

City of Medora
Minutes of Regular Meeting
May 3, 2016
(Subject to Council review and approval)

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

Minutes from the April 5 regular meeting, April 5 Board of Equalization meeting, and April 27 special meeting were reviewed. Ellison stated that the last paragraph of the April 27 minutes needs to have the following addition regarding the Deputy Auditor's hours, "at the Deputy Auditor's current rate of pay." Corneil made the motion to approve the minutes as modified, second by Brannum. Motion Passed unanimously.

City Attorney, Sandy Kuntz, reported she had attended a SW Water Authority meeting earlier in the day with other municipal attorneys and the SW Water attorney regarding the proposed amendments by SW Water to current contracts. Various "win/win" scenarios for cities and SW Water were discussed. Kuntz proposed a deadline for cities to set the boundary areas and fees would be adjusted for extra-territorial growth going forward instead of looking back to 2010. After a first draft is completed, it will go back to the city councils. Kuntz will continue to keep the City informed as discussions move forward. Kuntz reported that things have been quiet from a prosecution standpoint.

The monthly written ambulance and police reports were reviewed. Officer Russ Lapp clarified the identity theft reports the Police Dept. filed. Lapp also stated he's been in contact with BNSF regarding the railroad crossing arms that are not working correctly.

Public Works Director, Dell Beach, reported that the new building at the swimming pool is complete except for the vent kit. Dell is working with Associated Pool to make sure it is vented properly. The venting and staining will be done before opening. Ellison introduced Roger Clemens as the new Medora Community Center Manager as of May 15.

City Auditor, Carla Steffen, reviewed changes that were made to the Medora Community Center Director's job description. Tczap made the motion to accept the MCC Director's job description. Second by Brannum. Motion passed unanimously. The final payment for the new web site is due. After payment is made, Steffen will submit the grant reimbursement paperwork. A \$1,000 budget amendment is needed before making this payment. Brannum made the motion to amend 222-41530-365 by \$1,000. Second by Joyce. Motion passed unanimously. As the 1st Street South project nears completion a budget amendment is needed to give spending authority to pay those final bills. This is still part of the surge funding received last year. Brannum made the motion to amend 100-41610-382 by \$150,000. Second by Joyce. Motion passed unanimously.

Cable TV-no report

Dakota Taxi-Steffen sent a Transient Merchant permit to Dakota Taxi, but has not heard back from them.

Special Event Permit-Ellison stated that he would like Security Director, Roger Clemens, to sign all special event permits, instead of the Police Chief to help clarify some of the disconnect that has happened in the past. Officer Lapp stated the applications should still go through the Police Dept. Tczap added that once permits are signed, the Police Dept. can be given a copy. Ellison agreed. Lapp stated that the Police Department sponsors the security officers and therefore should sign off on the permits. Ellison is granting authority to Roger Clemens to sign off on the Special Event Permits. The required signatures will be changed on the form.

Walkthrough door for fire exit in MCC—Ellison is adding this item to the Agenda. An estimate has been received for this project, but Ellison recommends putting the project on hold until other bids can be received.

Site Authorization requested by High Plains Cultural Center to having gaming at Boots was reviewed. Poker was included in the request. Ellison stated there has never been poker in Medora. Attorney Kuntz said the City could withhold granting permission for poker. After discussion, it was the consensus of the Council that the applicant revises the application showing the exact dates of poker and resubmit at the June meeting.

Site Authorization requested by Fort Abraham Lincoln Foundation to have gaming conducted at the Little Missouri was reviewed. Brannum moved to approve the Site Authorization request. Second by Joyce. Motion passed unanimously.

Animal/Parade Permit No. 04-2016, a request from TRMF to have horse drawn carriage rides through downtown Medora, was reviewed. Chief Bey attached a note to the application stating there were no problems last year. A copy of TRMF's liability insurance will be attached to the application. Tczap made the motion to approve Animal/ Parade Permit 04-2016. Second by Corneil. Motion passed unanimously.

The next item of business was to designate an official newspaper per NDCC 40-01-09. Joyce made the motion to designate The Billings County Pioneer as the official newspaper for the City of Medora. Second by Brannum. Motion passed unanimously.

The Voter Registration Review board submitted their report showing 66 registered voters in the city. Mark O. Golberg, Jr. sent a letter of appeal after receiving notice that it had been determined that he is not a resident of the City of Medora. His intent is to live at Red Trail Street, but he does not reside there now. Attorney Kuntz referred to a court case from 1983 where residency issues in Medora were covered. If a resident abandons their residency at some point, then intent needs to be rebuilt. Golberg

has no physical address to hang onto and he has no ownership of property in Medora. Kuntz added that actions need to match intent. Tczap made the motion to deny Golberg's appeal. Second by Corneil. Joyce, aye; Tczap, aye; Corneil, aye; Brannum abstained from voting because Golberg is his nephew. Motion passed. Joyce made the motion to approve the 2016 voter registration list. Second by Brannum. Motion passed unanimously.

Dell Beach presented a bid from Marman Construction to have the public restrooms resided. Siding samples were also presented. After discussion, it was decided to go with "Country Red". Joyce made the motion to accept the bid from Marman Construction of \$11,800 + \$750 for the 2 color siding. Second by Brannum. Motion passed unanimously.

Mayor Ellison recognized Grace Arthaud and Kaitlin Sitter. They provided samples to the Council of cupcakes and lemonade that they will be selling at their Badlands Lemonade stand on May 13. They presented a zoning and sign application to the Council. Their sale will be on private property and it is not a long-term business so the City has no concerns. The Council graciously approved their request and wished them well with their sale!

City Engineer, Mike Njos, reviewed his written report. First Street South should still be completed by May 15 and will need 7 days to cure. Highlands Engineering was hired by TRMF to do a replat of Southside Addition to the City of Medora. The replat was approved by the Zoning Commission on 4-19-16. Extensive easements are included in the replat. Njos contacted the County to ensure the correct signature lines are on the final easement. Corneil made the motion to approve the replat of Southside Addition to the City of Medora. Second by Joyce. Motion passed unanimously.

Steffen presented a model floodplain ordinance that the ND State Water Commission recommends. A floodplain meeting was held in Medora on 4-27-16 with the assistant state coordinator. Ellison asked that it be placed on the June agenda so there is time to compare our current ordinance to this sample.

Ellison added under Misc. Business the Billings County Multi Hazard Mitigation Plan. There is no financial commitment for the City to be included in this plan, but the City does need to sign a letter of intent to participate in the plan. Tczap made the motion to participate in the Billings County Multi Hazard Mitigation Plan. Second by Corneil. Motion passed unanimously.

Brannum made the motion to accept the financials. Second by Joyce. Motion passed unanimously.

2733	BEACH CABLE	3885.23
2734	O H CONSTRUCTION	640.00
2735	ONE CALL CONCEPTS	1.55
2736	SOUTHWEST WATER AUTHORITY	2689.63
2737	THEODORE ROOSEVELT MEDORA FDTN	16875.00
2738	WASTE MANANGEMENT	129.79
5074	HAWKINS, INC.	9.44
14928	AIRE-MASTER OF NO.DAK.	48.75

14929	AT&T Mobility	111.51
14930	BELFIELD AUTO SUPPLY, INC	68.77
14931	BEST WESTERN PLUS RAMKOTA HOTEL	160.20
14932	BILLINGS COUNTY PIONEER	312.92
14933	BUFFALO GAP INC.	22.00
14934	CARLA STEFFEN	185.64
14935	DAKOTA DUST-TEX, INC.	177.75
14936	FARMERS UNION	21.59
14937	HIGHLANDS ENGINEERING & SURVEYING, PLLC	12186.25
14938	HR COLLABORATIVE	200.00
14939	ITD	27.10
14940	JOB SERVICE ND-Unemployment Insurance	148.61
14941	Legal Edge Solutions, PLLC	2100.00
14942	MARMAN EARTH CONSTRUCTION, LLC	10500.00
14943	MENARDS-DICKINSON	22.99
14944	MID-AMERICAN RESEARCH CHEMICAL	325.05
14945	MIDSTATE TELEPHONE COMPANY	800.15
14946	NEWBY'S ACE HARDWARE	453.32
14947	NORTHERN IMPROVEMENT CO.	280.00
14948	POSTMASTER	100.00
14949	PRAIRIE LUMBER COMPANY	275.65
14950	RAILROAD MANAGEMENT CO III, LLC	530.55
14951	Rohan Hardware	45.55
14952	ROUGH RIDER INDUSTRIES	40.46
14953	SIMPLEX GRINNELL LP	1202.41
14954	SOUTHWEST BUSINESS MACHINES, INC	1063.00
14955	SOUTHWEST WATER AUTHORITY	42.76
14956	STAPLES	262.27
14957	STEIN'S, INC	155.88
14958	Total Safety U.S., Inc.	236.00

Payroll and Other Pre-pays:

April Child Support		289.86
April Federal Payroll Taxes		6942.86
Payroll 4-8-16		8405.24
Payroll 4-22-16		11270.44
14917	Aflac	199.56
14918	NDPERS Def Comp	649.00
14919	NDPERS Retirement	3450.74
14920	Avesis (Vision)	104.52
14921	Ameritas (Dental)	865.12
14927	NDPERS Health	6845.12
2732	ROUGH RIDER ELECTRIC COOP, INC	885.00
5073	ROUGH RIDER ELECTRIC COOP, INC	30.00
14899	Ben Brannum	38.88
14900	Denis Joyce	38.88
14901	ROUGH RIDER ELECTRIC COOP, INC	3161.72
14915	AT&T Mobility	510.17

Mayor Ellison read the announcements. There being no other business, Joyce made the motion to adjourn. With no objection, meeting was adjourned at 7:45 p.m.

Attest: _____ Douglas Ellison, Mayor

Attest: _____ Carla Steffen, City Auditor