

City of Medora
Minutes of Regular Meeting
October 3, 2017
(Subject to Council review and approval)

Meeting was called to order at 6:00 p.m. by Mayor Todd Corneil. Present were Councilmen Denis Joyce, John Tczap, Ben Brannum, and Kinley Slauter. City Attorney Sandy Kuntz and City Engineer Mike Njos were also present.

Minutes from the Sept. 5 regular meeting and September 21 special meetings were reviewed. Joyce moved to approve minutes. Second by Tczap. Minutes were unanimously approved.

Mike Njos reviewed his monthly written Engineer Report. Njos added that Public Input on the Bike Path Project needs to be added to the Nov. Agenda. He has marked a row of stakes on east edge of proposed trail and asks the Council to take a look so input can be offered. The legal property boundary survey is continuing and should be done in next few weeks. Bid opening is set for April 13, 2018. Flood control slide gates have been ordered and he is waiting to get the installation quote from Cordova. Njos is waiting on a rough cost estimate for an aeration pond from Apex. After that is received and we have an idea of costs, the City can decide how they want to proceed with engineering, pursuing options, funding, etc.

Sandy Kuntz stated that her items will be covered under Old Business.

The written ambulance and police reports for the month of September were reviewed. Chief Lapp added that seasonal Officer Cogdill will be done October 20.

Public Works and MCC written reports were reviewed. Dell Beach added that he does not have a revised estimate from HA Thompson on the sewer lining project by the Chuckwagon building.

City Auditor, Carla Steffen, thanked the Council for allowing her to attend the NDLC Conference in Fargo. She also thanked Nathaniel Awender and Barb Bokinskie for accurately taking care of all the security bookings and paperwork this past year. Steffen reminded the Council that the ND Cares event is Oct. 5.

Old Business:

The approved section of drainage ditch clean-out has not been completed yet because it needs to dry out. Two additional contractors have looked at the section where the Berg house is being built and they are unable to it. Cordova Construction is willing to do that section. Joyce made the motion for Njos to get an easement from TRMF and a permit from TRNP so the City can complete the drainage ditch cleaning on their property. Second by Slauter. Discussion—the work can be done without the easement and permit, but these should be done for future reference. Motion passed unanimously. Kuntz stated that written consents should be in place with TRMF and TRNP before work begins. Slauter made the motion to accept the estimate from Polar in the amount of \$2,700 for the 6th Street Drainage Ditch and

accept the estimate from Cordova in the amount of \$4,725 for the middle section of the drainage ditch, contingent on written consents. Second by Brannum. Motion passed unanimously.

TRMF is looking for an answer to their request for the City to share in the interest buydown so they are eligible for a low-interest Flex PACE loan through the Bank of ND for the Elkhorn Quarters project. The City share would be \$40,590 And the County has already approved this same dollar amount. Tczap stated the City should be supportive. This project will bring increased tax revenue to the City and it will be a huge savings to TRMF if they get this loan. He is in favor of granting the buy down in one lump sum payment instead of spreading the payments out over 15 years. Joyce agrees with Tczap's comments and also feels the payment should be made in one lump sum. Slauter stated that he would abstain from voting as a TRMF employee, but he does feel support of this buy down is favorable for the City. Tczap made the motion to grant the interest buy down to TRMF for their Flex PACE loan in the amount of \$40,590 as one lump sum out of the General Fund. Second by Joyce. Brannum, aye; Slauter, abstain; Tczap, aye; Joyce, aye. Motion carried.

The Development Agreement Ordinance (6.1001-6.1003) was reviewed. It was last updated in 2014. Kuntz stated that it is missing the acceptance piece from the applicant when the City Engineer's recommendations are included in the agreement. Tczap asked if this would be used for development in the extra-territorial zone. Kuntz stated the applicant must satisfy county ordinances and then come to the City. It would be a 2 part application. She added that it is the responsibility of the landowner to know the government laws when buying a piece of property. Variances including "x" number of years or "only as long as current owner" could be built into the development agreement. Subdivisions are built into our ordinances (6.0802). Slauter feels the city does need to use the provision of having the applicant sign-off on accepting Engineer provisions. Njos also likes the discretion of City and Engineer, but would still like more structure so developers know more what they are getting into.

There was further discussion of updating the Transient Merchant and Outdoor Display of Merchandise Ordinances. 04-2017 Transient Merchants requires an additional license for 60 days or less of display. Craft fairs and established routes are excluded. Lemonade stands are also generally exempt. City can set the fee, but the maximum allowed by NDCC is \$25/day. A ND State License would be required for applicants. Corneil is not in favor of this ordinance and does not feel it's fair to current business owners. Joyce agrees that transient merchants should not be allowed except during traditional special events. Kuntz added that if a business owner allows a merchant to set up within its 4 walls, the City cannot touch it, as long as it has a ND State License. Business owner, Sherry Andrus, wants the ordinance to reflect that as a business owner she wouldn't be banned from displaying outdoor merchandise. Joyce feels this should be handled as 2 different issues: make the transient merchant license more difficult to obtain; outdoor merchandise can be displayed within reason. A complaint can be filed if there's a problem. Slauter would like a decision made at this meeting regarding the outdoor display of merchandise. Kuntz will include this in the 04-2017 draft and will clarify the merchandise can't impede walkways/sidewalks.

Corneil called for a 5-minute recess at 8:15. Meeting resumed at 8:20.

Atty. Kuntz presented the final draft of Ordinance 05-2017 regarding Legislative Updates. Slauter made the motion to accept the 1st reading of Ordinance 05-2017. Second by Brannum. Motion passed unanimously.

The current Fee Schedule for the City was reviewed and changes were made. Steffen will type up a final draft for review at the Nov. 7 meeting.

New Business:

Slauter made the motion to accept Raffle Application 03-2017 from the Medora Chamber with the drawing to be held at the Hunter's Feed. Second by Tczap. Motion carried unanimously.

Corneil gave an update on the appliances in the MCC kitchen. There are no upgrades or changes in the 2018 budget. A breaker needs to be changed, an element fixed, and a dial replaced. No service has been done to the appliances in a long time, so someone is coming out to look over all the appliances. Deputy Auditor, Barb Bokinsie, who takes care of all the bookings at the MCC, stated she has been in contact with Kevin from the Health Dept. in Dickinson. Only licensed caterers or restaurants can cook in the MCC kitchen if they are charging a per plate fee. Caterers that don't have a license, shouldn't be using the kitchen. Other individuals can cook in the kitchen, if they are not charging a per plate fee. Fundraisers, non-profits, schools are exempt from this. The City also requires that anyone wanting to cater in the MCC, must be a Medora Chamber member.

The Rate Analysis will be tabled until the Nov. 7 meeting—the City should have the 2018 SW rates by then.

Misc. Business:

Resident, Mary Griffin Abrahamson questioned why all the water shut-off valves around town are not working. Corneil is aware that some are not working.

Financials were presented. Tczap made the motion to approve the financials. Second by Brannum. Motion passed unanimously.

2813	BERGER ELECTRIC, INC.	229.25
2814	PACE CONSTRUCTION, INC	4543.10
2815	SOUTHWEST WATER AUTHORITY	12316.94
2816	Team Laboratory Chemical Corp.	722.00
2817	WASTE MANANGEMENT	194.87
5156	FARMERS UNION	852.84
5157	HAWKINS, INC.	5.00
16077	APEX Engineering Group	14202.75
16078	BELFIELD AUTO SUPPLY, INC	140.72
16079	BIG T CONSTRUCTION & LAWN SPRINKLERS	330.00
16080	BILLINGS COUNTY PIONEER	550.24
16081	BORDER STATES ELECTRIC SUPPLY	189.91
16082	CARLA STEFFEN	397.07
16083	CASHMAN NURSERY	199.00

16084	DAKOTA DUST-TEX, INC.	159.35
16085	FARMERS UNION	2603.09
16086	HIGHLANDS ENGINEERING & SURVEYING, PLLC	6000.00
16087	ITD	74.95
16088	Legal Edge Solutions, PLLC	2100.00
16089	MEDORA CONVENIENCE & LIQUORS	3.78
16090	MIDSTATE TELEPHONE COMPANY	208.78
16091	MIDWEST DOORS, INC.	46.35
16092	NDLC	140.00
16093	Red Trail Campground	70.00
16094	RUNNINGS SUPPLY, INC.	173.35
16095	SOUTHWEST BUSINESS MACHINES, INC	150.81
16096	SOUTHWEST WATER AUTHORITY	42.26
16097	STAPLES	78.75
16098	TEMP RIGHT SERVICE	627.54
16099	Total Safety U.S., Inc.	60.00
16100	DELTA HOTELS	394.50

Payroll and other Pre-Pays:

9-8-17	Payroll	12863.98
9-22-17	Payroll	9103.74
September Federal Payroll Taxes		6910.14
16070	AFLAC	299.16
16071	Ameritas (Dental)	683.29
16072	Avesis (Vision)	75.29
16073	NDPERS Def Comp	658.50
16074	NDPERS Retirement	3120.12
16075	Office of State Tax Commissioner	742.26
16076	NDPERS Health	7740.01
2812	ROUGH RIDER ELECTRIC COOP, INC	397.00
5155	ROUGH RIDER ELECTRIC COOP, INC	319.00
16059	ROUGH RIDER ELECTRIC COOP, INC	3970.97
16060	AT&T Mobility	327.70
16061	AT&T Mobility	134.24

Mayor Corneil read the announcements. There being no other business, Slauter motioned to adjourn. With no objection, meeting was adjourned at 9:35 p.m.

Attest: _____ Todd Corneil, Mayor

Attest: _____ Carla Steffen, Auditor