

**CITY OF PARK RIVER, NORTH DAKOTA, REGULAR COUNCIL MEETING,
MONDAY, JUNE 8, 2015 AT 7:30 P.M.**

The City of Park River held their regular meeting of the Park River City Council on Monday, June 8, 2015 at 7:30 P.M.

Mayor Stenvold called the meeting to order with the following present: Councilmen, Blake, Knutson, Lundquist, and Anderson, City Coordinator Jolene Halldorson, City Attorney Tracy Laaveg, Public Works Director (PWD) Dennis Larson, and Auditor Ann Berg. Absent; Lorton & Byron. Others; Bob Thomson, Warren Denault, Curtis Sarkilahti, Joel Hylden & Dennis Markusen.

Anderson moved and Blake seconded to approve the following: minutes from the May 11, 2015 Regular Council meeting, and approved the following amendment to the January 12, 2015 minutes which were omitted, (The Street Committee recommended that the City provide millings for 300 feet of Hill Avenue North and that the residents that benefit from this pay for the labor. A motion was made by Byron and Lundquist seconded to provide the millings for 300 feet of Hill Ave N and the residents pay for labor and packing. Upon roll call vote all voted aye. M/C.), and approved the transfer of the American Legion liquor license for the following events; 6-13-15 to City Hall for Kamphuis/Berg wedding, 6-20-15 to Coliseum for Gaarder/Kringstad wedding, 7-3-15 to Coliseum for Aggie Alumni Banquet, 7-11-15 to Coliseum for Swartz/Dinkle wedding, and payment of the following checks. Upon roll call vote, all voted aye. M/C.

General Fund

28586	NDPERS	75.28
87	Aflac	15.58
88	Discovery Benefits	80.09
89	NDPERS	74.92
28590	NDPERS	922.11
91	Sillers, Laaveg, & Wenzel	750.00
92	BC/BS of North Dakota	1,373.12
93	Productivity Plus Account	65.49
94	East Side Garage	215.17
95	Heartland Gas Co.	146.88
96	HR Collaborative	40.00
97	Jim's Super Valu	6.78
98	Liberty Business Systems, Inc	11.91
99	Lon's Hardware	253.89
28600	Montana Dakota Utilities	184.56
1	Northdale Oil, Inc	818.09
2	North Star Coop	1,065.06
3	Polar Communications	553.06
4	Rainbow Auto Body	212.47
5	Glenn Rost	250.00
6	Stone's Mobile Radio, Inc	209.70
7	US Bank Equipment Finance	67.00
8	Walsh County Auditor	9,094.22
9	Walsh County Press	469.56
1654	Ellefson, Sheldon	499.78
1655	Machart, Louis	53.53
EFTPS	GF#9 5-15-15	116.13

EFTPS	GFMU#9 5-15-15	742.89
1656	Ellefson, Sheldon	313.40
1657	Machart, Louis	107.05
EFTPS	GF#10 5-31-15	69.66
EFTPS	GFMU#10 5-31-15	779.52
1658	Anderson, Keith	2,216.40
1659	Blake, Karl	2,216.40
1660	Byron, Dwight	2,216.40
1661	Knutson, Arvid	2,216.40
1662	Lorton, Michael	2,216.40
1663	Lundquist III, Robert	2,216.40
1664	Stenvold, Dan	4,176.70
EFTPS	GF#01 6-8-15	3,187.60

Municipal Utilities

32854	NDPERS	307.34
55	Nodak Electric Cooperative	4,717.73
56	Postmaster	301.86
57	General Fund	3,999.20
58	Aflac	372.84
59	Discovery Benefits	268.23
32860	NDPERS	307.70
61	NDPERS	4,638.20
62	BC/BS of North Dakota	6,349.68
63	Advanced Engineering &	1,147.25
64	AmeriPride Services, Inc	138.84
65	Aqua-Pure Inc.	3,436.57
66	Border States Electric Supply	5,844.52
67	Butler Machinery Co	745.41
68	City of Fargo	28.00
69	Grand Forks Utility Billing	201.00
32870	Productivity Plus Account	86.14
71	Consolidated Waste, LTD.	17,099.55
72	Cretex Concrete Products, Inc	5,046.11
73	Discovery Benefits, Inc	16.50
74	Ethanol Products, LLC	2,018.42
75	Ferguson Waterworks #2516	1,044.48
76	Graymont (WI) LLC	5,379.41
77	Hawkins Inc	303.50
78	HR Collaborative	40.00
79	Jim's Super Valu	36.15
32880	Kilmer Construction	990.00
81	Lagoon Maintenance	1,634.39
82	Leon's Building Center, Inc	44.78
83	Liberty Business Systems, Inc	11.91
84	Light & Water Dept	2,744.59
85	Lindell's Mowing	500.00
86	Stefan Linstad	72.28
87	Lon's Hardware	144.25
88	Municipal Utilities	100.00
89	ND One Call Inc.	74.80
32890	NDWPCC	20.00

91	Northdale Oil, Inc	269.37
92	North Star Coop	222.92
93	Polar Communications	157.74
94	Servocal Instruments Inc	600.00
95	US Bank Equipment Finance	67.03
96	Water Bond Fund 05	4,830.00
97	Water Rev Bond Fund Phase II	3,450.00
98	Water Smith, Inc	3,407.00
99	Water Sur-Charge Fund	5,000.00
32900	Water System Repair & Replace	1,500.00
1	Water Tower Fund	11,020.50
2	Walsh County Press	29.40
7329	Berg, Ann	1,294.75
7330	Bosh, Galen	884.03
7331	Halldorson, Jolene	1,595.34
7332	Hensel, Patricia	1,063.77
7333	Irvine, Joshua	976.97
7334	Kalgard, Wade	974.55
7335	Kelly, Peter	930.52
7336	Larson, Dennis	2,396.78
7337	Linstad, Stefan	1,264.34
EFTPS	MU#9 5-15-15	3,718.96
7338	Bell, Corrine	696.98
EFTPS	PkDist#9 5-15-15	192.50
7339	Kalgard, Wade OT	93.16
EFTPS	MU#9 5-15-15 OT	29.16
7340	Berg, Ann	1,294.75
7341	Bosh, Galen	884.03
7342	Halldorson, Jolene	1,595.34
7343	Hensel, Patricia	1,063.77
7344	Irvine, Joshua	976.97
7345	Kalgard, Wade	974.55
7346	Kelly, Peter	930.52
7347	Larson, Dennis	2,396.78
7348	Linstad, Stefan	1,264.34
EFTPS	MU#10 5-31-15	3,682.33
7349	Bell, Corrine	696.98
EFTPS	PkDist#10 5-31-15	192.10
7350	Linstad, Stefan OT	40.37
7351	Kalgard, Wade OT	31.97
7352	Bosh, Galen OT	55.76
EFTPS	MU#10.1 5-31-15 OT	65.52
AW	NMPA	
AW	First United Bank ACH	
<u>Special Fund</u>		
3435	05 Sales Tax Rev Bd Fd	12,760.32
36	North Star Coop	38.15
37	Oak Valley Farm	95.00
38	Riverside Gardens	982.75
39	Lon's Hdwr	18.07

Hospital Bldg Fund

1050	05 Sales Tax Rev Bd Fd	815,946.94
1051	Arntson Stewart Wegner PC	3,536.19

St Improve Dist #2012-2

5018	Eugene Bossert	100.00
5019	Dr. Mark Helgeson	100.00
5020	Judy Troftgruben	100.00

An APPLICATION FOR RETAIL LIQUOR LICENSE, with a check for 1,200.00 was received from the American Legion Association of Park River. Blake moved and Lundquist seconded to approve the application. Upon roll call vote, all voted aye. M/C.

An APPLICATION FOR RETAIL LIQUOR LICENSE, along with a check for 1,600.00 was received from Warren Denault, dba The Dug Out Bar. Knutson moved and Anderson seconded to approve the application. Upon roll call vote, all voted aye. M/C.

An APPLICATION FOR RETAIL LIQUOR LICENSE, with a check for 1,200.00 was received from North Star Cooperative. Anderson moved and Blake seconded to approve the application. Upon roll call vote, all voted aye. M/C.

An APPLICATION FOR RETAIL LIQUOR LICENSE, with a check for 1,600.00 was received from Lalpesh Patel of PB Properties III, LLC, dba The Alexander House. Anderson moved and Lundquist seconded to approve the application. Upon roll call vote, all voted aye. M/C.

An APPLICATION FOR RETAIL LIQUOR LICENSE, along with a check for 1,600.00 was received from Curtis A. Sarkilahti, dba Top Hat Bar & Grill. Lundquist moved and Blake seconded to approve the application. Upon roll call vote, all voted aye. M/C.

An APPLICATION FOR RETAIL LIQUOR LICENSE, with a check for 1,600.00 was received from The Club Bar & Lounge, Inc. Anderson moved and Lundquist seconded to approve the application. Upon roll call vote, all voted aye. M/C.

Warren Denault, Bob Thomson, Curtis Sarkilahti, representing the Briggs Ave S bar owners, requested approval to have a street dance on July 3, 2015 from 9:00 PM to 1:00 AM. They also asked for permission to have beer gardens during the street dance on July 3, 2015. The Council asked that the bar owners clean all cans off the sidewalk onto the street and pick up all bottles and garbage along the adjacent streets and alleys. The City of Park River will pay for policing of the street dance. Knutson moved and Anderson seconded to approve the street dance request on July 3, 2015 from 9:00 PM to 1:00 AM and that they are responsible for clean-up after the event and the City will pay the policing costs. Upon roll call vote, all voted aye. M/C. Lundquist moved and Blake seconded to approve The Club Bar & Lounge, Inc's request for a beer garden. Upon roll call vote, all voted aye. M/C. Lundquist moved Anderson seconded to approve the Top Hat Bar's request for a beer garden. Upon roll call vote, all voted aye. M/C. Anderson moved and Blake seconded to approve The Club Bar & Lounge, Inc's request for a beer garden. Upon roll call vote, all voted aye. M/C. Anderson moved and Blake seconded to approve the Dug Out Bar's request for a beer garden. Upon roll call vote, all voted aye. M/C.

Building Committee member Keith Anderson provided information on quotes received for new lighting fixtures for the City Hall. Option A would replace all lighting with L.E.D. fixtures at a cost of \$39,440.00 and Option B is a combination of L.E.D. and fluorescent fixtures at a cost of \$21,698.00. This project would be suitable to apply for a Department of Commerce Energy Conservation Grant (DCECG) which is a 50/50 cost

share grant. The Building Committee's recommendation to the Council is to move forward with Option B and have Halldorson write a grant to the (DCECG) for additional funding. Anderson moved and Blake seconded to accept the Option B proposal from Samson Electric for \$21,698.00 to retrofit the City Hall lighting fixtures with a combination of L.E.D. and fluorescent fixtures. Upon roll call vote, all voted aye. M/C.

On January 12, 2015 a motion was passed to provide millings for 300' of Hill Avenue North with residents paying for the \$3,600.00 labor and packing cost. Financing up to five years could be arranged if necessary but would need to be approved by Council. All homeowners benefiting from the project have been contacted and are in agreement to move forward and will pay for the labor and packing. City Attorney Laaveg has written up an Extraordinary Street Improvement Agreement between the Homeowners and City of Park River. Blake moved and Lundquist seconded to approve the Extraordinary Street Improvement Agreement as presented by City Attorney Laaveg. Upon roll call vote, all voted aye. M/C. Blake moved and Lundquist seconded to authorize the Street Committee to negotiate terms with the homeowners if necessary. Upon roll call vote, all voted aye. M/C.

Joel Hylden appeared before the Council to explain \$1,133.97 in bills submitted for payment to various vendors at the May 11, 2015 meeting. Hylden explained the purchases were for trees, shrubs, chemicals, and perennials for the bike path on the east side of town and felt the purchases fell under the budget given to him by former Auditor Tom Larson. Knutson explained, in the future purchases need to be pre-approved by City Administration as the City is trying to replace and re-establish berm trees throughout the City with limited funds for the project and asked him to present a budget for the coming year for consideration. The Council thanked Hylden for all the years he has spent beautifying the bike path. Knutson moved and Lundquist seconded to approve payment of the bills in the amount of \$1,133.97. Upon roll call vote, all voted aye. M/C.

Dennis Markusen of KLJ, Inc presented the final plat for the 80 acre Green Acres Addition for the Council's approval and signatures.

Councilman Knutson moved the adoption of the following resolution

**RESOLUTION ACCEPTING THE PLAT OF GREEN ACRES ADDITION AND DIRECTING
THE RECORDING OF SAID PLAT**

WHEREAS, there has been presented to the City Council a proposed plat for Green Acres Addition, consisting of the East ½ of Section 28, Township 157, Range 55, Walsh County, North Dakota; and

Whereas, the City of Park River, being the record title owner of said property, has determined that the plat meets all applicable laws and regulations.

Now therefore, BE IT RESOLVED by the City Council of the City of Park River, North Dakota, that the Plat of Green Acres Addition is hereby approved as accepted. The Walsh County Recorder is hereby requested to file said plat, which is hereby incorporated by reference.

Councilman Anderson seconded the motion for the foregoing Resolution, and upon roll call, all voted "aye." Motion carried.

PWD Larson presented an update on the water tower project. The inside shell of the water tower is currently being primed and that weather permitting all of the painting should be completed in a couple of weeks. Larson also reported the water line re-location project on Railroad Avenue West has been done. The street impacted has been filled and packed and will be allowed to settle until next summer when it will be fixed.

Upon Council request at the May 8, 2015 meeting, City Attorney Laaveg was asked to prepare an ordinance on fire pits for their consideration. Knutson moved and Lundquist seconded to approve the first reading of the following ordinance. Upon roll call vote, all voted aye. M/C.

ORDINANCE 17.a

**AN ORDINANCE RELATING TO THE REGULATION OF RECREATIONAL FIRES
WITHIN THE CITY LIMITS, AND PROVIDING A PENALTY.**

Section 1.

It shall be unlawful for any person to allow open burning within the City of Park River, except that recreational fires shall be allowed as follows:.

- a. All fires must be a minimum of 10 feet from all combustible materials (i.e. dwellings and structures, decks, fences, trees, etc.)
- b. All fires shall be contained within a fire pit, an outdoor fireplace, fire bowl, or chimaera. A screen or a lid shall be used to prevent floating embers and ash. No outdoor fireplace, fire bowl, chimaera, or any other free-standing container shall be used upon any deck or patio that is constructed of wood, composite material or any other combustible material.
- c. The size of the fire (flames) shall not exceed 3' X 3' X 3'.
- d. Only clean, unpainted and untreated wood or cooking charcoal may be burned.
- e. Chemically treated products, garbage and yard waste, including but not limited to: chemically treated fireplace logs; treated, painted, stained or glued woods, such as plywood or particle board; or leaves, grass clippings or garden vegetation, shall not be burned.
- f. The fire must be attended at all times by a person 18 years or older.
- g. A garden hose attached to a water supply or other approved fire extinguishing device (i.e. fire extinguisher, bucket of sand) shall be readily available.
- h. The fire must be extinguished by midnight each night.
- i. All fires are subject to extinguishment at the direction of the fire or police department.
- j. Care must be observed as to wind direction and velocity so as not to endanger the safety or property of others or the peaceful enjoyment of their property.

Section 2.

The penalty for violation of this ordinance shall be \$50 for the first violation, and \$50 for each subsequent violation within each calendar year.

FIRST READING June 8, 2015

SECOND READING July 13, 2015

PUBLICATION DATE

MAYOR

FILED IN MY OFFICE THIS 8TH DAY OF JUNE, 2015

CITY AUDITOR

Each year per NDCC 40-13-02 the City shall set the bond for the City Auditor at no less than 25% of funds handled during the preceding year.

Blake moved and Lundquist seconded to adopt the following resolution:

Resolution Setting City Officials Bond Limit

Be it resolved:

WHEREAS, the City of Park River is covered by a blanket bond by the North Dakota State Bond Fund; and,

WHEREAS, the North Dakota State Bonding Fund Provides fidelity bond coverage for city employees and public officials in dealing with public funds; and,

WHEREAS, the bond is fixed by the city governing body and set by resolution as outlined in NDCC §40-14-03; and,

WHEREAS, at the June 8, 2015 regular city council meeting of the Park River City Council the current bond limits were reviewed and found to be sufficient.

NOW, THEREFORE, be it resolved by the City Council of the City of Park River, North Dakota, that the bond coverage by the State Bonding Fund in the amount of One Million, Five Hundred Thousand Dollars (\$1,500,000) has been reviewed and found sufficient.

Upon roll call, all voted aye. M/C.

Mosquito spraying costs were discussed. Blake moved and Lundquist seconded to reinstate a spraying charge of \$4 per month per utility account for 4 months starting with the June billing and ending with the September billing. Upon roll call vote, all voted aye. M/C.

A contract authorizing the State Tax Commissioner to administer Park River's local sales, use, and gross receipts taxes for the 2015-2017 biennium was received for the Council's approval. The administration fee will be \$204.00 per month. Knutson moved and Anderson seconded to approve the contract with the Office of the State Tax Commissioner for the next two years. Upon roll call vote, all voted aye. M/C.

Berg provided information to the Council on the Special Assessment Committee's meeting held on May 26, 2015. The committee met to review the proposed special assessment costs of \$125,000.00 for the Street Improvement District No. 2012-2 (North Star Addition paving project), and approved the special assessment costs of \$5,681.82 per lot over 20 years. The committee is recommending the Council schedule a public hearing on June 22, 2015 at 5:15 pm to hear any protests to the special assessments and to approve the resolution confirming the assessments at the Special Council meeting on June 22, 2015 at 5:30 pm. Berg has publicized the hearing, posted a list of assessments and sent letters to all property owners as required by NDCC. Blake moved and Lundquist seconded to approve the preliminary assessment costs as recommended by the Special Assessment Committee and to hold a public hearing on June 22, 2015 at 5:30 pm to hear any protests. Upon roll call vote, all voted aye. M/C. Notice will be posted of the Special Council meeting to be held on Monday, June 22, 2015 at 5:30 pm.

Halldorson updated the Council on the Outdoor Heritage Grant the Park District applied for and stated that the grant request ultimately was turned down. The grant will be updated and re-submitted later this year.

Halldorson is asking for the Council's permission to set up a committee to audit the Municipal Court system. City Attorney Laaveg, WC Sheriff Ron Jurgens, Councilmen Lundquist and Halldorson will sit on the committee.

Halldorson is asking permission to conduct strategic planning for the City's future. Council felt it was a good idea. The possibility of having a retreat to discuss the idea was mentioned.

Council members asked Halldorson to address properties with messy yards, tall grass, and areas with weeds. It was suggested that pictures be taken and property owners notified by letter to correct the problem and if action is not taken by property owners the City will have it taken care of and special assess the costs to the property owner.

Council discussed the BNSF railroad crossing located on ND State Highway 17 in city limits. Halldorson was asked to contact the NDDOT about the crossing.

Being no further business, the meeting adjourned at 8:50 PM.

Dan Stenvold, Mayor

ATTEST:

Ann Berg, City Auditor