



**AGENDA**  
**MANDAN CITY COMMISSION**  
**SEPTEMBER 2, 2014**  
**ED "BOSH" FROEHLICH MEETING ROOM,**  
**MANDAN CITY HALL**  
**5:00 P.M. (SPECIAL TIME)**  
**[www.cityofmandan.com](http://www.cityofmandan.com)**

- 
- A. ROLL CALL:
1. Roll call of all City Commissioners.
- B. APPROVAL OF AGENDA:
- C. PUBLIC COMMUNICATIONS:
- D. MINUTES:
1. Consider approval of the minutes from the August 19, 2014 Board of City Commission meeting.
- E. PUBLIC HEARING:
1. Bismarck-Mandan Metropolitan Planning Organization presentation of draft report of the Fringe Area Road Master Plan Study.
  2. Proposed rezoning of Lots 2-4, Block 1 Lakewood Commercial Park.
- 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.
- H. OLD BUSINESS:
1. Consider approving the proposal by Wenck Associates, Inc. for expanded engineering services for SID #196, Mandan Industrial Park.
- I. NEW BUSINESS:
1. Consider Growth Fund Committee Recommendations
    - i. Retail & Restaurant Incentive application by Brea for 306 W Main
    - ii. Storefront Improvement application by Larson's Creative Concepts for 216 W Main

*Agenda*  
*Mandan City Commission*  
*September 2, 2014*  
*Page 2 of 2*

---

- iii. Memorial Highway Storefront & Landscape Improvement Program proposal
  - 2. Presentation by Eide Bailly for the City's 2013 Audit.
  - 3. Consider request for written qualifications from professional architectural firms for facility needs analysis.
- J. RESOLUTIONS AND ORDINANCES:
- 1. Consider for approval update of Planning and Zoning Fees
  - 2. Second Consideration of Ordinance 1190 Big Sky Estates Rezoning.
  - 3. Consider approval of Resolution Approving Contract and Contractor's Bond for Street Improvement District 190 (Keidel's South Heart Terrace 3<sup>rd</sup> Addition).
  - 4. Consider approval of Ordinance 1191 Plainview Heights Annexation
  - 5. Consider approval of Ordinance 1187 Lakewood Commercial Park rezoning.
- K. OTHER BUSINESS:
- L. FUTURE MEETING DATES FOR BOARD OF CITY COMMISSIONERS:
- 1. September 16, 2014
  - 2. October 7, 2014
  - 3. October 21, 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.

---

The Mandan City Commission met in regular session at 5:30 p.m. on August 19, 2014 in the Ed “Bosh” Froehlich Room at City Hall, Mandan, North Dakota. Commissioners present were Van Beek, Rohr, Tibke, Laber, and Braun. Department Heads present were City Administrator Neubauer, Fire Chief Nardello, Planning & Engineering Director Froseth, Planner Decker, Building Official Lalim, Director of Public Works Wright, Finance Director Welch, Business Development Communications Director Huber, Police Chief Bullinger and City Attorney Brown. Absent: Assessor Shaw.

B. APPROVAL OF AGENDA: Commissioner Braun 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 5, 2014 and Special Meeting held August 7, 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. *Public hearing for Big Sky Estates zone change request.* City Planner Decker reviewed with members a request to rezone some lots in Big Sky. He stated this subdivision was started a number of years ago and has evolved in stages. In May, the Planning and Zoning Commission reviewed some requests for zoning changes. That one was rejected. The developer revised the zone request and made it slightly less intensive and resubmitted the request in July. The Planning Commission split the vote 8 to 4 and recommended this one go forward. The zone change involves 3 different zones with the current zoning all R-7 and some of the lots will be R3.2 (duplex units) and some of the lots will be multifamily and some of the lots will be commercial CB zoned. All the zones will have restrictions on them. The Planning Commission discussed this and the R3.2 will be limited to 1 or 2 family units and none of the secondary uses that are allowed in R3.2 would be allowed. The multi-family zone would be limited to a height of 30 ft. and the commercial zone – the initial request was to make it the same as the hotel to the east which limits it. The business B zone the more intense zone, the recommendation also adds some additional restrictions on that to include the multi-family retail group and there would be restrictions in the commercial zone, the lesser intent activities. The developer was present for answering any questions.

Mayor Van Beek announced this is a public hearing and invited anyone to come forward to speak for or against the zone change request.

---

Kris Lengenfelder, the developer, came forward to review the zone requests with the Board. He again reviewed and explained the zoning requests as presented.

Chris Beach came forward to speak and stated that he lives in a home in this area and mentioned that he is also representing several people who own homes in that neighborhood. He indicated that the neighborhood has filed a petition in opposition to the zone change. The primary reason for the opposition is that the area is single family and if the zone change goes through, it will change the feel of the neighborhood. Beach stated they are requesting that there not be such a drastic variation of the zones and that there be some semblance within the neighborhood when the construction starts. He questioned whether the City is prepared to change zoning based on financial reasons? He inquired as to how restrictions are going to be maintained and if someone from the City will be watching over it.

Planner Decker replied that there are numerous zones that have restrictions on them based on that specific parcel. He stated that the zoning is checked when permits are issued and if there is a restriction that restriction is verified by going to the file when that zone was approved.

Chris Beach voiced concern about the area which has been platted and mapped out. If a commercial zone change is made there, will this require a re-platting for right-of-way for road changes on 27th? Planner Decker stated that at this point there are no plans to change roadway alignments. Beach stressed their primary concern is the character of their neighborhood. The transition of stacking things up in an area that really does not need it. In closing Beach stated that on behalf of his neighborhood, he hopes the City Commission reconsiders the request of opposition in that they would like to see the character of the neighborhood remain.

Commissioner Laber requested clarification on a few items:

- (1) That the multifamily housing is a couple of acres? Planner Decker replied yes.
- (2) There is a specific formula regarding lot size and how many parking spaces you have to have so one could not put in a highly dense multi-family unit on two acres? Planner Decker replied yes to this as well. The 30 ft. height limit will affect the number of units that can be placed on that parcel. There are parking requirements based on units as there have to be parking spaces for the units. The drainage will be managed as part of the roadway alignment.

F. BIDS:

G. CONSENT AGENDA

1. *Consider approval of monthly bills.*
2. *Consider amendment to the 2014 fire department budget to include the purchase of tablet computers.*
3. *Consider approval of Beer Gardens for Spirit of Life Church on September 6, 2014.*

---

4. *Consider approval of change order for Street Improvement District 195, Project 2014-13 (Roughrider's).*

5. *Consider for approval Law Enforcement Out-of-State Travel & Training.*

6. *Consider Change Order for additional street work needed on Lewis Rd NW.*

Commissioner Rohr 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:

I. NEW BUSINESS:

1. *Introduction of Program Coordinator for City Administration and Business Development and Communications.* Business Development Communications Director Huber introduced Krista Harju as the program coordinator to assist City Administration and the Business Development and Communications program and projects. Ms. Harju will be helping with many of the activities and projects with committees and administration including tracking and reporting. She is a 2013 University of Mary graduate with a degree in marketing and mass communication and is a native of Velva, North Dakota.

2. *Consider the Mandan Airport Authority's 2015 Budget.* Dale Klein, Chairman of the Airport Authority provided the Board with an aerial tour of the City of Mandan during the budget request for 2015. This presentation included the new runway project of \$6.1 million and a summary of the airport expenses and upcoming projects.

The Mandan Airport Authority manages the local airport facility. The Authority's five member board is appointed by the City Commission. The Authority is fiscally dependent upon the City because the City Commission levies taxes and must approve any debt issuances. The Authority is reported as a component unit in the City of Mandan's audited financial statements. He stated that the Airport Authority Board approved the 2015 Budget on July 21, 2014. Commissioner Tibke extended a thank-you to Dale Klein for his leadership on the Airport Authority Board of which he has served as a member for several years.

Jim Lawler, Airport Manager, provided a summary review of the proposed 2015 Airport Authority Budget: The City of Mandan has included the following revenues for the Mandan Airport Authority in the City's 2015 Budget:

- Property Taxes (4 Mills) = \$217,850
  - Delinquent Taxes = \$6,400
  - Mobile Home Taxes = \$2,800
  - State Aid Distribution = \$5,600
  - Disabled Veterans Credit = \$1,650
  - Homestead Credit = \$4,000
- Total=\$238,300

---

Total Income	\$707,150.00
Gross Profit	\$707,150.00
Payroll Expenses	\$ 92,330.00
Fees & Service Chgs	\$ 700.00
Insurance	\$ 7,500.00
Travel/Training	\$ 7,000.00
Utilities	\$ 27,150.00
Publishing/Printing	\$ 2,750.00
Dues/Subscriptions	\$ 2,000.00
Supplies/Maint.	\$313,800.00
Repairs/Maint.	\$ 26,750.00
Capital Outlay	\$ 10,000.00
New Construction	\$ 0.00
Debt Services	\$ 33,000.00
Leasehold Tax	\$ 14,000.00
Revenue Bonds	\$ 78,000.00
Total Expenses	\$619,980.00
Net Ordinary Income	\$ 87,170.00
Other Income/Exp	
Grants, State Aid	\$710,000.00
FAA Grant	\$165,000.00
State Grant	\$625,000.00
Total Other Exp	\$790,000.00
Net Other Income	- \$ 80,000.00
Net Income	\$ 7,170.00

Mr. Klein stated that there is one more opening on the Airport Authority Board. He stated they are working on an interview process and anticipates that process to be in effect soon. He is also working on moving this from a small business to a big business philosophy.

Commissioner Braun moved to approve the Mandan Airport Authority's 2015 Budget as presented. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Braun: Yes; Commissioner Laber: Yes; Commissioner Van Beek: Yes. The motion passed.

3. *Consider the Morton Mandan Public Library's 2015 Budget.* Kelly Steckler, Library Director, presented for approval the Morton Mandan Public Library's 2015 Budget. Also present was Rebecca Donovan, MMPL Board President. Director Steckler stated that this particular budget has three areas of focus this year: staffing, technology and capital outlay. A strategic planning group has been established to help the library develop a clear mission, vision and core values for a 5-year plan. A community survey

---

will be distributed to city and county residents via social media, website and paper copies to get feedback.

The City of Mandan has included the following revenues for the Morton Mandan Public Library in the City's 2015 Budget:

- Property Taxes (7 Mills) = \$381,300
  - Delinquent Taxes = \$11,200
  - Mobile Home Taxes = \$4,950
  - State Grants = \$20,000
  - State Aid Distribution = \$10,650
  - Disabled Veterans Credit = \$2,850
  - Homestead Credit = \$7,000
- Total = \$437,950

Ms. Steckler stated that the Library's Board of Trustees approved the 2015 Budget on July 28, 2014.

Commissioner Tibke moved to approve the Morton Mandan Public Library's 2015 Budget. Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Braun: Yes; Commissioner Laber: Yes; Commissioner Van Beek: Yes. The motion passed.

4. *Consider Community Beautification Committee recommendation for appointees.* City Administrator Neubauer reviewed with the Board that there are three open positions on the Community Beautification Committee. A public announcement was placed in July requesting interested persons apply by August 4, 2014. Three individuals submitted letters of interest by the deadline: Tammy Lapp-Harris, Amy Schmidt, and Dale Schwindt. The CBC met and they recommended that Tammy Lapp-Harris and Amy Schmidt for the remainder of the 2014 terms and Dale Schwindt for the term ending in 2015. Commissioner Tibke extended a thank you to Amy Schmidt for organizing the Clean Up Mandan day that was held.

Commissioner Rohr moved to approve the appointments of Tammy Lapp-Harris and Amy Schmidt for the remainder of the 2014 terms and Dale Schwindt for the term ending in 2015. Commissioner Tibke seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Braun: Yes; Commissioner Laber: Yes; Commissioner Van Beek: Yes. The motion passed.

5. *Consider Emergency Roof Repair for Public Works Building.* Director of Public Works Wright reviewed with the Board the following: To authorize the emergency repair of the Public Works roof to be completed this year before cold weather arrives; on the inside, the roof leaks and poor insulation are the main problems with the roof. On the outside, access doors create safety concerns. Temporary repairs have been attempted but have not solved the problems. The proposed problems would require insulation to cover the roof with rubberized product. Two quotes were received, one from Twin City

---

Roofing in the amount of 94,671 and Tecta America Custom Roofing in the amount of \$111,809. Both companies submitted a bid for the project with September 15, 2014 as a start date and November 30, 2014 completion date. Director Wright recommended accepting the bid from the low bidder Twin City Roofing in the amount of \$94,671.00. He also recommended a budget amendment to the Building Improvement 2014 budget for \$94,671.00. The amendment would be paid for under the City Sales Tax Fund. Finance Director Welch indicated the sales tax would support this project.

Commissioner Braun moved to approve the bid from the low bidder Twin City Roofing in the amount of \$94,671.00 and approve the budget amendment to the Building Improvement 2014 budget for \$94,671.00. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Braun: Yes; Commissioner Laber: Yes; Commissioner Van Beek: Yes. The motion passed.

J. RESOLUTIONS AND ORDINANCES:

1. *Consider Resolution Authorizing Issuance of \$2,490,000 Refunding Improvement Bonds of 2014, Series A.* City Finance Director Welch stated this is a required resolution to complete the financing of the bond sale that took place at the last meeting.

Commissioner Laber moved to approve the Resolution Authorizing Issuance of \$2,490,000 Refunding Improvement Bonds of 2014, Series A. Commissioner Rohr seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Braun: Yes; Commissioner Laber: Yes; Commissioner Van Beek: Yes. The motion passed.

2. *First Consideration of Ordinance 1190 Big Sky Estates Rezoning.*

Commissioner Tibke requested viewing the zoning for this neighborhood. Planning & Engineering Director Froseth provided a map of the existing zoning.

Commissioner Laber moved to approve the First Consideration of Ordinance 1190 Big Sky Estates Rezoning and to limit the uses on the 3.2 lots to one or two family dwellings, limit the height of the structures on the multi-family lots to 30 ft. above existing grade and limit the development on the CB zoned lots to multi-family residential, Retail Group A, Service Group A and Office-bank Group uses for:

- ~ Lots 1 & 2, Block 1, Big Sky Estates 3<sup>rd</sup> Addition Replat from R7 to CB Restricted;
- ~ Lots 1 & 2, Block 2, Big Sky Estates 3<sup>rd</sup> Addition Replat from R7 to CB Restricted;
- ~ Lots 1-3, Block 1, Big Sky Estates 5<sup>th</sup> Addition Replat from R7 to CB Restricted;
- ~ Lots 9-13, Block 4, Big Sky Estates 3<sup>rd</sup> Addition Replat from R7 to RM Restricted;
- ~ Lots 4 & 5, Block 1, Big Sky Estates 3<sup>rd</sup> Addition Replat from R7 to R3.2 Restricted;
- ~ Lots 1-4, Block 2, Big Sky Estates 3<sup>rd</sup> Addition Replat from R7 to R3.2 Restricted;
- ~ Lots 7 & 8, Block 2, Big Sky Estates 3<sup>rd</sup> Addition Replat from R7 to R3.2 Restricted;
- ~ Lots 1-4, Block 1, Big Sky Estates 4<sup>th</sup> Addition Replat from R7 to R3.2 Restricted;

And to restrict the development on the R3.2 lots to 1 and 2 family structures.

Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: No;

---

Commissioner Tibke: Yes; Commissioner Braun: Yes; Commissioner Laber: Yes;  
Commissioner Van Beek: Yes. The motion passed.

3. *Consider the introduction and first consideration, and call for a public hearing 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.*

Commissioner Rohr was excused from the meeting at this time for a personal matter.

Finance Director Greg Welch presented the following introduction and first consideration, and call for a public hearing of Ordinance No. 1189 adopting the 2015 Budget.

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, contracts and agreements. In addition to these legal requirements, the City's Significant Budget Policies provide further direction and guidance to the budgeting process. The Preliminary 2015 Budget is in compliance with these legal requirements and City Policies. The proposed Budget for 2015 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, and Greg Welch, Finance Director.

### **REVENUES**

Total = \$27,044,600

- Property Taxes = \$3,567,900 or 13%
- 1% City Sales Taxes = \$2,817,100 or 10%
- Other Taxes = \$705,600 or 3%
  - 1% Restaurant and Lodging Taxes = \$435,050
  - 2% Occupancy Taxes = \$65,350
- Licenses and Permits = \$1,085,950 or 4%
  - Building Inspection Permits = \$615,550
  - Cable TV Franchise Fees = \$339,750
- Intergovernmental = \$3,975,900 or 15%
  - 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 or 35%
- Other Charges for Services = \$481,650 or 2%
  - Fuel (City Shop) = \$240,550
  - Grave Opening and Closing (Cemetery) = \$47,050
- Fines and Forfeits = \$238,300 or 1%
- Special Assessments = \$4,420,750 or 16%

- 
- Miscellaneous = \$375,950 or 1%
    - Loan Repayments (Mandan Growth Fund) = \$20,400
    - Sale of Lots (Cemetery) = \$37,250

### **EXPENDITURES**

Total = \$27,413,350

- Salaries and Benefits = \$9,888,700 or 36%
  - Salaries = \$7,355,700
  - Benefits = \$2,533,000
- Operations and Maintenance = \$6,900,800 or 25%
- Debt Service-Principal and Interest = \$8,801,050 or 32%
- Capital Outlay = \$1,822,800 or 7%

### **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%

Condensed Operating Statements:

- General Fund
  - Committee recommends renaming Weed Control Department to Grounds Maintenance Department.
- Cemetery Fund
- Mandan Growth Fund
- 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
- Solid Waste Utility Fund
- Street Light Utility Fund

### **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 = 76.50 Mills

- Decrease from Tax Year 2013 (2014 Budget) = 5.28 Mills
- City's share of 1 Mill for Tax Year 2013 (2014 Budget) = 24%

**PROPERTY TAXES**

Property Taxes = \$4,386,468

- Increase from Tax Year 2013 (2014 Budget) = \$185,870
  - New construction = \$101,297
  - Existing property = \$84,573
- The 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 = \$16

**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
  - 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
- 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

- 
- 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
    - 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

Public Works Director Wright reported on the Water Main Replacement Project and stated that it is an annual scheduled project. The Public Works Department identified water mains that need to be replaced typically old cast iron pipe that are under-sized and failing. This year's project will be on the east side of Mandan between Mandan Avenue and 4<sup>th</sup> Avenue Northeast and it will comprise of approximately 10-13 blocks (of water main replacement).

**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%
      - 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 = \$1,766

- Increase from 2014 Budget = \$60

The City will publish a Notice of Public Hearing on August 29, 2014 for the second and final consideration of Ordinance No. 1189 adopting the 2015 Budget on September 16, 2014. The Preliminary 2015 Budget will also be posted on the City's website at [cityofmandan.com](http://cityofmandan.com).

The Budget and Finance Committee has three goals to achieve in the near future:

- To develop a formal Special Assessments Policy.
- To develop an Infrastructure and Development Policy.
- To develop a Debt Management Policy.

Finance Director Welch stated that these are three different policies that relate to one another. The Budget and Finance Committee will work on the development of these policies once this Budget is approved.

Commissioner Laber moved to approve the introduction and first consideration, and call for a public hearing 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. Commissioner Tibke 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**

1. Commissioner Laber extended a thank you to the City staff for the nice work done on the City of Mandan Facebook page and website as well as other electronic accessibility to the City's information.

---

There being no further actions to come before the Board of City Commissioners, Commissioner Tibke moved to adjourn the meeting at 7:25 p.m. Commissioner Rohr seconded the motion. The motion received unanimous approval of the members present. The motion passed.

---

James Neubauer,  
City Administrator

---

Arlyn Van Beek,  
President, Board of City  
Commissioners



# FRINGE ROAD MASTER PLAN

BISMARCK-MANDAN MPO



## 2014 FRINGE AREA ROAD MASTER PLAN Executive Summary

**Bismarck-Mandan**   
METROPOLITAN PLANNING ORGANIZATION

Bismarck-Mandan Metropolitan Planning Organization  
221 North 5th Street, Bismarck, ND 58506

# 2014 FRINGE AREA ROAD MASTER PLAN

## EXECUTIVE SUMMARY

**PREPARED FOR:**  
Bismarck-Mandan Metropolitan Planning Organization  
221 North 5<sup>th</sup> Street  
Bismarck, ND 58506

**PREPARED BY:**  
SRF Consulting Group, Inc.  
One Carlson Parkway North  
Suite 150  
Minneapolis, MN 55447

With:  
HDR Engineering  
4503 Coleman Street  
Suite 105  
Bismarck, ND 58503

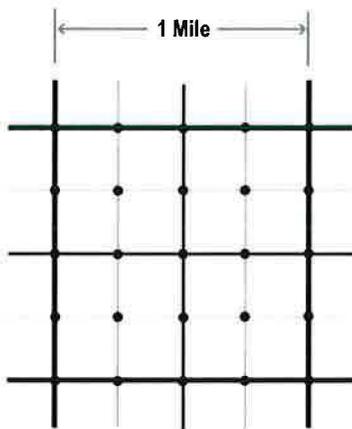
**August 5, 2014**

## BACKGROUND

The Bismarck-Mandan metropolitan area is experiencing a period of substantial economic growth that is bringing more families and new businesses to the region. In addition, the positive economic climate is providing current residents and businesses the means to afford new homes and/or to expand their existing business square footage. The future land use plans for the communities and counties in the region document the need for developable land outside the current city limits of Bismarck, Mandan and Lincoln. In most areas of the region development outside the cities will require extending the infrastructure, including a transportation network.

Through the 2014 Fringe Road Master Plan, the MPO and member jurisdictions are developing a forward-looking plan that identifies the arterial and collector roadway network to support and complement known and anticipated residential, commercial, industrial and public development of the area outside each of the communities. The preceding sentence embodies the vision of the plan to complement and support known and anticipated development outside the city limits of Bismarck, Mandan and Lincoln in Morton and Burleigh Counties.

The focus of the roadway network within Bismarck-Mandan MPO fringe area is on the collector and other principal arterial systems. Local streets were not included as they are internal to specific developments and as long as they connect to the collector roadway at acceptable locations, they have little impact outside the development. Interstate and other freeway/expressway routes are not included as their alignments are essentially defined throughout the region



**Legend**

- - Other Principal Arterial
- - Minor Arterial / Major Collector
- - Minor Collector
- - Intersection Location in 2014 Fringe Road Plan
- - Proposed Alternate Intersection
- - - Proposed Alternate Alignment

Throughout the region the principal arterial network comprises section line roads on the one mile grid and the state and federal highway system roadways. Where terrain or other physical barriers have limited establishing a section line right-of-way, a limited mileage of alternate alignment arterials have been developed over time. Internal to the section, at half mile and quarter mile intervals are the collector and/or minor arterial routes. These internal-to-the-section routes serve as the collection and distribution system between local streets with specific developments and the arterial system.

## STUDY AREA

Figure 1 displays the Fringe Area Road Master Plan study area.

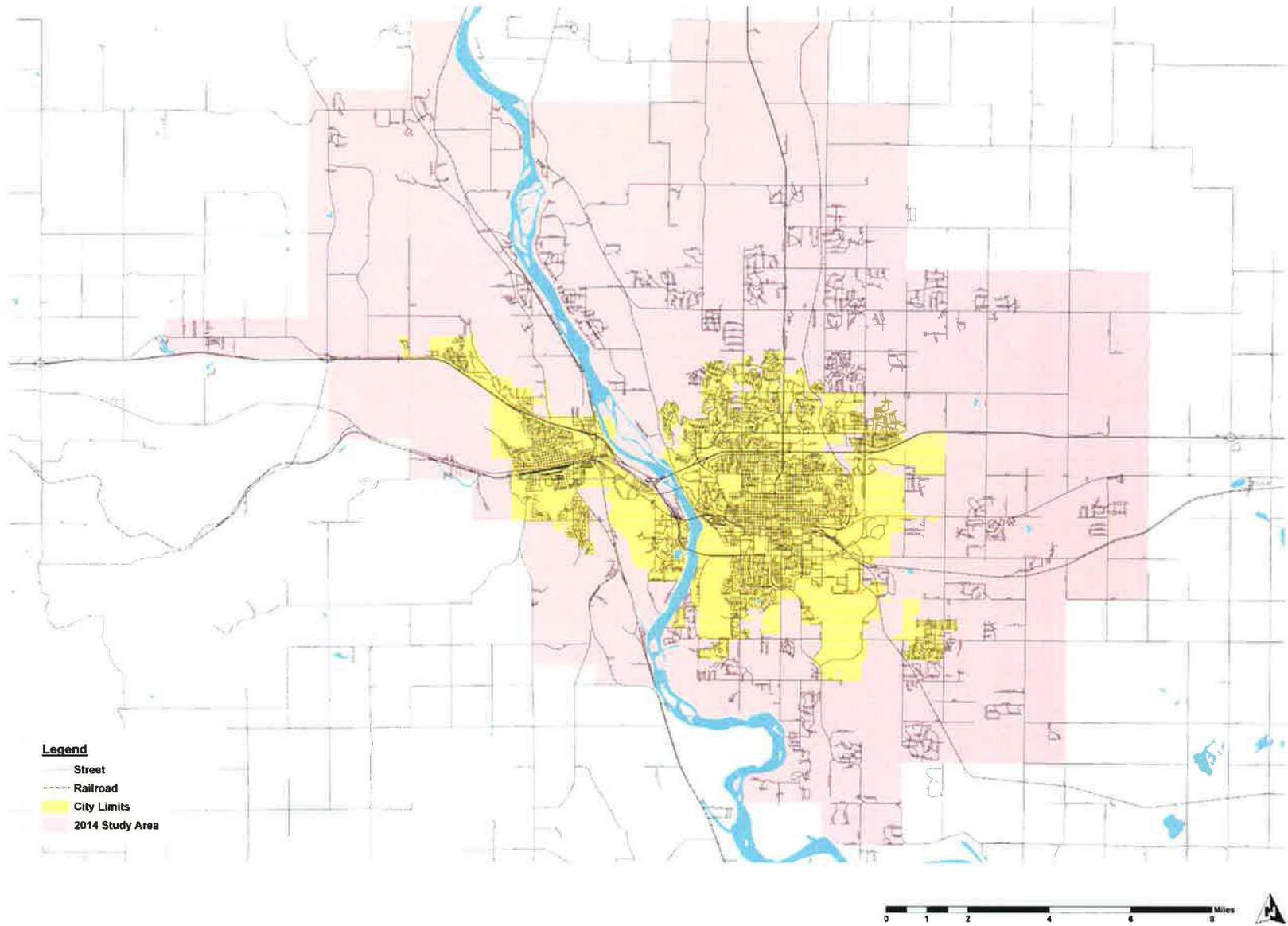


Figure 1: Fringe Area Study Limits

## ANTICIPATED REGIONAL GROWTH (HOUSEHOLDS AND EMPLOYMENT)

Historically across the region, households and employment levels have expanded at a rate of slightly less than one percent per year. Over the last four to five years, the area has experienced a greatly elevated level of growth in both housing starts and new commercial/industrial businesses relative to the observed historical trend. The MPO Policy Board recognizes the accelerated level of growth/expansion in the region and has approved for use in regional planning studies a 2040 population and employment projection that assumes the accelerated growth rate will continue well into the future.

The MPO Policy Board has supported the Aggressive Growth concept for use in developing regional planning documents.

Table 1 documents of the base year (2010), intermediate year (2025), and 2040 horizon estimates of regional growth for population, households and employment.

**Table 1. Change in Socioeconomic Data Estimates**

Variable	2010	2025	2040	Change over Period	
				2010 to 2025	2025 to 2040
Population	108,600	159,000	191,600	50,400	32,600
Households	41,800	64,400	73,100	22,600	8,700
Employment	64,300	99,900	124,500	35,600	24,600

Source: Bismarck-Mandan MPO

## PURPOSE AND NEED

The purpose of the 2014 Fringe Road Master Plan is to provide a process for developing and documenting the arterial and collector network needed to support and complement continued development in the region. Through preparation of the plan the following are provided:

- Design guidelines for the collector and arterial networks.
- Generalized alignments for the collector and arterial networks within the study limits. To enhance access convenience for landowners, developers and city/county officials, maps of the alignments are uploaded to Google Maps, the MPO websites and MPO member jurisdiction websites.

- A process for incorporating a review of development proposals relative to the fringe road plan alignments and a process for modifying alignments if necessary.
- The need for the plan is characterized by considering the potential for an undesirable future condition associated with an uncoordinated approach to addressing individual development proposals. Each jurisdiction in the MPO area supports establishing a coordinated and efficient transportation network over the next 25 or more years. While it is possible that an efficient and cost effective network could result without an active transportation planning process that lays out desired corridors, the likelihood is diminished in the absence of looking at the needs and conflicts of the range of development proposals likely to be presented to the cities and/or counties.

The need for the Fringe Area Road Master Plan can be established by the relative absence of credible responses to the following questions:

- How will the access and travel needs of one development proposal be evaluated relative to the needs of adjacent parcel plans/ideas?
- What is the appropriate collector and arterial network to support future development of the areas around Bismarck, Mandan and Lincoln?
- What areas of Burleigh County and Morton County is it logical and cost effective to serve with arterial and collector roads?
- Where are the appropriate access points along arterial corridors in the areas adjacent to Bismarck, Mandan and Lincoln?

The 2014 Fringe Area Road Master Plan addresses each of these questions.

## FRINGE ROAD DESIGN CRITERIA

### OVERVIEW

Working with the project Steering Committee a planning level set of design criteria was developed for the collector and arterial roadway networks. Listed in the following bulletpoints are the critical elements that went into creating/establishing the routes included in the maps:

- All areas within the Fringe area would be developed at an urban density if/when the fringe system is developed.
- Follow Existing Routes: For both the arterial and collector routes, existing roads were followed when it was appropriate.

- Where individual jurisdictions have negotiated modifications to the 2003 Fringe Area Road Master Plan to accommodate specific developments, negotiated routes were followed.
- Follow future routes in approved studies:
- With the exception of the I-94 interchange at 66th Street NE (North-South Regional Beltway Study), no new Interstate crossing/interchanges were identified.
- Locations where the public sector would participate in negotiating new at-grade railroad crossings are limited to the one-mile section line roads.
- Parcel lines, section lines, and existing road right-of-ways were followed when possible.
- Relocation and/or demolition of existing buildings were avoided.
- Minimize encroachment on wildlife management areas.
- Limit stream, river, canal crossings to of two per mile, unless additional are required to avoid undesirable alignments.
- Minimum intersection spacing:
  - Arterial – 1,320 feet (1/4 mile)
  - Collector - 660 feet (1/8 mile).
- Horizontal alignments were adjusted to avoid greater than 8% effective grades, crossing lakes and/or obstacles (buildings/electrical towers/etc.).

## **FRINGE AREA MASTER PLAN CORRIDOR ALIGNMENTS**

Employing the design guidelines developed working with the Steering Committee, corridor alignments covering the collector and arterial systems throughout the study area were developed. Preliminary alignments were distributed to the Steering Committee (which includes representatives from each of the MPO participating jurisdictions) for their input and revision. Revisions to address comments received were made to the draft alignments concept and a proposed concept for the 2014 Fringe Area Road Master Plan corridor alignments was established. Figure 2 displays the Burleigh County corridors concept and Figure 3 displays the Morton County alignments.

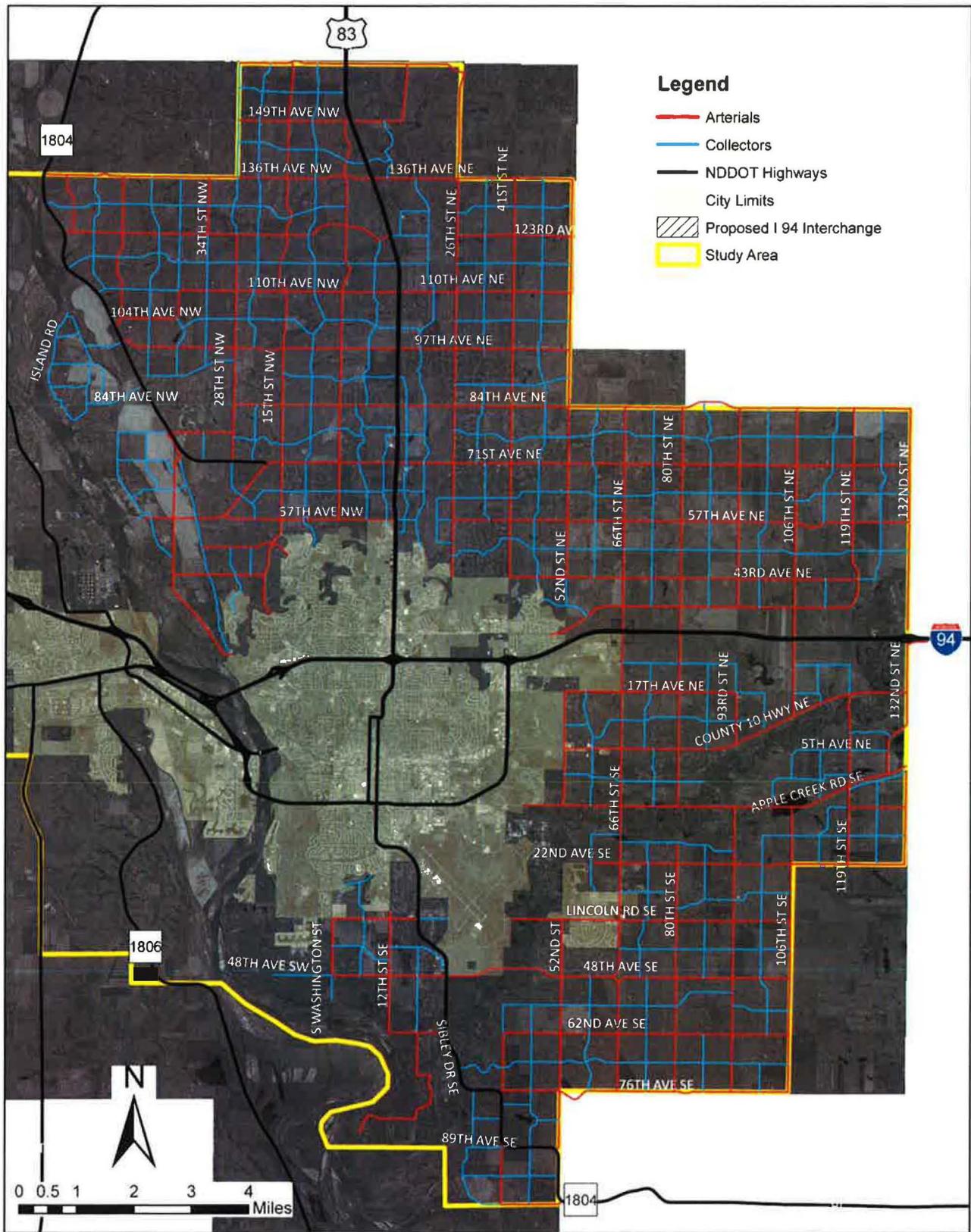


Figure 2: Burleigh County Fringe Area Road Alignments

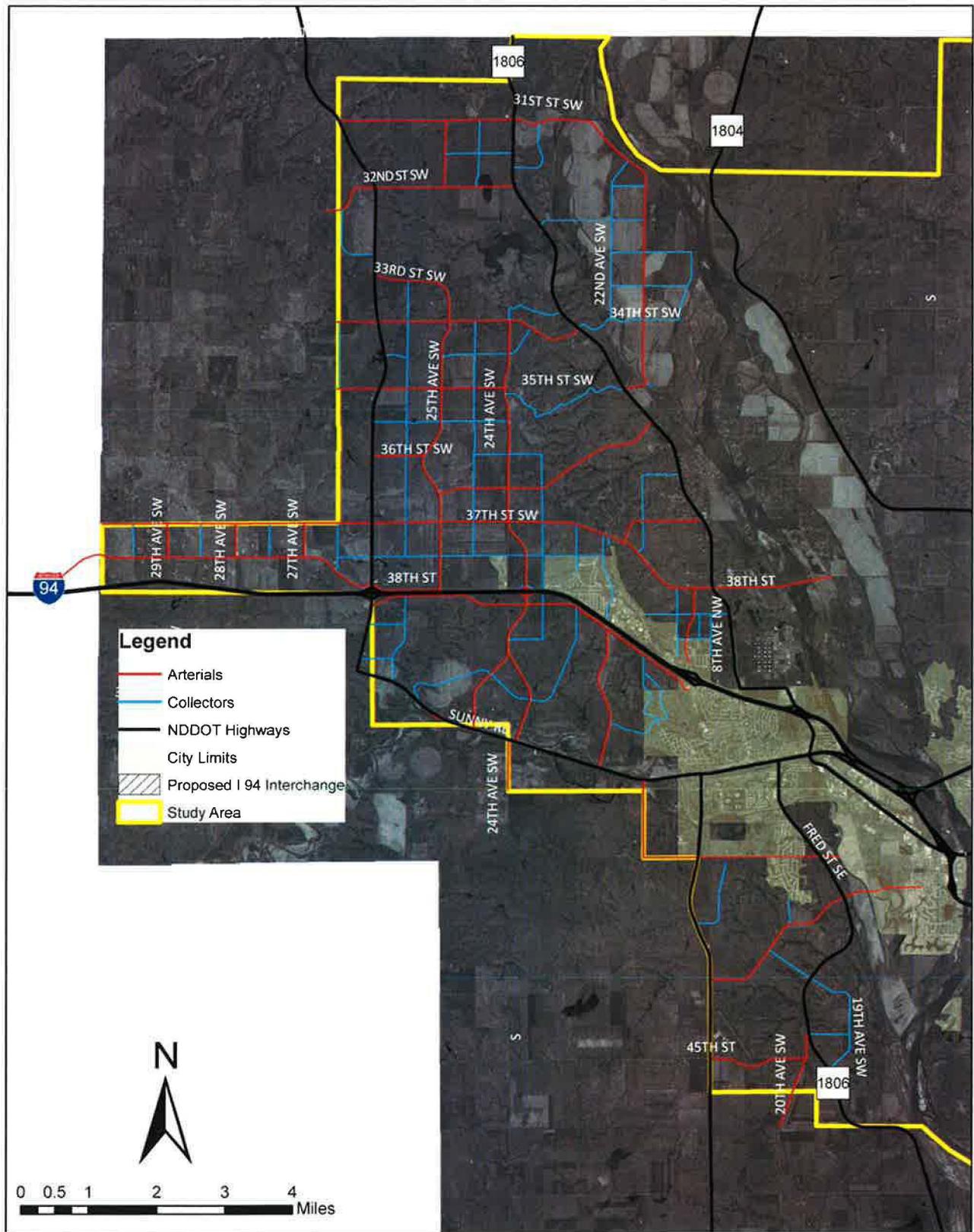


Figure 3: Morton County Fringe Area Road Alignments

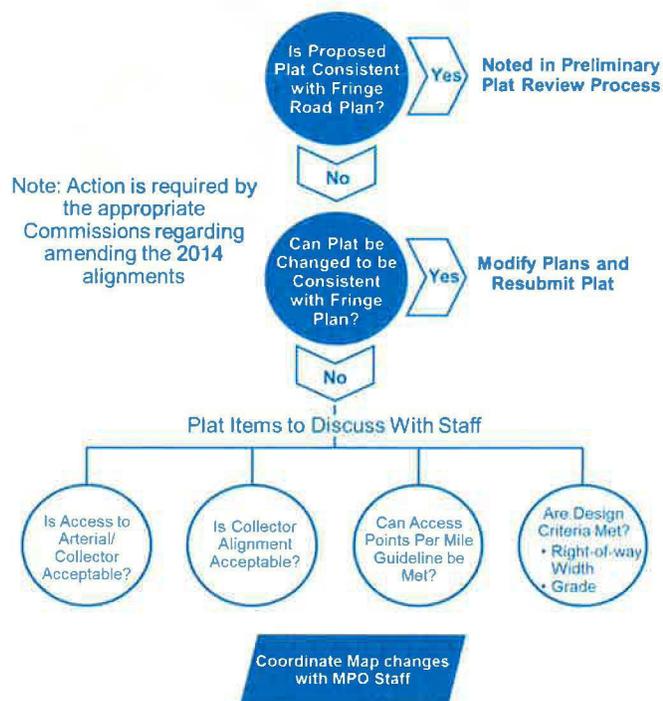
## AMENDING THE 2014 FRINGE AREA ROAD MASTER PLAN ALIGNMENTS

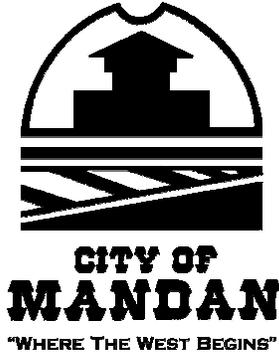
The Fringe Area Road Master Plan provides a framework of collector and arterial routes that support continued growth in the region. While the plan will go through major updates (the 2014 plan is an update of the 2003 plan) to reflect changes in regional growth plans/concepts, it is critical to provide a method for considering interim modifications to account for individual land development proposals that are inconsistent with the framework plan.

The amendment process provides developers, landowners, elected officials, and staff a logical and consistent method for reviewing a roadway concept submitted as part of a preliminary plat and determining whether it is logical and reasonable to approve the plan or whether to require a change in the collector or arterial proposal.

Through adoption of the 2014 Fringe Area Road Master Plan the alignment amendment process will be incorporated into each jurisdiction's preliminary plat review process for assessing road concepts associated with new plat proposals relative to the currently approved Fringe Road Plan framework. The steps shown in Figure 4 will be followed to reconcile differences observed between the approved fringe road alignments and the development proposal.

Figure 4. Fringe Road Plan Amendment Process





## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 26, 2014  
**SUBMITTING DEPARTMENT:** Engineering & Planning  
**DEPARTMENT DIRECTOR:** Justin Froseth  
**PRESENTER:** Robert Decker  
**SUBJECT:** Consider for approval rezoning of Lots 2 – 4,  
Block 1 Lakewood Commercial Park

---

STATEMENT/PURPOSE:

The area is currently zoned MA. The request is to rezone to PUD District 2014-01

BACKGROUND/ALTERNATIVES:

The original proposal requested by the developer was to rezone to CB. The Planning and Zoning commission recommended approval with conditions. City Commission recommended that the recently adopted Planned Unit Development zone be used and returned the application to the Planning and Zoning Commission. The Planning and Zoning Commission voted unanimously on August 25, 2014 to recommend approval of the PUD zoning.

ATTACHMENTS:

1. Location Map
2. Parcel Map
3. Preliminary Site Plan
4. HAWK Signal
5. Planning and Zoning staff report

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

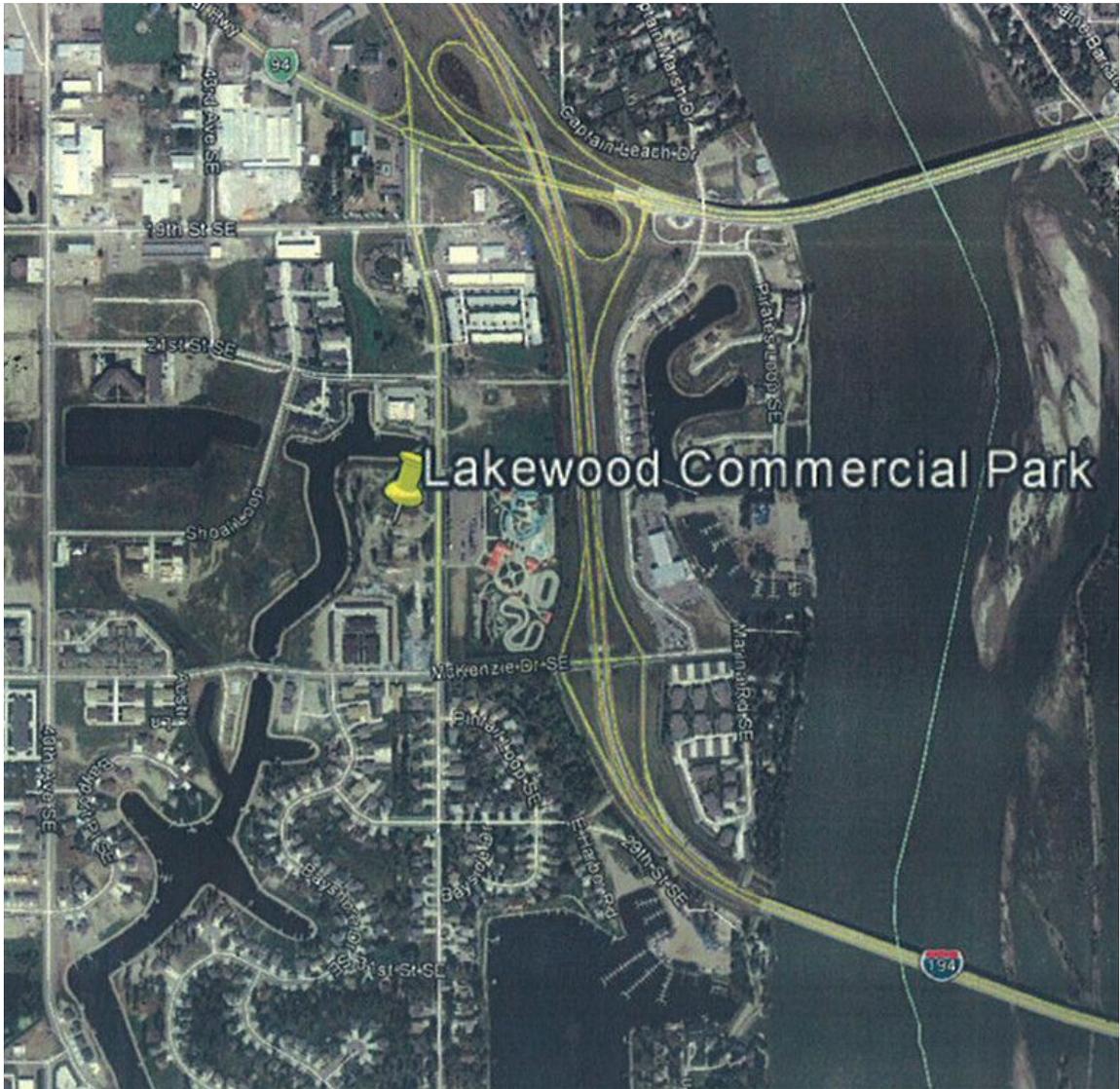
LEGAL REVIEW: All of my commission data has been forwarded to the City Attorney for his review.

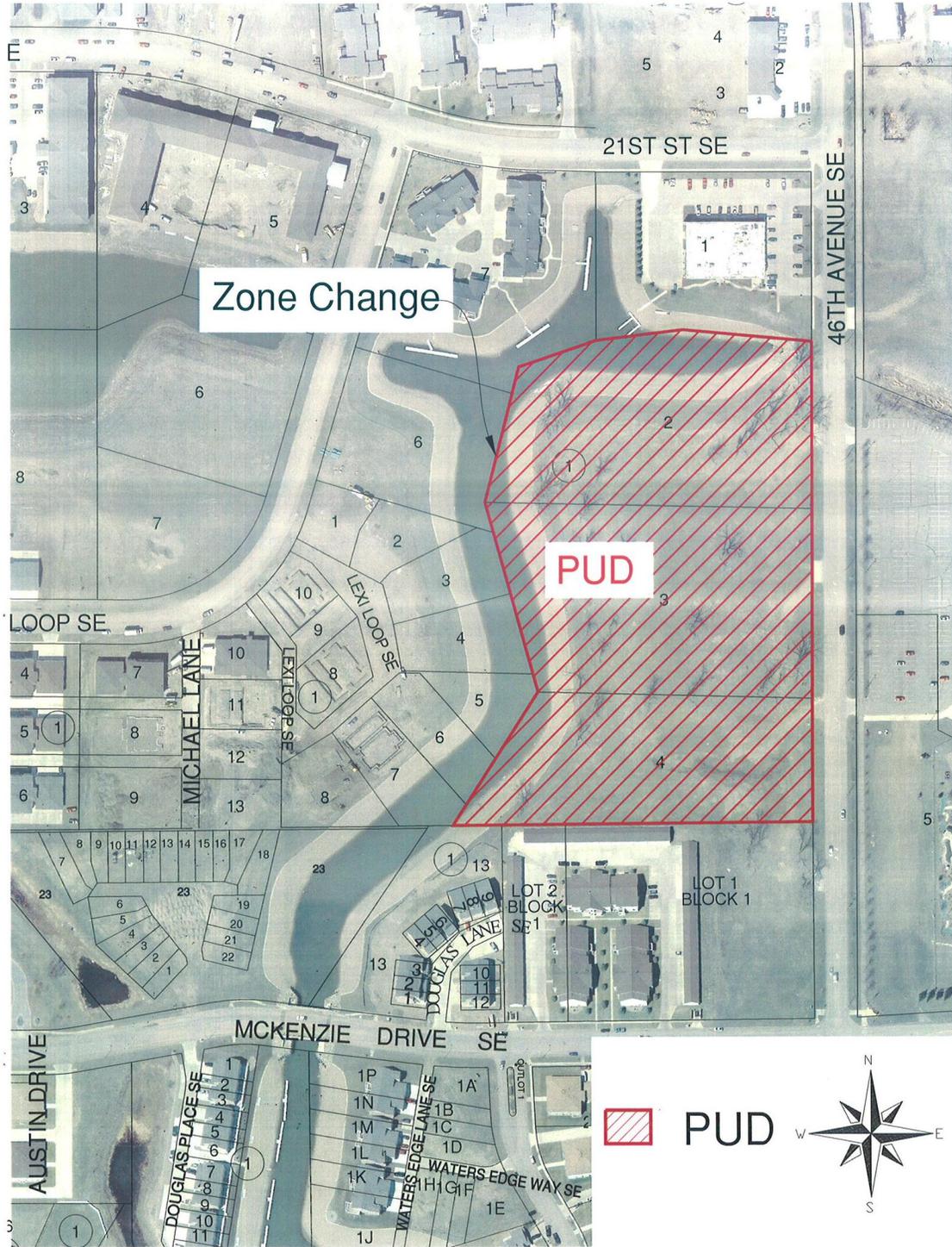
RECOMMENDATION:

Staff recommends that this request be approved.

SUGGESTED MOTION:

Close the public hearing and consider for approval Ordinance 1187.







Where will they be installed?

Each traffic and pedestrian safety concern comes with its own set of unique conditions. As with all types of traffic control, each problem and location is reviewed to determine which traffic control solution is the best "fit" for the particular issue and environment. This use of this type of traffic control will be reviewed based on several factors which include vehicle traffic volumes, pedestrian traffic volumes, lanes of traffic, speed, visibility and proximity to an intersection.

Is this used anywhere else?

Yes. The HAWK pedestrian signal was developed by the City of Tucson in 2004. Today they have more than 40 in operation. Other cities are also using the HAWK signals. The HAWK signal was included in the most recent version of the Manual on Uniform Traffic Control Devices as an approved pedestrian traffic control device.



Information included in this brochure was provided by The ADA County Highway District, in Garden City, Idaho.



Questions?

The City of Des Moines Traffic & Transportation Division manages and maintains all traffic and pedestrian signals in the City of Des Moines.

If you have questions about the HAWK Pedestrian Signal or other traffic-related questions, please contact us at:

600 E. Court Ave., Suite 200A  
 Des Moines, IA 50309  
 Phone: 515-283-4973  
 Fax: 515-237-1600  
 or  
 e-mail the  
 City Traffic Engineer, Gary Fox  
 at  
 gfox@dmgov.org



This brochure is available in PDF format on the City of Des Moines website at [www.dmgov.org](http://www.dmgov.org)



What should you know about...

HAWK  
 Pedestrian  
 Signals?



A User's Guide for  
 Pedestrians and Drivers



What is it?

"HAWK" stands for High-intensity Activated crosswalk. It is intended to provide a signalized crossing for pedestrian while reducing delay to vehicular traffic.

How is it different than other traffic signals?

While it looks similar to a traditional pedestrian signal, the HAWK operates a little differently. When not in use, it will remain dark allowing vehicular traffic to proceed without stopping. A pedestrian pushing the button begins a sequence of six movements. First, the signal begins flashing yellow to indicate to drivers that a pedestrian is waiting to enter the crosswalk. This is followed by a steady yellow indication, advising drivers to stop (just like a traditional traffic signal). The signal then turns solid red, requiring drivers to stop at the stop line. Finally, the signal will flash red indicating that drivers must stop, but may proceed if the street is clear—the same as they would at a traditional signal operating with flashing red indications. The signal will then return to dark.

During these sequences the pedestrians will see the same indications they see at a traditional traffic signal: Hand symbol (Don't Walk), Flashing Hand symbol with countdown timer, and Walking Person symbol (Walk).

**Drivers**

See This	Do This
	Proceed with Caution
	Dark
	Slow down, prepare to stop. Pedestrian has activated the push button.
	Flashing Yellow Light
	Stop if safe to do so.
	Steady Yellow Light
	Stop; remain stopped. Pedestrian in crosswalk.
	Steady Red Light
	Stop. Then proceed with caution when clear.
	Alternating
	Proceed with caution.
	Dark

**Pedestrians**

See This	Do This
	Push the button to cross.
	Don't Walk Symbol
	Wait. Traffic is preparing to stop.
	Don't Walk Symbol
	Continue waiting. Traffic is beginning to stop.
	Don't Walk Symbol
	Start Crossing. Look both ways before crossing.
	Walk Symbol
	Continue crossing. If walking, continue. Those who have yet to enter the crosswalk, do not start.
	Flashing Hand/ Countdown Timer
	Push the button to cross.
	Don't Walk Symbol

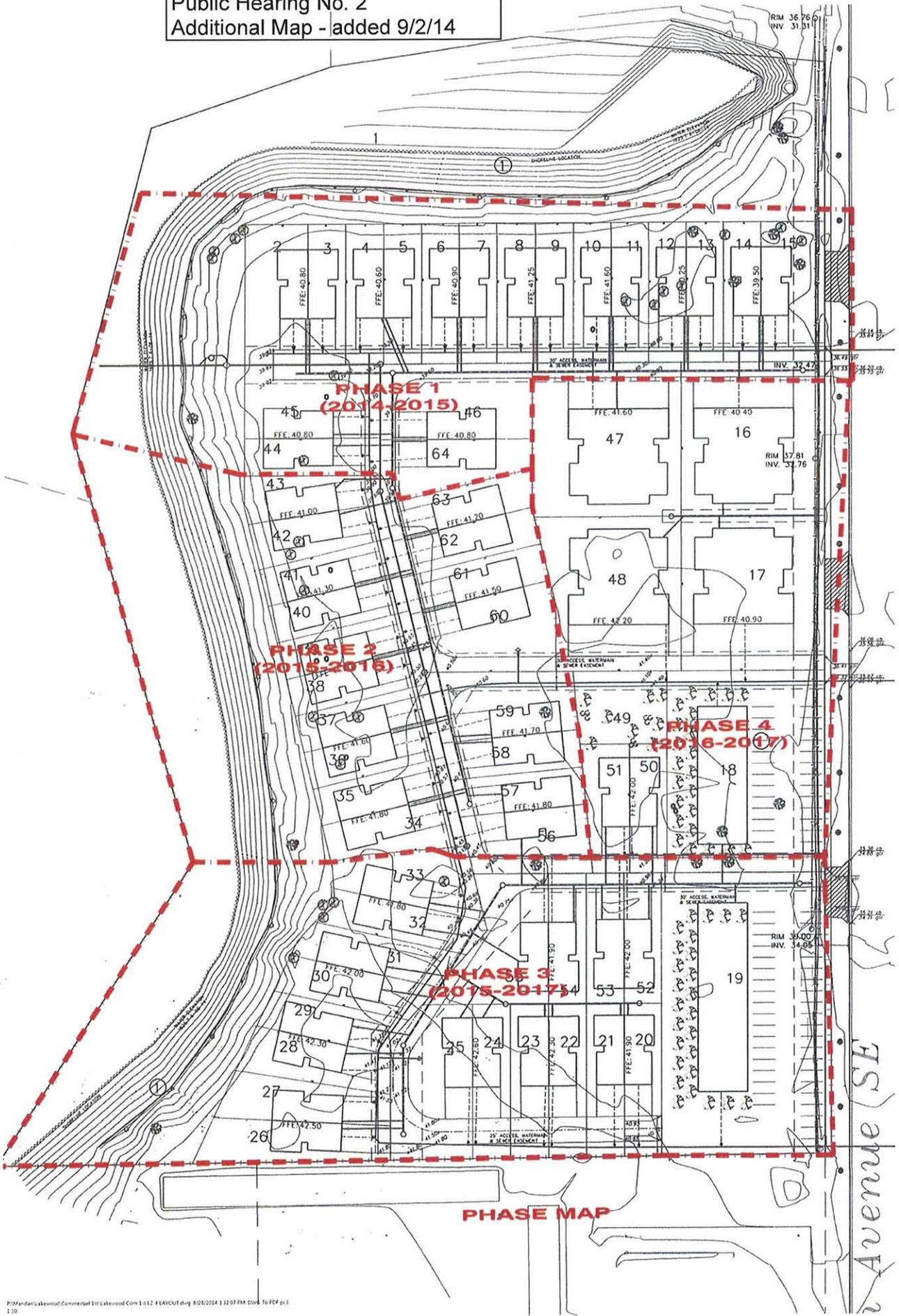
Board of City Commissioners  
 Agenda Documentation  
 Meeting Date: August 19, 2014  
 Subject: Approval of rezoning of Lots in Big Sky Estates  
 Page 6 of 6

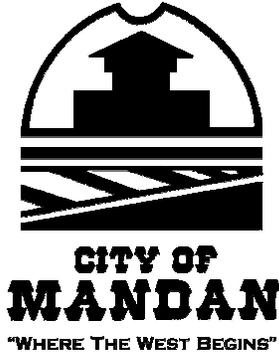
Mandan Planning and Zoning Commission Agenda Item  
 For Meeting on August 25, 2014  
 Mandan Engineering and Planning Office Report  
**Lakewood Commercial Park Zone Change**  
 Requested Action  
**Change zoning on various lots**

Application Details					
Applicant Wade Vogel, Premier Homes	Owner SOL, LLC & Prairie East, LLC	Subdivision Lakewood Commercial Park	Legal Description Lots 2-4, Block 1 Lakewood Commercial Park		
Location West side of 46 <sup>th</sup> Ave. SE south of 21 <sup>st</sup> St. SE.		Proposed Land Use Duplex, Fourplex & commercial	Parcel Size 11.24 Acres	Number of Lots 3	
Existing Land Use vacant	Adjacent Land Uses Residential & commercial		Current Zoning MA	Proposed Zoning PUD	Adjacent Zoning CB & MA
Fees 250	Date Paid 5/21/14	Adjacent Property Notification Sent 7/9/2014	Legal Notices Published 7/4/2014 & 7/11/2014		

Project Description
Mandan Raging Rivers Waterpark is across the street to the east. Northern and western boundary is one of the recreational water channels. There is commercial and multi-family along the southern boundary.
Agency & Other Department Comments
Limit commercial driveway access to common driveway. Will need a street name. Will need 1 or 2 fire hydrants within complex. Add pedestrian traffic signal.
Engineering & Planning Staff Comments
<ul style="list-style-type: none"> <li>The original request was to rezone to CB. P&amp;Z recommended this in June with some restrictions.</li> <li>When this request went to city commission it was recommended that the PUD option be used.</li> <li>Staff has created a draft PUD ordinance listing specific requirements for development of this site.</li> <li>The PUD requirements include consulting with the Park District. The Park District is concerned about kids running across the street to the gas station on the corner. Other areas of the country have used a special design for a pedestrian traffic signal called a HAWK signal. The PUD requirements include a HAWK signal.</li> <li>The amount of commercial is subject to demand. The PUD language reserves a portion of the frontage along 46<sup>th</sup> for a period of time. If demand for commercial does not materialize, this area can be developed as additional residential.</li> <li>If this rezoning is approved, a plat will be submitted creating the individual lots.</li> <li>This is the first time that the PUD option will be used. There are procedures built into the PUD language for making modifications to the requirements. This development will be developed in stages over several years. There will be an opportunity to modify the PUD requirements if needed as the development progresses.</li> </ul>
Engineering & Planning Recommendation
Recommend rezoning.
Proposed Motion
Based on staff report and hearing no objection, move to recommend approval of rezoning for Lots 2-4, Block 1 Lakewood Commercial Park to PUD District 2014-01.

Public Hearing No. 2  
 Additional Map - added 9/2/14





## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 26, 2014  
**SUBMITTING DEPARTMENT:** Engineering & Planning  
**DEPARTMENT DIRECTOR:** Justin Froseth  
**PRESENTER:** Robert Decker  
**SUBJECT:** Consider for approval plat of Mandan Industrial Park Ninth Addition

---

STATEMENT/PURPOSE:

The intent of this plat is to combine 2 lots and dedicate a portion of right-of-way.

BACKGROUND/ALTERNATIVES:

When the industrial park was developed, 34<sup>th</sup> Street was constructed over a portion of Lot 2 of Sunview Heights. There was no formal dedication of right-of-way and the lot was never split. This plat corrects those issues. A quit claim deed was obtained from the owner of lot 2 for the northern half of the lot.

ATTACHMENTS:

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

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

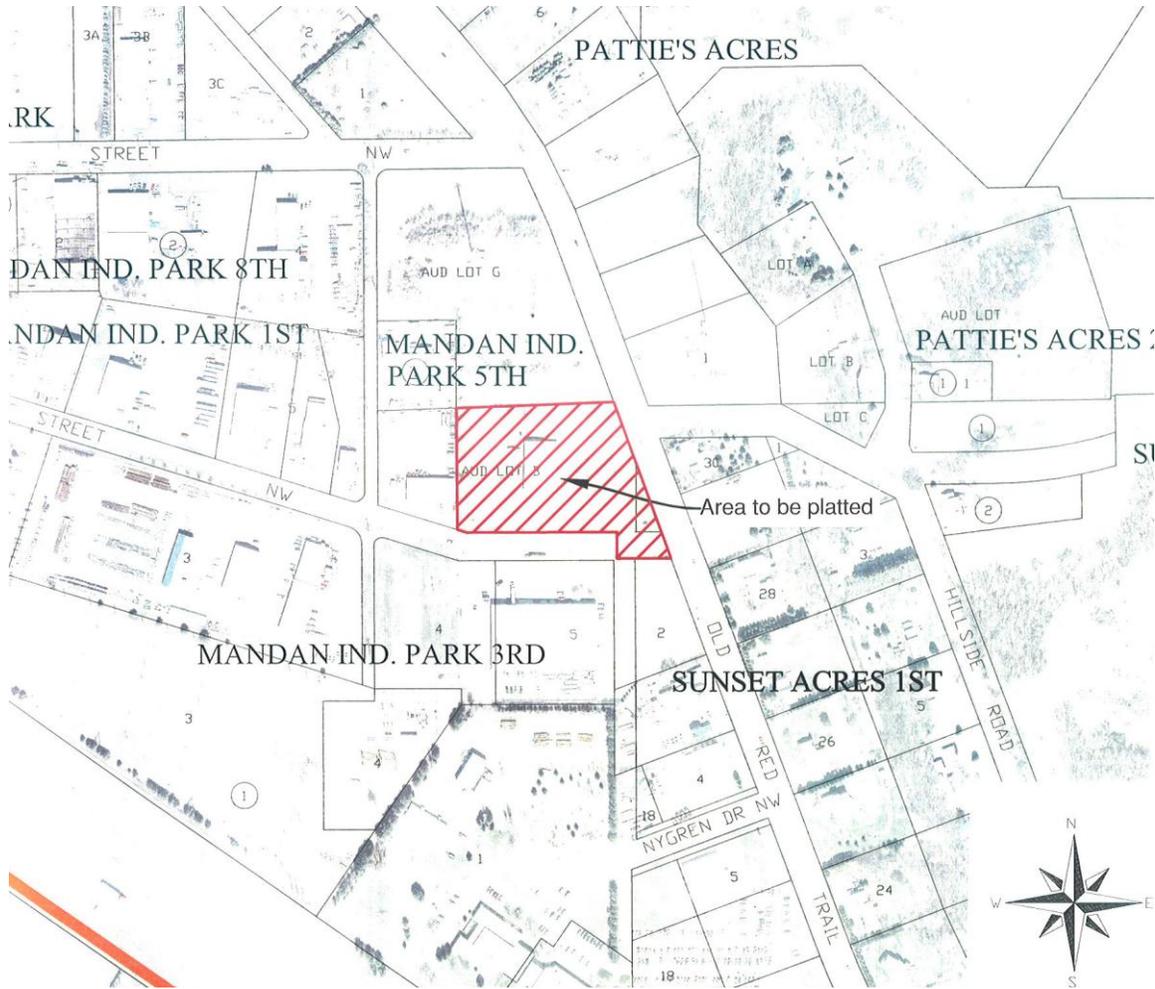
LEGAL REVIEW: All of my commission data has been forwarded to the City Attorney for his review.

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 plat of Mandan Industrial Park Ninth Addition.





Mandan Planning and Zoning Commission Agenda Item  
 For Meeting on August 25, 2014  
 Mandan Engineering and Planning Office Report  
**Mandan Industrial Park 9th Addition**  
**Requested Action**  
 Create subdivision plat for area that is partially defined as an Auditor's Plat in order to  
 consolidate 2 lots into 1  
**Reason for Action**  
 Continue development of property  
**Staff comments**  
 Corrects a discrepancy in ownership.

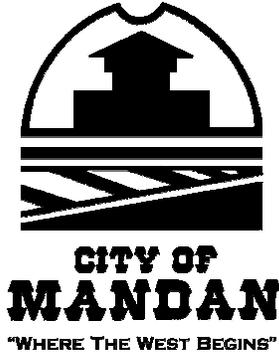
Application Details					
<b>Applicant</b> Tomen	<b>Owner</b> RBROS Developers, LLC	<b>Subdivision</b> Mandan Industrial Park & Sunview Heights	<b>Legal Description</b> A portion of the SE ¼, S17, T139N, R81W and a portion of the SW ¼ S16, T139N, R81W		
<b>Location</b> Old Red Trail and 34 <sup>th</sup> St NW		<b>Proposed Land Use</b> commercial	<b>Parcel Size</b> 3.52 AC	<b>Number of Lots</b> 2 into 1	
<b>Existing Land Use</b> commercial	<b>Adjacent Land Uses</b> commercial		<b>Current Zoning</b> MA	<b>Proposed Zoning</b> MA	<b>Adjacent Zoning</b> MA
<b>Fees</b> \$250	<b>Date Paid</b> 7/23/2014	<b>Adjacent Property Notification Sent</b>	<b>Legal Notices Published</b>		

**Agency & Staff Comments**

**Engineering & Planning**  
 Quitclaim deed provided for northern portion of Lot 2 that was acquired from Central Bottling Company. Plat dedicates ROW for 34<sup>th</sup> that was in question.

**Engineering & Planning Recommendation**  
 Approve plat as submitted.

**Proposed Motion**  
 Move to recommend approval of plat for Mandan Industrial Park 9<sup>th</sup> Addition



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 26, 2014  
**SUBMITTING DEPARTMENT:** Engineering & Planning  
**DEPARTMENT DIRECTOR:** Justin Froseth  
**PRESENTER:** Robert Decker  
**SUBJECT:** Consider for approval plat of Plainview Heights  
15th Addition

---

STATEMENT/PURPOSE:

The intent of this plat is to create 23 new single family lots in order to continue development of this subdivision.

BACKGROUND/ALTERNATIVES:

There were no issues raised when this subdivision was presented to Planning and Zoning.

ATTACHMENTS:

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

FISCAL IMPACT: minimal

STAFF IMPACT: minimal

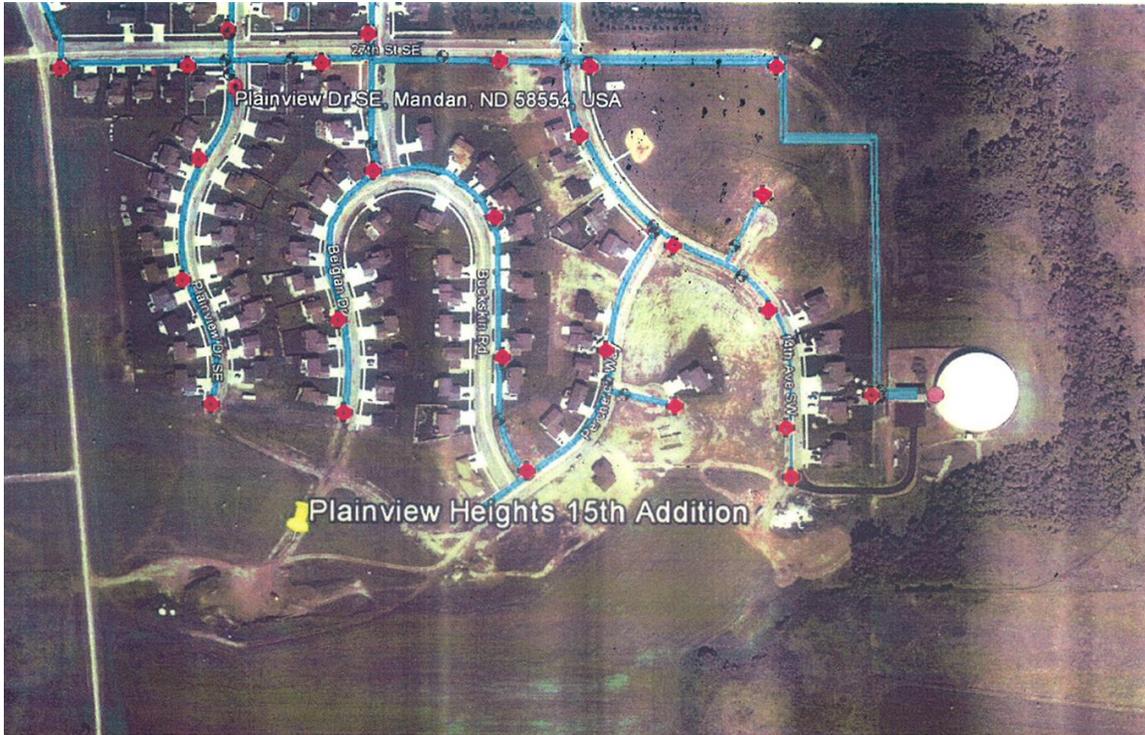
LEGAL REVIEW: All of my commission data has been forwarded to the City Attorney for his review.

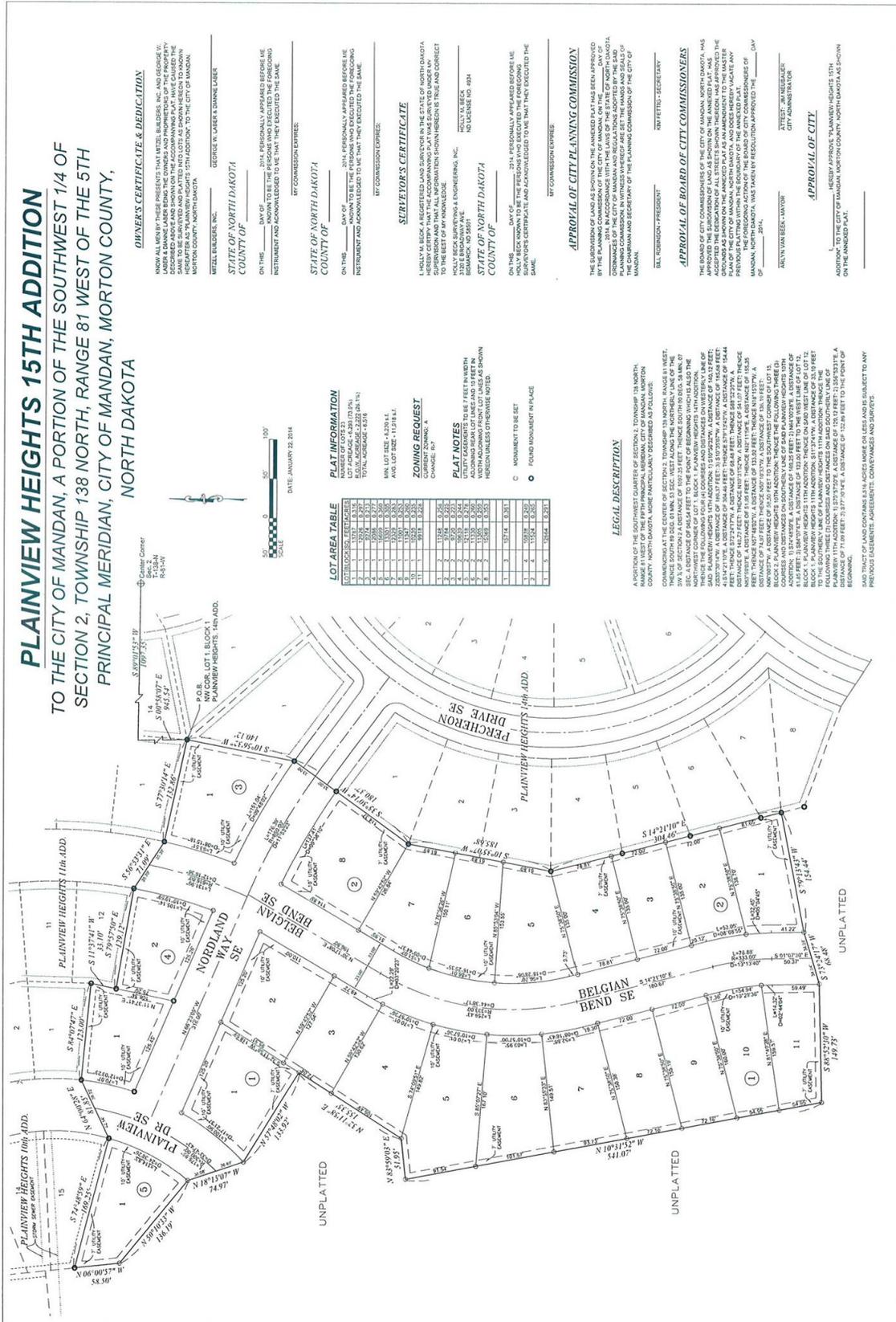
RECOMMENDATION:

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 plat of Plainview Heights 15th Addition.





Mandan Planning and Zoning Commission Agenda Item  
 For Meeting on August 25, 2014  
 Mandan Engineering and Planning Office Report  
**Plainview Heights 15<sup>th</sup> Addition**

**Requested Action**

Create 24 lot subdivision, change zoning from A to R7 and request annexation

**Reason for Action**

Continue development of property

**Staff comments**

This is the final plat for the 15th phase of an ongoing development.

The proposed plat generally follows the original concept plan. There are some minor differences in roadway alignments.

Utilities are available to the site and will be extended through the site.

Drainage will generally be channeled along the streets. Existing ground slope along the roads is mostly between 2% and 3%. A few lots have slopes approaching 10% before site grading. Some grading will be required to redirect stormwater away from existing developed lots to the east. A stormwater detention basin will be required to the west to intercept water flowing towards 8<sup>th</sup> Ave SE. It was shown on the original master plan. A portion of this detention basin will likely need to be developed with this subdivision.

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

Application Details					
<b>Applicant</b> Axien	<b>Owner</b> Mitzel	<b>Subdivision</b> Plainview Heights	<b>Legal Description</b> A portion of the SW 1/4, S2, T138N, R81W		
<b>Location</b> East of 8 <sup>th</sup> Ave. SE & South of 27 <sup>th</sup> St. SE		<b>Proposed Land Use</b> Single family	<b>Parcel Size</b> 8.516 AC	<b>Number of Lots</b> 24	
<b>Existing Land Use</b> vacant	<b>Adjacent Land Uses</b> vacant & residential		<b>Current Zoning</b> A	<b>Proposed Zoning</b> R7	<b>Adjacent Zoning</b> A & R7
<b>Fees</b> \$250	<b>Date Paid</b> 1/22/2014	<b>Adjacent Property Notification Sent</b>	<b>Legal Notices Published</b>		

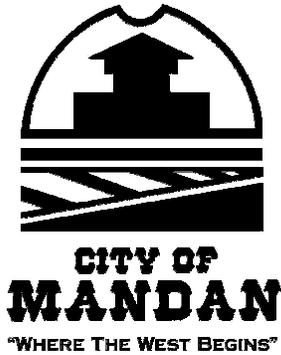
Agency & Staff Comments	
<b>USPS</b> No Comments	<b>NDDOT</b> No Comments
<b>Morton County Assessor/Recorder/Auditor</b> Area not in city. One lot is owned by someone else and they must co-sign the plat.	<b>Morton County Emergency Management</b> Street name suffixes need to be added.
<b>Morton County Engineer</b> No Comments	<b>Morton County Planning</b> No Comments
<b>Mor-gran-sou</b> No Comments	<b>Montana Dakota Utilities</b> No Comments
<b>School District</b> No Comments	<b>Park District</b> No Comments
<b>MPO</b> No Comments	<b>Fire Department</b> Temporary turnaround will be required at south

Board of City Commissioners  
 Agenda Documentation  
 Meeting Date: September 2, 2014  
 Subject: Approval of plat of Plainview Heights 15th Addition  
 Page 5 of 5

	end.
<b>Building &amp; Assessing</b>	<b>Police Department</b>
No Comments	No Comments
<b>Water</b>	<b>Wastewater</b>
No Comments	No Comments
<b>Streets</b>	<b>Solid Waste</b>
No Comments	No Comments
<b>Engineering &amp; Planning</b>	
<p>The street suffix (SE) was left off a couple street names. Proposed lot sizes are well above the 7,000 sf minimum. The smallest is 8,230 sf and the largest is 15,714 sf. Annexation will be required. Zone changes with annexation. Stormwater management plan is required before any construction begins. Recommend executing a formal developer agreement.</p>	

<b>Engineering &amp; Planning Recommendation</b>
Approve as submitted.
<b>Proposed Motion</b>
Based on staff input, move to recommend approval of the final plat and annexation.





## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 19, 2014  
**SUBMITTING DEPARTMENT:** Assessing Dept  
**DEPARTMENT DIRECTOR:** Shirley Shaw, City Assessor  
**PRESENTER:** Shirley Shaw, City Assessor  
**SUBJECT:** Application from Grant Wilz for Property Tax Exemption for Improvements to Residential Building

---

**STATEMENT/PURPOSE:** To consider a 5-year tax exemption for improvements to a Residential Building pursuant to North Dakota Century Code 57-02.2.

**BACKGROUND/ALTERNATIVES:** Grant Wilz is asking for up to a 5-year tax exemption for improvement on an existing residential building.

The home is 47 years old and all remodeling qualifies for this exemption. The home has significant mold issues from history of water damage and the home is in extreme disrepair. The renovation will consist of installation of egress windows, external drain tile to mitigate water issues as well as improvements to the internal area sump by lining with a sump container and routing discharge pipe to comply with City of Mandan code. Some nonstructural walls will be removed, stairway changes to allow for traffic flow and widening for future placement of a wheelchair lift for Mr. Wilz's son, removal of water closets in home and adding a master bathroom and walk-in closet. All double-hung windows will be replaced with modern vinyl double-hung, dual pane, low E-gas filled panes, widening of interior/exterior doorways to make it handicap assessable, addition of high efficiency hot water and forced air. Cross ties and vertical bracing will be added to the original hip roof rafter system and the replacement of all soffit and gutters. Additional soffit venting and a power roof vent will be installed. New kitchen cabinets and appliances will be added with an eat-in area at a height, which will make it accessible for persons in a wheelchair. New floor covering, remove old insulation and blow in new fiber insulation for increased R-value of the ceiling by at least 15 to a nearly R-50 rating. Add a 5/8" sheetrock firewall between the garage and the home. Adding home attic access to the walk-in closet, adding a 200 amp, 40-slot breaker panel and separate many circuits that had combined outlets and lighting on 15 amp breakers and remove and

upgrade any remaining Nomex style paper insulated wiring in home. Also plans on adding an ADA compliant wheelchair ramp to home. See attachments for full details.

The estimated cost of the project is \$50,000.

A reassessment of the property was completed on August 18, 2014 with a 2015 assessed value at \$103,600. The property will still get the regular increases to the value during the exemption period.

This property is also known as Parcel #2379 at 406 14 St NW on Lot 4, Block 1, Mandan Heights 1st addition.

ATTACHMENTS: Application, detailed summary of project and parcel summary sheet.

FISCAL IMPACT: Approximately \$745 per year for the improvements. The building's value will still be subject to property tax.

STAFF IMPACT: N/A

LEGAL REVIEW: Municipal Code 14-02-15.

RECOMMENDATION: Approval of a 5-year property tax exemption for Grant Wilz due to meeting all criteria under State Statute 57-02.2.

SUGGESTED MOTION: A motion to approve the 5-year remodeling tax exemption by Grant Wilz, with the project location of 406 14 St NW, due to meeting all criteria under the State Statute 57-02.2.

**Application For Property Tax Exemption For Improvements  
 To Commercial And Residential Buildings**  
 N.D.C.C. ch. 57-02.2

(File with the city assessor or county director of tax equalization)

**Property Identification**

1. Legal description of the property for which exemption is claimed Lot 4 Block 1  
Mandan Heights 1<sup>st</sup> Addition

2. Address of Property 406 14<sup>TH</sup> ST NW

3. Parcel Number 65-2011000

4. Name of Property Owner GRANT WILZ Phone No. \_\_\_\_\_

5. Mailing Address of Property Owner \_\_\_\_\_

**Description Of Improvements For Exemption**

6. Describe type of renovating, remodeling, alteration or addition made to the building for which exemption is claimed (attach additional sheets if necessary). SEE ATTACHED

7. Building permit No. RESR-14-0008 8. Year built (residential property) 1967

9. Date of commencement of making the improvements 8 AUG 14

10. Estimated market value of property before the improvements \$ 115,000<sup>00</sup>

11. Cost of making the improvement (all labor, material and overhead) \$ MATERIAL - \$85,000  
LABOR \$25,000

12. Estimated market value of property after the improvements \$ 198,000<sup>00</sup>

**Applicant's Certification And Signature**

13. I certify that the information contained in this application is correct to the best of my knowledge.

Applicant [Signature] Date 8-18-14

**Assessor's Determination And Signature**

14. The assessor county director of tax equalization finds that the improvements described in this application do  do not  meet the qualifications for exemption for the following reason(s): House is 47 yrs old, and all remodeling qualifies.

Assessor Director of Tax Equalization [Signature] Date 8/19/14

**Action Of Governing Body**

15. Action taken on this application by the governing board of the county or city: Approved  Denied

Approval is subject to the following conditions: \_\_\_\_\_

Exemption is allowed for years 20 15, 20 16, 20 17, 20 18, 20 19

Chairperson \_\_\_\_\_ Date \_\_\_\_\_

**Parcel Summary** **City of Mandan** **PDF 3 WORKING**

PIN 65-2011000  
 Deed WILZ, GRANT  
 Contract 406 14 ST NW, MANDAN  
 Address Zone 3 - Res Plat Map  
 Map Area 000-000-000  
 Route Number 000-000-000  
 Legal Section Township Range Loc / Class Deeded Acres Lot Block  
 Urban / Residential 0.190 0004 001

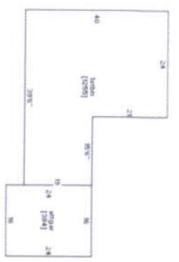
Land Basis	Front	Rear	Side 1	Side 2	R. Lot	SF	Acres
Lump Sum						8,400.00	0.193
Grand Total						8,400.00	0.193

**Residential Dwelling**

Occupancy Single-Family / Owner Occupied  
 Year Built 1967  
 TLAV/GLA 1,255 / 1,255 Ttl Rms 5  
 Bsmr/Attic Full / None  
 Heat/AC HW - Baseboard / No AC  
 Bsmr Finish 0 / 0 / 0  
 Ttl Bdrms 3 Above 3 Below  
 Ttl Fireplaces  
 Plumbing Garage 384 SF  
 Full Bath 1 Att Frame

Appraised	Board of Review	State Equalized	with Exemption
Lnd \$14,900			
Dwl \$88,660			
Impr			
Total \$103,560			
Sale Amount \$117,558	Sale Date 08/08/2014	Recording 458924	NLUT Code D000

*2015 Estimated Value:*  
 Level - 14,900  
 Dwl - 88,700  
 Total = 103,600



Item #6 – Continued

The property at Address 406 14<sup>th</sup> ST NW will through significant rehab. Upon purchase of the property it was not inhabitable due to mold issues from history of water damage. The cleanliness of the home was in extreme disrepair and per report from the neighbors the previous owner was a hoarder and after move out the family removed 3, 30 yard dump containers. Since purchase I have also removed three additional 30 yard containers of both household goods and construction material. I will be rehabbing this home to live in not simply to flip for a profit.

The details of the changes to property will be:

- 1) Three egress windows will be installed. One in family room and two in basement rooms that will be conforming bedrooms.
- 2) External drain tile along the north side of the home to mitigate water issues. Improvements made to an internal area sump by lining with a sump container and routing discharge pipe in order to comply with Mandan City code.
- 3) Nonstructural walls will be removed improving sight lines in the home and opening up the space.
- 4) The stairway will be reversed and widened to allow for improved traffic flow in the home and widening will allow future placement of a wheelchair lift for my son.
- 5) All nonstructural basement walls and all current wall coverings will be removed. Have been doing mold mitigation in basement along footing walls and where windows have leaked. Will be patching concrete wholes left by furring strips that had concrete poured around them when the basement floor received a 3 inch lift.
- 6) Will remove and replaced water closets in home and add a master bathroom and walk in closet.
- 7) All double hung 1967 windows will be replaced with modern vinyl double hung, dual pain, low E gas filled panes. These windows have an integrated external J channel which will help eliminate and water leakage from exterior of the home.
- 8) All interior/exterior doorways will be widened providing 36 inch doors throughout entire home making it handicap accessible.
- 9) High efficiency hot water and forced air to be added allowing for PVC venting out the side of the home. This will allow me to eliminate the chimney pipe which runs through the center of the kitchen area.
- 10) Cross ties and vertical bracing will be added to the original hip roof rafter system. Will be replacing all soffit and gutter in spring of FY 15.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 2, 2014

Subject: 5-Year Ad Valorem Tax Exemption for Grant Wilz

Page 6 of 6

---

12) Will add a 5/8 sheet rock fire wall between the garage and the home. In addition home attic access will be added in the walk in closet. This access currently from garage not allowing for a fire barrier between the two.

13) Additional soffit venting and a power roof vent will be installed.

14) New kitchen cabinets and appliances will be installed with an eat in area is at a height which makes it accessible for persons in a wheelchair.

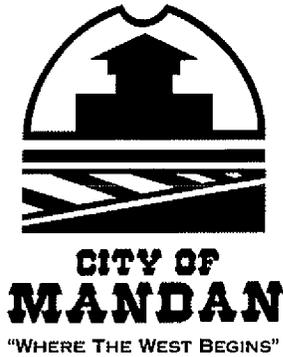
15) New floor covering to include carpet, ceramic tile and laminate flooring will be installed.

16) Removed old blown in (shredded newspaper/fiberglass type) insulation and will blow in new fiber insulation increasing the r-value of the ceiling by at least 15 to a nearly R-50 rating.

17) Will have a 200 amp, 40 slot breaker panel installed and separate many circuits that had combined outlets and lighting on 15 amp breakers.

18) Will remove and upgraded any remaining Nomex style paper insulated wiring in home.

19) Will be adding a ADA compliant wheelchair ramp to home.



# Board of City Commissioners

## Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 28, 2014  
**SUBMITTING DEPARTMENT:** Finance  
**DEPARTMENT DIRECTOR:** Greg Welch, Finance Director  
**PRESENTER:** Greg Welch, Finance Director  
**SUBJECT:** Disposal of old records

---

STATEMENT/PURPOSE:

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

BACKGROUND/ALTERNATIVES:

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

ATTACHMENT:

Request from Julie Frye, Records Management.

FISCAL IMPACT:

N/A

STAFF IMPACT:

N/A

LEGAL REVIEW:

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

RECOMMENDATION:

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

SUGGESTED MOTION:

Move to approve the request from the Finance Department to destroy old documents in accordance with the Records Retention Schedule.

Date: September 2, 2014

To: Jim Neubauer  
City Administrator

From: Julie Frye  
Records Management

Re: Commission Consent Agenda Item for September 2, 2014  
**Request for permission to Destroy Improvement Projects-Administrative Records and Accounting Records in accordance with the records retention schedule.**

Please schedule this item for consideration by the Board of Commissioners at their meeting on Tuesday, September 2, 2014.

1. The Records Management Department has identified Improvement Projects-Administrative Records and Accounting Records for destruction in accordance with the Records Retention Plan. The items to be destroyed are inventoried as follows:

17 Boxes 1973 through 2003

#### **Improvement Projects-Administrative Records**

The retention schedule for improvement projects-administrative records including bonds, excerpts of minutes, contractor's license certificates of renewal, advertisements for bids, affidavits of publication, final payment slips, project specs, project payroll, correspondence, notes, newspaper clippings, maps, plans, etc. for ALL improvement projects (water/sewer, sidewalk/curt/gutters, street/alley/parking lots, street lights/recreation projects, etc.) it is our policy to keep improvement projects through the assessment period.

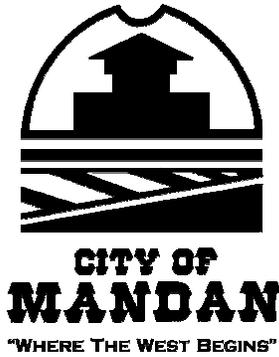
#### **Accounting Records**

The retention schedule for bank statements/deposits including statement records, deposit records, and canceled checks for accounts maintained by the office is retain for 6 years.

The retention schedule for trial balance adjustments including account number, actual balance, year-to-date debits, year-to-date credits, and the adjustment workpapers is retain 4 years after the city's fiscal year.

The retention schedule for city budget records including fund number, description, department, account number and description, previous years' budgets and previous years' Actual expenditures along with current years' approved budget and any amendments that may have been made to the budget is retain for 10 years.

Julie Frye  
Administrative Assistant  
Records Management



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 28, 2014  
**SUBMITTING DEPARTMENT:** Engineering  
**DEPARTMENT DIRECTOR:** Justin Froseth  
**PRESENTER:** Justin Froseth  
**SUBJECT:** Consider approving the proposal by Wenck Associates, Inc. for expanded engineering services for SID #196, Mandan Industrial Park.

---

**STATEMENT/PURPOSE:** Consider approving a proposal by Wenck Associates, Inc. for the added scope, design modifications, and rebid of Mandan Industrial Park, SID #196.

**BACKGROUND/ALTERNATIVES:** This spring, Wenck was hired by the city to provide design and pre-bid services for a street improvements project in the Mandan Industrial Park district, SID #196. The project was advertised for bid with a bid opening date of May 27<sup>th</sup>. Unfortunately, no bids were received, thus the project didn't move forward to construction.

A few of the reasons given by potential bidders for not bidding the project included;

1. No comprehensive traffic access and control plan provided as part of the scope of design. Wenck Associates will address with this proposal.
2. Bid opening in late spring when many of the local contractors already had a reasonably full work load lined up for this construction season. We will now bid this project this fall in order to be ahead of many projects to be bid for the 2015 construction season.
3. Construction concerns, particularly with an integral curb and gutter, that is curb and gutter as part of the same concrete pour as the 8' of slab nearest to it. Local contractors not particularly versed in this method of constructing. Wenck Associates will redesign without the integral curb and gutter.

**ATTACHMENTS:**

- 1) Proposal for Expanded Engineering Services
- 2) Fee Summary

Board of City Commissioners

Agenda Documentation

Meeting Date: September 2, 2014

Subject: Consider approving the proposal by Wenck Associates, Inc. for expanded engineering services for SID #196, Mandan Industrial Park.

Page 2 of 5

---

FISCAL IMPACT: As part of the project's total cost, these services would be paid for by assessments to benefiting properties.

STAFF IMPACT: Collaboration with Wenck throughout design and bidding will be necessary.

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

RECOMMENDATION: Approve the proposal by Wenck Associates, Inc. for expanded engineering services for SID #196, Mandan Industrial Park.

SUGGESTED MOTION: I move to approve the proposal by Wenck Associates, Inc. for expanded engineering services for SID #196, Mandan Industrial Park.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 2, 2014

Subject: Consider approving the proposal by Wenck Associates, Inc. for expanded engineering services for SID #196, Mandan Industrial Park.

Page 3 of 5

---



Wenck Associates, Inc.  
301 1<sup>st</sup> Street NE, Suite 202  
Mandan, ND 58554

(701) 751-3370  
(Fax (701) 751-3372  
mgreer@wenck.com

August 28, 2014

Mr. Justin Froseth  
Planning & Engineering Director  
City of Mandan  
205 Second Avenue NW  
Mandan, ND 58554

RE: 2014 Mandan Street Improvement Districts 196, Project No. 2014-14  
Mandan Industrial Park

Dear Mr. Froseth:

Wenck Associates, Inc. (Wenck) has prepared this proposal for expanded design engineering services for the 2014 Mandan Street Improvement District 196; Project No. 2014-14. This proposal is for the additional work required for preparing a traffic management plan and modifying existing construction plans and specifications for re-bidding the project.

This project originally had a May 27 bid opening. As no proposals were received, Wenck contacted multiple local plan holders to discuss the project. All of the contractors contacted cited issues with having an existing full work load and being responsible for maintaining access during construction.

After discussions with City staff, Wenck is proposing additional services for the project beyond the original agreed scope. Those services will include:

1. **Creating a Traffic Access and Control Plan**
  - a. Wenck will create a draft traffic control plan for construction sequencing and traffic operations to maintain access to all businesses during the project. The draft plan, after approval by City staff, will be presented at a public meeting with businesses within the project area. Feedback from property owners will be used to finalize the draft. The finalized traffic control plan will be used as the basis for producing any required access easements and inclusion into the bid package.
2. **Modification of the Specifications and Plans**
  - a. Wenck will modify the existing specifications and plans to include the newly developed traffic control plan, and any detour roads required per the traffic plan. Also completed will be a revised engineer's estimate for the project.
3. **Bidding Assistance**
  - a. Wenck will assist the City staff with advertisement and solicitation of bidders, answer any pre-bid questions, coordinate the bid opening, and make recommendations for project award based on examination of bid documents.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 2, 2014

Subject: Consider approving the proposal by Wenck Associates, Inc. for expanded engineering services for SID #196, Mandan Industrial Park.

Page 4 of 5

---

Timing Considerations

Due to the urgency of having this project fully completed in the 2015 construction season, Wenck is proposing to have the draft traffic plan submitted to the City for review by September 15, with a public meeting the week of September 29. Any revisions to the traffic plan from the public meeting input will be made and the bid-ready revised plan set will be completed for solicitation for an October 28 bid opening.

Fee Breakdown

This work will be completed on an hourly fee basis for actual hours worked. Wenck will not exceed the authorized budget unless approved otherwise prior to proceeding. The fee amount is estimated from anticipated hours required to complete each task as outlined above and detailed on the attached estimate sheet. The total estimated engineering cost for the above scope is \$20,700.00.

Should you have any questions, or need clarification of anything presented in this proposal, please do not hesitate to call me at (701) 751-3370.

Sincerely,

WENCK ASSOCIATES, INC.



Kevin J Magstadt, PE  
Principal/Regional Manager



Michael J Greer, PE  
Project Manager

Attachment: Hours Estimate

ACCEPTED BY:

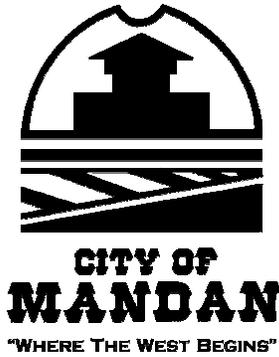
CITY OF MANDAN

\_\_\_\_\_  
by

\_\_\_\_\_  
title

\_\_\_\_\_  
(Date)





## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 28, 2014  
**SUBMITTING DEPARTMENT:** Business Development & Communications Department  
**DEPARTMENT DIRECTOR:** Ellen Huber, Business Development & Communications Director  
**PRESENTER:** Ellen Huber, Business Development & Communications Director  
**SUBJECT:** MGF Recommendation on Retail & Restaurant Incentive Application

---

**STATEMENT/PURPOSE:** To consider a recommendation by the Mandan Growth Fund (MGF) Committee regarding an application for a Retail and Restaurant Incentive by Brea boutique for expansion of retail square footage at 306 W Main St.

**BACKGROUND/ALTERNATIVES:** The MGF met Aug. 28, 2014, to review the application by BREA clothing boutique for an expansion of retail square footage in a new location at 306 W Main Street. Owner Eve Kostecky applied for a retail incentive of \$5 per square foot on 1,600 sf of space in a building with 3,250 sf on each its main floor and basement. The main floor will serve as the retail floor.

Brea opened with 1,650 sf of space in April 2012 at 906 Second Street NW. The business received a retail incentive, approved January 2012 and paid out between May 2012 and April 2013, based upon this amount of square footage.

The estimated opening in the new location is mid-September. The store will be open Thursdays, Fridays and Saturdays plus after hours for events and private shopping appointments.

Use of public incentives is among criteria considered by the MGF Committee. Kostecky was previously approved for a Storefront Improvement project for the new location for up to \$25,000 in matching funds in the form of a forgivable loan. A Renaissance Zone application may be submitted in the future to include planned roof repair, but even with that component the overall ratio of public to private support is unlikely to exceed the 10 to 19% mid-range identified in the project ratings.

The rating system for the Retail and Restaurant Incentive Program has 13 different criteria. The average rating by seven of nine MGF members present at the meeting was a 3.78 on a scale of 1 to 5 with 5 being the highest. This score warrants an incentive at three-fourths of the maximum \$5-per-square-foot-rate, equal to \$3.75 psf .

**Mandan Growth Fund - Retail & Restaurant Incentive Program  
 Application Evaluation - Tabulation Form**

<b>Criteria</b>	<b>GF1</b>	<b>GF 2</b>	<b>GF 3</b>	<b>GF 4</b>	<b>GF 5</b>	<b>GF 6</b>	<b>GF 7</b>	<b>Average</b>
1. Fills gap	5	5	5	5	5	5	4	4.86
2. Needed by other businesses	3	4	5	5	1	3	4	3.57
3. Tax potential	5	4	4	3	4	5	3	4.00
4. Jobs	3	3	2	2	2	3	2	2.43
5. Incentive use	3	3	3	3	3	3	3	3.00
6. Customer base	5	3	4	3	4	2	2	3.29
7. Hours	2	3	3	3	3	2	2	2.57
8. Qualifications	4	4	5	5	4	4	3	4.14
9. Potential viability	4	4	5	5	5	4	3	4.29
10. Curb appeal	5	4	5	5	5	4	3	4.43
11. Investment	5	4	4	4	4	3	3	3.86
12. Business plan	5	5	5	5	4	4	3	4.43
13. Financial history	5	5	5	5	4	3	3	4.29
<b>Total</b>	<b>54</b>	<b>51</b>	<b>55</b>	<b>53</b>	<b>48</b>	<b>45</b>	<b>38</b>	<b>49.14</b>
								<b>3.78</b>

Dollar amount of assistance  
 psf based on average rating      3.75  
 Square footage                      1,600  
 Total stipend                          6,000  
    \$500.0  
 Monthly stipend                      0

ATTACHMENTS: Abbreviated version of application. Full application available upon request.

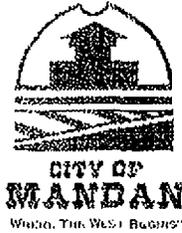
FISCAL IMPACT: The recommended \$6,000 would be set aside for payment in 12 equal installments following each month of operations. It comes from the Growth Fund (generated by sales tax), specifically from the \$29,313 set aside for the Retail and Restaurant Incentive Program.

STAFF IMPACT: Some monitoring and reporting is necessary.

LEGAL REVIEW: The building will have an automatic door installed as part of a previously approved storefront application.

RECOMMENDATION: The Mandan Growth Fund Committee unanimously voted to recommend an incentive of \$3.75 per square foot totaling \$6,000 in assistance over the first 12 months of operation.

SUGGESTED MOTION: I move to approve \$6,000 as an incentive for BRE women's clothing boutique, payable in 12 equal monthly installments following each month of operations in the new expanded location.



**Retail & Restaurant  
Incentive Program  
APPLICATION & CHECKLIST**

Business Name BREA

Address of Proposed Downtown Business 306 W. MAIN ST.

Applicant's Mailing Address 906 2<sup>ND</sup> ST. NW City MANDAN State ND Zip 58554

Applicant's Phone \_\_\_\_\_ Email \_\_\_\_\_

Use: (Circle) Retail UPSTAIRS: 3,250 sq ft - DISCOUNT CLOTHING & ACCESSORIES ROOM  
DOWNSTAIRS: 3,250 sq ft - STORAGE - SUPPLIES, INVENTORY, EXTRA DISPLAYS  
Square Feet 1600 Restaurant Square Feet \_\_\_\_\_

AMOUNT OF ASSISTANCE REQUESTED PER SQUARE FOOT \$ 5

Approximate cost to open the business: \$ 16,000

Personal Investment \$ 110,000 (Equity)

Bank or other financial commitment \$ 120,000 Other: \_\_\_\_\_

Building Acquisition or Construction Cost \$ 150,000

Building Rehabilitation \$ 64,700 (+ \$25,000 city short term match) Lease Term \_\_\_\_\_

Monthly Rent/Lease Per Square Foot \$ N/A Landlord Match \_\_\_\_\_

Proposed Opening Date of the Business September 15<sup>th</sup>

Description of the Business Including Products and Services Being Offered women's  
Clothing Boutique - women's apparel, shoes,  
accessories, children's clothes & accessories

Currently: 1.5 FT EMPLOYEES and 5 PT EMPLOYEES  
Number of New Jobs 2 Expected daily traffic 30 Estimated Opening Date Sept. 15, 2014

Weekly hours of operation 25 hrs. - Thurs, Fri, SAT plus after-hours  
events & private  
shopping parties

## Other Business & Applicant Information

Please submit as many of the following items as possible in order for the City of Mandan Growth Fund Committee and City Commission to make an appropriate decision on an application:

- bought building
- Option to buy agreement for a building or letter of intent to lease contingent on receipt of incentives
- Business plan
- Personal financial statement and 3 years federal tax returns for principals of any new business, or business operating less than one year. Three years tax returns for any existing business
- Marketing plan
- Cost estimates for up-fit/equipping the space
- Business/personal history
- Certificate of Good Standing from N.D. Tax Department
- Proof of registration with N.D. Secretary of State

Be advised as per North Dakota open records law that applications may be released to the public if requested except for portions subject to NDCC 44-04-18.4 pertaining to confidentiality of trade secret, proprietary, commercial, and financial information.

**Certification and Authorization**

I / We certify that all information set forth in this application is a true representation of the facts pertaining to the proposed business for the purpose of obtaining funding under the City of Mandan Retail & Restaurant Incentive Program. I / We understand and acknowledge that any willful misrepresentation of the information contained in this application could result in disqualification from the program, requiring any funds already disbursed to be repaid in full to the City of Mandan.

The undersigned specifically authorizes the City of Mandan Business Development Office or its representatives to conduct a background check on the applicant, including the checking of references and the verification of any information on the application.

I understand that personal and/or business information may be requested pursuant to this applicant for an incentive and I hereby give my consent for such information to be provided to the City of Mandan Business Development Office, the Mandan Growth Fund Committee or its representatives. I also understand that the Mandan Growth Fund Committee and the Mandan City Commission retain the decision as to whether this incentive application is approved, disapproved, or modified. It is my right to accept or decline the incentive amount and terms approved by the program.

The applicant further certifies that he/she has read and understands the City of Mandan Retail & Restaurant Incentive Program Guidelines. If a determination is made by City of Mandan staff that program funds have not been used for eligible program activities, the Applicant agrees that the proceeds shall be returned, in full, to the City of Mandan and acknowledges that, with respect to such proceeds so returned, he/she shall have no further interest, right, or claim. It is understood that all funding commitments are contingent upon the availability of program funds.

**Release of information**

The applicant hereby authorizes any third party to release to the City of Mandan Business Development Office without limit, any and all financial information regarding the applicant that is requested by the City of Mandan Business Development Office, its representatives or employees. Further, the applicant hereby authorizes release of said records and information by the City of Mandan Business Development Office to a third party, as deemed necessary by the City of Mandan Business Development Office, its representatives or employees.

All owners, officers or partners must sign this application.

**Signatures:**

Applicant/Business Owner:  Date: 8/4/14

(if different from applicant)

Property Owner : \_\_\_\_\_ Date: \_\_\_\_\_

Submit application form and all supporting documents to:

City of Mandan  
Business Development Office  
205 Second Avenue NW  
Mandan, ND 58554

For more information, call City of Mandan Business Development Office; phone 701-667-3485.

# Business Plan

Brea  
306 West Main Street  
Mandan, ND 58554  
Telephone: 751-3111 (Brea)

Owners: Dave Albrecht  
Eve Kostelecky-Albrecht

# Table of Contents

1. Table of Contents
2. General Business Description
3. Products
4. Marketing Plan
5. Operational Plan

## **Proposal for 306 Main Street, Mandan:**

The intention of the move into 306 Main Street is to create a more innovative and appealing space for BREA Boutique which is currently located at 906 2nd St. NW in Mandan. Our space will nearly more than triple and the location is prime for nearly any type of business in Mandan. We will need to improve the store front and back along with remodel the interior space to be more compatible with a clothing store.

## **General Company Description**

### **Our Mission Statement for Brea:**

Provide the residents of Mandan and Bismarck an inviting, trend setting, women's clothing store with affordable price points.

### **Company Goals and Objectives:**

The goal for BREA has always been to be one of the leaders in women's fashion in the Mandan/Bismarck area, catering to a wide range of ages. The boutique provides one of a kind fashion at affordable prices. We listen to our customer's needs in order to provide for the demands of apparel in the region. Our excellence in providing customer service will keep our patrons satisfied and returning. Sales will routinely be evaluated to ensure that we are catering to our target market. Between the local feedback and extensive market trips promoting global vendors with cutting edge fashion, we will be up to the challenge to meet the needs of the women in our community on a continual basis and provide persistent great product selection.

### **Business Philosophy:**

A successful business is one that is a leader in customer service and providing for the needs of the community. Once these traits are displayed, a loyal customer base is developed and in the case of the retail business, growth is imminent. At this point BREA has achieved that goal of a reliable customer base with many satisfied customers.

The current building was the perfect place to start the boutique, and now we are listening to our patrons and addressing their requests. Location, location, location; the visibility and adherent traffic are two major benefits. Being right on Main Street and easy to find will make giving directions simple. Currently Brea's location is one of the biggest drawbacks. We have heard several customers report the difficulty in finding the boutique. Often we hear that people have tried to find it and were not able to, so they just didn't come. In order to continue to thrive and be successful, and to compete with other boutiques; we need a more visible location. Now there is virtually no walk-in traffic which we feel we would get on Main Street. We look forward to the awareness that will be brought to our store during major events such as July 4th, Buggies and Blues, and Grill Fest. We are looking forward to being neighbors with Harvest Grill as they are very active in the community, hosting several events and we plan to collaborate with them every chance we can.

Not only is the location prime, but we have been in need of more space for some time now. The significant increase in space will allow us to present our inventory in a more appealing manor with the goal of increasing sales. Currently we only have 2 dressing rooms and almost on a daily basis customers end up waiting. The new space will allow us to house 6 dressing rooms. The space will also allow us to expand our children's and fitness apparel which has shown great potential with the limited space, but have not been able to properly display as we are at capacity with our current inventory. We plan to hold more events at the store as well as begin to have private parties and styling sessions with customers. We have also had the opportunity to showcase other local artists/designers in the area. We have sold jewelry, hand-knit items and baby clothes that have been created by local artists. Within the last year, Yogi Brea has also become an integral part of BREA. Yogi Brea caters to the fitness crowd. It was founded by Pam Kostelecky (Eve's mom) and has been well received by our shoppers.

BREA is still the only women's clothing boutique in Mandan. Wal-Mart, thrift stores and dollar stores do sell women's clothing as well, but women's clothing is not their sole intention of business. We are proud to be a part of the community and we feel like Mandan is the right city for our store. According to the *Community Profile Magazine*, a survey conducted in 2012 concluded that residents view the addition of more retail shopping as the second most important factor in improving Mandan. The 2014 community profile reported a supply of \$234,972, a demand of \$23,856,905 and a gap of \$23,621,933. The demand is obviously there.

The research from the *Community Profile* also highlights that residents love a great bargain (Top retail preference is general discount merchandisers). The boutique's inventory continues to be affordably priced yet still offers the latest in trends found from East to West coasts. Women in our community have really proven that shopping boutiques is becoming the preference as several more boutiques have opened. What separates BREA from all other women's clothing options is the cutting edge fashion at affordable price with a one of a kind experience.

We have been challenged over the past year with several new boutiques opening in Bismarck. We feel that in order to keep our sales up and be competitive with Bismarck boutiques, we must improve our location and increase the showroom size by moving to Main Street. Many of our customers are Bismarck residents and we want them to continue to believe in us and feel this is an opportunity that will allow us to give our customers what they are searching for. We are hoping to reach more Mandan residents by being in this prime location. We have been welcomed by Mandan residents, but still feel there are many residents that haven't been made aware of BREA because of our location. We have a very loyal customer base and we are extremely excited to be able to offer our current customers something fresh, new and more, in anticipation of keeping more business in Mandan.

### **Our Team's Experience:**

BREA has been operating under the leadership of Eve for the past 2 1/2 years. We currently have 2 full-time employees and 5 part-time employees in Mandan, who have all been working at BREA for over 6 months. We have also added a second location in Dickinson as well as 4 more part-time employees. Eve will continue to oversee the operations of BREA. She has put her heart

and soul into making BREA what it is today. Over the past few years BREA has held a few runway shows, open houses, private shopping nights and been a part of and sponsored several community events in the area. We currently are MPO, Chamber of Commerce and Bismar Stiletto members and have thoroughly enjoyed engaging our community. We are hoping to continue and increase our involvement with our community, especially as our staff grows and time allows. Eve is also an optometrist/partner at Eyes on Parkway, which has been a great avenue for her to spread the word about BREA. It has played a part in her knowledge of operating a business. David is Eve's husband and has lived in Mandan since birth. He works with his Dad and brother at Action Cleaning which is based in Mandan. He received a degree in Business Administration with an emphasis in accounting from NDSU. Prior to joining the family business, he was a manager at a credit union and then business banker. He has been the main financial advisor since the beginnings of BREA. Dave and Eve also own several rental properties in Mandan and have the experience in maintenance and remodeling needed for this project.

## **Products:**

BREA provides a wide range of apparel, from business casual to weekend warrior. Our inventory includes a range of pants, tops, jackets, shoes and accessories including hats, handbags, and jewelry. We will provide apparel that not only the 35 year old business woman can purchase but also the college student looking for that perfect top for a night on the town. We have stable and reliable vendors that we will continue to use and typically add several per year as we make trips to market a few times a year and find new vendors each time. At market, we are shopping alongside buyers for Nordstrom, Macy's, etc.. We feel that we are at the frontline of what's trending in fashion and we will continue on that path.

With the new space we will need to expand our inventory by about \$10,000. We are going to one of America's largest buyers markets in Las Vegas at the end of August which will allow us to have access to that inventory that is needed.

BREA will add a kids section to the store as well. We currently have BREA kids in the Dickinson store and we are excited to bring it to Mandan.

Yogi Brea will also be able to display more fitness apparel in the new space, again this is Eve's mom's creation. For Yogi Brea, a straight percentage is taken from monthly sales to cover rent and expenses.

## **Marketing Plan:**

Mandan residents answered in the survey that the most important change Mandan can make to satisfy the community's needs is to add more retail shopping and a clothing/shoe store ranked 5th as to the type of desired retail. It is evident there is a need for a clothing/accessory store as there was a gap of nearly 12 million dollars between supply and demand. In Mandan, slightly over 50 percent of the population is female. Of that 50 percent, a little over half are in the age range of

our target market according to the US census bureau. The demand is obviously present as there are no women's apparel stores in Mandan offering the same type, style and amount of product as Brea. Upon observation, women are usually the decision makers in the family as to how money is spent on apparel. Eve sees it daily as most men say "I can't order glasses until I get the boss's opinion" referring to their significant other. Therefore, our target market is women, no specific age, just women.

### **Referrals:**

Word of mouth is going to be the most crucial means of advertising. Our employees have been great referral sources. Also Dave and Eve have ample opportunity in their day jobs of recommending BREA to their customers. Being from the community, they both have deep ties and a great circle of family and friends that also will help us spread the word. Our current customers are very loyal and will get the information out to the community.

### **Social Media:**

Facebook is a key factor in our success thus far. We have 2,700 likes and that continues to climb. Some of our posts will have 3,000 views in a 12 hour time span and we will continue to use Facebook as a main source of advertising for BREA and its new location. We are also going to add Instagram to our social media line-up. We have not had the staff to adequately keep up with that avenue of social media, but we plan on expanding our social network presence.

### **Website:**

We will be updating our website but that will not and has not been our main focus as far as marketing strategy goes.

### **Grand Opening:**

As we prepare for a grand opening aimed for mid-September, we may potentially use the local newspaper and or TV/radio, but Facebook, word of mouth and paper invitations/postcards will be our main source of making the community aware of the move. We will especially try to reach businesses in the Mandan community by personally delivering invitations.

### **Signage:**

Mann Signs is working on Brea's outdoor sign to be mounted on the brick next to the entrance of the store. Signage can often times be one of the main forces in driving customers into the store and our location in itself will be a great form of advertising.

## **Operational Plan:**

### **Hours:**

We plan to be Thursdays from 10am-7pm, Fridays 11am-6pm, and Saturdays from 10am-4pm. Once we move in and analyze the walk-by traffic day to day, we may manipulate our hours to

make sure we capitalize on the busiest time frames. We are also planning on holding more events at the store as we will have more room to cater to larger groups. We will continue to and hope to add more after hours shopping experiences for customers. We have had great success in opening the store after hours to create a very personal styling session with customers and now that we have more full-time staff, we are looking forward to hosting more private shopping hours.

**Layout:**

We will utilize the 3,250 sq ft on the main floor for customer interactions. The basement will store displays, supplies and overflow inventory. We will have face-outs along the walls, several displays located through-out the space, the cash wrap will be located at the top of the stairs, dressing rooms will be near the back, we will construct a storage room for extra inventory and a staff-lounge across from the dressing rooms. The bathroom will remain as is at the rear of the store. There is an upper level in the back of the store which would serve as a great office, but needs a significant remodel that will get some attention down the road as it isn't a priority at this time.

**Employees:**

We currently have 1.5 full-time employees and 5 part-time employees.



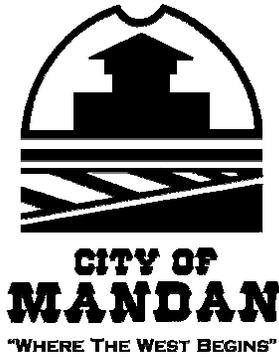
## RETAIL & RESTAURANT INCENTIVE — APPLICATION EVALUATION

The purpose of the program is to serve as a catalyst for securing new retail, restaurant and service business in the City of Mandan to provide greater selection and convenience to residents, businesses and visitors as well as to generate additional revenues for the public sector by way of local sales or restaurant and lodging taxes. Following are guidelines for use by Mandan Growth Fund Committee members. To be completed individually, tallied and averaged. Subject to discussion.

Applicant:					
Amount of subsidy requested psf:					
Operating space (sf):					
1. Degree to which business fills a gap?	Significant				Minimal
	5	4	3	2	1
2. Products/services needed by other businesses?	Significant				Minimal
	5	4	3	2	1
3. Sales or restaurant tax potential?	Significant				Minimal
	5	4	3	2	1
4. # of jobs created?	Significant				Minimal
	5	4	3	2	1
5. Use of other public incentives	Minimal (5% or less)	6-9%	10-19%	20-29%	Significant 30% or more
	5	4	3	2	1
6. Customer base	Broad				Limited
	5	4	3	2	1
7. Hours of operation	High				Low
	5	4	3	2	1
8. Qualifications of owners, managers	Strong			Weak	No info
	5	4	3	2	1
9. Potential for long-term viability	Strong				Weak
	5	4	3	2	1
10. Storefront plans/curb appeal	Significant				Minimal
	5	4	3	2	1
11. Investment - inventory, equip, building, etc.	Significant				Minimal
	5	4	3	2	1
<i>Ratings/recommendation to be provided by third-party such as SBDC or LCRDC</i>					
12. Business plan	Strong			Weak	No plan
	5	4	3	2	1
13. Financial history	Strong			Weak	No info
	5	4	3	2	1
Totals					
<b>Grand Total</b>		<b>Average Rating</b>			

General Guide (based average rating):

- Less than 2.0 = no assistance
- 3.0 to 3.9 = ¾ of maximum
- 2.0 to 2.4 = ¼ of maximum
- 4.0 and greater = maximum
- 2.5 to 2.9 = ½ of maximum



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** Sept. 2, 2014  
**PREPARATION DATE:** Aug. 28, 2014  
**SUBMITTING DEPARTMENT:** Business Development & Communications Department  
**DEPARTMENT DIRECTOR:** Ellen Huber, Business Development & Communications Director  
**PRESENTER:** Ellen Huber, Business Development & Communications Director  
**SUBJECT:** Growth Fund Committee Recommendation on Storefront Improvement Application

---

**STATEMENT/PURPOSE:** To consider a recommendation by the Mandan Growth Fund (MGF) Committee regarding an application by Larson's Creative Concepts for storefront improvement matching funds for the building at 216 W Main Street.

**BACKGROUND/ALTERNATIVES:** The MGF met Aug. 28, 2014 to consider the application. Jon and Amber Larson recently purchased the building at 216 West Main Street. For the past eight years, they have been operating Larson's Creative Concepts from their home in the central business district at 109 Third St NE (alley access behind M&H). They plan to move the tattooing business to the new location with the addition of piercing services.

The application for matching funds for exterior improvements to 216 W Main includes the addition of a corrugated steel awning, refurbishing of the front window frames, replacement of non-brick materials on the storefront with stained wood tongue and groove siding, a new wall mount sign, and the addition of goose-neck lights.

The request for matching funds is for \$13,533.

The storefront plan and signage received approval by the Mandan Architectural Review Commission at its meeting on Aug. 26, 2014.

The Larsons are also making interior upgrades to the building such as restoring the tin ceiling and removing old wall coverings to expose brick. They do not intend to apply for rehab of the building as a Renaissance Zone project because many of the interior projects are more cosmetic in nature.

ATTACHMENTS: Larson application excerpt. Full application available upon request.

FISCAL IMPACT: \$13,533 in matching funds at a 50% rate subject to actual final investment in qualified exterior improvements. The balance in the Growth Fund for economic development projects is approximately \$670,000 prior to consideration of projects on the Sept. 2 agenda.

STAFF IMPACT: Minimal

LEGAL REVIEW: The building already has an automatic door. There's also a recipient agreement that calls for a notice of potential lien on the property following project completion and issuance of matching funds in the form of a forgivable loan. The notice of potential lien requires that the building and improvements remain intact for 3 years with funding forgiven on a prorated basis over those three years.

RECOMMENDATION: The MGF voted to recommend approval of the application by Larson's Creative Concepts for storefront funds at a 50% match rate up to \$13,533.

SUGGESTED MOTION: I move to approve the storefront improvement application by Larson's Creative Concepts 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.



# STOREFRONT IMPROVEMENT APPLICATION

## PRIMARY CONTACT INFORMATION FOR THIS APPLICATION

Name: Jon Larson  
Address: 109 3rd Ave. NE, Mandan, ND 58554  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Applicant Name:  
(name of person/entity to receive grant) Larson's Creative Concepts, Inc.  
Property Owner: " "  
Property Address: 216 W. Main St., Mandan ND 58554  
Architect/Firm:  
(if applicable) \_\_\_\_\_

## Description of Property

Current tenant(s):  Commercial \_\_\_\_\_  
 Residential # occupied: \_\_\_\_\_ # vacant: \_\_\_\_\_

Building History (if available): Building housed George's Bakery for approx. 50 yrs., but has sat vacant now for the better part of the past decade.

Total Cost of façade renovation: 27,066  
~~\$ 212,280~~ Forgivable Loan Amount of Requested: \$ ~~17,478~~ 13,533

Is the façade renovation part of a larger project?

Yes  No, the façade is the only work I am doing

If yes, please describe comprehensive project.

The exterior renovation is part of a larger project to restore and renovate the interior - bringing back much of the historic character by performing cosmetic improvements such as restoring the tin ceiling and removing wall panelling and old wallpaper.

**Summary of Existing Condition of Façade: (please attach pictures – Attachment 1)**

The exterior facade has no awning. The existing sign hangs at a slant. There is little in the way of decorative appeal.

**Summary of Proposed Scope of Work: (materials, color schemes, etc.) Please attach colorized drawings that include pre- and post-rehab detail, indicating specifically what will be modified and how (Attachment 2). Bids or official estimates from licensed commercial contractors or other providers of needed services and materials are required. (Attachment 3)**

We intend to have a corrugated steel, red awning installed running the length of the front. We plan to have all front window frames and the front door powder coated/painted red. We will have the peach vitrolite removed – along with the deteriorating wood – and replaced w/ nicely stained wood tongue and groove siding. The existing hanging sign will be removed and replaced w/ a non-illuminated, flush-mount sign (4' x 16'). Above the sign, we will install three galvanized steel, goose-neck lights.

**Historic Character: How will proposed project affect historic character? (if applicable)**

The project will enhance the character of the building by utilizing industrial materials in a well-executed, professional way. The awning will help shelter and shade patrons, while restoring additional character to the facade.

**How will your project complement downtown redevelopment efforts?**

The red window and door frames will be a nice compliment to many downtown structures, such as the Mandan Fire Dept. The mix of red, steel and brick will help restore historic character to the building.

For more information, call Business Development Director Ellen Huber at 701-667-3485.

Signature of applicant: \_\_\_\_\_

Date: 8/21/14

Signature of property owner: \_\_\_\_\_

Date: \_\_\_\_\_

(if different than applicant)

**Special Notices**

- 1) Properties are eligible only once to receive Storefront Improvement funds.
- 2) Voters in the Nov. 4, 2008, election in the City of Mandan approved an initiated ordinance that states, "Installation of electric handicap accessible entrance doors are required on every building open to the public that has received public funds in any form whatsoever." Any property receiving Storefront Improvement funds since Nov. 14, 2008, is subject to the requirement. Include an estimate for an automatic door at least for the main entrance if you do not have one.



# STOREFRONT IMPROVEMENT APPLICATION

# ATTACHMENT 1: PHOTOS

(current and historic, if available)

PROFESSIONALS

HUNTINGTON  
BOOKS

George's  
BAKERY

allmart

BAKERY

Hotel

BARBERS



HAPPY BIRTHDAY AMERICA  
IN GOD WE STILL TRUST  
ROMANCE NOVELS  
5.99 A BAG  
STOP IN TODAY

216

SALE  
06-08

FOR SALE  
CALL KAREN  
503-755-1111





**THRIFT STORE**  
Free Truck Pick-Ups  
Donations Accepted  
751-4074

**Hallmark**  
GOLD TRIO

**SALE**  
16-0150

216

23

17

22



STOREFRONT IMPROVEMENT  
APPLICATION

**ATTACHMENT 2:  
DRAWINGS  
PRE & POST**





Larson's Creative Concepts, Inc., dba: Larson's Tattooing  
216 W. Main Street, Mandan, ND 58554

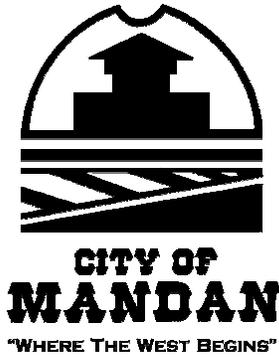


STOREFRONT IMPROVEMENT  
APPLICATION

**ATTACHMENT 3:  
BIDS & COST  
ESTIMATES**

**206 W Main - Summary of Proposed Expenditures**

<b>Source of Estimate or Bid</b>	<b>Purpose</b>	<b>Estimated Cost</b>
Fetzer Built	Awning & sign	\$10,584.00
Ultimate Oasis Construction	Removals, resurfacing brick, install siding	\$9,780.00
Ultimate Oasis Construction	Additional siding work	\$4,830.00
Dakota Blasting	Aluminum upright prep	\$600.00
Tony's Body Shop	Paint red uprights	\$600.00
ATG Stores	Gooseneck lights	\$672.00
<b>Total</b>		<b>\$27,066.00</b>
Alternative awning/sign estimate		
Mann Signs	Awning & sign	\$13,750.00
Note: Building has an automatic door		



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 28, 2014  
**SUBMITTING DEPARTMENT:** Business Development & Communications Department  
**DEPARTMENT DIRECTOR:** Ellen Huber, Business Development & Communications Director  
**PRESENTER:** Ellen Huber, Business Development & Communications Director  
**SUBJECT:** MGF Recommendation on Memorial Highway Storefront & Landscape Improvement Program

---

**STATEMENT/PURPOSE:** To consider a recommendation by the Mandan Growth Fund (MGF) Committee regarding a proposal to create a Memorial Highway Storefront and Landscape Improvement Program.

**BACKGROUND/ALTERNATIVES:** The MGF met Aug. 28, 2014. Among agenda items was a proposal to establish a Memorial Highway Storefront and Landscape Improvement Program. The overall purpose is to encourage the economic revitalization and redevelopment of a key entrance to Mandan and commercial corridor. The program would make matching funds available to commercial and industrial property owners and business tenants to stimulate private investment in improvements to eliminate blight and enhance the appearance of existing buildings and properties. The overall goal is to increase competitiveness for business expansion, attraction and start-ups as well as to better attract and retain residents and visitors.

The Mandan Tomorrow — Leadership, Pride and Image Committee had sought private funding for creation of the program earlier this year with submittal of an application for \$200,000 in funding through the Bush Foundation Community Innovation Grant. The committee learned in May that the application was not among the finalists chosen from more than 600 applications in the three-state region. Applications that received funding were more philanthropic and thus the committee was not optimistic that resubmittal in another round would produce any different result. The committee began exploring support for creation of such a program using local resources. The Community Beautification Committee and the Mandan Architectural Review Commission each passed motions of support during July meetings.

The MGF was supportive of the concept of establishing a program for Memorial Highway and focused on some specific components of the plan:

- Boundaries — the recommendation was to reduce the boundaries from the larger corridor proposed to only 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.
- Matching funds —the recommendation was to increase the maximum to \$30,000 per project, up from the \$10,000 initially proposed.
- Overall funding — the recommendation is to set aside \$200,000 in the MGF for the Memorial Highway program. The program will be reviewed for interest and effectiveness at least annually.

ATTACHMENTS: Memorial Highway Storefront & Landscape Improvement Program proposal as recommended by the MGF on Aug. 28, 2014.

FISCAL IMPACT: \$200,000 would need to be set aside within the MGF which has a balance of approximately \$670,000 prior to consideration of projects at the Sept. 2 meeting.

STAFF IMPACT: Some staff time will be needed to create awareness of the program, process applications and follow-up on approved projects.

LEGAL REVIEW: Attorney Brown has reviewed the proposal. As with other means of public assistance to businesses, participants will need to have an automatic door on at least one entrance.

RECOMMENDATION: The MGF recommends establishment of a Memorial Highway Storefront and Landscape Improvement Program with the boundaries and criteria as indicated, a maximum of \$30,000 in matching funds per project, and a set aside of \$200,000 for the program in the Mandan Growth Fund.

SUGGESTED MOTION: I move the City of Mandan establish a Memorial Highway Storefront and Landscape Improvement Program with the boundaries as indicated, a maximum of \$30,000 in matching funds per project, and a set aside of \$200,000 for the program in the Mandan Growth Fund.

# MANDAN GROWTH FUND FORGIVABLE LOAN

## *Memorial Highway Storefront & Landscape Improvement Program*

---

*As Recommended Aug. 28, 2014, by the Mandan Growth Fund Committee*

### **Introduction & Background**

The program encourages the economic revitalization and redevelopment of a key interstate/highway entrance and commercial corridor. Matching funds in the form of a forgivable loan are available to commercial and industrial property owners and business tenants to stimulate private investment in improvements to eliminate blight and enhance the appearance of existing buildings and properties.

Once a rural highway known as "The Strip" between Bismarck and Mandan, this five-lane roadway is now the gateway to Mandan when crossing the Missouri River. Memorial Highway is a first impression for travelers to Mandan who arrive via the Bismarck Airport. The program builds on Memorial Highway's role as an essential economic center for Mandan. The corridor has many assets: its proximity to Mandan and Bismarck; uniqueness as a retail hub for farm, ranch and motorized vehicle sales; entertainment such as the Fort Lincoln Trolley, golf course, soccer fields, motor speedway, rodeo grounds, bowling alley and restaurants; plus neighboring residential areas. The program will improve Mandan's and this corridor's competitiveness for business, resident and tourist attraction.

The program will leverage private dollars to bolster the district's business and investment climate. It will encourage revitalization of vacant or underused sites and obsolete commercial uses as well as enhancement of long-standing businesses in an area where infrastructure exists.

**Memorial Highway Future Plans.** Reconstruction of Memorial Highway is expected in 2019 or beyond when federal and state funding for the project becomes available. Funding for the multi-million dollar project is anticipated to be 80% federal, 10% state and 10% local. A corridor study conducted in 2010 included the following recommendations:

- Continue to operate Memorial Highway as a five-lane roadway with a center two-way-left-turn lane within the existing right-of-way width, which is approximately 120 feet with the existing roadway offset 10 feet from the centerline.
- Lower roadway for curb and gutter.
- A new drainage system to include underground piping and a shallow ditch on south side,
- Install traffic signals at 40th Avenue and make signals permanent at 46<sup>th</sup> Avenue.
- Bike lanes, sidewalks and new street lights along each side.
- Plan for overhead power lines to remain because underground placement is not economical due to high voltage.
- Eliminate and revise some driveways to reduce crashes.
- Close intersection at 24th Avenue and realign 40th Avenue to eliminate sharp-angles.
- Help motorists identify intersections by adding low maintenance plantings, western theme fencing and street name monuments.
- Create a sense of place with periodic treatments reminiscent of western ranching and Native American themes, including an eastern gateway entrance.

**Comprehensive Land Use Plan.** A 2014 draft comprehensive land use for Mandan plan recommends: 1) develop a plan to keep the City's gateways attractive by maintaining and enhancing signage, landscaping, or other features, and 2) use incentives to encourage business owners to use and increase landscaping and other design aesthetics to beautify their buildings, entrances and parking lots.

## Program Boundaries

Boundaries for the program are Memorial Highway along with:

- 46<sup>th</sup> Avenue SE north of 21<sup>st</sup> Street St SE
- 40<sup>th</sup> Avenue SE north of 19<sup>th</sup> Street St SE

See map below.



## **Program Summary & Funding Levels**

The program is offered through the Mandan Growth Fund and administered by the City of Mandan's Business Development Office. The funding source is a portion of the City's sales tax revenue set aside in the Growth Fund for economic development purposes. The Mandan Growth Fund will set aside \$200,000 for the Memorial Highway program with any additional future funding subject to MGF and City Commission approval. Funding for qualified applicants is encumbered on a first-come, first-served basis.

Interested commercial property owners may apply for reimbursement in the form of a forgivable loan, not to exceed \$30,000, for up to 50% of their investment in eligible façade and landscape improvements.

Improvements made to multiple buildings on a single parcel would only be eligible for the maximum \$30,000 as a whole. Improvements made to a single building located on multiple parcels (under the same ownership) would only be eligible for the maximum \$30,000.

Interested owners of property used for commercial or industrial purposes and business tenants will complete applications for consideration by the Mandan Growth Fund Committee, which in turn provides recommendation to the City Commission. All applications also will be considered by the Mandan Architectural Review Commission for adherence to site, building design, and landscaping standards. Applications will be accepted on a first-come, first-served basis. Approval will be based on meeting program criteria and availability of funds. Projects cannot begin before an application is approved.

The interest-free loan will be pro-rated and forgiven over the course of 3 years contingent upon project completion and the building remaining intact during this period. Any building owner or store proprietor/tenant with lease authority or authorization from the owner may apply for funding. Tenants must have a minimum of two years remaining on their lease. Subject building must be in a commercially- or industrially-zoned area.

## **Application and Approval Process**

1. Submit completed application to the City of Mandan Business Development Office for preliminary review to assure that all necessary information is provided.
2. Participate in a preliminary review of the application by the Mandan Architectural Review Commission to assure compliance with Memorial Highway and Gateway Overlay district site and building design standards. Preliminary MARC review allows the applicant to adjust his or her request for a forgivable loan in the event that changes to the proposed project are required or requested. Applicant will be notified of the meeting and asked to attend to present his or her project proposal. MARC meets the second and fourth Tuesday of each month at 1 p.m. in the Former Morton County Library Room at Mandan City Hall.
3. Participate in a meeting of the Mandan Growth Fund Committee to review and consider the application including any MARC requirements or requests. Applicants will be notified of the meeting and asked to attend to present their project proposal. The Growth Fund Committee meets as needed to review applications, typically over a noon hour. The Mandan Growth Fund Committee will review projects and award matching funds in the form of forgivable loans using established program criteria.
4. Recommendations of the Growth Fund Committee will be presented to the City Commission for final approval generally within 45 days from receipt of the application.

## **Program Eligibility**

- Business or property owners of commercial or industrial properties.
- Remodeling, redevelopment or expansion projects that now need to meet code requirements for site, building and landscaping standards that weren't in place when the building was originally permitted. Not for new construction on previously undeveloped land.
- Properties exempt from general property taxes through non-discretionary means are not eligible unless operating a retail business. For example, a building owned by a religious organization and operating as a place of worship is not eligible.
- Use of property and rehabilitation plan is consistent with published City of Mandan plans (2003 Memorial Highway Redevelopment Plan, 2010 Memorial Highway Corridor Study, Architectural Review Commission community design and appearance standards, Sign Policy)
- Comprehensive renovation project that addresses an entire building façade and eliminates all signs of blight/deterioration from affected façade. Projects involving only exterior painting or signage will not be considered. Project is ready to proceed in timely fashion (must be completed within 12 months from City Commission approval).
- Funding may be denied to applicants who are delinquent on payment of taxes, fees or fines.

## **Program Criteria**

*Qualifying improvements must be to areas visible from the public right of way and include:*

- Design, architectural or engineering services for the building's façade, site or landscape plan
- Awnings and canopies (signage on awning is discouraged, best suited to valance)
- Exterior lighting (wall lighting or decorative post lighting)
- Exterior painting or surface treatment
- Removal/replacement of inappropriate or incompatible exterior finishes or materials
- Reconfiguring entrances
- Door/window replacement or repair including automatic doors or other ADA access to a building. (Note: An automatic door to at least one main entrance is required for program participation.)
- Signs (new, repairs, replacements, removal). Addition of landscaping, stone, brick or other enhancements around base.
- Outdoor patios and decks
- Landscaping including trees, shrubs, perennial flowers, other plantings and design aesthetics to beautify buildings, entrances, parking lots and to screen storage.
- Approved fencing to buffer and screen storage areas.
- Irrigation or sprinkler system to maintain landscaping

Ineligible improvements include:

- Hard surfacing or resurfacing of off-street parking areas
- Non-visible roof replacement or repair
- Site furnishings, amenities, non-permanent structures and movable equipment

*Other contributing factors*

- Current condition of property
- Ownership history
- Size of the property
- Amount of private funds in the project
- Utilization of other incentives

Note: Bids or official estimates from licensed commercial contractors or other providers of needed services and materials are required.

## **Project Administration Upon Approval**

1. In order to be eligible for reimbursement, contracts for work in the agreed upon scope of the project must not be signed, nor may a building permit be obtained before City Commission approval is attained. Advance design, architecture and engineering services may be obtained and these fees are among the eligible costs.
2. The project applicant will be notified in writing and both the City and the Applicant will sign a Recipient Agreement once the City Commission has approved a project.
3. The applicant will be responsible for all applicable bills and invoices associated with the project. Reimbursement will be based on a request from the applicant summarizing expenditures with copies of invoices and proof of payment for completed work. City of Mandan Building Inspections staff must review the completed project to determine that the actual work performed is the work approved before payment for the loan will be provided.
4. Approved applicants receive 50% reimbursement for façade improvements after completion and verification of expenses. A commitment is required for maintenance of improvements for at least three years; otherwise grant funds become due and payable.
5. Landscape improvements would be reimbursed 50% upon completion and 50% after three years, provided the landscaping remains in place and is maintained.
6. The City of Mandan will issue a notice of potential lien on the subject property in the amount of the initial reimbursement. The notice requires repayment of the loan to the City within 3 years of project finalization if the subject structure ceases to remain intact during this period.
7. Properties that have received Storefront and Landscape Improvement funds are not eligible for additional funding.

## **Special Notice**

*Voters in the Nov. 4, 2008, election in the City of Mandan approved an initiated ordinance that states, "Installation of electric handicap accessible entrance doors are required on every building open to the public that has received public funds in any form whatsoever." Any property receiving Storefront Improvement funds since Nov. 14, 2008, is subject to the requirement in accordance with ordinance 14-02-15.*



# STOREFRONT & LANDSCAPE IMPROVEMENT APPLICATION

## PRIMARY CONTACT INFORMATION FOR THIS APPLICATION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Applicant Name:**

(name of person/entity  
to receive grant)

\_\_\_\_\_

**Property Owner:**

\_\_\_\_\_

**Property Address:**

\_\_\_\_\_

**Architect/Firm:**

(if applicable)

\_\_\_\_\_

## Description of Property

Current tenant(s):  Commercial \_\_\_\_\_

Building History (if available): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Total Cost of  
Exterior  
Renovation &  
Landscaping:**

\$ \_\_\_\_\_

**Forgivable  
Loan Amount of  
Requested:**

\$ \_\_\_\_\_

Is the façade renovation part of a larger project?

Yes

No, the façade is the only work I am doing

If yes, please describe comprehensive project.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Summary of Existing Condition of Façade and Site:** (please attach pictures ó Attachment 1)

**Summary of Proposed Scope of Work:** (materials, color schemes, etc.) Please attach colorized drawings that include pre- and post- rehab detail, and site plan if applicable, indicating specifically what will be modified and how (Attachment 2). Bids or official estimates from licensed commercial contractors or other providers of needed services and materials are required. If you have more than three components or separate contractor bids, please include a summary of costs. (Attachment 3)

**How will your project complement Memorial Highway development and redevelopment efforts?**

**For more information, call Business Development Director Ellen Huber at 701-667-3485.**

**Signature of applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature of property owner:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
(if different than applicant)

**Special Notices**

- 1) Properties are eligible only once to receive Storefront & Landscape Improvement funds.
- 2) Voters in the Nov. 4, 2008, election in the City of Mandan approved an initiated ordinance that states, "Installation of electric handicap accessible entrance doors are required on every building open to the public that has received public funds in any form whatsoever." Any property receiving Storefront Improvement funds since Nov. 14, 2008, is subject to the requirement. Include an estimate for an automatic door at least for the main entrance if you do not have one.



*STOREFRONT & LANDSCAPE  
IMPROVEMENT APPLICATION*

**ATTACHMENT 1:  
PHOTOS**

(current)



*STOREFRONT & LANDSCAPE  
IMPROVEMENT APPLICATION*

**ATTACHMENT 2:  
DRAWINGS  
PRE & POST**

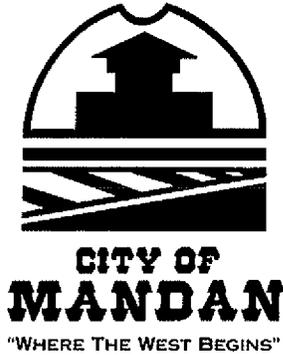
*(Building elevations as improved,  
site and/or landscaping plans)*



***STOREFRONT & LANDSCAPE  
IMPROVEMENT APPLICATION***

# ATTACHMENT 3: BIDS & COST ESTIMATES

Summary of Proposed Expenditures		
Source of Estimate or Bid	Purpose	Estimated Cost
<b>Total</b>		<b>\$</b>



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 27, 2014  
**SUBMITTING DEPARTMENT:** Finance  
**DEPARTMENT DIRECTOR:** Greg Welch, Finance Director  
**PRESENTER:** Katie Moch, CPA, Eide Bailly  
**SUBJECT:** 2013 Audit

---

STATEMENT/PURPOSE:

To accept the City of Mandan's 2013 Audit as performed by Eide Bailly.

BACKGROUND/ALTERNATIVES:

Eide Bailly has completed the 2013 Audit of the City's Financial Statements, Internal Controls, and Federal Awards. The City received an unmodified opinion which means that the financial statements have been prepared using generally accepted accounting principals (GAAP) and do not contain material misstatements, and are presented fairly. In other words, the City received a "clean" audit opinion. The City also received an unmodified opinion on compliance with major federal award programs which is commonly referred to as the "single audit". A copy of the 2013 audited Financial Statements is also available on the City's website.

ATTACHMENTS (under separate covers):

- Management Letter
- 2013 Financial Statements
- 2013 Federal Awards
- 2013 Executive Summary

FISCAL IMPACT:

None

STAFF IMPACT:

None

LEGAL REVIEW:

N/A

Board of City Commissioners  
Agenda Documentation  
Meeting Date: September 2, 2014  
Subject: 2013 Audit  
Page 2 of 2

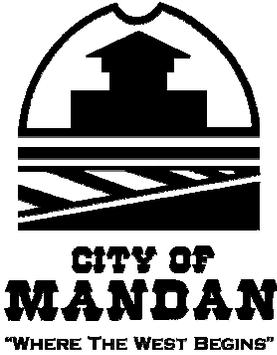
---

RECOMMENDATION:

To accept the City of Mandan's 2013 Audit as performed by Eide Bailly.

SUGGESTED MOTION:

Move to accept the City of Mandan's 2013 Audit as performed by Eide Bailly.



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 29, 2014  
**SUBMITTING DEPARTMENT:** Administration  
**DEPARTMENT DIRECTOR:** Jim Neubauer, City Administrator  
**PRESENTER:** Jim Neubauer, City Administrator  
**SUBJECT:** Facility Needs Analysis

---

**STATEMENT/PURPOSE:** To consider issuing a request for qualifications (RFQ) for professional architectural firms for services related to facility needs analysis for the City of Mandan.

**BACKGROUND/ALTERNATIVES:** The Mandan Sales Tax Committee held a facility focus group session on Aug. 13 to gather initial input from a cross section of community members and recreational stakeholders on potential capital improvement projects. Of the approximately 30 focus group participants, about 65 percent supported a sales tax increase. Projects receiving the most support include a new indoor hockey arena, a new or improved City Hall and a north side fire station.

We would like to firm up cost estimates on city hall and fire station issues.

In order to obtain additional information regarding cost estimates, a request for qualifications for architectural firms has been prepared for your consideration.

Suggested time frame is as follows:

- Sept. 2 – City Commission consider RFQ
- Sept. 5, 12 – Advertise in Mandan News
- Sept. 23 – Receive RFQ's
- Sept. 23 – Oct. 1 – Schedule interviews
- Oct. 1 – 3 – Negotiate with selected firm
- Oct. 7 – City Commission consider contract

**ATTACHMENTS:** Advertisement for Bids, scope of work, submittal requirements

**FISCAL IMPACT:** To be determined upon selection of firm.

**STAFF IMPACT:** Time will be required to review proposals and selection of firm.

LEGAL REVIEW: n/a

RECOMMENDATION: I recommend approving the advertisement the Request for Qualifications.

SUGGESTED MOTION: I move to approve the advertisement for the Request for Qualifications.

# CITY OF MANDAN

## Facility Needs Study Architectural Services

---

Request for Qualifications

Submittal Instructions

September 2, 2014

**Due Date: September 23, 2014, 10:00 a.m.**



**CITY OF  
MANDAN**

"WHERE THE WEST BEGINS"

This document includes a copy of the advertisement for the Request for Qualifications Proposal, the scope of work projected and requirements for the submittal.

## **Request for Qualifications for Architectural Services**

The City of Mandan requests written qualifications from professional Architectural firms for services for the following:

### **Facility Needs Analysis for the City of Mandan**

The service expectations for the project are defined in a Scope of Work available upon request from the City of Mandan City Administrator.

Written proposals shall address the firm's experience and ability to perform the defined services in a timely manner. The primary items for consideration will be, but not limited to, the firm's:

1. Technical capabilities of Firm and of proposed project team
2. Experience and performance of Firm and of proposed project team
3. Understanding of project and proposed work approach
4. Knowledge of regulations and local conditions
5. Project personnel assignments and qualifications
6. Ability to respond in a timely manner

The Architect will be selected based upon Statements of Qualification and oral interviews of at least 3 firms. A selection committee will recommend a single firm to the Board of City Commissioners. A detailed scope of work will be developed and price will be negotiated with the selected firm. Failure to reach an agreement acceptable to the City of Mandan will result in negotiation with the second most qualified firm. A professional services agreement will be executed with a single firm.

All inquiries shall be directed to Jim Neubauer, City Administrator, City of Mandan, (701) 667-3215. Qualifications Statements from consultants will be accepted until 10:00 a.m. CDT on Tuesday, September 23, 2014.

Submit six (6) copies of proposal to:

Jim Neubauer

City Administrator

205 2<sup>nd</sup> Ave NW

Mandan ND 58554

Telephone (701) 667-3215

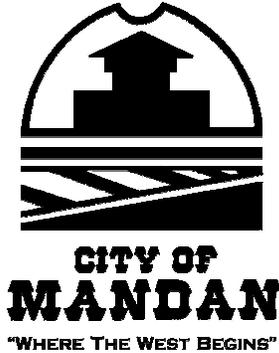
### **Facility Needs Study Scope of Work**

1. Review existing work space organization and floor plans for City Hall along with existing staffing. There are eight departments involved in this study (Finance, Utility Billing, Municipal Court, Assessing, Building Inspection, Planning & Engineering, Business Development & Communications and Administration).
  - a) Objective:
    - i) Understand existing space allocation and employee distribution in the eight participating departments.
    - ii) Understand existing space within the existing building.
    - iii) Understand work flow, connection and proximity needs within and between departments, both for staff and for the public.
2. Review existing studies and plans, particularly for the downtown area, relative to local governmental facilities.
  - a) Objective: Understand the relationship of City office space and location to the goals contained in the various plans.
3. Review employment projections from departments for 5 years, 10 years and 20 years. These projections will result from consultation with the affected department heads and the inclusion of both industry and local projection and growth information.
  - a) Objective:
    - i) Understand projected employee growth for three scenarios.
    - ii) Understand space needs for three employment levels.
  - b) Deliverables:
    - i) Project work flow space needs for three employment levels.
    - ii) Project space needed for increased public consultation, staff collaboration and computer access
4. Provide space needs estimate for three employment scenarios.
  - a) Deliverables:
    - i) Three space need diagrams for each department based on employment levels. These space needs diagrams should be based on discussion with each department head and on industry standards for the needed space.
    - ii) The needs analysis must also address potential storage, work space, building mechanical, shared space, meeting room, computer/information service areas and any other space types identified in the needs analysis.
    - iii) Parking space needs analysis including employer and employee vehicles as well as visitor and patron parking.
    - iv) Define quantity and proximity needs for all parking types.
5. Provide data on quantity, quality and estimated cost of any proposed space needed to fulfill the space needs identified for each employment scenario along with required parking.
  - a) Deliverables:
    - i) Option A: Addition and Renovation to City Hall to fit existing departments having space in the building.
    - ii) Option B: New building for all existing City departments as well as the land parcel size needed.
    - iii) Option C: Alternative solution not mentioned above to meet space needs for these departments.
6. Review existing fire station facilities for adequate response times within the City of Mandan.
  - a) Review existing studies and plans, particularly preliminary comprehensive land use and transportation plans for the City and surrounding area.
  - b) Provide data on location, quantity, quality and estimated cost of any proposed space needed to fulfill the space needs identified along with required parking.
  - c) Alternative solution not mentioned above to meet space needs for future fire stations.

## **Submittal Requirements**

The City of Mandan requests the following material for use in selection of a firm for this study:

1. Discussion of project understanding and proposed work approach.
2. Firm Background, History and Specialties: General information on the organization, size and longevity of the firm and any other information on the special focus or skills of the firm. Maximum 3 pages.
3. Project Team Personnel, Assignments and Abilities:
  - a) Team organization chart and resumes of all team members, including a list of projects for each person for work similar to this or any other work, education, licensing, special skills or accomplishments, years of experience, and primary work location. Projects listed in individual resumes may include work from previous employment; they shall be marked as such.
  - b) List any in-house or out-of-house special consultants, their role in the project team and their resumes with information as noted above. Do not include structural, mechanical, electrical or plumbing engineering consultants. The selected firm and the City of Mandan will collaborate in the selection of consultants for these services if it is determined they are needed for this study.
  - c) Identify persons who will be acting as Principal, Project Manager and Point of Contact for all matters relating to management of contract and design services and their work location.
4. Project Examples:
  - a) Provide up to five projects demonstrating experience in determining Owner's space needs and presenting information in a clear format. Provide information on studies similar to this in scale, complexity, and/or function. Include scope of work, final recommendation and final results following recommendation. Provide samples of study tools and final report documents.
  - b) Provide up to five additional projects demonstrating experience with office design, with a preference for government office spaces. Include project title, location, year designed, year construction was completed and a brief description.
  - c) Guidelines for Projects:
    - i) Projects that were done by Principals of the Firm while associated with a prior firm may be used for project examples, but must be identified as having been done while with a prior firm. Name of that firm is not necessary. Role of the Principal in that project must be included in the project information.
    - ii) Projects that were done under the name of previous firms that have since joined the current firm shall be identified by the name of the prior firm.
    - iii) All other projects presented shall have been done under the name of the current firm.
  - d) Provide a matrix that shows which projects presented involved personnel proposed for this project team and list those participants.
  - e) Provide a list of other projects done by the firm that involved space needs studies, offices or government facilities. One page maximum.
5. Additional Information:
  - a) Provide a basic proposed work plan and schedule for the project that accommodates your current workload and anticipates a signed contract agreement within 30 days.
  - b) Provide information regarding knowledge of regulations and local conditions for the team members assigned to this project.



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 26, 2014  
**SUBMITTING DEPARTMENT:** Engineering & Planning  
**DEPARTMENT DIRECTOR:** Justin Froseth  
**PRESENTER:** Robert Decker, Principal Planner  
**SUBJECT:** Consider for approval update of Planning and Zoning Fees

---

**STATEMENT/PURPOSE:** Fees have not been updated recently. Costs have risen and it is appropriate to recover the costs of processing applications.

**BACKGROUND/ALTERNATIVES:** The city must review all proposals for new development in order to protect the health, safety and welfare of city residents. Proper review of applications takes time. The applicant should bear the majority of the cost of this review.

Morton County recently updated their review fees. The city provides water and sewer services while the county does not. Therefore the city requirements are more extensive than the county's so city review fees should be higher than the county. The proposed fees are similar to those of Morton County. Bismarck's fees are higher since they need to fund a larger staff due to more activity.

**ATTACHMENTS:**

1. Resolution
2. Morton County Fees

**FISCAL IMPACT:** minimal

**STAFF IMPACT:** minimal

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

**RECOMMENDATION:** Staff recommends approval of the resolution updating Planning and Zoning Fees.

**PROPOSED MOTION:** Based on the recommendation of staff, move to adopt resolution updating Planning and Zoning Fees.

**RESOLUTION UPDATING FEES**  
**Board of City Commissioners**  
**City of Mandan, North Dakota**

WHEREAS, it is appropriate to charge applicants fees for processing planning and zoning requests; and

WHEREAS, the costs have increased over time; and

WHEREAS, the fees have not been adjusted recently; and

WHEREAS, Morton County recently adjusted their fees.

NOW, THEREFORE, BE IT RESOLVED By the Board of City Commissioners of the City of Mandan, Morton County, North Dakota, that the fees for processing planning and zoning applications be updated as follows:

Activity	Old Fee	New Fee
Annexation	\$150	\$250
Platting	\$250	
Minor plat or replat		\$100
Preliminary Plat		
Up to 20 acres		\$200
Greater than 20 acres		\$300
Final Plat		
Final Plat with up to 20 lots		\$200
Final Plat with between 21 and 40 lots		\$400
Final Plat with more than 40 lots		\$600
Zone Change	\$250	\$400
Special Use Permit	\$150	\$300
Vacation of ROW	\$150	\$250
Variance	\$100	\$200
Stormwater Plan		
Initial submittal with one resubmittal		\$150
Second or subsequent resubmittal		\$50
Construction Plans		\$25 per plan and profile sheet

BE IT FURTHER RESOLVED, that the within and foregoing Resolution shall become effective October 1, 2014.

Approved and passed September 2, 2014, by at least two-thirds vote of all the members of the Board of City Commissioners.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 2, 2014

Subject: Consider for approval resolution updating Planning and Zoning Fees

Page 3 of 6

---

---

President, Board of City Commissioners

ATTEST:

---

City Administrator

## MEMO

---

**TO:** Morton County Commission and Morton County Planning and Zoning Commission

**FROM:** Daniel Nairn, Director of Planning and Zoning

**DATE:** November 12, 2013

**SUBJECT:** Proposed Planning and Zoning Fee Schedule.

Morton County requires applicants for rezonings, subdivisions, special use permits, and variances to pay an administrative fee. The Morton County Planning and Zoning Department recommends that the Morton County Commission pass a resolution to establish a fee schedule for all development applications. Because building permit fees are reviewed annually in December, this would also be an opportune time to review development application fees.

### BACKGROUND

The authority to assess fees is established by state law:

*NORTH DAKOTA CENTURY CODE 11-33-18*

*"The board may establish and collect reasonable fees for permits issued under this section. The fees so collected must be credited to the general fund of the county."*

Morton County ordinances include specific fees for temporary crew housing, but stipulate that all other fees should be established by resolution. The ordinance gives some guidance on setting fees:

*MORTON COUNTY ZONING REGULATIONS ARTICLE 22, SECTION 11 "FEES"*

*"In order to cover the costs of examining plans, advertising and holding public hearings, and other expenses incidental to the approval of a subdivision, the subdivider shall pay a fee at the time of application for tentative approval of a preliminary plat. Such fee will be based upon the estimated number of lots created ..."*

In general, fees are expected to be proportionate to the expenses incurred processing the individual application. Based on conversations with other jurisdictions in North Dakota, traditionally fees have not been expected to cover the full cost of processing an application. They are intended to defray those costs.

### CURRENT FEE SCHEDULE

Morton County has been using the current Burleigh County fee schedule, which is as follows:

<b>Short Form Subdivision</b>	\$200	<b>Variance</b>	\$100
<b>Long-Form Subdivision</b>	\$200	<b>Rezoning</b>	\$200
<b>Special Use Permit</b>	0.001 x Total Project Cost or \$150	<b>Temporary Crew Housing</b> (not in Burleigh)	\$35,000+ annually

**PROPOSED FEE SCHEDULE**

Staff recommends passing the following fee schedule by resolution:

<b>Short Form Subdivision</b>	\$200	<b>Special Use Permit</b>	\$300
<b>Long-Form Subdivision</b>		<b>Variance</b>	\$200
<b>2 – 10 Lots</b>	\$400	<b>Rezoning</b>	\$200
<b>11 – 20 Lots</b>	\$600	<b>Temporary Crew Housing</b>	NA (already in ordinance)
<b>Over 21 Lots</b>	\$800		

The purpose of the proposed change is to:

1. Achieve greater proportionality
2. Come closer to meeting actual development review costs
3. Maintain simplicity
4. Come closer to parity with other jurisdictions, especially Burleigh County

A table of the fee schedules of comparable communities is attached. The chart has been simplified to attempt an apples-to-apples comparison. Because we have historically followed Burleigh County, it should be noted that fees in this jurisdiction are proposed for revision in 2014. The City of Mandan is also currently reviewing their fee schedule.

**ATTACHMENT**

1. Fees from other North Dakota Jurisdictions

Board of City Commissioners  
 Agenda Documentation  
 Meeting Date: September 2, 2014  
 Subject: Consider for approval resolution updating Planning and Zoning Fees  
 Page 6 of 6

Planning and Zoning Application Fees in Select North Dakota Jurisdictions

Locality	Rezoning	Special Use Permit	Variance	Major Subdivision	Minor Subdivision <sup>1</sup>
Morton County (current) <sup>2</sup>	\$ 200	\$ 150	\$ 100	\$ 200	\$ 200
Morton County (2014 Proposed)	\$ 200	\$ 300	\$ 200	2-10 lots = \$400; 11-20 lots = \$600; 21+ lots = \$800	\$ 200
Burleigh County (current) <sup>3</sup>	\$ 200	\$ 150	\$ 100	\$ 200	\$ 200
Burleigh County (2014 Proposed)	\$ 500	\$ 300	\$ 300	3-10 lots = \$800; 11-20 lots = \$2,100; 21+ lots = \$4,000	1-2 lots = \$625
Ward County (current)	\$ 150	\$ 200	\$ 100	26-49 lots = \$75; 50+ lots = \$100	1-25 lots = \$50
Ward County (2014 adopted) <sup>4</sup>	\$ 150	\$ 200	\$ 100	\$150 + \$25 per lot	150
Grand Forks County	None	\$ 200	\$ 200	\$150 + \$50 per lot	\$50 with survey/\$100 without
Stark County	\$ 200	\$ 200	\$ 200	included in flat fee	included in flat fee
Cass County	NA	NA	NA	5-12 lots = \$500; 13+ lots = \$650	1-4 lots = \$100 + \$35 per lot
City of Bismarck	\$ 500	\$ 275	\$ 250	\$ 850	\$ 600
City of Mandan (under review)	\$ 250	\$ 50	\$ 50	\$ 250	\$ 250
City of Fargo	\$ 300	\$ 185	\$ 185	\$ 600	\$ 350
City of Dickinson	\$ 350	\$ 200	\$ 100	11-29 lots = \$500; 30+ lots = \$750	< 10 lots = \$250

<sup>1</sup> Minor Subdivision is one lot, unless otherwise specified  
<sup>2</sup> or 0.001 x Total Project Cost for Special Use Permits  
<sup>3</sup> or 0.001 x Total Project Cost for Wind Turbine Special Use Permits  
<sup>4</sup> Annual Feeding Operation SUPs = \$300; Wind = \$500 per tower up to \$2,500.

**ORDINANCE NO. 1190****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. Certain lots within the Big Sky Estates subdivision located within the City of Mandan, Morton County, North Dakota shall be excluded from the R7 (residential) zoning and shall be included in other zones as follows:

- a. Lots 1 & 2, Block 1 Big Sky Estates 3<sup>rd</sup> Addition Replat changed to CB Restricted;
- b. Lots 1 & 2, Block 2 Big Sky Estates 3<sup>rd</sup> Addition Replat changed to CB Restricted;
- c. Lots 1 - 3, Block 1 Big Sky Estates 5<sup>th</sup> Addition changed to CB Restricted;
- d. Lots 9 - 13, Block 4 Big Sky Estates 3<sup>rd</sup> Addition changed to RM Restricted;
- e. Lots 4 & 5, Block 1 Big Sky Estates 3<sup>rd</sup> Addition changed to R3.2 Restricted;
- f. Lots 1 - 4, Block 2 Big Sky Estates 3<sup>rd</sup> Addition changed to R3.2 Restricted;
- g. Lots 7 & 8, Block 2 Big Sky Estates 3<sup>rd</sup> Addition changed to R3.2 Restricted; and
- h. Lots 1 - 4, Block 1 Big Sky Estates 4<sup>th</sup> Addition changed to R3.2 Restricted.

2. The uses allowed on lots zoned R3.2 shall be limited to 1 and 2 dwelling unit structures.

3. Structures on RM zoned lots shall be limited to 30 feet in height above existing grade.

4. The uses allowed on lots zoned CB shall be limited to multi-family residential and those in Retail Group A, Service Group A and Office-bank Group as listed in Appendix A.

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

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

Attest:

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

Public Hearing:	<u>August 19, 2014</u>
First Consideration:	<u>August 19, 2014</u>
Second Consideration and Final Reading:	<u>September 2, 2014</u>
Publication Date:	<u>September 26, 2014</u>
Recording Date:	_____

## Appendix A to Ordinance 1190 rezoning lots in Big Sky Estates

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.

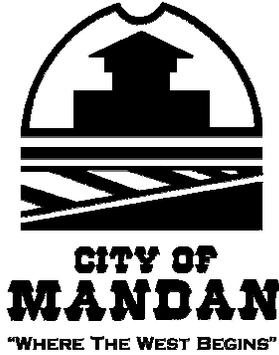
The following uses are declared to be in service group A:

- (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



## Board of City Commissioners

### Agenda Documentation

**MEETING DATE:** September 2, 2014  
**PREPARATION DATE:** August 28, 2014  
**SUBMITTING DEPARTMENT:** Engineering & Planning  
**DEPARTMENT DIRECTOR:** Justin Froseth  
**PRESENTER:** Justin Froseth, Planning & Engineering Director  
**SUBJECT:** Consider approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 190, Project 2014-02(Keidel's South Heart Terrace 3<sup>rd</sup> Addition).

---

**STATEMENT/PURPOSE:** This is to approve the Resolution approving Contract and Contractor's Bond for Street Improvement District No. 190, Project 2014-02 (Keidel's South Heart Terrace 3<sup>rd</sup> Addition).

**BACKGROUND/ALTERNATIVES:** On August 7<sup>th</sup> a special City Commission Meeting was held to consider award of this Street Improvement project. The City Commission approved awarding the Project to Mariner Construction but did not have, in their motion, approval of the Resolution which typically is approved at the same time, therefore we are bringing this back for approval.

**ATTACHMENTS:**

1. August 7<sup>th</sup>, 2014 City Commission meeting minutes
2. District Map
3. Resolution approving Contractor and Contractor's Bond

**FISCAL IMPACT:** None

**STAFF IMPACT:** Minimal

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

**RECOMMENDATION:** We would recommend approving the Resolution approving Contract and Contractor's Bond.

Board of City Commissioners

Agenda Documentation

Meeting Date: September 2, 2014

Subject: Consider approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 190, Project 2014-02(Keidel's South Heart Terrace 3<sup>rd</sup> Addition).

Page 2 of 5

---

**SUGGESTED MOTION:** Move 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).

Board of City Commissioners

Agenda Documentation

Meeting Date: September 2, 2014

Subject: Consider approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 190, Project 2014-02(Keidel's South Heart Terrace 3<sup>rd</sup> Addition).

Page 3 of 5

---

City of Mandan – Board of City Commissioners

Minutes of August 7, 2014

Page 1 of 1

The Mandan City Commission met in Special Session at 2:10 p.m. on Thursday, August 7, 2014 in the Dykshoorn Meeting Room at City Hall. Commissioners present via teleconference call were: Tibke, Rohr, Braun, and Laber. Department Head present via teleconference call was City Administrator Neubauer. Also present: Planning & Engineering Director Froseth, City Planner Bob Decker and Deb Zodrow. Absent: Mayor Van Beek and City Attorney Brown.

The City Commission Vice President Sandra Tibke chaired the meeting in the absence of Commissioner Arlyn Van Beek.

OLD BUSINESS:

1. *Consider award of bid for SID # 190, Project 2014-02 (Keidel's South Heart Terrace 3rd Addition).*

Commissioner Laber asked staff to clarify at the last meeting there were two items staff was concerned with. Commissioner Laber asked about the stratification of releases and letter of credit was only for a year. Mr. Froseth indicated that we were satisfied with the terms and release of the letter of credit tied to the developer's agreement. Commissioner Laber motioned to approve the bid for SID #190, Project 2014-02 (Keidel's South Heart Terrace 3<sup>rd</sup> Addition). Commissioner Braun seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes, Commissioner Van Beek: Absent. The motion passed.

NEW BUSINESS:

1. *Consider Developers agreement with Pace's Lodging.*

Commissioner Rohr motioned to approve the Developers agreement with Pace's Lodging. Commissioner Laber seconded the motion. Roll call vote: Commissioner Rohr: Yes; Commissioner Tibke: Yes; Commissioner Laber: Yes; Commissioner Braun: Yes, Commissioner Van Beek: Absent. The motion passed.

RESOLUTIONS & ORDINANCES:

OTHER BUSINESS:

There being no further actions to come before the Board, Commissioner Rohr moved to adjourn the meeting. Commissioner Laber seconded the motion. The motion received unanimous approval of the Board members present and the meeting adjourned at 2:15 p.m.

/s/ James Neubauer  
James Neubauer,  
City Administrator

/s/ Sandy Tibke  
Sandy Tibke,  
Vice President, Board of City  
Commissioners



Board of City Commissioners

Agenda Documentation

Meeting Date: September 2, 2014

Subject: Consider approving Resolution Approving Contract and Contractor's Bond for Street Improvement District No. 190, Project 2014-02(Keidel's South Heart Terrace 3<sup>rd</sup> Addition).

Page 5 of 5

---

**RESOLUTION**  
**APPROVING CONTRACT AND CONTRACTOR'S BOND FOR**  
**STREET IMPROVEMENT DISTRICT NO. 190**

(Project No. 2014-02)

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

1. It is hereby found and determined that this Board has heretofore caused Notice for Advertisement for Bids to be made for an improvement Street Improvement District No. 190 of said City, and has duly and publicly opened and considered said bids received pursuant to said Notice.
2. Said improvement is hereby ordered to be constructed in accordance with the plans and specifications therefore as heretofore adopted by this Board pursuant to a resolution duly adopted by this Board.
3. It is hereby found and determined that the lowest responsible bidder for various categories of the work, material and skill required for said improvement is Mariner Construction whose bid provides for the construction of said improvement at a total estimated base price of \$1,609,514.53.
4. The President of the Board of City Commissioners of the City of Mandan and City Auditor are hereby authorized and directed to make and enter into a contract with said bidder on the part of the City, in the form prescribed by Sections 40-22-35 and 40-22-35, N.D.C.C. as amended, provided that said bidder shall within ten (10) days from this date execute said contract and a construction bond conditioned in accordance with the provisions of Sections 40-22-30 and 40-22-32 of said Code.

Dated this 2<sup>nd</sup> day of September, 2014

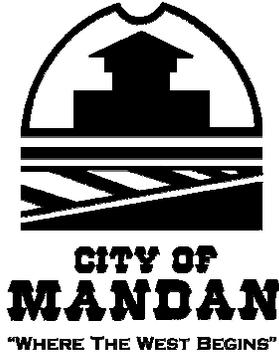
---

Arlyn Van Beek, President of the  
Board of City Commissioners

Attest:

---

James Neubauer,  
City Administrator



# Board of City Commissioners

## Agenda Documentation

<b>MEETING DATE:</b>	September 2, 2014
<b>PREPARATION DATE:</b>	August 26, 2014
<b>SUBMITTING DEPARTMENT:</b>	Engineering & Planning
<b>DEPARTMENT DIRECTOR:</b>	Justin Froseth
<b>PRESENTER:</b>	Robert Decker, Principal Planner
<b>SUBJECT:</b>	Consider for approval annexation of the property south of Plainview Heights 11 <sup>th</sup> Addition to be known as Plainview Heights 15 <sup>th</sup> Addition

**STATEMENT/PURPOSE:** This annexation is needed in order to allow recordation of the plat for Plainview Heights 15<sup>th</sup> Addition.

**BACKGROUND/ALTERNATIVES:** The developer is continuing to add to this subdivision. This area is still in the county and must be annexed before development can occur. Per City Code Section 21-03-03 subsection 6, property annexed into the city is automatically placed in the R7 zoning district.

**ATTACHMENTS:**

1. Map
2. Plat
3. Ordinance

**FISCAL IMPACT:** minimal

**STAFF IMPACT:** minimal

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

**RECOMMENDATION:** The Planning and Zoning Commission voted unanimously at their August 25, 2014 to recommend approval of this annexation. The Engineering and Planning Office recommends approval.

**PROPOSED MOTION:** Based on the recommendation of the Planning and Zoning Commission, move to approve the annexation of property south of Plainview Heights 11<sup>th</sup> Addition to be known as Plainview Heights 15<sup>th</sup> Addition and approve the first consideration of Ordinance 1191.

Board of City Commissioners

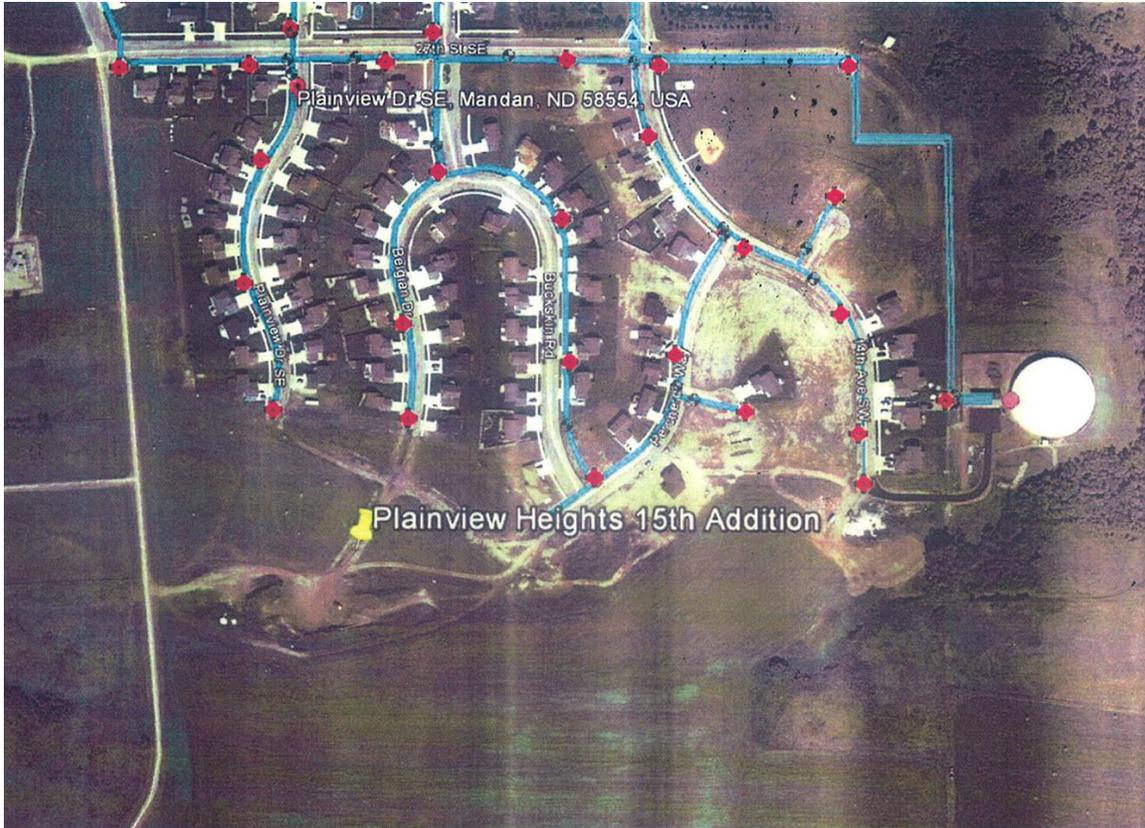
Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider for approval the annexation of property south of Plainview Heights 11<sup>th</sup> Addition to be known as Plainview Heights 15<sup>th</sup> Addition

Page 2 of 5

---





Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider for approval the annexation of property south of Plainview Heights 11<sup>th</sup> Addition to be known as Plainview Heights 15<sup>th</sup> Addition

Page 4 of 5

---

**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°

Board of City Commissioners

Agenda Documentation

Meeting Date: June 30, 2014

Subject: Consider for approval the annexation of property south of Plainview Heights 11<sup>th</sup> Addition to be known as Plainview Heights 15<sup>th</sup> Addition

Page 5 of 5

---

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.

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

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

Attest:

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

Public Hearing: \_\_\_\_\_  
First Consideration: \_\_\_\_\_  
Second Consideration  
and Final Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Recording Date: \_\_\_\_\_

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, upholstering,
- (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

