Meridian, Morton County, North Dakota have requested that the City annex this property; and

WHEREAS, this action will allow recordation of the plat known as Plainview Heights 15<sup>th</sup> Addition; and

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

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

WHEREAS, notice was published in a newspaper of general circulation within the City of Mandan on 8/8/2014 and a certified letter announcing the intent to annex was delivered by the USPS to Morton County on 8/4/2014 as required by North Dakota Century Code 40-51.2-05.

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

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

A portion of the Southwest Quarter of Section 2, Township 138 North, Range 81 West of the Fifth Principal Meridian, City of Mandan, Morton County, North Dakota, more particularly described as follows:

Commencing at the center of Section 2, Township 138 North, Range 81 West; thence S 89° 01' 53" W along the northerly line of the SW 1/4 of Section 2 a distance of 1097.35 feet; thence S 00° 58' 07" W a distance of 945.54 feet to the point of beginning which is also the northwest corner of Lot 1, Block 1, Plainview Heights 14<sup>th</sup> Addition; thence along the westerly line of said Plainview Heights 14<sup>th</sup> Addition S 10° 56' 32" W, a distance of 140.12 feet; thence along the westerly line of said Plainview Heights 14<sup>th</sup> Addition S 35° 30' 14" W, a distance of 180.37 feet; thence along the westerly line of said Plainview Heights 14<sup>th</sup> Addition S 10° 35' 07" W, a distance of 185.68 feet; thence along the westerly line of said Plainview Heights 14<sup>th</sup> Addition S 14° 21' 10" E, a distance of 304.46 feet; thence S 79° 13' 43" W, a distance of 154.44 feet; thence S 73° 24' 17" W, a distance of 68.48 feet; thence S 88° 52' 30" W, a distance of 149.73 feet; thence N 10° 31' 52" W, a distance of 541.07 feet; thence N 83° 59' 03" E, a distance of 51.95 feet; thence N 32° 11' 58" E, a distance of 155.35 feet; thence N 57° 48' 02" W, a distance of 133.92 feet; thence N 18° 15' 07" W, a distance of 74.97 feet; thence N 50° 10' 33" W, a distance of 136.19 feet; N 06° 00' 57" W, a distance of 58.50 feet to the southwest corner of Lot 15, Block 2, Plainview Heights 10<sup>th</sup> Addition; thence along the southerly

line of said Plainview Heights 10<sup>th</sup> Addition S 74° 48' 59" E, a distance of 169.25 feet; thence along the southerly line of said Plainview Heights 10<sup>th</sup> Addition N 64° 00' 28" E, a distance of 81.85 feet; thence along the southerly line of said Plainview Heights 10<sup>th</sup> Addition S 84°07' 47" E, a distance of 123.00 feet to the west line of Lot 12, Block 1, Plainview Heights 11<sup>th</sup> Addition; thence along said west line of Lot 12, Block 1, Plainview Heights 11<sup>th</sup> Addition, S 11° 37' 41" W, a distance of 33.10 feet to the southerly line of Plainview Heights 11<sup>th</sup> Addition; thence along the southerly line of said Plainview Heights 11<sup>th</sup> Addition S 79° 57' 50" E, a distance of 129.12 feet; thence along the southerly line of said Plainview Heights 11<sup>th</sup> Addition S 56° 53' 31" E, a distance of 71.09 feet; thence along the southerly line of said Plainview Heights 11<sup>th</sup> Addition S 77° 30' 14" E, a distance of 132.86 feet to the point of beginning.

Said tract of land contains 8.516 Acres more or less and is subject to any previous easements, agreements, conveyances and surveys.

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

\_\_\_\_\_  
President, Board of City Commissioners

Attest:

\_\_\_\_\_  
City Administrator

Publication Date:	8/8/2014
First Consideration:	9/2/2014
Second Consideration and Final Passage:	_____
Publication Dates:	_____
Recording Date:	_____



**ORDINANCE NO. 1187****AN ORDINANCE TO AMEND AND REENACT SECTION 21-03-02 OF THE MANDAN CODE OF ORDINANCES RELATING TO DISTRICT BOUNDARIES AND ZONING MAP.**

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

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

1. Lots 2 – 4 of Block 1 Lakewood Commercial Park located within the City of Mandan, Morton County, North Dakota shall be excluded from the MA (Industrial) zoning and shall be included in PUD District 2014-01 (Planned Unit Development) with the following conditions and restrictions.

- a. The northern 30% of the frontage along 46<sup>th</sup> Avenue SE may be developed with residential structures and access streets.
- b. Residential development shall be restricted to 2 and 4 unit buildings.
- c. Minimum lot size for the duplex lots shall be 6,000 square feet.
- d. Duplex lots may be split to allow separate ownership of each half of the duplex as specified in the R3.2 zoning district.
- e. Front, side and rear setbacks for the duplex lots shall conform to the requirements of the R3.2 zoning district.
- f. Front, side and rear setbacks for the four-plex units shall conform to the requirements of the RM zoning district.
- g. Side and rear setbacks for the commercial lots shall conform to the requirements of the CB zoning district.
- h. Structures shall not be constructed closer than 25 feet to 46<sup>th</sup> Avenue SE or closer than 5 feet to the south property line.
- i. Space shall be provided for at least two passenger vehicles and one boat or camper per dwelling unit.
- j. Guest parking spaces shall be provided at a ratio of at least one per dwelling unit.
- k. 50% of the minimum required on-site parking shall be exterior.
- l. At least the southern 40% of the frontage along 46<sup>th</sup> Avenue SE shall be developed with commercial buildings.
- m. Commercial area uses shall be limited to those in Retail Group A, Service Group A and Office-bank Group as itemized in Appendix A.
- n. The area fronting 46<sup>th</sup> Avenue SE between the residential and commercial areas shall be reserved until September 2016 for additional commercial development. After that date, if market conditions are unfavorable for additional commercial development, residential structures may be constructed in this area.
- o. Freestanding signage shall be limited to a development name sign at the northern and southern entrances and one shared sign per commercial

building located no closer than 5 feet to the property line along 46<sup>th</sup> Avenue SE. The signs shall be located so as not to obstruct vehicular sight triangles at the access driveways. The area around the signs shall be landscaped.

- p. The developer shall install or arrange for the installation of all on-site utilities.
- q. Fire hydrants shall be installed as directed by the City of Mandan Fire Department.
- r. There shall be no more than three vehicular access points along 46<sup>th</sup> Avenue SE.
- s. The developer shall install, or arrange to have installed, at the southern side of the southern entrance to the development opposite the driveway to the waterpark parking lot a HAWK pedestrian traffic signal. The signal shall be installed prior to the issuance of building permits for more than 36 dwelling units.
- t. The developer shall install a 5 foot wide sidewalk to city specifications within the right-of-way along 46<sup>th</sup> Avenue located near the western right-of-way boundary.
- u. Interior streets shall be named and provided with street name signs along 46<sup>th</sup> Avenue SE. Street names shall be approved by Morton County Emergency Management.
- v. All on-site paved areas shall be privately owned and maintained.
- w. Configuration of the roadways shall meet the requirements of the City of Mandan Fire Department for emergency vehicle access.
- x. Privacy fencing and/or landscaping shall be installed between the residential areas and the existing commercial development to the south.
- y. All areas on each residential lot that are not paved or concealed behind a six foot high opaque fence shall be landscaped.
- z. All areas fronting 46<sup>th</sup> Avenue SE shall be landscaped. The areas between the commercial and residential uses shall also be landscaped. The landscaping shall include shrubs and/or trees. The landscaping plan must be submitted to the city for review and approval by MARC.
- aa. A property owners association shall be created to operate and maintain all common areas and utilities.
- bb. At least 4,000 sq. ft. shall be developed as an internal common use recreation area not adjacent to the water.
- cc. Lot 1 will be a commonly owned lot managed by an HOA providing access to the water for all residents of the development and their guests.
- dd. A stormwater plan shall be submitted to and approved by the city prior to beginning any land disturbing activities.
- ee. The preliminary site plan is shown in Appendix B. A detailed site plan shall be prepared and presented to the city prior to beginning any land disturbing activities documenting compliance with the requirements contained herein.



Appendix A to Ordinance 1187 establishing PUD District 2014-01

The following uses are declared to be in retail group A:

- (1) Antique store,
- (2) Appliance, radio, television store,
- (3) Auto accessory store,
- (4) Book, magazine, newspaper store,
- (5) Butcher shop,
- (6) Camera shop, art supply store,
- (7) Candy store,
- (8) Clothing, clothing accessories store,
- (9) Delicatessen,
- (10) Department store,
- (11) Drugstore,
- (12) Five and ten cent store,
- (13) Flower shop,
- (14) Furniture, office equipment store,
- (15) Gift shop,
- (16) Grocery store,
- (17) Hardware store,
- (18) Hobby, toy store,
- (19) Ice cream parlor,
- (20) Jewelry store,
- (21) Music store,
- (22) Notion, variety store,
- (23) Office supply, stationery store,
- (24) Package liquor store,
- (25) Photographic studio,
- (26) Shoe store,
- (27) Sporting goods store,
- (28) Bakery, in which nothing is baked except for retail sale on the premises.

The following uses are declared to be in service group A:

- (1) Barber shop,
- (2) Beauty shop,
- (3) Refrigerated cold storage lockers,
- (4) Dressmaker, tailor,
- (5) Dry cleaning pickup agency,
- (6) Furniture repair, upholstery,
- (7) Laundry pickup agency,
- (8) Laundry, self-service,
- (9) Milliner,
- (10) Radio, appliance repair,
- (11) Restaurant,
- (12) Shoe repair,
- (13) Soda fountain,
- (14) Watch, jewelry, camera repair,
- (15) Animal clinic,
- (16) Pet store.
- (17) Pet Grooming Commercial facility

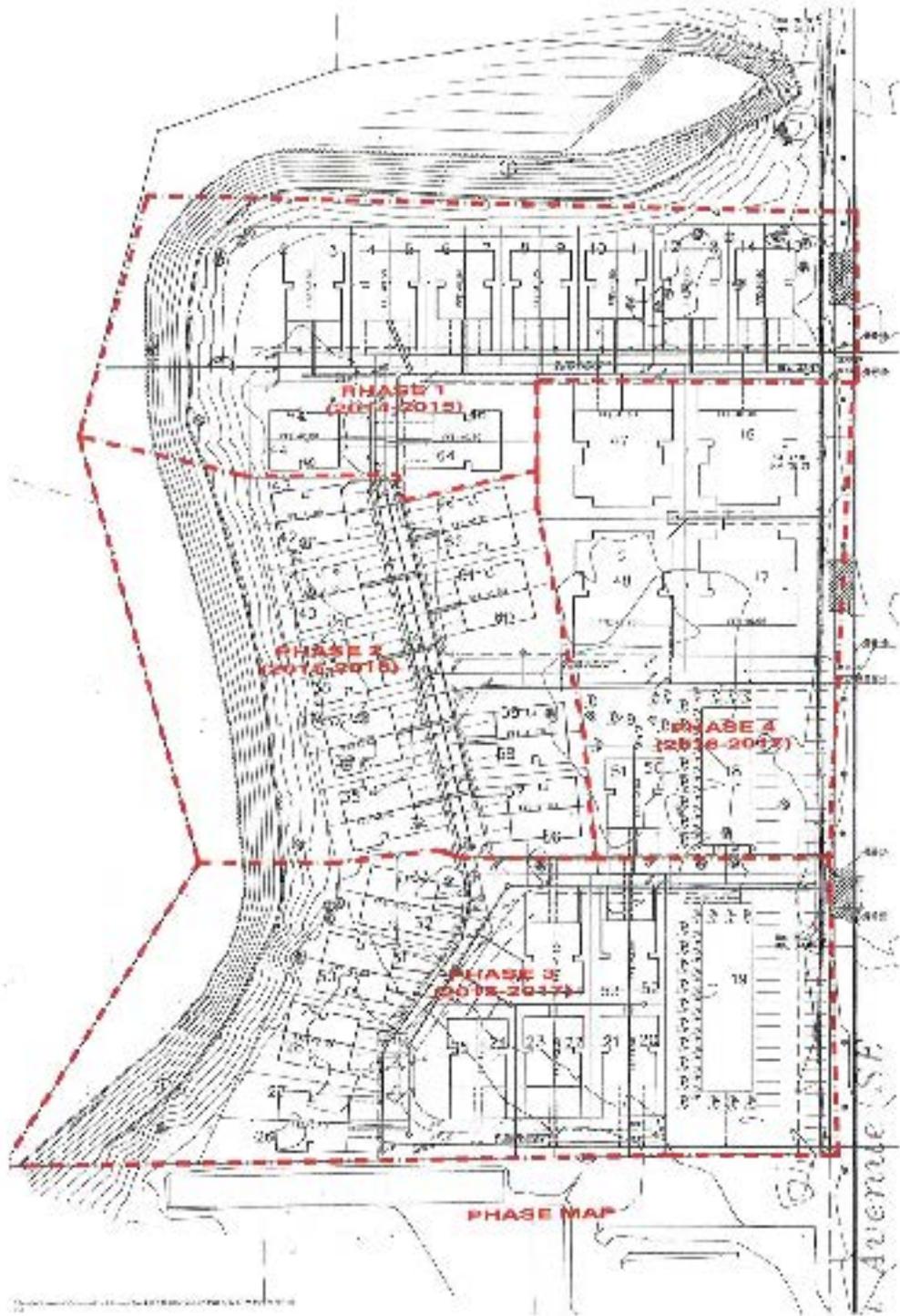
The following uses are declared to be in the office-bank group:

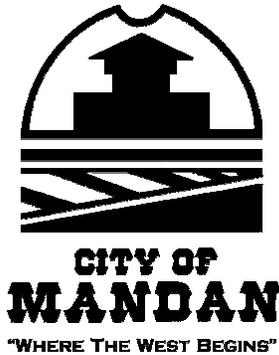
- (1) Bank,

- (2) General office,
- (3) Governmental office,
- (4) Insurance office,
- (5) Personal loan agency,
- (6) Professional office,
- (7) Real estate office,
- (8) Taxicab office,
- (9) Telephone exchange,
- (10) Utility office

Appendix B to Ordinance 1187 establishing PUD District 2014-01







## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 16, 2014  
**PREPARATION DATE:** September 11, 2014  
**SUBMITTING DEPARTMENT:** Public Works  
**DEPARTMENT DIRECTOR:** Jeff Wright, Director  
**PRESENTER:** Jeff Wright  
**SUBJECT:** Resolution Establishing Rates And Charges For Services From The Solid Waste Utility Fund.

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STATEMENT/PURPOSE: To consider rate adjustments for solid waste material taken at the transfer station and unsecured loads taken to the landfill.

BACKGROUND/ALTERNATIVES: The attached resolution shows proposed rate changes to the solid waste material taken to the transfer station, which in turn is hauled by Waste Management for final disposal at Wishek, ND. Waste Management increased their rate for hauling in July to \$39.33/ton. We currently charge \$42/ton for disposal at the transfer station, to cover O&M costs for the transfer station the City of Mandan needs to maintain an adequate margin over our hauling costs, the proposed rate change of \$45/ton will generate an approximate increase in revenue of \$20,000. Bismarck currently charges \$45.08/ton for solid waste material.

Untarped and unsecured garbage coming out to the landfill continues to be an issue as unsecured material falls off trailers and vehicles and litters the roadway and ditches. The existing charges do not cover the time and effort cleaning up and running the magnet on the road to prevent flat tires. We are proposing a \$20 untarped and unsecured garbage charge.

ATTACHMENTS: Resolution Establishing Rates And Charges For Services From The Solid Waste Utility Fund.

FISCAL IMPACT: Anticipated to be about \$20,000, based on current tonnage coming into the transfer station.

STAFF IMPACT: Minimal

LEGAL REVIEW: No

RECOMMENDATION: To approve the Resolution Establishing Rates And Charges For Services From The Solid Waste Utility Fund.

SUGGESTED MOTION: Move to approve the Resolution Establishing Rates And Charges For Services From The Solid Waste Utility Fund.

**RESOLUTION ESTABLISHING RATES AND CHARGES FOR SERVICES  
FROM THE SOLID WASTE UTILITY FUND**

BE IT RESOLVED by the Board of City Commissioners of the City of Mandan, North Dakota, pursuant to the provisions of the Mandan Municipal Code, that the following rates and charges are hereby established for services from the Solid Waste Utility Fund:

- 1) Residential area. For garbage and rubbish collection and disposal services for residential areas, there shall be a charge of \$10.05 per month, per family living unit. Residents who deliver garbage and rubbish, excluding inert materials, to the Mandan Municipal Landfill Facility will be charged ~~\$40.00~~ **\$45.00** per ton.
- 2) Non-residential area. For garbage and rubbish disposal services for non-residential establishments, there shall be a charge of ~~\$42.00~~ **\$45.00** per ton. Non-residents who deliver garbage and rubbish, excluding inert materials, to the Mandan Municipal Landfill Facility will be charged a minimum of \$7.00.

3) <u>Other disposal charges:</u>	<u>Resident</u>	<u>Commercial/ Non-resident</u>
a) Major appliances and furniture	\$7.00	\$10.00
b) Refrigerated appliances	\$20.00	\$25.00
c) Tires:		
Auto	\$2.00	\$4.00
Truck	\$5.00	\$7.00
Tractor	\$10.00	\$15.00
d) Minimum charge (includes scale usage)	\$3.00	\$5.00
e) Minimum monthly charge for services billed on account (includes scale usage)	\$5.00	\$5.00
f) Untarped and unsecured garbage	<del>\$5.00</del> <b>\$20.00</b>	<del>\$40.00</del> <b>\$20.00</b>

Grass clippings and leaves are exempt from all charges.

- 4) Inert materials. For disposal of inert materials there shall be a charge of \$15.00 per ton for Mandan Residents and \$30.00 per ton for Commercial and Non-Residents. Inert materials shall be materials so defined by the North Dakota State Department of Health including trees, lumber, demolition lumber, wooden furniture, metal, bricks, concrete, bottom ash from coal fired boilers and asphalt roofing. For separated, burnable wood materials there shall be a charge of \$15.00

Board of City Commissioners

Agenda Documentation

Meeting Date: September 16, 2014

Subject: Resolution establishing rates and charges for Residential and Commercial/non-resident services from the Solid Waste Utility Fund.

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per ton for Commercial and Non-Residents, this does not include painted, stained or sealed wood or railroad ties.

- 5) No motor vehicle bodies or dangerous, flammable or hazardous material may be deposited at the Mandan Municipal Landfill Facility.

BE IT FURTHER RESOLVED that the rates and charges for services from the Solid Waste Utility Fund shall be effective as of the first billing after January 1, 2012 for Utility services and as of ~~June 1, 2013~~ **October 1, 2014** for Landfill services.

Dated this 16th day of September, 2014.

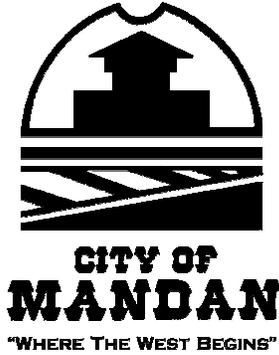
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President, Board of City Commissioners

Attest:

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City Administrator



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 16, 2014  
**PREPARATION DATE:** September 11, 2014  
**SUBMITTING DEPARTMENT:** Public Works  
**DEPARTMENT DIRECTOR:** Jeff Wright  
**PRESENTER:** Jeff Wright, Public Works Director  
**SUBJECT:** Consider for approval the Resolution amending fees and charges administered by the Public Works Department

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**STATEMENT/PURPOSE:** Consider the approval of the resolution amending the fees and charges by the Public Works Department.

**BACKGROUND/ALTERNATIVES:** The attached list of fees and charges includes the additional equipment charges for the tractor/mower (\$75/HR) and the riding mower (\$45/HR), and changing prices and description for mowing lots that are not kept up to city standards according to Weed Control policy.

The proposed changes include a description change comparable to Bismarck's language which will correspond to the pricing for the tractor/mower for heavy duty mowing (undeveloped lots) and the riding mower for light duty mowing (developed lots). Most lots take a minimum of 1 hour to mow and travel to and from. Our proposed \$100/HR charge for heavy duty mowing (undeveloped lots) includes \$75 for tractor/mower and \$25 Administration charge. Our proposed \$100/HR charge for light duty mowing (developed lots) includes \$45 for riding mower, \$30 for push mower/trimmer and \$25 Administration charge.

Charges reflect a minimum charge of \$100 which will handle most lots, but with the potential to charge by the hour if it takes longer than 1 hour.

**ATTACHMENTS:** Resolution and fee list

**FISCAL IMPACT:** This will cover our costs for the operator, equipment depreciation, and administrative costs .

**STAFF IMPACT:** N/A

**LEGAL REVIEW:** No

**RECOMMENDATION:** This office supports the amended fees and charges.

**SUGGESTED MOTION:** I move to approve the amended fees and charges.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 16, 2014

Subject: Consider for approval the Resolution amending fees and charges administered by the Public Works Department

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**RESOLUTION AMENDING FEES ADMINISTERED BY THE PUBLIC WORKS DEPARTMENT FOR THE CITY OF MANDAN, NORTH DAKOTA**

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

WHEREAS, the City of Mandan is empowered to charge fees relating to Public Works Department services and material; and

WHEREAS, the City of Mandan has provided by Ordinance the fees for such services and materials may be determined from time to time by resolution of the Board of City Commissioners; and

WHEREAS, it is the desire of the Board of City Commissioners to establish such fees as may be necessary for the orderly cost effective administration of services and materials;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF MANDAN, MORTON COUNTY, NORTH DAKOTA, AS FOLLOWS;

1. The fees for services and materials administered and regulated by the City of Mandan Public Works Department, shall be amended as denoted on the attached schedules, and as so amended shall be adopted.
2. The amended fee schedule shall be in full force and effect from and after the 1<sup>st</sup> day of November, 2014.
3. A copy of the amended fee schedule shall be filed in the office of the city auditor.

Dated this 16<sup>th</sup> day of September, 2014.

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President, Board of City Commissioners

Attest:

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City Administrator

Board of City Commissioners

Agenda Documentation

Meeting Date: September 16, 2014

Subject: Consider for approval the Resolution amending fees and charges administered by the Public Works Department

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**2014  
CITY OF MANDAN  
DEPARTMENT OF PUBLIC WORKS  
FEES AND SERVICES**

<u>Machine/Manpower</u>		<u>Cost</u>
2 Ton Truck		\$ 75 per hour
Tandem Truck		\$ 85 per hour
Backhoe		\$125 per hour
Backhoe with Jackhammer		\$150 per hour
Bucket Truck		\$116 per hour
Utility Pickup		\$ 40 per hour
Sewer Jetter		\$220 per hour
Maintainer		\$ 95 per hour
Loader		\$ 90 per hour
Blower with Loader		\$180 per hour
Bobcat		\$ 80 per hour
Winch Truck		\$106 per hour
Sweeper		\$100 per hour
Generator		\$ 50 per hour
		\$375 per day
<b><i>Tractor/Mower</i></b>		<b><i>\$75 per hour</i></b>
<b><i>Riding Mower</i></b>		<b><i>\$45 per hour</i></b>
Equip. Operator	Reg	\$31 per hour
	O.T.	\$47 per hour
Street Superintendent	Reg	\$38 per hour
	O.T.	\$57 per hour
Asphalt Repair		\$150 per ton/includes Roller and Manpower
Utility Operator	Reg	\$33 per hour
	O.T.	\$49 per hour

Board of City Commissioners

Agenda Documentation

Meeting Date: September 16, 2014

Subject: Consider for approval the Resolution amending fees and charges administered by the Public Works Department

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Utility Superintendent	Reg	\$44 per hour
	O.T.	\$66 per hour

Water Taps	1" - \$55 ea.
	1 1/2" - \$70 ea.
	2" - \$90 ea.

Turn on/off Curb Stops	Regular Hours - \$50
	After Hours-\$50 + \$75 Call out

<u>Service</u>	<u>Summer Cost</u>	<u>Winter Cost</u>
Replace Curb Stop	Per Hour - \$2,000 Maximum	Per Hour - \$2,500 Maximum
Replace Box/Rod	Per Hour - \$1,000 Maximum	Per Hour - \$1,200 Maximum
Adjust Curb Stop	Per Hour - \$ 250 Maximum	Per Hour - \$ 400 Maximum

Hydrant Meter Hookup	\$40
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Hydrant Meter	\$350 Deposit
	1-7 days - \$25 + water usage
	8 + days - \$50 + water usage

Weed Control	
<del>Lots less than 10,000 SF</del>	<del>\$ 50</del>
<b>Light duty mowing (developed lots)</b>	<b>\$100/HR, Minimum of 1 hour</b>
<del>Lots greater than 10,000 SF</del>	<del>\$0.005 per SF</del>
<b>Heavy duty mowing (undeveloped lots)</b>	<b>\$100/HR, Minimum of 1 hour</b>

Lot Cleanup	\$ 50 Minimum or \$50 per hour
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