

City of Medora
Minutes of Regular Meeting
July 6, 2017
(Subject to Council review and approval)

Meeting was called to order at 7:00pm by Mayor Todd Corneil. Present were councilmen Denis Joyce, Kinley Slauter, John Tczap, and Ben Brannum. City Engineer, Mike Njos, was also present.

Minutes from the June 6 regular meeting and June 26 special meeting were reviewed. Slauter moved to approve the minutes as presented and Brannum seconded. Minutes were unanimously approved.

The monthly Engineer report was reviewed. Njos added that a decision regarding the \$101,567 DOT TA funding to extend the walking trail needs to be made by July 14. The City match would be about \$55,100. Njos stated that the basketball/tennis court improvements could possibly be approved with this. Joyce stated getting people off the road to the campground is important. After further discussion, Corneil tabled this item until later in the meeting. Njos reported that APEX will be onsite the week of July 12 for a preliminary review of the system.

City Attorney, Sandy Kuntz, was absent and no report was presented. No written ambulance report was presented. The written monthly police report was reviewed. Chief Lapp added they have increased foot patrol this summer and have been handing out stickers/pencils to children. He would like to do a bulk order of about \$500 to increase his supplies of these items. Corneil replied that he thinks it's a good idea and if he has money in his budget to go ahead. During Roughrider Roundup weekend, a large sum of money in a money clip was turned into the Police Dept. They are still hoping to locate the rightful owner. Officer Awender would like to do horse patrol a few hours per week. He would volunteer his time and the use of his horses, but he would be wearing the City police uniform. Joyce thinks this is a good idea. Steffen will check with our insurance agent regarding liability. Public Works Director, Dell Beach, reviewed his written report. Joyce enquired if Beach has enough summer help. His PT employee currently works 2 to 3 days a week. Brannum added that the south side of town is not getting adequate care and recommended that Beach look for an additional seasonal employee. No MCC report was presented.

City Auditor, Carla Steffen, reviewed YTD budget information. Following last month's discussion on the railroad crossing being closed for repairs without notice, Steffen has located contact information for the new Glendive Road Master and will attempt to get information regarding future closings. Steffen reminded the Council that the NDLC Annual Conference will be held Sept. 28-30 in Fargo. Jim Wosepka PC, reviewed the 2016 annual audit report. He had no concerns and no findings. Brannum made the motion to approve the 2016 audit report. Second by Slauter. Motion passed unanimously.

Under Old Business, Steffen reviewed notes from the June 26 Park Committee Meeting. TRMF CEO, Randy Hatzenbuhler, had attended that meeting and stated he likes the work the committee has done. TRMF would be willing to grant easements for the walking trail extension, but is not giving their blessing on the entire project at the proposed location. Corneil questioned if the City should put money toward

the trail or is it better to just put it toward the tennis court/basketball/parking lot project. Slauter feels this discussion will come up again down the road and passing up the grant money wouldn't be prudent. After further discussion, Tczap would like the discussion continued later in the meeting. Since Attorney Kuntz was not present, the Ordinances listed for review under Old Business will be tabled until the August meeting.

Under Misc. Business, TRMF Project Manager, Jack Marquart, presented a packet of information to Council Members on the Bunkhouse replacement project. TRMF is concerned because they have time pressure to get these units removed from Williston. The project objective is a total of 400 units; 318 on the south side and 72 on the north side. A zoning application for the south side project will be submitted for the July 18 Zoning Meeting. Jack would like authority to proceed on the south side pending the development agreement and lagoon study. If they could start on the west side of the south project, they would not exceed what currently exists. Corneil does not feel a decision should be made until the Council has communicated with City Attorney regarding the development agreement. Slauter added that the application presented at the June Zoning Meeting was only for the north side project and it was approved pending a fully executed development agreement. Slauter is bothered that 3 items of Old Business and this development agreement can't be discussed because there is no correspondence from the City Attorney. Corneil agrees and he has had this conversation with Kuntz in the past. Corneil respectfully asks the Council to wait until the City has a conversation with the attorney before moving forward and he is willing to call a special meeting. Corneil asked for a recess at 8:15 p.m. At 8:25 the meeting reconvened and Corneil had Attorney Kuntz on the phone. Jack told Kuntz that TRMF would like a firm idea for a trigger to start digging holes in the ground. He would like a motion to proceed contingent on not building more units than what are currently there until the development agreement and lagoon study are complete. Kuntz asked what their timeframe is for shovel in hand. Jack responded that contracts are ready to award next week and the earliest would be the week after next. The lagoon capacity won't be completed until August 7. Randy Hatzenbuhler stated there was no development agreement when the RR Hotel project was done. He feels like TRMF is being put in a spot that they haven't been placed before and that they should have earned respect over the years. He asked the Council if this is the precedent they want to start. Randy has the contract ready to sign for the units and he's wondering if he should sign it. Tczap asked Kuntz if the development agreement could be ready for review by next Tuesday. Njos added that no zoning application or site plan has even been submitted yet for the south side. Referring to the lagoon capacity, he stated if there's a zero gain in net flow, then he would give his approval. This takes time to review and at this point he recommends the City wait to proceed until he reviews the complete plans. Randy does not feel the City is at risk if they approve 212 rooms (an exact replacement of what is currently there) until the development agreement and lagoon study are completed. Corneil and Kuntz feel the process is being rushed. Tczap asked what the Council can do to help them move forward. Kuntz stated a motion could be made with contingencies. Again, Njos stated that he hasn't even seen the plans yet so he thinks a decision should wait. Kuntz stated the next steps would be to: draft a development agreement, send it over to Randy Hatzenbuhler, send a copy to City Council members, review the plan so everyone is on the same page, possible addendums as new information comes forward, development agreement in place, and Njos's review of site plan. Tczap made the motion to approve TRMF's request to move forward with a 212-room proposal contingent

upon a development agreement by the end of next week, engineer review, Zoning Commission approval, and dirt being moved no sooner than July 19. Second by Brannum. Slauter will abstain from voting because he is a TRMF employee. Joyce, aye; Tczap, aye; Brannum, aye. Motion carried. A Special Meeting will be held Thursday, July 13 @ 7:00 p.m. to review the development agreement and make a decision on the TA funding for the walking trail.

Slauter made the motion to approve the financials withholding check #5129. Second by Tczap. With all ayes the following financials were approved.

2792	HEALTH CHEMISTRY LAB	86.62
2794	WASTE MANANGEMENT	188.92
2795	SOUTHWEST WATER AUTHORITY	17080.48
2796	SOUTHWESTERN DISTRICT HEALTH UNIT	60.00
5130	BRAUN DISTRIBUTING	117.60
5131	FARMERS UNION	461.89
5132	HAWKINS, INC.	575.79
5133	NEVER ENOUGH THYME GREENHOUSE	48.90
5134	NEWBY'S ACE HARDWARE	104.12
5135	RUNNINGS SUPPLY, INC.	217.76
5136	SOUTHWESTERN DISTRICT HEALTH UNIT	20.00
5137	STEIN'S, INC	145.56
5138	WALMART COMMUNITY/RFCSELLC	129.84
15868	AMERICAN INSURANCE, INC	126.00
15869	BERGER ELECTRIC, INC.	1146.92
15870	BIG T CONSTRUCTION & LAWN SPRINKLERS	650.00
15871	BILLINGS COUNTY PIONEER	496.20
15872	BNSF RAILWAY COMPANY	1854.00
15873	BORDER STATES ELECTRIC SUPPLY	287.19
15874	BRAUN DISTRIBUTING	346.60
15875	CARLA STEFFEN	478.04
15876	CHILLER SYSTEMS, INC	1102.00
15877	Culinex	2764.82
15878	DAKOTA DUST-TEX, INC.	159.35
15879	FARMERS UNION	954.11
15880	GALLS, LLC	126.69
15881	HAMPTON INN-BISMARCK	81.00
15882	HIGHLANDS ENGINEERING & SURVEYING, PLLC	16107.50
15883	HR COLLABORATIVE	100.00
15884	JAMES J. WOSEPKA, PC	4800.00
15885	JobsHQ	529.90
15886	JOHN TCZAP	34.18
15887	Legal Edge Solutions, PLLC	2100.00
15888	MEDORA AREA CVB	750.00
15889	MENARDS-DICKINSON	67.81
15890	MIDSTATE TELEPHONE COMPANY	775.54

15891	MUNICIPAL GOVERNMENT ACADEMY	25.00
15892	NDLC	303.00
15893	NORTHERN IMPROVEMENT CO.	31039.90
15894	POSTMASTER	200.00
15895	QUALITY QUICK PRINT	210.00
15896	RAILROAD MANAGEMENT CO III, LLC	194.55
15897	Red Trail Campground	93.23
15898	ROOSEVELT CUSTER REGIONAL COUNCIL	5165.00
15899	SOUTHWEST BUSINESS MACHINES, INC	806.35
15900	SOUTHWEST WATER AUTHORITY	46.13
15901	STAPLES	51.25
15902	STEIN'S, INC	536.35
15903	TEMP RIGHT SERVICE	220.00
15904	Total Safety U.S., Inc.	387.50

Payroll and other Pre-Pays:

June Federal Payroll Taxes:		11,377.63
Payroll 6-2-17		9,046.59
Payroll 6-16-17		13,240.41
Payroll 6-30-17		14,261.91
15860	AFLAC	448.74
15861	Ameritas (Dental)	693.29
15862	Avesis (Vision)	75.29
15863	NDPERS Def Comp	613.00
15865	NDPERS Retirement	4,691.13
15866	NDPERS Health	7,743.78
15867	Office of State Tax Commissioner	966.92
15842	AT & T	320.96
15843	AT&T	134.44

There being no other business, motioned to adjourn. With no objection, meeting was adjourned at 10:05 p.m.

Attest: _____ Todd Corneil, Mayor

Attest: _____ Carla Steffen, Auditor